

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, MAY 22, 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 9:38 a.m., on Friday, May 22, 2009.

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II. INVOCATION

Commissioner Priscilla Thomas introduced The Reverend Clarence Williams, Pastor of First Tabernacle Baptist Church, who gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

Commissioner Harris 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

Absent: David M. Gellatly, District Six

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

Commissioner Stone made a motion to excuse the absence of Commissioner Gellatly. Commissioner Thomas seconded the motion and it carried unanimously.

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YOUTH COMMISSIONERS

Chairman Liakakis welcomed the following Youth Commissioners who were in attendance: Meredith Stone, a Junior at Johnson High School, and Annmarie Wakely, a Sophomore at Savannah Christian.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. **PROCLAMATION TO DECLARE JUNE 5 THROUGH JUNE 7, 2009, AS HUDSON-ESSEX-TERRAPLANE DAYS IN CHATHAM COUNTY, CELEBRATING THE 100TH ANNIVERSARY OF THE HUDSON AUTOMOBILE AND THE 50TH ANNIVERSARY OF THE HUDSON CLUB. BOB HUNT, PRESIDENT OF THE DIXIE CHAPTER, WILL BE PRESENT TO ACCEPT THE PROCLAMATION.**

Chairman Liakakis said, I call on Commissioner Dean Kicklighter to do the proclamation.

Commissioner Kicklighter said, thank you, Mr. Chairman. And I believe there's a Mr. Low actually in the audience. Right? Mr. Low said, yes. I am representing Hudson. Mr. Hunt was not able to be here today. Commissioner Kicklighter said, thank you very much.

Commissioner Kicklighter said, the County of Chatham, Georgia, proclamation:



WHEREAS, the Hudson-Essex-Terraplane Club is an international organization of automobile collectors, hobbyists and enthusiasts who celebrate the heritage of a classic American automobile whose unique styling and continuous innovations became associated with a celebrated time in American history and the reputation of quality American workmanship; and

WHEREAS, in 2009 the Hudson automobile will be celebrating its 100th anniversary and the Hudson Club will be celebrating its 50th anniversary; and

WHEREAS, the Dixie Chapter of the Hudson-Essex-Terraplane Club convinced all of the chapters in the entire Eastern United States to celebrate these milestone events in Pooler, and the Dixie Chapter will serve as host to the other visiting club chapters during this celebration June 5th through June 7th; and

WHEREAS, this celebration will not only focus on the 100th and 50th anniversaries of these venerable institutions but also draw Hudson enthusiasts to our community to visit, stay and enjoy the community's many historical, recreational and cultural amenities.

NOW THEREFORE, I, Pete Liakakis, as Chairman, with the Board of Commissioners of Chatham County, do hereby proclaim June 5th through June 7th as

"HUDSON-ESSEX-TERRAPLANE DAYS"

in Chatham County, and call upon the citizens of Chatham County to join us in saluting this celebrated event.

IN WITNESS, I SET MY HAND THIS 22nd DAY OF MAY, 2009.

1st Pete Liakakis

Pete Liakakis, Chairman

Attest:

1st Frances Q. Rasmussen

Frances Q. Rasmussen, Deputy Clerk

Commissioner Kicklighter said, we certainly do appreciate you coming.

Mr. Richard Low said, thank you. Mr. Chairman and Commissioners, on behalf of the H-E-T Club and especially the Dixie Chapter, I think you most sincerely the acknowledgment of our 2009 Eastern regional Meet, during which we are celebrating a unique part of America's automotive heritage. From its founding in 1909, the Hudson Motor Car Company, which also produced the Essex and Terraplane brands, we're justly famous for the quality of its products, its innovations in automobile engineering and design, and in the early 1950's the successes enjoyed by Hudson in the cut throat world of NASCAR racing. Unfortunately, none of this was able to prevent the demise of the brand name of Hudson in 1957, but in 1959 Mr. Merritt Marks founded the H-E-T Club with the objective of keeping the Hudson legacy alive and promoting the restoration and enjoyment of Hudson products for many years to come.

Mr. Low said, the Club has nearly 4,000 members worldwide and in the Dixie Chapter, which covers Georgia and South Carolina, we have over a hundred members. As with many of our members, I've been involved with Hudson from a very early age. My childhood home was in East Africa, where my father owned a 1946 Hudson which survived the atrocious roads of East Africa for nearly ten years, which was quite an accomplishment. And I was seven years old when my dad bought that Hudson and I thought it was the most wonderful car in the world. In my opinion, it's never changed. I look forward to driving my own 1947 Hudson down here from Atlanta in a couple of weeks, and we certainly hope that all of you and many of the inhabitants of the local area will come to Pooler on the 5th and 6th of June where we will be displaying our fabulous Hudson in the parking lot of the Mighty Eighth Air Force Museum. And if you could arrange for it not to rain, we would even be more appreciative.

Chairman Liakakis said, thank you very much for coming today and bringing that information to us. Dean Kicklighter is the sponsor of this and we want to make sure that y'all give him a nice ride in some of those units that day. Mr. Low said, absolutely. Chairman Liakakis said, okay, good. Thank you. Mr. Low said, thank you very much.

Commissioner Kicklighter said, we appreciate you coming.

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2. RECOGNITION OF THE CHATHAM COUNTY WINNERS OF THE NATIONAL COUNTY GOVERNMENT WEEK POSTER CONTEST AND ESSAY CONTEST.

