

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

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II. INVOCATION

Commissioner Harris Odell, Jr., introduced The Honorable John E. Morse, Jr., Judge of the Superior Court of Chatham County, Georgia, who gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

Commissioner Odell led the Pledge of Allegiance to the Flag of the United States of America.

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IV. ROLL CALL

The Clerk called the roll.

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

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

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. ST. PATRICK'S DAY COMMITTEE WITH A SPECIAL REPORT FROM THE COUNTY MANAGER ON "WHAT'S NEXT FOR THE GRAND MARSHAL?"

Chairman Liakakis said, I'm happy that we have a really special presentation this morning because of St. Patrick's Day and St Patrick's Grand Marshal that we have here, as many of us know, and what I'd like to do first is to call on our County Manager, Russ Abolt, for a special presentation.

County Manager Abolt said, thank you, Mr. Chairman, Dr. Thomas, ladies and gentlemen. This is a significant moment. I want to call your attention to the visuals in the room. [During his speech, County Manager Abolt was showing appropriate slides to fit his conversation.] It's apparent that graffiti is everywhere in this iconic stature to St. Patrick in Ireland. Somebody has struck and we are not sure who it is, though time may tell, but this type of nonsense has to stop, and I think with you today hopefully the word will go out that no more of this. I had the good fortune coming into this meeting today to be talking with Mr. Eddie Fahey, and my wife, Diane, who's in the

audience also — we've known Eddie for a number of years. Eddie was commiserating of what it was like when they appointed real Grand Marshals. He also indicated to me as I was questioning life after being a Grand Marshal, and he likened it to what I would refer to as, in the words of General Douglas McArthur, you know, you just fade away. We're very concerned about the current Grand Marshal though he may not be the most qualified, what he might be doing after this Tuesday, St. Patrick's Day. And as we look at that and we listen to the words of Mr. Fahey, we come up with this: Old Grand Marshals never die, they just go out to pasture.

Now for the benefit of Mr. Curtis Carver, who's in the audience who considers himself the power behind Culver rug, I'll let him read that, although he may have missed the last part of that. Did you get that Curtis? Curtis, as I mentioned, considers himself the power behind Culver Rug, his wife and long time employee, Diane Carver, considers him the padding under the carpet. He had planned to put the Grand Marshal on a promotional tour after the 17th selling a very vivid color of AstroTurf, but if that doesn't work out, and I do want to report, as you'll notice in a moment, that Monsignor O'Neill, the Chaplain to the Grand Marshal is not here today, but they is going to be a special event on the steps of the Chapel on Tuesday, the Monsignor will have a card table and he'll be distributing and will be announcing for the first time to the general community and will be passing out these bumper stickers: "Pat for Pope." The only thing I asked the Monsignor to do is make sure he told the Bishop about this because, as you know, this is a live broadcast and by chance if Bishop Bolen is watching this and has not heard about it, then I pity the Grand Marshal. It would be more than just one bumper sticker. We plan a whole campaign. Here is our first major campaign entry after the bumper sticker: "I'm not lying, I'm for O'Brien," But wait, there's more. We thought this particularly catchy: "Take the 'if' out of Pontiff. Vote for O'Brien!" Apparently I'm getting a lot of support behind me. And then "Savannah today, Rome tomorrow." There will be no resistance at all. And then we have a series — we'll just go through these — and then as we do require so much in advising the Grand Marshal how best to advance his campaign, we know it's most important — as we know it's very important to have guidance and wisdom in a campaign of this magnitude, and as you'll see, we think and we've underscored the fact that even the Grand Marshal needs a Godfather (showing a picture of Father O'Brien and Chairman Liakakis).

Chairman Liakakis said, Russ [Abolt], we have — is Joe here now? Chairman Liakakis said, Godfather, that's up to you, I don't know. Chairman Liakakis said, we have a distinguished Irishman here today and he wants to join in the celebration.

Mr. Ebberwein said, I'd like to thank the Commissioners for inviting Harriet and me to be here this morning for this celebration, and I'd like to dedicate this first one to Father O'Brien but also in memory of our dear Monsignor Daniel Bourke. So this is a little bit of Danny Boy. [He then sang "Danny Boy."] Mr. Ebberwein said, and we are going to end it with what this is all about, St. Patrick's Day in Savannah. This song was written in the 50's — late 50's, early 60's by Aloysius J. Handiboe. Al Handiboe is the grandfather of your tax commissioner, Danny Powers, and his mother, Mary Handiboe Powers, who was not able to be with us today, and we'd like to dedicate that to her. [Mr. Ebberwein then sang, "It's St. Patrick's Day in Savannah."]

Chairman Liakakis said, what I'd like to do now is call on the Chairman of the St. Patrick's Day Parade Committee, John Forbes, and, John, if you'd like to make introductions and then bring your crew up because we're going to have a special presentation also when you finish.

Mr. Forbes said, thank you, Mr. Commissioner. It's a pleasure to be here representing the 700-plus members of the St. Patrick's Day Parade Committee. They've worked long and hard to put on a great parade and hopefully the finished product on Tuesday will be second to none. So thanks for everything you do for the County and the residents. I know it's a lot of hard work, so we really appreciate it and we're glad to be a part of it. I will quickly introduce the officers that I have here with me: my Vice Chairman Copie Burnett, our Treasurer, the one and only Joe Welch, Bubba Edgerly is an Executive Committee member, Jerry Hogan, Jr., Frank Baker, and the Grand Marshal's personal chauffeur, Michael "Deadman" Brady. And again thanks to Mr. Ebberwein. That was great. Again, thank you very much for having us.

Chairman Liakakis said, Father O'Brien, if you will come forth now and bring your staff and introduce them and then we'll have a presentation.

Grand Marshal Father O'Brien said, before I introduce my staff, Mr. Chairman and Commissioners, there's a saying back home in Ireland if we don't ask many questions, we can put people away quietly and nicely and with dignity. Mr. Abolt, please observe those remarks. You may be in the category one day, Mr. Abolt. But indeed it is, Mr. Chairman and Commissioners and friends, a great honor to be here with you this morning. Thank you very much for having us. I'll introduce this morning my aides. I'll begin here on my left, long time friend, Dr. Keith Kirby, my brother Raymond, and from Ireland — who are you? — we don't know him from [inaudible], my cousin Joe McCarthy, came in from Ireland on Tuesday night. My long time friend, Mr. Eddie Fahey. Some of you probably have heard of him along the way and [inaudible] that's up here with Eddie [Fahey] is Curtis Carver, and all of them have been in a family, a special friend to me during the years, and it is a distinct privilege to have them here today. I have two other people with me here hopefully by the weekend, my brother Denis is due in tomorrow night; my nephew Bernard, we don't know what pub he's in so therefore we don't know where to find him. But he, too, will probably arrive about the time that Dennis is arriving on the weekend. Thank you.

Chairman Liakakis said, as was mentioned, Father, you did an excellent job in the pre-meeting this morning. Father O'Brien said, thank you, sir. Chairman Liakakis said, and this is being held live now, it's on television, and I want to make sure that all of our citizens that watch Channel 16, our government channel that's on television, this is being filmed live now, and will play several more times. So we want our citizens to know what the County thinks

of you and —. Father O'Brien said, that may not be advisable. Chairman Liakakis said, well, we know a little differently. As you see, we've got some — a lot of green here today, and we've got a great County Commission that really supports the St. Patrick's Day Parade, and they do a great job to represent all of the people and the County. And the proclamation reads:



WHEREAS, one of the highest honors to be bestowed upon an Irish Catholic in Chatham County is to be elected Grand Marshal of the St. Patrick's Day Parade; today we salute with great pride the 2009 Grand Marshal, Father Patrick J. O'Brien; and

WHEREAS, Father O'Brien is a 1964 graduate of the School of Philosophy at Mount Melleray College in Waterford where he was quite an athletic enthusiast. After graduating from from the School of Theology, he was ordained on June 1, 1969, the same year in which he came to the United States; and

WHEREAS, Father O'Brien's first assignment was Assistant Pastor of Nativity of Our Lord Church and due to the increase of the islands area, a new parish was established, St. Peter the Apostle, which Father O'Brien served as pastor until his retirement in June, 2008; and

WHEREAS, he is a blessing given to us and he continues to bless others. He served as Chaplain for the former Chatham County Police Department for twenty-two years and was affectionately called "191" which was his radio signal number that officers used when his service was needed. They knew they could depend on Father O'Brien to assist at times of emergency, to be with the officers who were faced with informing family members that a loved one had passed, and to deliver updates to families of those who suffered injuries;

NOW, THEREFORE, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim Friday, March 13, 2009 as:

GRAND MARSHAL FATHER PATRICK J. O'BRIEN DAY

in Chatham County and salute him for having this prestigious title bestowed upon him and feel assured that Irish eyes will be smiling as he leads the 185th St. Patrick's Day Parade.

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

Pete Liakakis, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

Chairman Liakakis said, what I'd like to do right now is we have a special medal that we give to people and what I'd like to do, Father, is to place this Chatham County medal on you. I know that you have the Grand Marshal's medallion, but we want you to have this and also we want your aids to have this also, and certainly those of your relatives who are going back to Ireland after the festivities and all, we want the people to know that we are honoring them as well as the locals. And another former Grand Marshal, Eddie Fahey, we want you to have this also, and to Curtis [Carver], and I also have this pin right here that I give every year to the aides —, to the Grand Marshal and to the aides. And we have two of your relatives who will be coming over very shortly, and I'll have one for them also. Father O'Brien said, thank you very much. Chairman Liakakis asked, anything else you'd like to say now, Father?

Father O'Brien said, just one. Thank you, Mr. Chairman, thank you, ladies and gentlemen of the Commission. You're wonderful. It has been my distinct privilege to work basically under you for approximately 25 years to 28 years through the Police Department, and I thank you today for all that you do for our County, for people who visit, and it is indeed a distinct privilege to be here with you, and you, Mr. — who are you? — Mr. Abolt. We, too, thank you. I notice his wife is here this morning. I also notice a very special person that was my first boss with the County, Sheriff Al St. Lawrence is here, so I want to thank his personally. So, ladies and gentlemen, thank you very much. We are looking forward to a great parade, and you have done so much during the years to help us to put the parade on the street and it is going to be a distinct privilege as Grand Marshal. With that, God bless you, God bless Chatham County, and God bless America. God bless you.

Commissioner Holmes said, Mr. O'Brien. Father O'Brien said, yes sir, Mr. Holmes. Commissioner Holmes said, since I witnessed everything this morning, I'm going to suggest that you as a Marshal put on your robe and open up the confession booth. We're going to need it. Father O'Brien said, Mr. Holmes, in all due respect I'm busy at this time and I would not have enough time to facilitate you and some of your cohorts.

Chairman Liakakis said, Father, on behalf of the Chatham County Commission, and of course the citizens of Chatham County because you were elected with no opposition and you were unanimously elected because people in our community know that not that you're a great pastor for the Catholic Church, but that you have worked with many other religions and have done many things in our community showing your love and your compassion for people in this community, we really appreciate that. So thank you very much. Father O'Brien said, thank you, Pete [Liakakis].

Chairman Liakakis said, now I'd like to ask John Forbes would he please come forward. John Forbes, of course, is the General Chairman of this year. He was General Chairman last year, and a long time member of the St. Patrick's Day Parade Committee. He worked in many areas. He was loyal, dedicated and did many things to make sure that this parade was very successful, and he'll have another few days with the St. Patrick's Day Parade Committee and, of course, and then later on in the year a new Chairman will be elected, but in the meantime he's in charge of everything along with our Adjutant, and we really appreciate all the things that John Forbes has done because you can look at his history in this community that he really cares about it and with his long work with the Parade Committee, we can see it has really helped a lot in getting a lot of great things done. So again, John, on behalf of the Chatham County Commission, I want to present this special medal to you for the things that you have done in this area and many other things in our community because we really appreciate that. Mr. Forbes said, thank you.

Chairman Liakakis said, it was not mentioned when I was talking, I sort of forgot about it, but the reason why I'm wearing this particular sash is not only been a member some 33 years with the St. Patrick's Day Parade Committee, but also on the Adjutant Staff and now for the last two years on the Executive Staff. So we thank all of the people with the St. Patrick's Day Parade Committee for the many things they do in our community.

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2. PROCLAMATION TO DECLARE THE MONTH OF MARCH 2009 AS PROFESSIONAL SOCIAL WORK MONTH IN CHATHAM COUNTY. ARTHUR MIXON WILL BE PRESENT TO ACCEPT THE PROCLAMATION.

Chairman Liakakis said, I call on Vice Chairman of the Commission, Dr. Priscilla Thomas, to present the award.

Commissioner Thomas said, good morning. Thank you, Mr. Chairman. Ladies and gentlemen, it is my pleasure to present this proclamation:

The County of Chatham
 Georgia

 Proclamation

WHEREAS, the journey of life is filled with many complex issues and choices that may require guidance and professional advice. Professional social workers utilize their education and experience to help millions of people facing social and psychological problems improve their lives; and

WHEREAS, social workers connect individuals, families, and communities to available resources. They develop and shape numerous programs and policies that make a genuine difference in the lives of countless people; and

WHEREAS, professional social workers are employed in a variety of settings, including large corporations, employment assistance programs, law enforcement agencies, the court system, U.S. Senate and House of Representatives, the Georgia General Assembly, community service boards, elder centered agencies, public and private school systems, colleges and universities, children/family centered agencies, hospice, hospitals, health and mental health clinics, public and private agencies, and private practice; and

WHEREAS, social workers work diligently to ensure that all people have access to the same basic rights, protections and opportunities. A social work career is one filled with purpose and possibilities.

NOW, THEREFORE, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners do hereby proclaim the month of March 2009 as:

PROFESSIONAL SOCIAL WORK MONTH

and call upon all citizens to join the National Association of Social Workers in celebration and support of social workers and the social work profession.

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 March 2009.

 Pete Liakakis, Chairman
 Chatham County Commission

ATTEST:

 Sybil E. Tillman, Clerk

Commissioner Thomas said, congratulations and thank you so much.