POSTER CONTEST FOR THIRD GRADERS AT BARTOW ELEMENTARY SCHOOL:

FIRST PLACE – JAKEEM JOHNSON

SECOND PLACE – KEVIN ROSE, JR.

THIRD PLACE – ANTRINESE STACKHOUSE

ESSAY CONTEST FOR HIGH SCHOOL STUDENTS:

FIRST PLACE – DARA RODRIGUEZ (EARLY COLLEGE PROGRAM)

SECOND PLACE – RABAIL ALTAF (EARLY COLLEGE PROGRAM)

THIRD PLACE – SHANETTE J. SCOTT (EARLY COLLEGE PROGRAM)

Chairman Liakakis said, also we'll be doing that under Commissioners' Items report on the County Government Week, and I call on Commissioner Thomas to begin.

Commissioner Thomas said, thank you, Mr. Chairman, members of the Commission, ladies and gentlemen. I am excited about what took place during National County Government Week. Without good leaders nothing would happen. I would thank you for giving me the opportunity to serve as Chairperson, but most importantly I would like to say that we have great leaders in Chatham County, and I was so pleased to have Danielle Hillery to be appointed as the Coordinator of the National County Government Week. Danielle [Hillery] did an excellent job, a superb job, and this is what it's all about. When you have people that you can feel at ease with and you have an assignment, and you do not have to worry about that assignment any more. You know that it's going to get done. So, Danielle [Hillery], I just want to say thank you so very much for a superb job, and let's give Danielle a big hand. [Applause.]

Commissioner Thomas said, and while Danielle [Hillery] is coming, I want to say that it was so important to me that I say something during National County Week, and I want to thank Mr. Van Johnson who came up with the idea — I was in the hospital, from my hospital bed, — and he said that I am going to make sure that you have the opportunity of saying something of bringing greetings at that time. So thank you, Mr. Johnson, for allowing me to bring my few words of thanks to the citizens of Chatham County from the hospital bed of Candler Hospital on that particular day. I felt really, really good and I felt that I was a part of the program, and I would like to thank my fellow Commissioners for allowing me to do that. And now I'm going to ask Danielle [Hillery] if she would come up and give a short report on what took place during National County Government Week, and then we will do the presentations. Danielle [Hillery].

Ms. Hillery said, good morning, Mr. Chairman, members of the Board and Mr. Abolt. I want to begin by saying thank you for participating in this year's event for our observance of National County Government Week, which was held May 3rd through the 9th, and with the theme of "Greening Our Future." I would like to also thank Mr. Abolt, my boss, also County Manager, for selecting me to serve as Coordinator and for his support. It was a pleasure to work in this capacity under the direction of Commissioner Thomas, who served as Chairperson.

As you all know, there were many events that were — and activities that were planned, which required a lot of planning, support, input and cooperation from many members for this year's celebration to be a success. As I go through my report this morning, there are many, many people who I would recognize throughout, but before I get started I want to recognize a few individuals who I relied on heavily from the beginning, but they never complained and never ceased to amaze me for what they brought to the table. And they are Sandra Smalls, who is the Administrative Assistant in the County Manager's office, Van Johnson, who is the Employee Service and Training Manager for Human Resources, and Jerrell McRell, who is the Assistant Superintendent for Facilities Maintenance and Operation, and if they're in the audience I would like to ask that they stand to be recognized. Commissioner Thomas said, oh yes. Thank you for everything that you all did.

Again because we had many activities planned, I want to go through them kind of quickly. We started off with our celebration, which was the kick-off on May 3rd at 2:30 at the Bull Street Courthouse, which included a PowerPoint Presentation by the Chairman of the Chatham Environmental Forum, Larry Miles, on the Greenest County Strategy. Following his presentation, Chairman Miles offered members of the audience to participate in the joint campaign and encouraged them do their part to conserve resources, and Commissioner Shay also was a part of that as well and also encouraged the attendees to do the same.

Following his presentation, we had Angela Beasley's Puppet People to perform a show entitled "Garbage Goo, Recycling and You, which encouraged reusing and/or recycling what we use. Children and parents indicated how much they enjoyed the show as well as the message. At the conclusion of the puppet show there were a couple of prizes that were given to children who were able to answer questions correctly that were related to the puppet show, and we wrapped up the day by showing a movie entitled "Over the Hedge," and there are many audience members who were remained during the duration of that movie, which was an entertaining way to show the effect of destroying forest lands.

We also served refreshments that were served and also the Library staff indicated that we had over 50 people to attend and join us for our kick-off celebration. This event was a success and the Library did an excellent job of making the arrangement for this event, and I would like to also thank John Tuggle for coordinating it, as well as the Library Board and Christian Kruse for allowing the Library to serve as hosts.

Then we move on to May 8th, which was the open house here at the Bull Street Courthouse. This was a full day of events for citizens as well as the employees of Chatham County. The day began about 9:15 with displays of departments throughout the building and outside the courthouse. Refreshments were served and we want to thank Fresh Point, Publix and Krispy Kreme, who made donations for that. Following that, the Chairman — he gave the County Address at 9:30 and then at 10:00 we made tours available to those who wished to take advantage of them. Our Assistant County Manager Patrick Monahan, he served as our tour guide, and I think he's in the audience as well, and I want to thank him as well for his knowledge and his research and serving as the tour guide for this event. We have had verbal reports that they enjoyed the tour and wanted to know if we would have future tours coming up.

We also had workshops that were scheduled throughout the building at various times. Citizens were able to sign up to learn more about some topics that we had available, which were, to name a few, "Where can I find affordable health care?," "Government buildings going green," "How do I save energy at home and the office," and "How to recycle special waste." And it also highlighted the resource conservation center that we just recently opened. And we want to thank the Chatham Environmental Forum, Georgia Power and Chatham County Safety Net Council, as well, for handling those workshops for us.

At Noon we had a small program where people — where individuals were welcomed — where Chatham County Commissioners welcomed citizens to Chatham County for that event, and we had the fortune of Dr. Thomas coming and — although she was not coming, but although she was ill she was able to join us via telephone to bring greetings. We had topics such as "Benefits of Composting and Mulching" by David Linvill of the County Extension Services and "Saving Energy is Green" by Jim Earley of Georgia Power. And I'd like to thank those individuals for handling those topics for us. We also had selections by Ms. Huxsle Scott, who shared her talents with us. Thanks to Ms. Scott, and we concluded the program with a demonstration by the Sheriff's K-9 Unit, which was handled by Sgt. Ralph Solid.

At Noon we served hotdogs and soft drinks, which were all donated by Roger Wood and Coca-Cola, and all the hot dogs were gone, and they donated over 400.

This was a very, very busy day for everyone but it was a complete success because of the support of all of you, Mr. Abolt, the department heads, staff members, as well as the hand work again of Sandra [Smalls] and Jerrell [McRell] and Van [Johnson] and David Nash, CEMA and the volunteers, Jackie Ogden and her staff, J. C. Lewis Ford. They donated — loaned a hybrid Focus for us, and there are a number of other organizations that were here to help us celebrate that event.

Then we moved on to the County Fair Day, which was a conclusion or the last day of our event, which was held at the Oglethorpe Mall, and this included document shredding at the Oglethorpe Mall and that was in conjunction with ShredEx as well as Public Works. ShredEx donated their services for this event, and we also had other departments — County departments that were there who had displays, as well as displayed vehicles outside by Mosquito Control, Southside Fire Department to name a few.

Then at one o'clock we had the puppet people to perform an encore performance of "Garbage Goo, Recycling and You," and I'm told that that drew about 70 individuals who were there to observe that show. We also had plants — seed

planting activities that were set up for children. We want to thank the 4-H Club as well as Suzanne Cooler and the Chatham County Youth Commissioners, who handled that for us.

There were — we want to also thank the Oglethorpe Mall who allowed us to come in — to come in and hold our event there, and then we concluded the night by the — Chatham County's night at Savannah's baseball game, and that is a rap of all the events that we had to take place.

We also had contests held in the schools, which is where we are coming up to. What we did is we asked for — because the theme was "Greening Our Future," we had Bartow Elementary School to do a poster contest and the essay contest that went through the public schools, and Suzanne Cooler she assisted with the judging of that, and we're going to go ahead and get into the presentations for the awards for those individuals who participated in those events.

Commissioner Thomas said, let's give Danielle [Hillery] a hand. [Applause.] We also have some handouts in front of you, Commissioners, of photos and et cetera. We'd like to make the presentations now of our poster contest winners. They came from Bartow Elementary School, and we would like to start with the third place winner: Antrinese Stackhouse. She's a third grader. She will receive a \$25 gift certificate at Oglethorpe Mall. Excuse me. Mr. Chairman, would you please come? [Inaudible] and you're going to be on TV. Alright, we're proud of you. Chairman Liakakis said, okay, thank you very much, Antrinese. You did a good job.

Commissioner Thomas said, second place, Kevin Rose, Jr., also a third grader, a \$35 gift certificate to Oglethorpe Mall. And the first place winner in the poster contest is Jakeem Johnson, a third grader, and he's going to receive an IPOD Shuffle. Alright.

Commissioner Thomas said, now we have Ms. Maggie Walker-Zeigler, the principal of Bartow. Please come forward. Thank you so much for being so supportive.

Ms. Sheneta Mitchell, a third grade teacher, please come forward, and Ms. Debra McBride, a third grade teacher, and Ms. Pat Johnson, a third grade teacher. Let's give them all a hand. [Applause.] Thank you so very much for the poster contest.

Now the essay contest, the Early College program, we're going to start with the third place winner: Shanette J. Scott, \$25 gift certificate at Oglethorpe Mall. Congratulations. Second place, Rabail Altaf, a \$50 gift certificate at Oglethorpe Mall. And the first place winner is Dara Rodriguez, and Dara is receiving an IPOD Nano or Nono, or whatever that is. But anyway, Dr. Gertrude Robinson, Administrator, and Ms. Annie Walker, and Ms. Padilla, teacher.

Let's give all of these people a wonderful round of applause. We look forward to next year.

Commissioner Kicklighter said, Mr. Chairman, Ms. Stone here has a question, Ms. Meredith Stone.

Ms. Stone said, I just wanted to make a comment. Chairman Liakakis said, as soon as we take this picture, then we'll have that comment.

Commissioner Thomas said, and we'd like to recognize other members from the Bartow Elementary School if you are here. Please stand so we can acknowledge you at this time. [Applause.]