Mr. Arthur Mixon said, Mr. Chairman, on behalf of NASW Georgia, Sue Forth [phonetic], the Executive Director, and Mrs. Jan Yates, the President, and also Savannah State University and the Department of Social Workers, we would like to accept this proclamation and also on behalf of all those pioneers that came before us that have laid the foundation for this to happen, to take place, I gladly accept this, and we're going to continue to do all the things that were name here. We're going to continue to help those that are needy, we're going to continue to power the system of this community, and we just thank you for making this happen for us on behalf of the Social Workers. Thank you.

Chairman Liakakis said, Arthur [Mixon], thank you very much for your participation and work in the social area, and we have great social workers in our area and in our State and around the country, and they made a difference in a lot of people's lives because a lot of them were lost and they were found because of what the social workers were able to do to help them in their plights that they had and the many other things that the social workers do. Thank you again.

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VI. CHAIRMAN'S ITEMS

None.

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VII. COMMISSIONERS' ITEMS

Chairman Liakakis said, on Item VII, I'll need a motion to add an item about a resolution that the Commission would like to send to Atlanta.

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

Chairman Liakakis said, we have a motion on the floor and a second to add under Commissioners' Items a resolution that goes to the State. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present.] Chairman Liakakis said, the motion passes.

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1. SHERIFF ON JAIL BILLING (COMMISSIONER STONE AND COMMISSIONER FARRELL).

Chairman Liakakis said, we have the Sheriff on the jail billing. I call on Sheriff Al St. Lawrence and Colonel Holmes to come forth on this item.

Commissioner Farrell said, Pete [Liakakis], I asked and Ms. Stone had asked that the Sheriff come before us today and there's been a lot of writing in the paper and the media about the County being — making a lot of mistakes on billing and all, and therefore the County can't get reimbursed on a timely basis from some of the municipalities here in town. So I'd like to give the opportunity for the Sheriff to respond to some of the information that has been out in the public media.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, Mr. Chairman, when this appeared on our agenda a few months back, I was very concerned and talked to the Sheriff and Commissioner Farrell talked to the Sheriff, and I know you have too, Mr. Chairman, that it would seem to make sense that the bills that are not in dispute could go ahead and be paid and free up some cash flow for this County and for the jail, and the Sheriff is willing to come today and give a presentation. He's handed out a booklet, but this is something that I think that needs to be done and needs to be taken care of.

Chairman Liakakis recognized Sheriff Al St. Lawrence.

Sheriff St. Lawrence said, Mr. Chairman and members of the Commission, of course everybody knows Colonel Holmes. I have Beverly Thompson and Louise Reed with me. Beverly is the Supervisor of the law enforcement records and Louise does all the work between the municipalities and Chatham County Jail as far as billing is concerned.

There's been a lot of correspondence between my office, the Manager's, and Linda Cramer's, the Finance Director, and all. We've tried to resolve some of these problems. They say — they claim a 10% error rate, but you're going to hear from these employees as to what the real deal is as far as I'm concerned.

We've run into a number of problems and one of them is that we had a meeting with Major Wilcher, I believe, and Beverly and Louise, and I know the Colonel had a meeting with Prince Johnson in Recorder's Court. He agreed that since they claim a 10% error rate, that they pay the 90%, but then — and Prince Johnson agreed, but then apparently it went higher and they decided not to do that, and I'm just going to close as to what it says the agenda item which you adopted in 2002, which considered not only up to 2008 at \$30, but \$35 after 2008 to 2012, the current session we're in now, and it says: "Notwithstanding any disputed items of an invoice the municipality shall pay the balance of the invoice per the requirements of Exhibit 1, which is attached to and made a part of this agreement." So, you know, I just think the County needs the money and if they claim a 10% error rate, then pay the County 90% of it and let the County have that money. I'll turn it over to the Colonel.

Colonel McArthur Holmes said, Mr. Chairman and Commissioners, this issue of jail billing is one that is quite complicated, and we're not here today to do any rock throwing or whatever. We're just kind of let you know exactly the complexity of the billing process itself. We house inmates for all the municipalities within Chatham County and we have no problems with any of the other municipalities, but there are some issues that we have with the City of Savannah. The City of Savannah or Metro represents about — a little over 6% of our total arrests, and we arrest nearly 20,000 inmates, we house them each year coming from the other municipalities. The booklet that we have

prepared for you is quite extensive and we are not going to go through the entire book, but just kind of highlight some of the issues that we think that are quite important itself.

According to the agreement, we initiate a bill to the City of Savannah by the 15th of each month, and I think we have been pretty consistent with that. Once that bill is sent to the City of Savannah, they will do a reconciliation and they will note any errors or any issues that they have. That billing is then sent back to the Chatham County Sheriff's Department and we will go back over that bill again, and sometimes there are some errors and sometimes the errors that are proclaimed are not errors on our part. Then we send it back to the City of Savannah again for a final reconciliation, and then they were assigned off on it and then it's presented for a payment.

There are some things that causes that process to be delayed. In exhibit under Explanation of Billing Process, there is a sample building there of one of the billings that we have, and it gives you some indication of how many individuals that we have to go through to make this billing right. In each individual it has to be — we have to take an individual assessment of that person, and there are a number of things that affects the billing itself, and I would like for you to go to Jail "Errors" Report, and it says that for the year 2008, the City of Savannah identified \$107,002 in billing errors made by the jail. In actuality, when we looked at it, it was only \$31,928 and we had some \$57,476 of those errors that we stated that they were not submitted correctly or was incomplete. Additionally, \$17,597 was identified as not allowable deductions for the City of Savannah.

The second sheet is very important, and this is part of the contract that was went into by the City of Savannah and the County. There are some 12 issues that will affect the booking processes or the billing process itself, and if an inmate is booked into the Chatham County by Metro and if there is a Hold put on that individual by another municipality, billing stops. If there is a — if we find out that that individual has a Hold placed on him by probation or parole, it stops. If there is an additional charge put on that inmate, the billing process stops. A lot of this we are not aware of until we get paperwork back from the courts, get paperwork back from other municipalities, or whatever. So it's a process of ongoing, back and forth from the City to the jail itself. But we have been working with the City quite a bit and with the computer people to try to simplify this process. We have come a long way.

There are some things that are really not within our control. If you will look under Field Arrest Reports, on our Field Arrest Reports at the top we have, because the agreement states that if it is an arrest that is made within the city limits of Savannah, then the City will be responsible for it. If it's in the unincorporated area, then they will not be responsible for it. If it's a CNT arrest, then quite naturally they're not responsible for the report. If it's a Sheriff's Department arrest, they are not responsible for it. We have a problem because the arresting officer is supposed to circle whether or not it was an arrest inside of the city limits or not, and that information the individuals that are working on the billing, they don't know all of the addresses in Savannah if they're in the city limits or the unincorporated area. So the arresting officer is responsible for circling that.

The first sheet shows that there was an arrest that was made at 9227 Whitfield [sic] Avenue. Now they don't know that that was in Wilmington Island, so we had to go back and research where the arrest took place. These are issues that we have to go — deal with each and every day. Some are within the city limits of Savannah, but they circle city limits but it was actually in the unincorporated area. These are areas that we have to deal with constantly.

The Sheriff talked about the agreement to basically to pay — for the City to pay the County 90%, which is basically — if there's a 10% error rate, we know that if you paid 90% we can go back at a later date and reconcile that additional 10%. If you look at the last page in the booklet, this is a recap of the 2008 billing itself. If you note we list the first column the date that the bill was mailed; the second, the unreconciled amount; then the date that it was received by the City of Savannah and the contract says that after we send the bill to the City of Savannah, they have 15 days to send it back to us. That is very seldom the case. As a matter of fact, if you'll see in February of last year, we mailed it on the 11th of February and we didn't get it back until the 21st of April. That amount was \$104,580, the final amount to be reconciled, and what we're saying is if you just pay the 10% — I mean, the 90% and just leave that 10% open until it is finally reconciled, then there will be money or cash flow coming into the County that we can maintain the continuity of our budget needs. Are there any questions any of you may have?

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, I don't have questions, I just have observations. I think that there's a huge difference between an error and a contested situation. You know, an error is when someone says two and two makes five. Well, that's a mathematically and scientifically an error. Contested, it sounds like the fast majority of these are a matter of opinion or a lack of information as to why the bill occurred, a legitimate question to be asked and answered, but certainly not an error. I would point out the contrast the things the City of Savannah does. Keep in mind, I'm a former City of Savannah employee. You know, if you got 10 parking tickets by the City of Savannah and you have all 10 of them and haven't paid them and you want to contest one, I guarantee you, you better pay the other nine because if you don't, they're going to boot your car. Okay? And this is the same situation. The ones that aren't contested need to be paid and paid promptly. And I'd like to make another observation, too. You indicated that for instance if the State Probation or Parole puts a Hold on a City prisoner, the City stops paying. Correct? Colonel Holmes said, that's true. Commissioner Gellatly said, I would recommend that you take a look at it and keep in mind the State pays almost nothing, that you work an agreement with the State that the State's Hold takes effect right after the City's Hold is released, and we could be collecting a lot more money if you did that. Thank you.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, so if I understand this report correctly, about \$75,000 was in — just waiting for this to be resolved from 2008. Colonel Holmes said, yes. The entire bill is just put on Hold until the few issues that are being challenged are reconciled, and what we're saying is just pay the bill on those issues or those inmates that we know that you have no problem with and then we'll come back after we get a chance to reconcile the additions and straighten that out in the next billing. Commissioner Stone said, well, I can assure you that if I withheld \$75,000 from somebody, I'd hear from them.

Sheriff St. Lawrence said, well —. Chairman Liakakis said, come up to the mike, Al. Sheriff St. Lawrence said, and the other part we're dealing with, with the City is they have one person doing it. If that person is on vacation or sick, there's no work gets done. That's a problem in itself. The other thing is that we became a central warrant repository for everybody and we get all the warrants at the Chatham County Jail. The deputies go out and they serve papers, they serve warrants. We have a process now of trying to work in Recorder's Court to indicate on those warrants whether this is an offense that occurred in the City or the unincorporated area and just a multitude of problems, but if they admit freely that 90% or 91% of the bill is accurate and it's 9% or 10% not accurate or it's in error, as they claim it is, then pay the 90% and we'll straighten out the 9% or 10%, but it's not no- 10% error. It's like the Colonel pointed out about Holds. Well, if Hinesville — if the City of Savannah arrests someone in the municipality today and they put him our jail and Hinesville puts a hold on him, that still should require them to follow through on their obligation to get that inmate bound over to a higher court or disposed of in a preliminary hearing or arraignment. Okay? And then the Hold would take place, but just to say that somebody, probation or somebody has put a Hold on somebody and you don't take care of the responsibilities you have to take care of as an arresting agency, then I think that they ought to pay. That's my opinion, but there's so many things they've got listed in here it just makes it very difficult.

Chairman Liakakis said, on that Hold position, in other words it's a City arrest. It's counted against the City, and then three days later a Hold comes from, say, Hinesville because this person committed a crime in Hinesville. Sheriff St. Lawrence said, right. Chairman Liakakis said, wait a minute — until the City of Savannah trial has been held and that person has been either released or fined or whatever it is, then that Hold should take effect. It shouldn't stop them from the City of Savannah because you might have a prisoner in there for 30 days, and that Hold at the end of the 30 days takes effect and so the City is not being charged for it, but it's not right when a Hold comes in that it stops the cost factor.

Sheriff St. Lawrence said, we're not even going that far, Mr. Chairman, because under the agreement, when a person is arrested and put in our jail, they have to have an arraignment and bound over to a higher court. That stops the charges, that's part of y'all's agreement. When need to revisit that issue when it's done again. This agreement right now is in place until 2012, but if they have a hearing, a preliminary hearing or an arraignment hearing, and they're bound over to a higher court, under this agreement the charges stop.

Chairman Liakakis said, okay. One — hold on, let me just finish this. Sheriff St. Lawrence said, I'm just saying that if somebody puts a Hold on them, that shouldn't keep them from fulfilling their obligation to get that person bound over or whatever. They can just let them sit as long as there's a Hold on them and they don't have to pay anything.

Chairman Liakakis asked, how long — give us the kind of days or months, how far in arrears on a date-wise is the City of Savannah? Colonel Holmes said, I think Ms. Linda Cramer can probably answer that. My understanding from her that once the bill is reconciled, that it's within two to three weeks that they will send out a check. The period is how long it takes to get to that point. That can be three or four months. Chairman Liakakis asked, well, how much do they owe the way it's been reconciled — how much does the City of Savannah owe as according to the Chatham County records? Come up to the microphone please, Linda.

Ms. Cramer said, we did receive payment for November in the last week or two and I think the December bill is still outstanding. Beverly might can address that. Usually we receive payment within two to three weeks after the final bill is submitted to the City. The process here is getting the bill finalized that takes so long, and that's what you're hearing about today.

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

Commissioner Odell said, during the time there is a dispute by the City of Savannah as to the accuracy of a particular bill, we bill quarterly, monthly, how? Monthly? So we're running about four months behind? Ms. Thompson said, at the present time all those 2008 have been reconciled. Commissioner Odell said, okay. Have we been paid for December of '08? Ms. Thompson said, [inaudible], but December has been reconciled. Commissioner Odell said, December has been reconciled, but my question is have we been paid? Ms. Thompson said, no. Commissioner Odell said, okay. Reconciled is good, but payment is better. Do they pay interest on any delay. Say if they dispute a bill and the bill — they're disputing 100% when in fact it's only 5% to 10%, on that 90% which is correct, which they do not pay, for the delay is there an interest agreement? It's not? Ms. Cramer said, no there's no interest paid on it and I think would have had to have been in the Inmate Services Agreement and it was not. Commissioner Odell said, okay, but my point is that we're bound by that agreement forever and we're doomed to repeat mistakes if we don't correct them. Right now the City of Savannah has no incentive on early payment or quick payment because (a) they get to maintain that money in their system and their cash flow infinitum. And if it's 100 hundreds and four items are incorrect or they dispute, then rather than paying 96, they'll hold up the 100 and there are no penalties to them if that happens. That's not true if some of you parked illegally and you got a ticket, then in 10 days you're going to get a penalty, then in 30 days you're going to get another penalty. I'm a little bit

concerned about that. When the agreement comes up, I hope that our County Attorney will look so that we take away the incentive for delay. You know, life would be good if I could pay my creditors when I felt like it, when I remembered it, when I was in town, when there was a full moon — I mean, there's just too many things that don't — well, at any rate, that's one point. The second point is that currently our system as far as Holds, probation Holds, Al [St. Lawrence], is it Major or Colonel? I always get it wrong? Colonel Holmes said, Colonel. Commissioner Odell said, a probation officer takes a stack of papers to a judge and says that we didn't sow up yesterday, today I'm filing a Hold. When that happens, then the municipalities are no longer responsible for that bill. It becomes a State item. But I found out that normally if you have filed a petition to revoke someone who is trying to get a bond, a District Attorney has to be involved in that process, but a District Attorney does not have to review the petitions to Hold that are filed by probation officers. I make no judgment about it, but having practiced an extensive period of time, I'm a little bit concerned that our judicial system should not be reduced to a probation officer where we have a substantial turnover at both positions.