Chairman Liakakis asked, you had a question?

Youth Commissioner Stone said, I just want to say on behalf of the Chatham County Youth Commission we would like to congratulate the winners of the poster contest that we judged, and we loved all of them truly, and you guys did a great job.

Commissioner Thomas said, thank you. Thank you very much. I'm told that we have some teachers from the Early College as well. Please stand up so you can be recognized. Thank you so very much. We appreciate it so very much. Thank you. Looking forward to next year.

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VI. CHAIRMAN'S ITEMS

1. REMINDER FROM VETERANS COUNCIL ON GROUNDBREAKING FOR MONUMENT ON MONDAY, MAY 25TH.

Chairman Liakakis said, we have some members of the Veterans Council here, and Billy Quinan, who's Chairman of that, if you'll come forth, Billy, and bring your other members to introduce them, Billy.

Mr. Quinan said, good morning, Mr. Chairman and County Commissioners, Manager Abolt, I would like to introduce, first of all, Charlie Hearn, World War II veteran, David Richards and Bob Cutler. All three of them, World War II

veterans. [Applause.] Mr. Quinan said, just briefly I want to officially announce and I appreciate this opportunity to do so, our groundbreaking ceremony coming up this Monday, May 25th, at 3:00 p.m., at our new site on River Street, which is next door and adjacent to the Hyatt Regency Hotel. That will be at 3:00 p.m., and everyone is invited. We certainly hope to see a good crown down there for this historical event in Savannah. It will be a world-class monument and a tribute to the war effort that the Savannah's wonderful waterfront made. Thank you so very much.

Chairman Liakakis said, thank you, Billy [Quinan], and we would like to encourage all the citizens to support this great project. It's really important. They are out there collecting money and Commissioner Stone's on that committee working hard so that they get enough money to complete the amount that's needed for that particular monument. Thank you.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, Mr. Chairman, it's such an honor to be involved with this group of individuals, and I hope that this community will embrace and support this monument because without the men and the women of World WW II, we wouldn't be living the life that we're living today. This is our greatest generation. It's time to honor them, and I challenge everybody in this community to get behind this monument and make it a reality. Thank you.

Mr. Quinan said, thank you for having us here today. Chairman Liakakis said, thank you, Billy.

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VII. COMMISSIONERS' ITEMS

1. REPORT ON COUNTY GOVERNMENT WEEK (COMMISSIONER THOMAS).

[NOTE: Please refer to report given on Item V.2.]

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VIII. TABLED/RECONSIDERED ITEMS

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

None.

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IX. ITEMS FOR INDIVIDUAL ACTION

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

- 1. TO REQUEST APPROVAL OF THE FOLLOWING BUDGET TRANSFERS AND AMENDMENTS: (1) GENERAL FUND M&O, TRANSFER \$86,854 FROM SALARIES AND OVERTIME TO CAPITAL OUTLAY IN THE DISTRICT ATTORNEY'S BUDGET, (2) INCREASE REVENUES AND EXPENDITURES \$7,300,000 IN THE SALES TAX I FUND FOR THE WHITEFIELD AVENUE PROJECT, AND (3) TRANSFER \$57,196 FROM THE RESERVE FOR NON PROFIT ORGANIZATIONS TO THE FOOD BANK PROJECT IN SALES TAX IV FUND.**

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

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

Chairman Liakakis said, let's go on the board. The motion carried unanimously. [NOTE: Commissioners Farrell and Gellatly were 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, transfer \$86,854 from Salaries and Overtime to Capital Outlay in the District Attorney’s budget, (2) increase Revenues and Expenditures \$7,300,000 in the Sales Tax I Fund for the Whitefield Avenue Project, and (3) transfer \$57,196 from the Reserve for Non-Profit Organizations to the Food Bank Project in Sales Tax IV Fund. Commissioners Holmes and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Gellatly were not present.]

AGENDA ITEM: IX-1
AGENDA DATE: May 22, 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, transfer \$86,854 from Salaries and Overtime to Capital Outlay in the District Attorney’s budget, (2) increase revenues and expenditures \$7,300,000 in the Sales Tax I Fund for the Whitefield Avenue project, and (3) transfer \$57,196 from the Reserve for Non Profit Organizations to the Food Bank project in Sales Tax IV Fund.

FACTS AND FINDINGS:

1. The District Attorney has requested a transfer of \$86,854 from Salaries and Overtime to Capital Outlay to purchase equipment.
2. The County Engineer is requesting approval of a contract with the Georgia Department of Transportation that provides reimbursement of up to \$7,300,000 to the County for right of way acquisition for the Whitefield Avenue project. An amendment to the Sales Tax I Fund has been prepared. A staff report and resolution are attached.
3. A request to distribute \$57,196 of Sales Tax IV proceeds to America’s Second Harvest of Coastal Georgia is pending. A transfer from the Reserve for Non Profit Organizations to the Food Bank project is needed to set up funding. A copy of the contract is attached.

FUNDING: Funds are available in the District Attorney’s and Reserve for Non Profit Organizations budgets for the transfers. The budget amendment will establish funding in the Sales Tax I Fund.

ALTERNATIVES:

- (1) That the Board approve the following:

GENERAL FUND M&O

- a) transfer \$86,854 from Salaries and Overtime to Capital Outlay in the District Attorney’s budget.

SALES TAX I FUND

- a) increase revenues and expenditures \$7,300,000 for the Whitefield Avenue project.

SALES TAX IV FUND

- a) transfer \$57,196 from the Reserve for Non Profit Organizations to the Food Bank project.

- (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. TO HOLD A PUBLIC HEARING ON THE CHATHAM COUNTY FISCAL YEAR 2010 BUDGET AS REQUIRED BY STATE LAW.

Chairman Liakakis said, now we'll hold a public hearing on the Chatham County Fiscal Year 2010 budget, as required by State law. And we're required to read this State statute:

On a date after the conclusion of the hearing required in subsection (f) of code section 36-81-5, the governing authority shall adopt a budget ordinance or resolution making appropriations in such sum as the governing authority may deem suspicion [sic], whether greater or less than the sums presented in the proposed budget. The budget ordinance or resolution shall be adopted at a public meeting which shall be advertised in accordance with the procedures set forth in subsection (e) of code section 36-81-5 at least one week prior to meeting.

County Manager Abolt said, Mr. Chairman, if you would then, too, read the — as again required by State law — the introduction.

Chairman Liakakis said, information package showing the proposed budget for all funds are available at the front entrance. A list is being passed around asking for the names and address of those that are present. The purpose of this is to document that public input was solicited for future audit purposes. We will start at the right side of the room and go row by row. If you wish to speak, please come to the podium, state your name, address and the name of the group or organization you represent, if any. We have staff available to help pass out any written material that you want to give to the Commissioners that someone might want to bring up. We would ask that you be brief and concise in your remarks since we have a number of people that may want to speak, and we want everyone to have an equal chance to be heard.

County Manager Abolt said, Mr. Chairman, to perfect the record, the hearing is, I'm being told, the budget proposal which amounts to \$550,435,152.

Chairman Liakakis said, okay. We'll start. Row 1. Row 2. Row 3. I'm on the right side right, right now. Anyone want to speak on the public hearing? Row 4. Row 5. Row 6. Row 7. Row — I guess that's it. Danny [Powers], did you want to speak? I see you jumping up and down. Okay. Now we'll go on the left side. Okay. We'll go to the left side of the room now, and I see no one on Row 1. On Row 2, anyone from Row 2 would like to speak?

Mayor Jason Buelterman asked, how's everyone doing today? I want to thank you all for taking time to hear me out. Chairman Liakakis said, we all know who you are, but this is going live to the general public and will be played again, so identify yourself please. Mayor Buelterman said, Jason Buelterman, the Mayor of the City of Tybee Island. Chairman Liakakis said, thank you. Mayor Buelterman said, I do want to introduce before I start, we have our Mayor Pro Tem Wanda Doyle, a member of our City Council Barry Brown, and somebody with our — Lt. Hunter Robinson with our Ocean Rescue Staff is here as well.

First, very importantly, you guys have been very successful in solving a lot of our community's problems, and I'd like to bring up the issue of the rain. Could y'all do something about the rain? It's been raining seven days. If you could take care of that, we'd appreciate it. That's my first request. That's easy. Chairman Liakakis said, repeat that. Mayor Buelterman said, we're going to have a busy weekend this weekend. It can't be raining all weekend. Chairman Liakakis said, yeah. I'll do what I can. I'll say some prayers, but it goes higher than my authority.

Mayor Buelterman said, I want to begin again by thanking you all for taking your time to hear me out and discuss once again a working relationship between the City of Tybee Island and Chatham County, which we have cultivated and nurtured these last few years. I want to first off support you all specifically for what you all did to support our beach renourishment. Our beach underwent a massive overhaul this past winter, 1.3 million cubic yards of sand was placed on the beach. The County Commission stepped up in 2005, 2006, 2007 and 2008 by contributing \$150,000 towards this project each of those years. Additionally, we were able to use \$1,000,000 of SPLOST money from the '04-'08 SPLOST to help with the cause. Combined with City of Tybee funds, State of Georgia funds and County funds, we were able to leverage the local contributions such that federal funds ultimately paid for 60% of the project. This was a win/win for our County, and were sure that County coffers are kept primed with hotel/motel taxes, sales tax revenue, and property tax revenue from the City of Tybee Island. Let me also add the thanks in a large part to the publicity around our newly-renourished beached. Our hotel/motel collections are actually up thus far in 2009 compared to 2008 in spite of the economy. Now I know these are extremely tough times for everybody and understand that budgets are tight, not only for the average resident of our County, but for local governments as well, but I'm here once again to ask for your continued support. Our next scheduled renourishment is in 2014 or 2015. We've taken a few critical steps toward ensuring that this project will take place in a timely manner. We plan on earmarking \$2,000,000 of our SPLOST allocation toward the project. We also increased the City's annual contribution of \$150,000 to \$250,000. We're respectively requesting once again that the County set aside \$150,000 in next year's budget so that we can accumulate the necessary funds to obtain the local share for the next rescheduled renourishment. Doing so will prevent us all from being forced to make a huge one time lump-sum payment of two thousand and fourteen and will also allow us to use local committed funds to help obtain State and Federal funds.