Colonel Holmes said, let me explain something else. The probation — State Probation Department they have assets to our jail records so they will peruse the bookings each date to see who came in. One of the conditions of probation is that you not get arrested again, so if an individual gets arrested, probation automatically put a Hold on that individual, and it's because of the arrest assigned that case would be on that prior to it being delivered to a judge. Because that same probation officer cannot after filing the probation cannot waive the District Attorney's consent if the person has to be released. So to me it's just equal dignity that — and I think you get a more careful thoughtful look at what we're doing. It may be minor, but we're in a position now that every penny that we don't get is a major consideration. But most of the other municipalities are in the same position. Colonel Holmes said, they pay. Commissioner Odell said, the largest one that represents 60% has one person assigned and there's no consequences if there's a delay. That legitimately gives me some concern.

In summary, two things. One is I'd like to see an Assistant District Attorney, or have this Commission discuss it with the new District Attorney about filing probation Holds, that the Assistant District Attorney at least be notified of it. And the reason I make that point is that if you take the Code and it says no violation and if you miss one appointment, then the following day the probation officer depending upon that persons propensities, can file a petition to Hold, but the problem is that you really need to have an attorney to look to see the wisdom of that decision. And that's one, and two is that when the LOST negotiations return, that one of the provisions be we can no longer afford to be paid when it's convenient to others where they're not punished for. I don't think we can do that any more.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. A couple of legal questions here. First, was this agreement, the LOST agreement here, approved before this Commission came on board? I know it was. County Manager Abolt said, yes sir. What had transpired and I recounted this for the benefit of the Chairman yesterday or the day before, the County Commission then seated, led by Chairman Hair, made an offer to all the municipalities in effect saying that the County would pick up the cost of the jail if we got a greater share of LOST. And it costed out, it would eliminate all the bureaucraties going back and forth. We thought that was very fair. It was representative of in effect the burden that the County was going to assume but which they should expect reimbursement from the municipality. As some of you might remember, I believe Commissioner Kicklighter and Dr. Thomas was on the Commission. The Commission felt that this was a protected negotiation and it went on for a long, long time. Remember, we're up against a deadline because you might remember there was a deadline if you don't come up to an agreement on LOST it goes away. It was one of those eleventh hour things I believe, and Chairman Liakakis interceded and there was this compromise and the compromise was that there was a tad more of LOST money coming to the County, but this system would still remain in place. It's flawed at best.

Commissioner Kicklighter said, well, that's what I thought, that it was before this body here. Now my second question, don't we have laws — State law in effect that past government bodies can't bind future government bodies, or is that exempt because its LOST. County Manager Abolt said, in the case of LOST, I think it's a five-year obligation that whomever is seated at the time enters into and all future Commissions for the length of the agreement are bound by it. Commissioner Kicklighter said, okay. Another question. Can we legally withhold payment, our payments to Savannah for police services until we are paid for housing Savannah's inmates?

County Attorney Hart said, under the agreement, you've got an agreement that says you'll pay and it's got a prompt payment provision. Commissioner Kicklighter said, okay, but we're talking about the same type of agreement we have in which they're not paying us. County Attorney Hart said, that is correct. Commissioner Kicklighter said, so I know in life two wrongs don't make a right, but sometimes two wrongs might make a point. County Attorney Hart said, well, you asked me the question whether it was legal. That's the answer to your question. Commissioner Shay said, you're getting better at this, Dean [Kicklighter], you really are.

Sheriff St. Lawrence said, don't be misled by this probation — you know when we think of probation, we think of State probation. Some of these are private probation companies, and once the City deals with those charges, they lift the probation off that individual maybe because he didn't pay his fees and he's agreed to do that, you know, and a lot of that is Recorder's Court, the City of Savannah Recorder's Court. There's a lot of issues to be dealt with, but I think the bottom line is if they say well 92% of December's bill is accurate, 8% is inaccurate, they ought to pay us the 92% and we'll deal with the 8%.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, again, we're dealing with semantics. There's a huge difference between an error, like two and two makes five and it doesn't no matter what you do, and someone's opinion, which quite often can be wrong. What I would like us to do as we move forward, as Commissioner Odell pointed out, we're in trying times now and we can't afford to lose money that's due us, and I think that it's awful important that y'all take a look at what triggers a Hold order. In other words, logically it doesn't make sense if someone commits three murders in Savannah and they're put in jail and then you have Hinesville that puts them on Hold a week later because they stole a care there and automatically we no longer collect any money from the City of Savannah. There's something terrible wrong with that logic, terrible wrong, and someone needs to take a really close look at that. Also, when a probation officer or parole officer just automatically because a person's on parole or probation puts a Hold on them and automatically cuts off all the funds that are due the jail because the State doesn't pay them anything, you know, I think you need to talk to the State parole and probation people and as long as they're in that jail, they're okay with the understanding we work out a system that the second they're going to be released, that at that point in time the probation puts a Hold on them and not immediately and cuts off our funds. Thank you.

Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell said, following on those words of wisdom, you know, I'd like to ask the question of the County Attorney, are there any provisions in this Inmate Service Agreement that we can revisit some of these issues before the date indicated earlier by the Colonel? Apparently, there's more wrong with this agreement than just being behind three or four months in their payments, and I think it's incumbent that, you know, now that this has been brought to life that we look very hard at all these different issues and make sure that all parties are being treated fairly.

County Attorney Hart said, I don't disagree with you insofar as the agreement has a lot of provisions in there that don't need to be in there and it has provisions that should be in there that is not — that are not in there, and I think to some extent that might have been subject to the political process rather than a staff review of the situation. In regard to revisiting the issue, the LOST provisions of the law require a five-year agreement and people are bound by that. That doesn't mean the parties can't usually get together and work the situation out, but to work the situation out takes two sides to that equation. I'm sure the County is more than willing to work with the City, but it's sort of like the police merger agreement and there are issues that both the City and the County feel different opinions about and we've tried to negotiate that. It takes two to negotiate. This agreement it's going to take two to negotiate. If the City's willing to do that, I'm sure the County's more than happy to look at it.

Commissioner Farrell asked, well, is there some law that requires the County to house all these inmates, because we're looking at an expansion and —. County Attorney Hart said, there is. The Sheriff will be the first to tell you this that a constitutional officer by law is required to put people in jail that are properly presented to him. As a matter of fact, he can go to jail if he doesn't.

Sheriff St. Lawrence said, that's correct, and it's out of the question trying to say well I ain't going to accept your inmates. The only reason — the only reason that I can know of that you can reject an inmate for the time being if that nurse at the booking head does not medically clear that individual. If the officers had a fight with him and he needs medical attention, then that's their responsibility to get him that medical attention so we don't get stuck with the bill. I can do that, but other than that if an inmate's brought to me, I have to take them by law.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, Jon [Hart], just following up on Commissioner Farrell's point, there's no escape clause in the contract that when we originally prepared the contract we could not have anticipated every conceivable problem, and often in such detailed contact there's a in-clause which allows certain unanticipated issues to be resurrected and resolved and provides a method for that resolution. Do we have such in this agreement? County Attorney Hart said, I have not looked at the specifics of that agreement in quite a while. A lot of the agreements that we do enter into do have a provision for, you know, mutual amendment, but I go back to what I said, you've got to have two sides to do something. Commissioner Odell asked, can we at least do this — one is can we have an opinion — we're being told that we owe X-number of dollars because of the police merger. They're delaying four to five months on payment of prisoners that were arrested in Savannah. If we offset the difference and paid them the difference, I mean, that's one consideration whether or not you would advise the Commission. That's one, and two is that we really need to have some communication with the judges, especially the impact judges, Recorder's Court, where the large numbers occurs, and the District Attorney's office so that we have some of their involvement. Right now we're the only people who suffer to lose. Our partner, who arrests someone, they pay us when they choose to pay us and there are no consequences for their delay in the payment. The people who put them in there, who puts the Holds on them, are probations who float in and out, and this is not a criticism but it is a statement of fact, if you look at the level of longevity, it's not very long. They can have a Hold placed without an Assistant District Attorney, an attorney authorized by the State, to intervene. Wouldn't it be in our best interest to talk to the judges, talk to the District Attorney, and see about their helping us with our problem. Right now it's Chatham County's problem and everyone is standing back saying it's Chatham County's problem, but it's not just our problem. Sixty percent comes from Savannah. They have a big stake in this. They have a stake to negotiate and to pay on time in good faith. They expect us to pay them on time and in good faith. The judges, the probation department, the District Attorney's office, they have a stake in this. I mean, what's the population of the jail today — 1,700? Sheriff St. Lawrence said, 1,730 this morning. Commissioner Odell said, and we are —. Sheriff St. Lawrence said, that's down low. Commissioner Odell said, okay. And we are licensed for 1,175. Sheriff St. Lawrence said, no, actually with the temporary bed that you approved, we have 1,524 beds right now, but 300-unit

is a tent with heat and all. That's temporary beds, but it's 1,524 if you can't the temporary. Commissioner Odell said, the temporary beds. If you subtract those out, how many do you have? Sheriff St. Lawrence said, 1,224, which is what it was built for.

Commissioner Gellatly said, but you can't put 1,224 in there because of classifications. Sheriff St. Lawrence said, well, that's true. I mean, people have to be isolated. We have orders — separation orders come in all the time.

Commissioner Odell said, you've got females you have to separate —. Sheriff St. Lawrence said, oh, yes, and mental health, you've got to separate those. Let me just say that what the County Attorney says is absolutely right. You know, it takes two sides to negotiate or renegotiate. Now we did with Recorder's Court and Prince Johnson, he agreed to it, the 90%. Well, it went up higher and the agreement fell by the wayside and he wouldn't do it. We're not asking him to pay us something on a chance that we're right. We're saying if you say 90% of the bill is correct, then pay us the 90% and let the Finance Department have that money. That's Chatham County's money. Commissioner Odell said, yeah, but here's what you're saying. The person who knows whether or not it's correct agrees the 90% and it went up and someone who is not involved in the day-to-day process disputes it and delays the payment. Sheriff St. Lawrence said, well, you're going to find that they say 90%, a 10% error rate. You know, we got blasted in the paper about that. It's not 10% because, you know, a bill goes out and that's not the final bill. We work with those people on that thing over there. Again, they only have one employee doing it and if they're out on vacation or sick leave or they have other duties, then the bills don't get dealt with, but Ms. Reed here works with these bills every day. We don't have any problems with anybody but the City of Savannah on the bills, okay.

Commissioner Farrell asked, so you mean, all the other municipalities understand and they pay on time? Sheriff St. Lawrence said, yeah, they pay on time. Commissioner Farrell asked, do y'all treat the other ones differently than you do the City? Sheriff St. Lawrence said, no. Commissioner Farrell said, really. Okay.

Chairman Liakakis said, listen, Al [St. Lawrence]. Sheriff St. Lawrence said, [inaudible] the volume now, Commissioner Farrell, but still nevertheless we don't ever have a problem with those people. Chairman Liakakis said, Al, listen —. Commissioner Farrell said, that's what I've been trying to tell y'all for nine years. Chairman Liakakis said, — instead of the City, you know, saying 10%, why isn't it this? The ones that they are challenging to do that because it might just be 2% and they can pay the 98%, but —. Sheriff St. Lawrence said, right, and we'll work it out with them. We're perfectly agreeable to that because the County would like to get the cash flow. It's, you know, I really don't have a dog in this fight. It's not my money, but I'm trying to protect Chatham County, and the money should come to the County so the money can be used by Chatham County for whatever they see fit.

Chairman Liakakis said, Jon [Hart], let's look at all of this, the original agreement, what's up there, and get with the Sheriff and Colonel Holmes and let's see about putting something together as soon as possible to bring back to this Commission, okay. County Attorney Hart said, sure.

Sheriff St. Lawrence said, let me also remind you of this — disputes and the agenda item that was passed in 2002 that covers the \$35,000 in 2008-2012, it says notwithstanding any excuses or errors, they will pay that which is correct on that bill, and that's not being done.

Chairman Liakakis said, alright, just send that to them.

Commissioner Farrell asked, and that's in black and white and there's no dispute on that? Sheriff St. Lawrence said, I've got it right here.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Farrell said, maybe you ought to show a copy of that to our friend in the back, Mr. Curl.

Commissioner Kicklighter said, Mr. Chairman —.

Sheriff St. Lawrence said, well, again, we worked this out with Prince Johnson. They let this people — Beverly Thomas, Louise Reese, and the Colonel would do their job, and Prince Johnson [inaudible], we wouldn't have a problem. It comes from higher up and says, oh no, we are not doing that.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. It's kind of like we're the big brother in a relationship and our little brother keeps beating us up. Until we stand up and protect ourselves, it's going to continue. They're constantly shoving up bills for a police department that they've tripled the budget telling us we need to uphold, and on that point I'll ask because that was agreed to by a previous group of County Commissioners. This body should not be obligated to that contract. Is that correct?

County Attorney Hart said, no, that is incorrect. A government under the Georgia Constitution can enter into an intergovernmental agreement with another municipality or county, and that agreement can be up to 50 years. Okay? And that's just an exception to the Constitution. The police merger agreement has some notice provisions in there that either side can terminate that agreement, and that's how that's handled.