Mayor Buelterman said, I would like to bring one other item to your attention, and that is our Lifeguard and Ocean Rescue Operations. In 2007 Tybee Island tripled the budget for our Lifeguard and Ocean Rescue Operations, allowing us to purchase much needed equipment, increased our hourly wages and, therefore, recruit high quality guards as well

as expand our hours in the areas of the beach that are staffed with guards. Nevertheless, we would like to do more but need your support. Here's the photo as you're looking at our beach. This was taken on the 4th of July weekend last year. A total of about 2.4 million people come to our beach every year. Besides handling large crowds who came here for vacation, we also as you know are the only vehicle-accessible beach for a growing region. Many coastal counties fully fund lifeguard operations. In Florida alone, the following counties fully fund lifeguard operations at their beaches: Palm Beach, Brevard County, Miami-Dade County, Nassau, Indian River, Martin, Saint Johns, Saint Lucie, Volusia County. Charleston, South Carolina, is another example. They fully fund their lifeguard operations in their county and, of course, many others are funded by municipalities. But I want to look specifically at Miami-Dade County because I believe we have a lot in common. Tourism is a critically important part of both Miami-Dade and Savannah-Chatham County's economy. They, like Chatham County, also have a large population that frequents the beach. They guard seven miles of beach for their lifeguards of \$8.3 million. Tybee, by contrast, has four and a half miles of beach, but a budget of only \$34,000. And keep in mind this is triple what we spent in 2006, but it's still a huge disparity. Chatham County nor the City of Tybee can afford to spend that amount of money — the amount of money that Miami-Dade spends — for a Lifeguard and Ocean Rescue Operations. For one time, they are a year-round beach and we are not, but we can probably all agree that we need to do more. We currently have guard towers at only a part of the beach, and I'm going to show you another slide. Can that be brought out a little bit to show the whole slide? What that is showing is that the red bar right there, the areas that are — bring it out actually out the other way — it's showing the areas of the beach that are not covered by towers. So there is a large portion of the beach that is not covered by the watchful eyes of our Ocean Rescue staff. We also only guard the beach from late April until early October. As you know, we've already had one drowning this year, a young man from Groves High School died at Tybee's South End during Spring break at a time before our lifeguards were patrolling the beach. Obviously, we're not by any means asking that the County take over our Ocean Rescue Operations, like in Miami-Dade and other counties, but what we are requesting is that the County Manager and our own City Manager Diane Schleicher sit down and work on developing an intergovernmental agreement whereby Chatham County and the City of Tybee Island can begin to develop a partnership that would allow for some level of support from the County on this issue, perhaps by beginning with some help on busy weekends, such as the 4th of July. We want to work together as this Commission has done so well on so many countywide issues so that's to the best of our abilities in these extremely rough economic times to make sure that a visit to the beach does not end in tragedy. That's all I have.

Chairman Liakakis said, okay. Dean [Kicklighter]?

Commissioner Kicklighter said, thank you, Mr. Chairman. Mr. Mayor, I respect you and the job you're doing and I believe you and your council is doing an outstanding job, and although you didn't state this I would say that you've insinuated it, definitely your City has special circumstances when compared to a lot of the other municipalities in Chatham County and I believe that this Commission in the past has definitely recognized that and rewarded Tybee for your unique, you know, circumstances in what you offer to the County as a whole. And the way we have really tried to support Tybee in the past is in the allotment of our Special Purpose Local Option Sales Tax. The City of Tybee, although much smaller than many of our municipalities, I know the last two or possible — the last few SPLOST votes and as far as disbursement of the money, we've allocated — agreed to allocate Tybee, although much smaller than other municipalities, we've allocated a lot more monies to you out there than all of the, you know, than cities that are actually much larger, and that's the way that, you know, we have tried, which is in my opinion a pretty fair way because it comes from sales tax monies, which is actually the tourists and, you know, everyone in the County pays for them, and I admire you for being here. I mean, you should — you're doing a great job and it hurts to come up and ask, but during these financial times when we are already giving Tybee what I believe to be better than favorable treatment when compared to other municipalities, I don't see how during these tough economic times when we're facing budget challenges that we're facing, where we could actually sit here and honestly say that we can help with lifeguards and things like that. If monies were better, I'm sure we would all like to, and I'm speaking for myself, you know. We have not discussed this or anything, but, you know, we try to support y'all through SPLOST and give the extra monies at that point, and that's where, you know, I've tried to do what I believe to be fair for y'all and for the whole County. So that's it, but thank you. Y'all are doing a great job.

Chairman Liakakis asked, any other questions from the Commissioners? Patrick [Farrell]?

Commissioner Farrell said, good morning, Jason [Buelterman] and Council. I definitely understand the situation that you're up against with the difficulty of when is enough, enough for public safety, and as all governments in this country are facing the same tough questions as to how much is enough, so, you know, I would like to see that the County participate to some degree to try to help if at all possible, and we will have to look closely at the budget and some of the extenuating circumstances, Tybee is a great asset to Chatham County and provides the only access, public access in this part of the State of Georgia for the general public to come and visit the Atlantic Ocean, which is a tremendous asset. So I'm in favor of trying to do what's in the realm of the possible.

Chairman Liakakis said, thank you. Any other comments? Dean [Kicklighter].

Chairman Liakakis said, I don't want to sound harsh, Mr. Mayor. I'm in favor of giving money to homes for the blind, for Rape Crisis Center, for all kinds of wonderful things in our community that could use the money right now. Just to be flat honest is we're broke and we're looking at things to actually cut and, you know, if it was out there I would definitely say let's do it because y'all are wonderful and I personally go quite often out there with my family and, you know, I just wanted to clarify that I'm a huge Tybee supporter, but right now realistically we're not overflowing with monies.

Mayor Buelterman asked, Commissioner, could I respond real quick? Commissioner Kicklighter, this Commission has been absolutely supportive of Tybee, with the SPLOST commitments that we have, with the commitment y'all made to the beach renourishment, and we've committed a lot of those SPLOST monies to projects that have countywide benefit, like the renourishment. One-fourth of it is going to that. We're looking at using it to build a new lifeguard station for the folks, but we can't use the SPLOST monies, and you all know that, for anything other than capital expenses, and when you look again at Miami-Dade, they have an eight-mile beach basically and they're paying a million dollars per mile. We have four and a half miles and we can only afford to spend about \$330,000 and ultimately it's a public safety issue because we're the only beach for all of these people in our entire County and Effingham and Bryan and Liberty and all these other places. We're just trying to do what we can to make sure it's a safe experience. Commissioner Kicklighter said, you're doing an excellent job too.

Chairman Liakakis said, Jason [Buelterman], we thank you very much for you and your counsel members to come up here today and do this presentation. Of course, our staff, our Finance people have heard, you know, what your request is, but as just was said that unfortunately what the State of Georgia has done has put us in a very negative position, and I've said this over and over, but I want our citizens to know and it didn't just get to our Legislators that we have already said that, they don't fully fund the Health Department like they should. We send monies up there to operate our Public Defender's Office that we're required to provide for people that cannot afford an attorney so that they can have a public defender for them, and what the State does, they keep a portion of that money and don't send it back to us, and that's costing all of the taxpayers in Chatham County a considerable amount of money. We have also the State of Georgia owes Chatham County taxpayers from January 2001 until December 2008 over \$21,000,000 they owe the taxpayers because they have not fully funded what they are obligated to do for state prisoners, and then we have other things too where they are putting these mandated, but anyway our County Manager, our Finance people and all have, you know, have hard your request today and we'll take it from there.

County Manager Abolt said, Mr. Chairman, just for clarification, not to commit funds, would you like us to work with the City of Tybee staff to work out any type of agreement if it were to be funded or just not do anything more? It's up to y'all. The Mayor has asked specifically —.

Commissioner Shay asked, are we going to negotiate all of these for budget hearing or are we going to take this up? I mean, I, you know, it's a request well made. I think it's something that we need to consider, but I think this is also a budget hearing and not a negotiation session. Commissioner Odell said, or a workshop.

Chairman Liakakis said, yeah, this is just a public hearing and we'll take it from there, Jason [Buelterman]. Mayor Buelterman said, thank you very much. Chairman Liakakis said, thank you. Commissioner Farrell said, thank you.

Chairman Liakakis asked, anybody on Row 3, Row 4, Row 5, or anybody else in the audience would like to make any comments at this public hearing? Come forth and identify yourself, Mayor Pro Tem.

Mayor Pro Tem Doyle said, good morning. I'm Wanda Doyle, Mayor Pro Tem, City of Tybee Island. I just want to echo all of Jason [Buelterman], everything that he said. We appreciate everything that you've done for us in the past. All I ask is that you be very open-minded. We know that it's very hard economic times for everybody. Commissioner Kicklighter, I understand exactly what you're saying, but we do have people to protect out there on those beaches. In meetings that I have with citizens on the Island, the biggest thing that they have been asking me here lately is, Wanda, why can't we put more lifeguards on the beach, and we have managed to dig a little bit deeper into our budget this past week and find a little bit more money to put some lifeguards out there a little bit earlier because this year we've started out with so many tourists, and so all I'm asking of the Commissioners is to dig as deep as you can. Please take a look at our situation and any help that you can get us would be greatly appreciated. Thank you very much.

Chairman Liakakis said, thank you.

Commissioner Odell asked, may I just make a quick comment? And I promised myself I wasn't going to speak. I don't want the Commission to be viewed as dispassionate. We think that your needs are legitimate, but the State of Georgia has cut the program for treatment of syphilis here in Chatham County. The State of Georgia has cut the program for mothers with dependent children here in Chatham County, which we are compelled to take up and follow. What the municipalities can do, can speak to their Legislators and to say the following: You did not cut the income tax for the State of Georgia, you put a moratorium on the millage rate that we can raise to meet our budget; you have cut departments from — we are owed \$21,000,000 for jail, you have cut mental health to the point that it's going to be devastating and dangerous if we don't act. What the municipalities, if you really want to help, tell the Legislators to act like we all live in the State of Georgia because we're being asked to do incredible things and they are capping the funding on one end, but the needs are uncapped, and your Legislators can help. Speak to them. I mean, they live here too.

Mayor Pro Tem Doyle said, thank you very much.

Chairman Liakakis said, thank you very much, Wanda [Doyle]. Okay. We have two alternatives that I'd like to read out now. Alternative 1: Proceed with the public hearing on May 22, 2009, and adopt the fiscal year 2010 budget on June 26, 2009, or Item 2: Reschedule the hearing and adoption of the fiscal year 2010 budget and readvertise within limits established by State law.

Commissioner Shay said, Mr. Chairman, I move that we go forward with Alternative #1. Commissioner Stone said, second.

Commissioner Kicklighter asked, what does Alternative 1 say? Chairman Liakakis said, proceed with the public hearing on May 22nd, which we just did, and adopt the fiscal year 2010 budget on June 26, 2009.