Commissioner Kicklighter said, a question I guess for the Sheriff and the Attorney. A sheriff's elected constitutional officer duties, when you are a sheriff of a county in the State of Georgia, is it to protect and police all areas which has no police service, like city type police services? Sheriff St. Lawrence said, yes. For instance, when you had a County Police, the Sheriff is responsible for that which you will not take care of. If the County decided they didn't want a County Police, the Sheriff would have to take care of it. That's the law. Commissioner Kicklighter asked, do you have any quesstimates in this, probably not, but how much it would cost to police the unincorporated area? Sheriff St. Lawrence said, I would have to [inaudible]. Commissioner Kicklighter said, I sure would appreciate that if you could provide me with the figures of what it would cost to cover that area there because I'm personally tired of sitting back and being punched and taken advantage of by the City of Savannah and sitting at their mercy when we are the County and they are one city in this County.

Sheriff St. Lawrence said, I'm just trying to satisfy the Manager and the Finance Director. We talk about these bills and they want to get the money in because that's what they're supposed to do, and we have worked with this thing, had meetings and all, and I don't know what else we can do except in 2012 when this agreement expires, that we renegotiate that agreement to the extent to where we're better protected than we are now.

Chairman Liakakis said, okay. Dave [Gellatly] and then we're going onto another item.

Commissioner Gellatly said, I've got the perfect solution, okay. Right now we're all making remarks and we're going to help sell the hell out of newspapers, we're going to make editorials, we're going to be cartoons, and then they're going to run right over to the city hall. The city hall's, their elected officials are going to do the same thing, make woody remarks and they may get cartoons and editorials and what have you, and the problem's not resolved. The County has a paid executive, Mr. Abolt. The City has a paid executive, Michael Brown. I think that it would behoove us to instruct our executive to go ahead and meet with the City Manager, and I would hope that you could, Pete [Liakakis], have the Mayor tell their executive, Michael Brown, to meet with Russ Abolt, and give them both orders and instructions to resolve this issue. I don't think we should be making a bunch of clowns out of ourselves right now. You know, I'm certainly on the Sheriff's side because I'm a County Commissioner, but I think we're beating ourselves to death for no good reason. There isn't anyone on this Board that's an expert on this. The City has their own opinion and we have our opinion and I think that we ought to have the two executives get together with their staff and with the marching orders to resolve this problem and we don't want to hear anymore about it. That's my opinion.

Chairman Liakakis said, okay. We got that. Russ [Abolt] and then I want to close it off, Russ, because we have gone over this thing and the same subjects several times.

Commissioner Gellatly said, I'm putting that in the form of a motion. Commissioner Kicklighter said, second.

Chairman Liakakis said, it has a second. Okay, discussion.

County Manager Abolt said, I want to give credit again to the Chairman in so many matters. There was a meeting of the Police Policy Committee a week and a half ago, I believe. The Chairman brought this up. Mayor Johnson insisted for what you just talked about, Commissioner Gellatly, that the City pay its bills. And I will be glad to call Mr. Brown to reinforce that, but I am confident that both the Chairman and the Mayor understand the appropriateness and what's right — because of the Chairman.

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

ACTION OF THE BOARD:

Commissioner Gellatly moved that the County Attorney and the City Manager meet with instructions to resolve the issue of the payment of the Inmate Service Agreement by the City of Savannah. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

JAIL BILLING

EXHIBIT I

BILLING PROCESS

The following is a synopsis of the billing process as it relates to the jail and the City of Savannah.

1. The jail furnishes to the City of Savannah an initial bill for review by the 15th of the current month. The bill is for inmate housing for the previous month.
2. The City of Savannah reviews the billing events and makes any changes or corrections they deem to be incorrect or do not fall within the parameters of the billing contract. The review and any noted changes should be returned to the jail within 15 days after the city receives the initial bill.

3. Once the bill is returned from the city, the jail reviews those billing events in question. At this time any discrepancies between the jail and the city are resolved and those exceptions that are not allowed are added back into the final bill.
4. A final report is prepared for the City Administrator's approval. Once approved the bill is submitted to the Finance Department to invoice for payment.

[Additional documents were attached to the explanation of the jail billing process. These documents may be reviewed in the Office of the Clerk of Commission upon request.]

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2. ADOPTION OF A RESOLUTION REGARDING CLOSING OF GEORGIA REGIONAL HOSPITAL (COMMISSIONER STONE).

Chairman Liakakis said, we have an item and we voted on it to add a resolution for the mental situation that we have about the closing of Georgia Regional.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, thank you, Mr. Chairman. I received a phone call yesterday from Ann Mueller, who's been leading the charge on her concerns with the closing of Georgia Regional, and has asked for our support and our help in this matter, and as I mentioned in the pre-meeting, I would like to see the County draft a resolution and send it to the Governor, to all of our delegates, to the Lieutenant Governor, and let them know our grave concerns about the impact of closing Georgia Regional. Commissioner Farrell said, second.

Chairman Liakakis said, alright, we have a motion on the floor and a second to send a resolution to the Governor, Lieutenant Governor, and the Legislators. Let's go on the board.

Commissioner Odell asked, may I ask a question? We don't have that in the package. What will we say basically? County Manager Abolt said, same action you took, like in the pre-meeting what Commissioner Shay brought up. Because of the urgency of the matter, unless you insist on a written document before you act, we think it's very appropriate as long as you trust Ms. Tillman and staff to prepare the document. We understand the gist of it —.

Commissioner Stone said, Ms. Mueller's going to send some information.

County Manager Abolt said, — and then we will just carry —.

Commissioner Odell said, I have no problem with that. It's just that I want to —. County Manager Abolt said, we understand. Commissioner Odell said, if we're approving something, I need — that lawyer in me says know what you're signing.

Chairman Liakakis said, well, it's opposing the closing of Georgia Regional that we discussed it with all of them. Commissioner Odell said, which I am adamantly opposed to. Chairman Liakakis said, we'll list in there, because we sent a let earlier.

Commissioner Stone said, certainly I think that the Commission should get a copy and if there's a problem, certainly we could —.

Commissioner Odell said, if there's additions or —.

County Attorney Hart said, I need some clarification here. You can close it and you cannot close it, but if you don't close it, what are we — if they partially close it, they can cut back services or whatever, they can put one person out there and say it's not closed, so is there —.

Commissioner Kicklighter said, not close it or cut back services. Commissioner Stone said, right. County Attorney Hart said, okay.

Commissioner Odell said, but it not be reduced below the current level of staffing because they've already cut staffing if you look at the last five years and, you know, we've been chipping away — not we, the State of Georgia has been chipping away at mental health in this region for the last 15 years. This would be the final straw. You think the mental health population of the jail is large now? If we close Georgia Regional, it will be doubled.

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

ACTION OF THE BOARD:

Commissioner Stone made a motion that a resolution opposing the closing of Georgia Regional Hospital be drafted and submitted to the Commissioners for their review and that the Chairman be authorized to sign the approved resolution, and that the resolution be sent to the Governor, Lieutenant Governor and the local delegation. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]



WHEREAS, the Board of Commissioners of Chatham County, held its regularly scheduled meeting on March 13, 2009; and

WHEREAS, at said meeting a motion was made and properly seconded, it was unanimously voted by the Board of Commissioners of Chatham County that it should issue this resolution clearly stating that it opposes any efforts by Georgia Department of Human Resources, or any subsidiary agency from closing Georgia Regional Hospital; and,

WHEREAS, it is the desire of the Board of Commissioners of Chatham County that Georgia Regional Hospital continue to operate and function at its current level of services without said services being reduced or transferred to other agencies less capable of providing comprehensive services; and,

WHEREAS, it is the opinion of the Board of Commissioners of Chatham County that the closure or reduction of services by Georgia Regional Hospital will result in the reduction services, and this lesser level of services shall be performed by organizations who are less qualified to comprehensively address the needs of the citizens of Chatham County.

NOW THEREFORE, the Board of Commissioners of Chatham County on behalf of the citizens of Chatham County, do resolve in formal resolution that Georgia Regional Hospital should remain open, operational and continue at its current level of services without reduction of services or transfer of services to other less comprehensive organizations.

ADOPTED AND APPROVED, this 13th day of March, 2009.

CHATHAM COUNTY, GEORGIA

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

Attest: _____
Sybil Tillman, Clerk
Chatham County Board of Commissioners

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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 10:48 a.m., and convened as the Chatham Area Transit Authority.

Following adjournment of the Chatham Area Transit Authority, the Board reconvened at 11:20 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 (*).

None.

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ORDER OF THE AGENDA

Chairman Liakakis said, because Judge Beam has been waiting a good bit of time now, let's skip over the items for Individual Action and go to Item X, Action Calendar, and then it's — what letter? County Manager Abolt said, Item G, sir. You can really adopt the whole calendar, if you wish, and take care of —. Chairman Liakakis said, oh, yeah, yeah, yeah, right.

Commissioner Kicklighter said, I'll make a motion to amend the agenda and handle Items for Individual Action now and then go back. Commissioner Farrell said, second. Commissioner Thomas said, second.

Chairman Liakakis said, okay. Commissioner Odell said, Helen [Stone] has her hand up.

Commissioner Stone said, I have an item I want to discuss on the — Commissioner Kicklighter said, Action Calendar, excuse me, for the entire Action Calendar.

The motion carried unanimously.

[NOTE: The order of the agenda was amended and the Action Calendar was heard at this point on the agenda.]

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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) \$32,000 CONTINGENCY TRANSFER TO COMMISSIONER'S BUDGET FOR A LOBBYIST, B) APPROPRIATE \$50,000 FUND BALANCE FOR CHATHAM AREA TRANSIT TELERIDE, C) APPROVE UTILIZING \$1,750 SALARY SAVINGS FOR A SALARY ADJUSTMENT IN FLEET OPERATIONS, D) TRANSFER \$21,000 SALARY SAVINGS IN THE PURCHASING BUDGET FOR A VEHICLE, (2) IN SALES TAX IV A) TRANSFER \$25,000 FROM THE RESERVE FOR UNINCORPORATED COUNTY ROADS TO THE WAHLSTROM ROAD PROJECT, B) TRANSFER \$25,000 FROM THE RESERVE FOR UNINCORPORATED COUNTY ROADS TO THE LAROCHE AVENUE CULVERT PROJECT, (3) IN THE MULTIPLE GRANT FUND INCREASE REVENUES AND EXPENDITURES A) \$197,380 FOR THE K-9 GRANT B) \$418,131 FOR THE CHILD SEXUAL PREDATOR PROGRAM GRANT, AND C) \$411,075 FOR A FLOOD MITIGATION ASSISTANCE GRANT, AND (4) ALIGN CURRENT YEAR REVENUES IN THE SALES TAX IV BUDGET \$7,225,531 TO BRING THE BUDGETED AMOUNT TO ACTUAL COLLECTIONS.**

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

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

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

ACTION OF THE BOARD:

Commissioner Odell moved that the Board approve the following: budget transfers and amendments: (1) General Fund M&O a) \$32,000 contingency transfer to Commissioner's Budget for a lobbyist, b) appropriate \$50,000 fund balance for Chatham Area Transit Teleride, c) approve utilizing \$1,750 salary savings for a salary adjustment in Fleet Operations, d) transfer \$21,000 salary savings in the Purchasing budget for a vehicle, (2) in Sales Tax IV a) transfer \$25,000 from the Reserve for Unincorporated County Roads to the Wahlstrom Road project, b) transfer

\$25,000 from the Reserve for Unincorporated County Roads to the LaRoche Avenue Culvert project, (3) in the Multiple Grant Fund increase revenues and expenditures a) \$197,380 for the K-9 Grant b) \$418,131 for the Child Sexual Predator Program grant, and c) \$411,075 for a Flood Mitigation Assistance grant, and (4) align current year revenues in the Sales Tax IV budget \$7,225,531 to bring the budgeted amount to actual collections. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Holmes was not present.]

AGENDA ITEM: IX-1

AGENDA DATE: March 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) \$32,000 contingency transfer to Commissioner's Budget for a lobbyist, b) appropriate \$50,000 fund balance for Chatham Area Transit Teleride, c) approve utilizing \$1,750 salary savings for a salary adjustment in Fleet Operations, d) transfer \$21,000 salary savings in the Purchasing budget for a vehicle, (2) in Sales Tax IV a) transfer \$25,000 from the Reserve for Unincorporated County Roads to the Wahlstrom Road project, b) transfer \$25,000 from the Reserve for Unincorporated County Roads to the LaRoche Avenue Culvert project, (3) in the Multiple Grant Fund increase revenues and expenditures a) \$197,380 for the K-9 Grant b) \$418,131 for the Child Sexual Predator Program grant, and c) \$411,075 for a Flood Mitigation Assistance grant, and (4) align current year revenues in the Sales Tax IV budget \$7,225,531 to bring budgeted amounts to actual collections.

FACTS AND FINDINGS:

- (1) The contract with the lobbyist firm of Hurt-Norton will require \$32,000 for the remainder of the fiscal year. A General Fund M&O Contingency transfer is requested. Correspondence is attached.
- (2) The extension of the Teleride contract by Chatham Area Transit (CAT) calls for additional funding from Chatham County. Funding would come from an appropriation of General Fund M&O Fund Balance of up to \$50,000. CAT estimates that the contract extension will cost the County \$40,751. Since fuel costs may fluctuate, the budget amendment is in excess of CAT's request. A resolution to amend the fund is attached.
- (3) The Fleet Manager has requested that \$1,750 in salary savings be used to fund a reclassification in the department. The annual salary increase is \$4,680. A copy of correspondence is attached.
- (4) The Purchasing Agent has requested a transfer of \$21,000 from Salaries for a vehicle. Correspondence is attached.
- (5) The County Engineer has requested two transfers of \$25,000 from the Reserve for Unincorporated County Roads to the Wahlstrom Road and the LaRoche Avenue Culvert projects in the Sales Tax IV Fund. Correspondence is attached.
- (6) A resolution has been prepared to amend the Multiple Grant Fund for three grants. The Amendment will increase revenues and expenditures \$197,380 for the K-9 Grant, \$418,131 for the Child Sexual Predator Program grant, and \$411,075 for a Flood Mitigation Assistance grant. The resolution and copies of correspondence are attached.
- (7) The Board of Commissioners approved an amendment to the Sales Tax IV Fund budget at the January 16, 2009 meeting. The attached resolution amends the budget to agree with the supporting documentation presented at the January meeting.

FUNDING: Funds are available in the General Fund M&O Contingency, the Fleet Operations, the Purchasing, and 2003-2008 SPLOST budgets for the transfers. The budget amendments will establish funding in the General Fund M&O, the Multiple Grant Fund, and the Sales Tax IV Fund.

ALTERNATIVES:

- (1) That the Board approve the following:

GENERAL FUND M&O

- a) transfer \$32,000 from Contingency to the Commissioner's budget for a lobbyist,
- b) appropriate \$50,000 fund balance for CAT Teleride,
- c) utilize \$1,750 salary savings for a reclassification in Fleet Management
- d) transfer \$21,000 salary savings in the Purchasing budget for a vehicle.

2003-2008 SPLOST FUND

- a) transfer \$25,000 from the Reserve for Unincorporated County Roads to the Wahlstrom Road project,
- b) transfer \$25,000 from the Reserve for Unincorporated County Roads to the LaRoche Avenue Culvert project,
- c) align revenues and expenditures by \$7,225,531 to equal actual collections.

MULTIPLE GRANT FUND

- a) increase revenues and expenditures \$197,380 for the K-9 Grant,
- b) increase revenues and expenditures \$418,131 for the Child Sexual Predator Program grant ,
- c) Increase revenues and expenditures \$411,075 for a Flood Mitigation Assistance grant.

(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. BOARD CONSIDERATION AS TO WHETHER THE BOARD OF ASSESSORS SHALL BE ENTITLED TO APPEAL BOARD OF EQUALIZATION'S ADJUSTMENT DOWNWARD OF GULFSTREAM AEROSPACE TAX APPEAL.

County Attorney Hart said, this is a situation in which the Board of Assessors is asking the County permission to appeal a modification of the Board of Equalization downward. The reason they're asking this is that one of the changes is less than 15%. There's a provision in the law now that if the Board of Equalization modifies downward an assessment by less than 15%, there must be a vote taken by the Board of Commissioners not to prohibit the Board of Assessors from appealing this issue. In this particular case you will note there was some substantial variances in the other three above 15%. The Board of Assessors as a matter of right or law can appeal that without your permission. This is more of a housekeeping issue here in regard to that first item of 5.62%, so that they can appeal it. There is a good faith difference of opinion as to the classification of the piece of equipment, whether it's an airplane or piece of equipment and how it should be valued. Probably what we're going to do here is upon appealing it, assuming y'all were to agree to that, ask for that to go to some type of mediation or arbitration so that we can kind of get that issue resolved. I can see both sides of that issue. So I would ask that a motion be made that the Board of Commissioners vote not to prohibit the Board of Assessors from appealing the BOE reduction in Gulfstream.

Commissioner Odell asked, repeat that again. County Attorney Hart said, sure. The motion should be, and you maybe should just wish to adopt it because the statute is written with like a double negative, that's why everybody has to listen so close, the motion is that the Board of Commissioners vote not to prohibit the Board of Assessors' appeal of the Board of Equalization's reduction in Gulfstream values.

Commissioner Odell said, I move to adopt the exact wording of the County Attorney. Commissioner Thomas said, second.

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

ACTION OF THE BOARD:

Commissioner Odell moved that the Board of Commissioners approve a vote not to prohibit the Board of Assessors' appeal of the Board of Equalization's reduction in valuation of Gulfstream Aerospace Corporation. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Holmes was not present.]

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

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

ISSUE:

Should the Chatham County Board of Commissioners, by majority vote, **not** prohibit the Board of Assessors' appeal of the Board of Equalization's reduction in valuation for Gulfstream Aerospace Corporation.

BACKGROUND:

The Board of Assessors determined the assessed value for Gulfstream Aerospace Corporation property on the below stated PINS, as denoted in the column marked "notice value". The Board of Equalization, after hearing Gulfstream's appeal, reduced the valuation by the amounts shown in column marked "BOE value". The percentage reductions and valuations are set forth in the column marked "percentage change".

<u>PIN</u>	<u>NOTICE VALUE</u>	<u>BOE VALUE</u>	<u>PERCENTAGE CHANGE</u>
G299485(07)	\$32,176,767	\$30,369,958	5.62%
141513(07)	\$66,023,954	\$42,583,465	35.5%
G299485(08)	\$36,039,608	\$29,358,608	18.54%
141513(08)	\$86,116,322	\$48,699,559	43.5%

O.C.G.A. § 48-5-311(g)(1) provides as follows:

"A county board of tax assessors may not appeal a decision of the county board of equalization changing an assessment by fifteen percent or less unless the board of tax assessors gives the county governing authority written notice of its intention to appeal and within ten days of receipt of the notice, the county governing authority, by majority vote does not prohibit the appeal...."

FACTS AND FINDINGS:

1. The Board of Assessors set certain values pertaining to four PINS as outlined above.
2. Upon appeal by the taxpayer, the Board of Equalization reduced the values in accordance with the chart set forth above.
3. One of these appeals is from a change at the Board of Equalization that is less than fifteen percent and the Board of Assessors may not appeal this decision without providing the Board of Commissioner's written notice of its intent to appeal and the Board of Commissioners within ten (10) days of receipt of the notice, by majority vote, does not prohibit the appeal.
4. The remaining three appeals would be permitted as a matter of law by the Board of Assessors, due to the fact that the change of values were greater than fifteen percent.

FUNDING:

N/A

RECOMMENDATION:

For Board consideration.

RJH/jr

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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.)

Commissioner Odell said, Helen has her hand up.

Chairman Liakakis asked, what item would you like to pull. Commissioner Stone said, 6-A. I just want to ask a question about it, but we can vote on the rest of it so the Judge can go. Chairman Liakakis said, okay. So we have a motion on the floor now.

Commissioner Odell said, make it, Dean [Kicklighter], and I'll second it. Chairman Liakakis said, well, he just made it. Commissioner Kicklighter asked, did we get the first one through right to amend the agenda? Commissioner Odell said, yes.

Commissioner Kicklighter said, okay. I'll make a motion to approve the balance of the Action Calendar with the exception of the item —. Commissioner Stone said, 6-A. Commissioner Kicklighter said, Item 6-A. Commissioner Odell said, and E, and Mr. Chairman, Dave [Gellatly] wants to pull D, not E. Commissioner Gellatly said, not E. Commissioner Kicklighter asked, did I get a second on that motion? Commissioner Thomas said, second.

Chairman Liakakis said, okay, we have a motion on the floor to approve the Action Calendar 1 through 6 and under Item 6 we have Items A through J, but we have a request to hold out Items 6-A, 6-D and 6-G. Commissioner Farrell said, nobody pulled 6-G. Chairman Liakakis said, oh, okay. Just A and D. Okay. Alright then, let's go on the board. The motion carried unanimously.

Commissioner Kicklighter said, thank you, Judge. Judge Bean said, y'all stay out of Juvenile Court.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve Items 1 through 6-J of the Action Calendar, except Items 6-A and 6-D. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Holmes was not present.]

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

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1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF FEBRUARY 27, 2009, AS MAILED.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the minutes of the regular meeting of February 27, 2009, as mailed. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Holmes was not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD FEBRUARY 19 THROUGH MARCH 4, 2009.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to authorize the Finance Director to pay the claims against the County for the period February 19, 2009, through March 4, 2009, in the amount of \$3,771,846. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Holmes was not present.]

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3. REQUEST FOR NEW BEER, WINE AND LIQUOR RETAIL LICENSE IN CONNECTION WITH A NEW PACKAGE SHOP.

- A. PETITIONER: ANDREW B. FEILER, D/B/A LAWREL HILL BEVERAGE, LLC LOCATED AT 101 LITTLE NECK ROAD. [DISTRICT 7.]**

B. WILLIAM JOSEPH HARAY, D/B/A LIQUOR DEPOT, LOCATED AT 4395 OGEECHEE ROAD. [DISTRICT 8.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the requests for new beer, wine and liquor retail license in connection with a new package shop for the following petitioners: (A) Andrew B. Feiler, d/b/a Lawrel Hill Beverage, LLC, located at 101 Little Neck Road [District 7], and (B) William Joseph Haray, d/b/a Liquor Depot, located at 4395 Ogeechee Road [District 8]. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Holmes was not present.]

AGENDA ITEM: X-3-A
AGENDA DATE: March 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 approval of new beer, wine and liquor retail license for 2009, Andrew B. Feiler, d/b/a Lawrel Hill Beverage, LLC located at 101 Little Neck Road, Savannah, GA 31419.

BACKGROUND

Mr. Feiler requests approval for new beer, wine and liquor retail license in connection with a new package shop. The business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance.

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 Marshall inspected the site for compliance 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 Building Safety and Regulatory Services recommend approval.

District 7

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

Gregori S. Anderson, CBO

Assistant Chief Willie Lovett

AGENDA ITEM: X-3-B
AGENDA DATE: March 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 approval of new beer, wine and liquor retail license for 2009, William Joseph Haray, d/b/a Liquor Depot, located at 4395 Ogeechee Road, Savannah, GA 31405.

BACKGROUND

Mr. Haray requests approval for new beer, wine and liquor retail license in connection with a new package shop. The business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance.

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 Marshall inspected the site for compliance 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 Building Safety and Regulatory Services recommend approval.

District 8

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

Gregori S. Anderson, CBO

Assistant Chief Willie Lovett

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4. **REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2009.**
 - A. **PETITIONER: MAGDA CASTELLANOS, D/B/A JALAPEÑOS MEXICAN RESTAURANT, LOCATED AT 7405 SKIDAWAY ROAD. [DISTRICT 1.]**
 - B. **DAVID D. MESSINGER, D/B/A PERKINS RESTAURANT & BAKERY, LOCATED WITHIN THE QUALITY INN - SAVANNAH, LOCATED AT 3-A GATEWAY BOULEVARD SOUTH. [DISTRICT 6.]**
 - C. **ALAN CURTIS CALE, D/B/A HENDERSON GOLF CLUB, LOCATED AT 1 AL HENDERSON DRIVE. [DISTRICT 7.]**
 - D. **WILLIAM MICHAEL FOSTER, D/B/A WILMINGTON ISLAND CLUB, LOCATED AT 507 WILMINGTON ISLAND ROAD. [DISTRICT 4.]**
 - E. **ERICH CHRISTOPH, D/B/A BAJA CANTINA, LOCATED AT 3A SKIDAWAY VILLAGE WALK. [DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the requests for renewal of Sunday sales of beer, wine and liquor pouring license for 2009 of the following petitioners: (A) Magda Castellanos, d/b/a Jalapeños Mexican Restaurant, located at 7405 Skidaway Road [District 1]; (B) David D. Messinger, d/b/a Perkins Restaurant & Bakery, located within the Quality Inn - Savannah, located at 3-A Gateway Boulevard South [District 6]; (C) Alan Curtis Cale, d/b/a Henderson Golf Club, located at 1 Al Henderson Drive [District 7]; (D) William Michael Foster, d/b/a Wilmington Island Club, located at 507 Wilmington Island Road [District 4]; and (E) Erich Christoph, d/b/a Baja Cantina, located at 3A Skidaway Village Walk [District 4]. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Holmes was not present.]

AGENDA ITEM: X-4-A
AGENDA DATE: March 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 approval of Sunday sales of beer, wine and liquor pouring license for 2009, Magda Castellanos, d/b/a Jalapeños Mexican Restaurant, located at 7405 Skidaway Road.

BACKGROUND

Ms. Castellanos, requests approval for renewal of 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 Marshall 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 hearing date and time.

RECOMMENDATION

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

District 1

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

Gregori S. Anderson, CBO

Assistant Chief Willie Lovett

AGENDA ITEM: X-4-B
AGENDA DATE: March 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 approval of Sunday sales of beer, wine and liquor pouring license for 2008, David D. Messinger, d/b/a Perkins Restaurant & Bakery, located within the Quality Inn - Savannah, located at 3-A Gateway Boulevard South.

BACKGROUND

Mr. Messinger, requests approval of renewal of Sunday sales of beer, wine and liquor pouring license in connection with an existing restaurant within the motel. The business at this location meets the requirements of the Chatham County Alcoholic Beverage and Sunday Sales Ordinance.

FACTS AND FINDINGS

1. The applications were reviewed by the Police Department for compliance of the applicant and site distance requirements and approved.
2. The returned applications were reviewed by Regulatory Services. The County Fire Marshall inspected the site for compliance with the commercial kitchen requirements and approved the facility.

3. This applications are 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 6

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

Gregori S. Anderson, CBO

Assistant Chief Willie Lovett

AGENDA ITEM: X-4-C
AGENDA DATE: March 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 approval of Sunday sales of beer, wine and liquor pouring license for 2009, Alan Curtis Cale, d/b/a Henderson Golf Club, located at 1 Al Henderson Drive.

BACKGROUND

Mr. Cale requests approval of renewal of Sunday sales of beer, wine and liquor pouring license in connection with a golf club. The business at this location meets the requirements of the Chatham County Alcoholic Beverage and Sunday Sales Ordinance.

FACTS AND FINDINGS

1. The application was reviewed by the Police Department for compliance of the applicant and approved.
2. The returned application was reviewed by Regulatory Services. The County Fire Marshall 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 as to form.

Gregori S. Anderson, CBO

Assistant Chief Willie Lovett

AGENDA ITEM: X-4-D
AGENDA DATE: March 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 approval of Sunday sales of beer, wine and liquor pouring license for 2009, William Michael Foster, d/b/a Wilmington Island Club, located at 507 Wilmington Island Road.

BACKGROUND

Mr. Foster requests approval of renewal of Sunday sales of beer, wine and liquor pouring license in connection with an existing golf club. The business at this location meets the requirements of the Chatham County Alcoholic Beverage and Sunday Sales Ordinance.

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 Marshall 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 4

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

Gregori S. Anderson, CBO

Assistant Chief Willie Lovett

AGENDA ITEM: X-4-E
AGENDA DATE: March 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 approval of Sunday sales of beer, wine and liquor pouring license for 2009, Erich Christoph, d/b/a Baja Cantina, located at 3A Skidaway Village Walk.

BACKGROUND

Mr. Christoph requests approval of renewal of Sunday sales of beer, wine and liquor pouring license in connection with an existing restaurant. The business at this location

meets the requirements of the Chatham County Alcoholic Beverage and Sunday Sales Ordinance.

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 Marshall inspected the site for compliance with the new commercial kitchen requirements and approved the facility.
- 3. This application is in compliance with all requirements.

RECOMMENDATION

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

District 4

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

Gregori S. Anderson, CBO

Assistant Chief Willie Lovett

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5. REQUEST BOARD APPROVAL OF A REQUEST TO GRANT A REFUND OF TAXES PAID BY THE CITY OF TYBEE ISLAND FOR PROPERTY ACQUIRED FOR PUBLIC USE.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve a request to grant a refund of taxes paid by the City of Tybee Island for property acquired for public use as follows: \$4,062 for PIN 4-0006-11-009 (property received from the Tybee Island Land Trust), \$28,452 for PIN 4-0021-06-002 (property held by the Recreation Authority for a campground), and \$2,845 for PIN 4-0003-07-008 (property received as a donation). Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Holmes was not present.]

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

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

ISSUE:
Board approval of a request to grant a refund of taxes paid by the City of Tybee Island for property acquired for public use.

BACKGROUND:
The City of Tybee Island has recently acquired three parcels for its ownership and public use. Under Georgia law, the owner of record as of January 1 must pay the property taxes, but closing documents agree to a pro-ration. In both instances, the conveyances occurred with the expectation that taxes would be resolved at closing or pro-rated based on the municipality's ownership. Georgia law does not recognize any mid-year or mid-term exemptions despite Chatham County's or the municipality's ownership.

FACTS & FINDINGS:
1. On Parcel 1 (PIN 4-0006 -11-009), Tybee Island received property on Jones Avenue from the Tybee Island Land Trust, a Georgia non-profit corporation. Because the Land Trust remains tax exempt, the City of Tybee Island did not anticipate any taxes. Since the Land Trust, which only owned the land for a few years, did not apply for an exemption, taxes accumulated prior to Tybee Island's

ownership. Tybee Island did not discover the error until 2005. Taxes total \$4,062.

2. On Parcel 2 (PIN 4-0021-06-002), the Chatham County Recreation Authority issued bonds for purchase of a campground, which the City of Tybee Island entered into an unconditional guarantee to pay annual debt service. The seller paid the first installment taxes, but the City of Tybee Island did not anticipate that second installment taxes would accrue. Tybee erroneously assumed municipal ownership would provide sufficient exemption, but state law does not provide for any mid-year exemption. Taxes total \$28,452.
3. On Parcel 3 (PIN 4-0003-07-008), Tybee Island accepted property by private donation on 5th Avenue. Taxes total \$2,845.
4. The County Attorney's Office has reviewed the proposed action and concurs in the procedure to resolve because of the property's use now and in the future for public purposes. The County Attorney's office advised that Tybee Island should pay the tax amount and then receive a refund.

FUNDING:

Tax Commissioner's funds.

ALTERNATIVES:

1. That the Board authorize a refund in the amount of \$4,062 for PIN 4-006 -11-009 as property received from the Tybee Island Land Trust, \$28,452 for PIN 4-0021-06-002 for property held by the Recreation Authority for a campground and \$2,845 for PIN 4-0003-07-008) for property received as a donation.
2. That the Board do not authorize a refund of any individual parcel.
3. That the Board take no action.

POLICY ANALYSIS:

Though not a specific error pursuant to O.C.G.A. 48-5-154, the City of Tybee Island would be paying taxes on property held in ownership by a municipal corporation, which otherwise should be exempt.

RECOMMENDATION:

That the Board approve Alternative 1.

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6. 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. Veterinarian Services contract	Savannah-Chatham Metro Police - Animal Control	Berwick Animal Hospital	Varies by service provided	General Fund/M&O - Animal Control
B. Change Order No. 2 to the annual contract for Pest Control services to add the K-9 unit building	Detention Center	Cox Termite and Pest Control	\$540	General Fund/M&O - Detention Center
C. Nine (9) hand held mobile and portable digital radios	Sheriff	Motorola Communications (State Contract)	\$28,766	General Fund/M&O - Sheriff
D. 2008 Chevrolet Colorado Astro Body Truck	Savannah-Chatham Metro Police Department	Superior Chevrolet (Sole Source)	\$21,313	CIP - Fleet Replacements
E. Two (2) NOMAD 30-yard portable recycling compactors	Solid Waste Restricted	Stribling Systems, Inc. (Sole Source)	\$48,200	Solid Waste Restricted
F. Professional Services task order contract for surveying services on County projects	Engineering	Sundial Land Surveying	Not to exceed \$50,000	•SPLOST (1985-1993; 1998-2003; 2003-2008) •CIP •Land Bank

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
G. Professional services contract for design and engineering services for renovations to Juvenile Court Facility	Juvenile Court	Greenline Architecture (Sole Source)	\$39,850	CIP - Juvenile Court
H. Change Order No. 4 to contract for janitorial services to add to the scope of services an increase in man hours provided to the Islands Police Precinct	Facilities Maintenance and Operations	R.I.T. Janitorial Services	\$3,600	Reimbursable Expenses
I. Extend contract period for project management for 1999 and 2005 DSA Series projects	Special Projects	Southeast Development	\$35 per hour Not to exceed \$50,000	1999 DSA Series Bonds (ANG Buildings) and 2005 DSA Series Bonds (various projects)
J. Change Order No. 1 for design services for Animal Control Shelter for additional services	Special Projects	Lott+Barber	\$30,000	2005 DSA Series Bonds

As to Items 6-B through 6-J, except Item 6-D:

Commissioner Kicklighter moved to approve Items 6-B through 6-J, except Item 6-D. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Holmes was not present.]

As to Item 6-A:

Chairman Liakakis recognized Commissioner Stone.

Chairman Liakakis said, thank you, Mr. Chairman. I was just curious to know, we're contracting out of — never mind. I read it wrong. It says Berwick and I thought it said Brunswick, so I apologize. Disregard what I asked.

Commissioner Odell asked, are you going to make a motion? Commissioner Stone said, I'll make a motion to approve it. Commissioner Farrell said, second.

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

As to Item 6-D:

Chairman Liakakis said, Item D, 2008 Astro Body Truck.

Commissioner Gellatly said, I don't have any problem with the purchase and I know that it's needed, but I did have a question on the process. Russ [Abolt], when we get a vehicle like that, are we using the State contract on that?

County Manager Abolt said, I'll defer to Mr. Parson, who's in the audience. I don't even want to guess on that. Mr. Parson, please.

Mr. Bill Parson said, yes sir, we use the State contracts as the benchmark. We won't pay any more than what's on that State contract, but we did get quotes.

Commissioner Gellatly said, okay. Mr. Parson said, this is a sole source because of the truck, the kind of truck. Commissioner Gellatly said, the purpose of my question is the way the economy is now, do we give a local vendor, I guess it would be Vaden in this case, an opportunity to match the State bid. Mr. Parson said, yes sir. Commissioner Gellatly asked, and he's been giving that and declined. Mr. Parson said, yes sir. Commissioner Gellatly said, okay, and we do that every time? Mr. Parson said, yes sir, unless it's a particular special type vehicle. Commissioner Gellatly said, okay. I just wanted to make sure that we do that because the way the economy is now, especially the high price items like vehicles, I think you're going to find your local dealers might be more receptive to matching that State bid. They've got lots full of vehicles and I just — you say that he was given the opportunity, I've no reason to doubt that, but I want to make sure that we never miss that opportunity —. Mr. Parson said, no sir. Commissioner Gellatly said, — to spend any of our money right here locally.

County Manager Abolt said, thank you, sir.

Chairman Liakakis said, and we make sure also that that's listed, the ownership, that the County owns it. Correct? Okay, very good.

Commissioner Gellatly said, thank you. Chairman Liakakis said, alright, let's go back. Commissioner Gellatly said, we've got to approve it. I make a motion to approve. Commissioner Farrell said, second. Commissioner Thomas said, second.

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

ACTION OF THE BOARD:

- a. Commissioner Kicklighter moved to approve Items 6-B through 6-J, except Items 6-A and 6-D. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Holmes was not present.]
- b. Commissioner Stone moved to approve Item 6-A. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Holmes was not present.]
- c. Commissioner Gellatly moved to approve Item 6-D. Commissioners Farrell and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Holmes was not present.]

AGENDA ITEM: XI-6 A *thru* J
AGENDA DATE: March 13, 2009

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

ITEM A

ISSUE: Request Board approval to award an annual contract, with automatic renewal options for four (4) additional one (1) year terms for Veterinarian Services with Berwick Animal Hospital for the Savannah-Chatham Metro Police Department (SCMPD) Animal Control Unit.

BACKGROUND: Animal Control has for years been using VCA under a "handshake" agreement. Research by staff cannot be verified by either party that there in fact was a written contractual agreement.

FACTS AND FINDINGS:

1. Last year after new corporate management took over VCA, billing increased tremendously, to the point administrative staff for Animal Control felt it had grown beyond "reasonable and customary."
2. In order to obtain a more reasonable and measured veterinary service, Animal Control staff made the decision to issue a Request for Interest. Berwick Animal Hospital was the only respondent.
3. On 27 February 2009, at the request of the SCMPD Services Officer, the Purchasing Agent met with her staff and Animal Control. They wanted to ensure they had followed the correct and proper procedures. The Purchasing Agent confirms that "due diligence" for competition was conducted. Please Note: This is a professional service, it is not held to a competitive process, but negotiations are conducted much like selecting an Attorney (see pages 11-13).
4. Staff believes the terms and cost negotiated with Dr. DeAnna Douglas, Veterinarian, to be fair and reasonable and much less than under the previous "hand shake" arrangement.

FUNDING: General Fund M & O - Animal Control
(1003910 - 57.10001)

ALTERNATIVES:

1. Request Board approval to award an annual contract, with automatic renewal options for four (4) additional one (1) year terms for Veterinarian Services with Berwick Animal Hospital for the Savannah-Chatham Metro Police (SCMPD) Animal Control Unit.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve contracts that are necessary for public safety.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM B

ISSUE: Request Board approval of Change Order No. 2, in the amount of \$45 per month, to the annual contract with Cox Termite and Pest Control, to include in the scope of services for pest control service at the K-9 Unit Building located at the Sheriff's Department Complex.

BACKGROUND: On 21 November 2008, the Board approved a pest control services contract with Cox Termite & Pest Control.

FACTS AND FINDINGS:

1. This building was not listed in the attachment of the project compensation schedule of the original bid.
2. Cox Termite & Pest Control quoted staff a monthly fee of \$45 to provide service at the K-9 Unit Building. Due to a flea infestation, staff believed it was necessary for service to begin in February prior to change order.
3. Staff believes the cost of \$45 per month to provide pest control service to the K-9 Unit Building to be fair and reasonable.
4. Contract history is as follows:

Original Contract Amount (11-21-08)	\$18,740/Year
Change Order No. 1 (01-16-09)	\$ 300/Year
Change Order No. 2 (Pending)	\$ 540/Year
Revised Contract Amount	\$19,580/Year

FUNDING: General Fund/M & O - Detention Center
(1003326 - 52.22001)

ALTERNATIVES:

1. Board approval of Change Order No. 2, in the amount of \$45 per month, to the annual contract with Cox Termite and Pest Control, to include in the scope of services for pest control service at the K-9 Unit Building located at the Sheriff's Department Complex.
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 _____
RUSHEDA ADESHINA

ITEM C

ISSUE: Request Board approval of the \$28,766 sole source purchase off the State of Georgia contract, nine (9) hand held mobile and portable digital radios from Motorola Communications for the Sheriff's Department.

BACKGROUND: The Savannah-Chatham Metro Police Department upgraded their radio system from analog technology to digital technology. The County continue the migration towards total compatibility with the upgraded technology with various purchases throughout the year.

FACTS AND FINDINGS:

1. Sole-source justification for the manufactured Motorola XTS2500 will maintain compatibility with law enforcement locally and statewide. Savannah Communications, of Garden City is the local distributor and local repair source. Motorola is on the State of Georgia contract and the GSA Schedule 70 Homeland Security Contract.
2. Communications between the two (2) agencies is mandatory from a Public Safety standpoint.
3. Staff believes the cost \$28,766 for the nine (9) hand held mobile and portable digital radios to be fair and reasonable.

FUNDING: General Fund M & O - Sheriff
(1003300 - 54.25001)

ALTERNATIVES:

1. Board approval of the \$28,766 sole source purchase off the State of Georgia contract, nine (9) hand held mobile and portable digital radios from Motorola Communications for the Sheriff's Department.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve purchases for necessary technology equipment for law enforcement in the interest of public safety.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM D

ISSUE: Request Board approval of the sole-source purchase in the amount of \$21,313, for a 2008 Chevrolet Colorado Astro Body Truck, from Superior Chevrolet of Decatur, GA, for the Savannah-Chatham Metro Police Department (SCMPD).

BACKGROUND: Savannah-Chatham Metro Police Department (SCMPD) has approved funding to replace 19 police vehicles per the police merger agreement with the City of Savannah.

FACTS AND FINDINGS:

1. The SCMPD has selected this vehicle based on utility and value to meet its mission for Forensic investigations. This truck offers a more practical approach to transporting evidence and necessary equipment needed in the Forensic field.
2. This vehicle will replace one that is worn out beyond economic repair and will be salvaged.
3. Staff believes the cost of \$21,313 for the 2008 Chevrolet Colorado Astro Body Truck to be fair and reasonable.

FUNDING: CIP - Fleet Replacement
(3501567 - 54.22001 - 3503004B)

ALTERNATIVES:

1. Request Board approval of the sole-source purchase in the amount of \$21,313, for a 2008 Chevrolet Colorado Astro Body Truck, from Superior Chevrolet of Decatur, GA, for the Savannah-Chatham Metro Police Department (SCMPD).
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 E

ISSUE: Request Board approval of the \$48,200 single source brand name purchase of two (2) NOMAD 30-yard portable recycling compactors from Stribling Systems, Inc., of Martin, Georgia for Public Works and Park Services - Solid Waste Restricted.

BACKGROUND: Chatham County Public Works and Park Services and the Board of Commissioners is opening the Resource Conservation Education Center, on Eisenhower and Seawright Drives, to expand services to residents. The NOMAD compactors will be used to condense collected materials brought to the center to be recycled.

FACTS AND FINDINGS:

1. Purchase of these recycling containers is an addition to the County's efforts to deliver quality of life services to its residents.
2. The NOMAD compactor is patented as the only totally portable compactor on the market and is used as a standard by the City of Savannah.
3. Unlike other units, the NOMAD is unique in that it can operate from a standard 110 outlet, and with an inverter, can be installed on a roll-off truck to operate at any location. There will be a significant cost savings with the installation of the NOMAD compactor, because it operates on a standard 110 outlet, eliminating the need for electrical retrofitting to install a 208 amp 3-phase system.
4. Stribling Systems, Inc. is the manufacturer of the compactors and holds a patent on the NOMAD. Stribling Systems, Inc. quoted staff a price of \$23,500 per container plus \$1,200 for shipping.

FUNDING: Solid Waste Restricted
(5404510 - 54.25001)

ALTERNATIVES:

1. Board approval of the \$48,200 single source brand name purchase of two (2) NOMAD 30-yard portable recycling compactors from Stribling Systems, Inc., of Martin, Georgia for Public Works and Park Services - Solid Waste Restricted.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to issue single source purchase orders when it is in the best interest of the County.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM F

ISSUE: Request Board approval to award a professional services Task Order contract in the amount of not to exceed \$50,000 with Sundial Land Surveying, for surveying services on County projects.

BACKGROUND: There are numerous small construction projects that can be done by a variety of professional engineer and technical services companies that are either pre-qualified by the Georgia Department of Transportation (GDOT) or have demonstrated their capability to accomplish quality and timely work for the County. Department of Engineering staff [as project managers] coordinates the various services (i.e. permitting, surveying, design and right of way acquisition) to pull a project together [rather than by way of subcontracts for the services]. The Assistant County Manager also routinely needs surveying services for preparing plats for property transactions.

FACTS AND FINDINGS:

1. This contract will be managed by task orders for specific tasks unique to the projects with deliverables for either lump sum or not to exceed amounts (e.g. time and materials).
2. Sundial Land Surveying is a new company owned by Michael Hussey. Mr. Hussey is a local Registered Land Surveyor who previously provided timely and reliable surveying services for County projects.
3. Sundial carries all the necessary insurance including general liability, Workmen's Compensation, Error and Omissions insurance.

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

ALTERNATIVES:

1. Board approval to award a professional services Task Order contract in the amount of not to exceed \$50,000 with Sundial Land Surveying, for surveying services on 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.

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM G

ISSUE: Request Board approval to award a sole-source professional services contract in the amount of \$39,850 to Greenline Architecture for the design and engineering services for the Renovations to the Chatham County Juvenile Court Facility.

BACKGROUND: In 2004, a security assessment report on Juvenile Court outlined serious operational and security needs for the facility. The improvements are necessary to ensure the safety and security of the Judges, staff, families and children served, and visitors to the facility. In addition, the current location of holding cells require Judges and staff to pass through the holding cell area. This poses safety concerns.

FACTS AND FINDINGS:

1. Renovations to the Judge's wing and additional secure holding cells are two of the critical improvements needed. The current holding cells present classification issues for the Sheriff's Office as there are not enough cells available to ensure mandatory separation of those detained.
2. In the original design, twelve years ago, there was a holding capacity for twelve. With the increase in cases at Juvenile Court, capacity no longer adequate and it poses a risk to the detainees and staff.
3. Greenline Architecture now employs two principal individuals that were part of the original design of this facility back in 1996. Due to their familiarity and technical knowledge of this facility, staff feels it is in the best interest of the County to contract with Greenline Architecture as Architects of Record for the Juvenile Court facility. Staff believes the fee received from Greenline Architecture is fair and reasonable.
4. The Scope of Services for this project consists of the renovation of approximately 4,200 square feet of modifications to the law library, holding cells and judicial administrative offices to create additional administrative space, additional secure holding area with new plumbing fixtures and court and judicial modifications based on contemporary needs of the system. HVAC design includes reworking duct work for the modifications of spaces, and new exhaust for the new holding

area. Electrical includes new lighting and power for the modified areas, conduit for data telecom and CCTV, mods to the fire alarm system and emergency power from battery packs. Also included in the Scope of Services is construction administration throughout the construction phase of the project.

FUNDING: CIP - Juvenile Court
(3502600 - 54.13001 - 35030627)

ALTERNATIVES:

1. Board approval to award a sole-source professional services contract in the amount of \$39,850 to Greenline Architecture for the design and engineering services for the Renovations to the Chatham County Juvenile Court Facility.
2. Provide staff with other direction.

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

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM H

ISSUE: Request Board approval of Change Order No. 4, in the amount \$300 per month, to the annual contract with R.I.T. Janitorial Services to add to the scope of services an increase in man hours for janitorial services provided to the Islands Police Precinct.

BACKGROUND: On 20 July 2007, the Board approved a janitorial services contract with R.I.T. Janitorial Services, of Savannah.

FACTS AND FINDINGS:

1. During October of 2008, the Savannah-Chatham Metropolitan Police Department closed the Skidaway Precinct and moved staff from that precinct to the Islands Precinct. This transition increased staff levels from 32 to 73 officers and administrative staff.
2. Due to this increase in staff levels , R.I.T. Janitorial Service was forced to increase their daily man hours in order to maintain the level of cleanliness specified in the contract.
3. R.I. T. Janitorial Service requested a 20% increase of \$399 per month for the additional man hours. The Superintendent of Building recommends a \$300 per month increase based on information received from Captain McClusky, Precinct Commander, and staff analysis
4. Contract history is as follows:

Original Contract Amount (07-20-07)	\$14,400/Year
Change Order No. 1 (11-16-07)	\$30,600/Year
Change Order No. 2 (7-25-08)	\$2,250/Year
Change Order No. 3 (10-03-08)	\$7,560/Year
Change Order No. 4 (Pending)	<u>\$3,600/Year</u>
Revised Contract Amount	\$58,410/Year

FUNDING: Reimbursable Expenses
(2709957- 57.10009)

ALTERNATIVES:

1. Request Board approval of Change Order No. 4, in the amount \$300 per month, to the annual contract with R.I.T. Janitorial Services to add to the scope of services an increase in man hours for janitorial services provided to the Islands Police Precinct.
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 _____
READ DEHAVEN

ITEM I

ISSUE: Request Board approval to extend the contract period, for an additional one (1) year term for the management services contract with Southeast Development.

BACKGROUND: On October 5, 2007, the Board approved the plan of action for managing more than 180 capital projects with a value in excess of \$325 million. The Board also concurred in a strategy to contract with former government and project managers to assist with project management responsibility.

FACTS AND FINDINGS:

1. At the 18 January 2008 meeting, the Board authorized a contract with Southeast Development to serve as a developer and manager for construction projects. The firm comes highly recommended based on previous construction management projects and knowledge about at project management, especially with an interest in LED-certified projects (associate membership).
2. The firm has worked on several projects, including planned renovation of a project at the Citizens Service Center to convert an existing building shell into a LED-certified project for the Cooperative Extension Service. Based on the successful work to date, the company will probably be used to manage other projects from the 2005 DSA Series Bonds and the Courthouse/Records Center in the 2003-2008 SPLOSH.
3. The rate of compensation will continue to be \$35 per hour, not to exceed a total contract amount of \$50,000. Should additional services beyond this amount be required, staff will return to the Board for approval.

FUNDING: 1999 DSA Series Bonds/AN Building
(3601565 - 52.11001 - 36031103)
2005 DSA Series Bonds - Animal Control Shelter
(3703910 - 52.11001 - 37032297)
SPLOST (2003-2008) - Courthouse Records Center
(3234980 - 52.11001 - 32360427)

ALTERNATIVES:

1. Request Board approval to extend the contract period for one (1) additional year for Management Services with Southeast Development.
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: That the Board adopt Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM J

ISSUE: Request Board approval of Change Order No.1, in the amount of \$30,000, to the Professional Services contract with Lott+Barber for the design and engineering of the Animal Control Shelter.

BACKGROUND: At the 8 September 2006 meeting, the Board authorized a contract with Lott+Barber for the design and construction of the Animal Control Shelter. The contract was based on a facility proposed by the Animal Control Unit, a division of the Savannah-Chatham Metropolitan Police Department, for a facility based on one constructed in Glynn County.

FACTS AND FINDINGS:

1. The contract was based on design and engineering a facility similar to Glynn County's Animal Control Shelter, a model proposed by the Animal Control Shelter staff. The contract documents described the scope of work as design and engineering a facility with approximately 5,600 square feet of space with outdoor runs and administrative offices of 2,700 square feet. The construction budget was estimated at \$750,000.
2. Based on a field trip to Glynn County, the project team learned that the number of strays which the Chatham County Animal Control Shelter handle exceeds Glynn County's by almost 40%. Based on national standards and projections for increases, the program called for a building which became designed at 14,000 square feet with kennels representing 75% of the space. In addition, at 50% completion of drawings, the project team added or relocated several new features, including crematorium, radiant flooring, reconfiguration of the cat holding area, and an outdoor fenced in dog play area.
3. Because of the additional items, and change in scope of the project, Lott+Barber requested additional compensation. Based on additional professional services time for modifications to design documents, Lott+Barber and staff agreed upon a \$30,000 change order. Even with the change order, the ratio of professional fees to project construction would be less than 7%, which is typical for projects of this scope.

4. Contract history is as follows:

Original Contract Amount(9-08/06)	\$ 95,000
Change Order No. 1 (pending)	<u>\$ 30,000</u>
Revised Contract Amount	\$125,000

FUNDING: DSA Series 2005 Bonds.

ALTERNATIVES:

1. Request Board approval of Change Order No.1, in the amount of \$30,000, to the Professional Services contract with Lott+Barber for the design and engineering of the Animal Control Shelter.
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 and amend them as necessary for professional service contracts. Change orders can only be justified based upon a change in scope from the original assignment or additional services. In this instance, both circumstances apply.

RECOMMENDATION: That the Board adopt Alternative 1.

BUDGET APPROVAL _____
TOM DRANE

PREPARED BY _____
PURCHASING AGENT
=====

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.

- I. THE PETITIONER GLADYS WISE IS REQUESTING A REZONING AT 51 JOHNNY MERCER BOULEVARD FROM A PUD-IS-B (PLANNED UNIT DEVELOPMENT-INSTITUTIONAL-BUSINESS) TO A SPECIAL USE APPROVAL OF A FITNESS CENTER (LIMITED); PHOTOGRAPHY STUDIO; SPECIALTY SHOP; AND THE TEACHING OF MUSIC, VOICE AND DANCE WITHIN THE EXISTING PUD-IS-B DISTRICT. THE MPC RECOMMENDS APPROVAL.
MPC FILE NO. Z-090202-00006-1
[DISTRICT 4.]

ACTION OF THE BOARD:

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

AGENDA ITEM: XI-1
AGENDA DATE: March 13, 2009

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

LEGAL NOTICE/AGENDA HEADING:

**The petitioner Gladys Wise is requesting a rezoning at 51 Johnny Mercer Boulevard from a PUD-IS-B (Planned Unit Development-Institutional-Business) to a Special Use approval of a fitness center (Limited); photography studio; specialty shop; and the teaching of music, voice and dance within the existing PUD-IS-B district. The MPC recommends approval.
MPC File No. Z-090202-00006-1**

ISSUE: The petitioner is requesting approval of special uses to allow a limited use fitness center; photography studio; specialty shop; and the teaching of music, voice and dance within a PUD-IS-B (Planned Unit Development-Institutional-Business) zoning district.

BACKGROUND:

The subject property was rezoned from P-R-A (Planned-Residential-Agriculture) to PUD-IS-B in March, 2000 (MPC File No. 98-12305-C). The initial rezoning petition request was for an amendment to the P-R-A zoning district to allow personal service shops (e.g., beauty salons, barber shops, and Laundromats). The MPC recommended denial of this petition to the Chatham County Commission. The County Commission denied the petition but asked the MPC to consider an alternative zoning district for the property. Subsequently, the property was rezoned to PUD-IS-B and a concept plan to establish an office park was approved.

The beauty salon received an Occupational Tax Certificate in August, 2001 but it was later determined by the Assistant County Attorney that this use was not allowed within the PUD-IS-B district. The salon owner requested special use approval, which the MPC granted in January, 2002 (MPC File No. P-020109-38436-1). Additionally, the Board approved an amended General Development Plan/Group Development. Since that time, the procedure for special use approval has changed. The Georgia Zoning Procedures Act, O.C.G.A Section 36-66-3(4)(E), now requires that the granting of a permit relating to special use is an action reserved for local elected bodies. Therefore, the MPC must make a recommendation to the County Commission regarding a requested use that is not specifically permitted within the PUD-IS-B zoning district.

FACTS AND FINDINGS:

1. As required, all property owners within 200 feet of the subject site were notified and the site was properly posted. The site is not within the boundaries of a known neighborhood organization.

2. **Existing Development Pattern:**

The site contains 2.85 acres and is located on Whitemarsh Island. The site is currently developed with a florist shop/boutique/plant nursery, a chiropractor's office, an attorney's office, two general office uses, and a beauty salon. The beauty shop was approved in January, 2002. The MPC found that a beauty salon, limited to seven stalls, would be compatible with the overall development plan for the project.

The adjacent land uses and zoning districts include:

<u>Location</u>	<u>Land Use</u>	<u>Zoning District</u>
North	Vacant portion of Board of Education site	R-1 [1]
East	Multifamily (Mercer Pointe)	PUD-M-6 [2]
South	Multifamily (Mercer Pointe)	PUD-M-6
West	Multifamily (Hammocks)	PUD [3]

[1] One-family Residential

[2] Planned Unit Development-Multi-family – 6 Units/Acre

[3] Planned Unit Development

3. **Existing PUD-IS-B Zoning District:**

a. **Intent of the PUD-IS-B District:** According to the Zoning Ordinance, the definition of a PUD-IS-B district is one that allows "...any institutional, professional, or office development consisting of less than three acres."

b. **Allowed Uses:** Uses allowed include: (1) cultural facilities; (2) office health services/practitioners; (3) health service clinics; (4) general office uses; and (5) other business uses. The proposed uses would be considered under Use (5).

4. **Land Use Element:** The Chatham County-Savannah Tricentennial Comprehensive Plan Future Land Use Map designates the subject property as Commercial Suburban. Commercial Suburban is defined as intermediate scale business districts supporting shopping centers and corridor commercial uses.

5. **Transportation Network:** The project site is adjacent to Johnny Mercer Boulevard, a divided four lane arterial roadway, but it does not have direct access to Johnny Mercer. Access is from a private drive that also serves the Mercer Pointe condominium complex. The private drive intersects Johnny Mercer Boulevard at a traffic signal installed at the intersection of Johnny Mercer Boulevard and Whitmarsh Island Road.

6. **Public Services and Facilities:** The property is served by City of Savannah water and sewer, the Metropolitan Police Department, and the Southside Fire Department.

7. The Zoning Ordinance gives the elected body great latitude to determine appropriate uses that are deemed compatible with a project's overall development plan. Clearly, as evidenced by prior approvals, the project area has been appropriate for limited office and retail usage. The previously approved beauty salon is akin to a personal service shop, and the florist/boutique/plant nursery is a use listed under specialty shops in the Ordinance. Specialty shops, which include such uses as gift shops, florists, camera shops, and interior decorating offices, are limited in size to not more than 1,200 square feet of total sales and storage area. This limited size mirrors existing development at the project site and is both appropriate for the area and compatible with the project's approved site plan.

8. The petitioner has also requested use approval for a limited size fitness center. Such a use can be compatible with existing and proposed development provided that limitations on size and hours of operation be made a part of the use approval. Similar to other existing and proposed uses, the fitness center should be no larger than 1,200 square feet of gross floor area, and the hours of operation should be limited to between the hours of 7:00 a.m. and 7:00 p.m.

SUMMARY OF FINDINGS

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

Yes ___ No X

2. Will the proposed zoning district permit uses that would adversely impact adjacent and nearby properties by rendering such properties less desirable and therefore less marketable for the type of development permitted under the current zoning?

Yes ___ No X

3. Will the proposed zoning district permit uses that would generate a type or mix of vehicular traffic on a street or highway that is incompatible with the type of land use development along such street or highway?

Yes ___ No X

4. Will the proposed zoning district permit uses that would generate greater traffic volumes at vehicular access points and cross streets than is generated by uses permitted under the current zoning district to the detriment of maintaining acceptable or current volume capacity (V/C) ratio for the streets that provide vehicular access to the proposed zoning district and adjacent and nearby properties?

Yes ___ No X

5. Will the proposed zoning district permit uses or scale of development that would require a greater level of public services such as drainage facilities, utilities, or safety services above that required for uses permitted under the current zoning district such that the provision of these services will create financial burden to the public?

Yes ___ No X

6. Will the proposed zoning district permit uses or scale of development that would adversely impact the improvement or development of adjacent and nearby properties in accordance with existing zoning regulations and development controls deemed necessary to maintain the stability and livability of the surrounding neighborhood?

Yes ___ No X

7. Will the proposed zoning district permit development that is inconsistent with the comprehensive land use plan?

Yes ___ No X

ALTERNATIVES:

1. Approve the petitioner's request to allow a limited use fitness center; photography studio; specialty shop; and the teaching of music, voice and dance within a PUD-IS-B (Planned Unit Development-Institutional-Business) zoning district.
2. Deny the petitioner's request.

POLICY ANALYSIS:

The proposed use approvals are consistent with the Future Land Use Map designation and are compatible with the existing development pattern at the project site. Limitations on size and hours of operation further enhance compatibility.

RECOMMENDATION: The MPC and Director of Building Safety and Regulatory Services recommend Approval of the request to grant use approval for the following specified uses: limited use fitness center, photography studio, specialty shops, and the teaching of music, voice and dance. Said uses shall be limited in size to no more than 1,200 square feet of gross floor area, and further, a fitness center shall be limited to hours of operation between 7:00 a.m. and 7:00 p.m.

PREPARED BY: Jim Hansen, AICP, Director
Development Services

February 17, 2009

Gregori Anderson, Director
BUILDING SAFETY AND REGULATORY SERVICES

DATE: FEBRUARY 17, 2009
TO: CHATHAM COUNTY COMMISSION
FROM: METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC ZONING RECOMMENDATION

PETITION REFERENCED:

Gladys Wise, Petitioner/Owner
51-B Johnny Mercer Boulevard
MPC File No. Z-090202-00006-1

MPC ACTION

Approval of the request to grant use approval for the following specified uses: limited use fitness center, photography studio, specialty shops, and the teaching of music, voice and dance. Said uses shall be limited in size to no more than 1,200 square feet of gross floor area, and further, a fitness center shall be limited to hours of operation between 7:00 a.m. and 7:00 p.m.

MPC STAFF RECOMMENDATION

Approval of the request to grant use approval for the following specified uses: limited use fitness center, photography studio, specialty shops, and the teaching of music, voice and dance. Said uses shall be limited in size to no more than 1,200 square feet of gross floor area, and further, a fitness center shall be limited to hours of operation between 7:00 a.m. and 7:00 p.m.

MEMBERS PRESENT: 8 + Chairman

Jon Todd, Chairman	Shedrick Coleman, Vice-Chairman
Susan Myers, Treasurer	Michael Brown
Ellis Cook	David Hoover
Stephen R. Lufburrow	
Lacy Manigault	
Timothy Mackey	

VOTING FOR MOTION

Jon Todd
Shedrick Coleman
Susan Myers
Michael Brown
Ellis Cook
Stephen Lufburrow
Lacy Manigault
David Hoover
Timothy Mackey

VOTING AGAINST MOTION

None

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

*Ben Farmer
*Adam Ragsdale
*Robert Ray
*Russ Abolt

FOR APPROVAL: 9 FOR DENIAL: 0 ABSTAINING: 0

Respectfully submitted,

/s/ Thomas L. Thomson

Thomas L. Thomson
Executive Director

/cbm

Enclosure

**Petition of Gladys Wise
51-B Johnny Mercer Boulevard
MPC File No. Z-090202-00006-1
February 17, 2009**

MPC recommends that the following described property be rezoned from its present PUD-IS-B (Planned Unit Development Institutional Business) classification to a Special Use approval of a fitness center (limited); photography studio; specialty shop; and the teaching of music voice and dance within the existing PUD-IS-B district.

LEGAL DESCRIPTION

Beginning at a point located on the centerline of Johnny Mercer Blvd. approximately 1783 feet north of its intersection with the centerline of Cedar View Drive, thence proceeding in a southeasterly direction along a curve to the left having a central angle of 37 degrees 30 minutes, a radius of approximately 650 feet and a curvilinear distance of approximately 420 feet to a point, thence proceeding westerly along a line North 84 degrees 10 minutes West a distance of approximately 350 feet, thence in a northerly direction along a line North 11 degrees 05 minutes East to its intersection with the centerline of Johnny Mercer Blvd., thence southeasterly along the centerline of Johnny Mercer Blvd back to the point of beginning.

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

P.I.N.: 1-0139 -01-002

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2. AMENDMENT TO THE CHATHAM COUNTY PERSONNEL ORDINANCE AND PROCEDURES MANUAL, POLITICAL ACTIVITY, ARTICLE III-106, TO PROHIBIT A COUNTY EMPLOYEE FROM HOLDING ELECTIVE OFFICE.

ACTION OF THE BOARD:

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

**AGENDA ITEM: XI-2
AGENDA DATE: March 13, 2009**

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

Issue: To adopt a proposed amendment to the Chatham County Personnel Ordinance and Procedures Manual, Political Activity, Article III-106 to prohibit a county employee from holding elective office.

Background: The County Commission has expressed its desire to amend the Chatham County Personnel Ordinance and Procedures Manual to prohibit employees from holding public office while in the employment of Chatham County. The current Personnel Ordinance and Procedure allows a County employee to be elected to a non-partisan elected office.

Facts and Findings:

1. The current Personnel Manual provides in Article III-106.2 that an employee who files for an elective partisan office shall be placed on leave without pay effective the following workday. If elected or appointed to a partisan office, the employee shall resign from employment with the County before the start of the term of office.
2. Article III-106.3 provides that in the event that placing the employee on leave without pay conflicts with federal law, such leave shall not be granted. In order to seek for a partisan office, the employee would have to effectively resign.
3. The County's present policy is silent on non partisan elections. The County Attorney's office has issued several opinions that the policy as written does not prohibit an employee from qualifying and holding a non partisan elected office while being employed by Chatham County.
4. The proposed amendment to the Personnel Ordinance and Procedures Manual prohibits County employees from holding elected office. In the event that an employee qualifies for an elected office, the employee must resign the day after the employee qualifies. Attached is a copy of the proposed change to the Chatham County Ordinance and Procedure Manual (see attachment I).
5. The proposed amendment would prohibit individuals who currently hold elective office from working for County Government until that individual resigns from that elective office.
6. Currently, there are four County employees who hold elected office. The proposed amendment would allow these employees to continue to serve in their respective positions and be re-elected to that office. It precludes them from seeking a different office. If they are not re-elected and seek a different office or seek re-election to the same office in the future, they would be subject to the new provisions of Article III-106.2.

Funding: No additional funding required.

Alternatives:

1. Adopt proposed amendment to the personnel ordinance and procedures manual, Article III-106, political activity (attachment I).
2. Adopt the proposed amendment to the personnel ordinance and procedures manual, Article III-106, political activity (attachment I) with modification.
3. Provide staff with other direction.

Policy Analysis:

State and Federal law provides that among the rights of citizens of this state is the right to hold elective office unless disqualified by the Constitution and laws. The proposed amendment places reasonable restrictions on the right of County employees to seek public office. The proposed amendment seeks to balance the rights of employees to seek public office versus the Government's interest to maintain order, discipline and efficiency in the workplace.

Recommendation:

The Board adopt Alternative 1.

Attachment#1

Proposed Amendment of Chatham County Personnel Ordinance & Personnel Procedures Manual

Sections III-106.1, 106.2 and 106.3 of the Chatham County Personnel Ordinance and Personnel Procedures Manual shall be deleted, and in its place the following language shall be used:

III-106.1 An employee, regardless of employment status, shall give written notice of candidacy for an elective office, or appointment to a vacancy in an elective office at the time of either qualifying for said elective office, or acceptance of an appointment to an elective office.

Section III-106.2 of the Chatham County Personnel Ordinance and Personnel Procedures Manual shall be deleted, and in its place the following language shall be used:

III-106.2 An employee who files and/or qualifies for an elective office shall resign from County employment at the time of qualifying for said elective office or acceptance of an appointment to an elective office.
a. If an elected official has made application for County employment and is subsequently hired by the County, said elected official shall be required to resign from elective office prior to their official start date with the County. Failure to do so will result in termination from County employment.

Section III-106.3 of the Chatham County Personnel Ordinance and Personnel Procedures Manual shall be deleted, and in its place the following language shall be used:

III-106.3 An incumbent candidate for the Office of Tax Commissioner, Clerk of Superior Court, Coroner, Judge, Sheriff, or District Attorney and other County employees who are incumbents in elective offices shall be allowed to continue their County employment, without resigning, as long as they remain incumbents in the elective office in which they are serving.

This amendment shall be effective as _____.

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XII. SECOND READINGS

None.

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XIII. INFORMATION ITEMS

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

ACTION OF THE BOARD:

A status report was attached 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: March 13, 2009**List of Purchasing Items between \$2,500 and \$9,999
That Do Not Require Board Approval

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
One (1) total station for field surveying	Engineering	Duncan-Parnell, Inc.	\$8,040	SPLOST (1998-2003) Hardin Canal
Print and mail 2009 tax bills and delinquent letters	Tax Commissioner	Diversified Companies	\$2,560	General Fund/M&O - Tax Commissioner
Annual fire alarm system inspection agreement for various departments at the Citizens Service Center	Facilities Maintenance and Operations	Simplex Grinnell (Sole Source)	\$2,509	•Building Safety and Regulatory Services - \$688.80 •SSD - Building Safety and Regulatory Services - \$196.80 •General Fund/M&O - Building Safety and Regulatory Services - \$98.40 •Land Bank Authority - \$600.00 •General Fund/M&O - Purchasing - \$400.00 •General Fund/M&O - Board of Election - \$175.00 •General Fund/M&O - Voter Registration - \$175.00 •General Fund/M&O - Board of Equalization - \$175.00
Replace doors on guard shack at Causton Bluff and Skidaway Narrows Bridges	Facilities Maintenance and Operation	SNR Remodeling	\$4,111	Bridges
177 cases of antibacterial soap	Detention Center	Coastal Paper-Sail Chemical	\$4,584	General Fund/M&O - Detention Center
Marshall and swift data for use with the ACS Assessment Office application	Assessor	ACS Image Solutions, Inc.	\$4,307	General Fund/M&O - Assessor
Removal of shed at Resource Conservation Education Center	Public Works and Park Services	Atlantic Coastal Homes, Inc.	\$2,950	Solid Waste Restricted
Replace fuel pump on flat bed dump truck Unit #481	Fleet Operations	Robert's Truck Center, Inc. (Sole Source)	\$3,186	General Fund/M&O - Fleet Operations
Two (2) Dell computers and monitors and one (1) computer without monitor for Engineering Department	I.C.S.	Dell Marketing, L.P. (State Contract)	\$7,776	SSD - Engineering

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EXECUTIVE SESSION

Upon motion being made by Commissioner Thomas and seconded by Commissioner Gellatly the board recessed at 11:38 a.m., to go into Executive Session for the purpose of discussing litigation and personnel. [NOTE: Commissioner Holmes was not present.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 12:22 p.m.

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ITEMS FROM EXECUTIVE SESSION

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

ACTION OF THE BOARD:

Commissioner Farrell moved to approve a motion to authorize the Chairman to execute an Affidavit that the Executive Session was held in compliance with the Open Meetings Act. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Holmes and Shay 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 12:23 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