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 Gellatly was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

A public hearing on the Chatham County Fiscal Year 2010 budget was held as required by State law.

Commissioner Shay moved that the Board proceed with the public hearing on the Chatham County FY 2010 budget on May 22, 2009, and adopt the FY 2010 budget on June 26, 2010. Commissioner Stone seconded the motion and it carried unanimous. [NOTE Commissioner Gellatly was not present.]

AGENDA ITEM: IX-2
AGENDA DATE: May 22, 2009

DATE: May 14, 2009
TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Linda Cramer, Finance Director

ISSUE:

To hold a Public Hearing on the Chatham County fiscal year 2010 budget as required by State Law.

BACKGROUND:

State law requires that Chatham County follow certain steps in its budget process prior to adopting an annual budget (O.C.G.A. Code Section 36-81-5). The County should provide its residents with information concerning the proposed budget and allow its citizens to be heard during a public budget hearing held at least one week prior to the adoption of a budget ordinance or resolution.

FACTS AND FINDINGS:

- (1) A Public Hearing was advertised on May 8, 2009 in the *Savannah Morning News* to be held at 9:30 a.m., on Friday, May 22, 2009.
- (2) Copies of the proposed budget were made available to the public in the Finance Department and the main branch of the Live Oak Public Library on the date the budget was presented to the Board, which was May 8, 2009. Copies of the proposed budget are available at all branches of the library.
- (3) On a date at least one week before adoption, Chatham County is required to hold a public meeting. The budget adoption must be advertised at least one week in advance.
- (4) The budget adoption was advertised on May 20, 2009 in the *Savannah Morning News* for Friday, June 26, 2009 budget adoption.
- (5) The budget for fiscal year 2010 covers the period July 1, 2009 through June 30, 2010.

FUNDING:

N/A

ALTERNATIVES:

- (1) Proceed with the public hearing on May 22, 2009 and adopt the FY 2010 budget on June 26, 2009.
- (2) Reschedule the hearing and adoption of the FY 2010 budget and re-advertise within limits established by State Law.

POLICY ANALYSIS:

State Law requires that an annual budget be adopted by the Board, after advertising the dates of a public hearing and budget adoption and allowing persons to appear and comment on the proposed budget in accordance with the Code Sections below.

Georgia Law 36-81-5. (f)

“At least one week prior to the meeting of the governing authority at which adoption of the budget ordinance or resolution will be considered, the governing authority shall conduct a public hearing, at which time any persons wishing to be heard on the budget may appear”

Georgia Law 36-81-6. (a)

“On a date after the conclusion of the hearing required in subsection (f) of Code Section 36-81-5, the governing authority shall adopt a budget ordinance or resolution making appropriations in such sums as the governing authority may deem sufficient, whether greater or less than the sums presented in the proposed budget. The budget ordinance or resolution shall be adopted at a public meeting which shall be advertised in accordance with the procedures set forth in subsection (e) of Code Section 36-81-5 at least one week prior to the meeting.”

RECOMMENDATION:

That the Board approve Alternative 1.

Prepared by: Estelle Brown

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3. BOARD CONSIDERATION AS TO LONGEVITY PAY ADJUSTMENTS TO COUNTY SALARY SUPPLEMENTS OF SUPERIOR COURT JUDGES FROM JULY, 2006, BASED UPON EARNED LONGEVITY PAY UNDER THE LOCAL ACT.

Chairman Liakakis recognized County Attorney Hart.

County Attorney Hart said, sure. The background on this is very simple. The Commission in order to bring some sanity to how we reach judges' salaries and make the judges' salaries, back in 2007 we did a couple of local amendments that basically pegged judges' salaries off of the Superior Court base pay salary so every time the State gave the Superior Court judges a raise, it would be sort of a Christmas tree effect down the stream to the other judges. The idea was to bring the pay into some kind of order. We had judges in the same court receiving substantially different pays. It worked and was very effective. The Superior Court judges brought to the attention that they are different than other judges from the standpoint that they have what is called longevity pay. This longevity pay is being asked to be adjusted to their current base and that their interpretation of the local ordinance through strict construction is that they are entitled to that. It's been the Commission has expressed itself on a number of occasions that at the time the local legislation came through that there was an adjustment to the base pay of the judges and that was intended also to include longevity pay. There were two different opinions on that and it's been subject to much discussion. I believe I rendered several opinions to you as attorney/client privilege, which you've had the opportunity to review and ask questions on, and we have discussed the matter at length with the Superior Court judges. There is attached to the staff report a method of reinstating retroactively some of the longevity pay, which would be an adjustment that would resolve that issue. There is one minor issue in there that two of the judges did not actually get one year's worth of longevity pay just as a calculation error, which we also correct the math there on that. So at this point in time, you have before you a staff report I think is pretty self-explanatory. You can either approve the adjustments outlined in Exhibit 3, which we've attached to it. You can elect not to approve the adjustments outline in Exhibit 3. The judges unanimously feel strongly that under the strict construction of the local act, they are entitled to this.

Chairman Liakakis said, okay. The other things that has occurred is that they've got an attorney, David Hudson, to represent them on this particular matter, and you as well as Commissioner Odell have talked about the State statutes and what's in that ordinance on a couple of occasions, but the — from the information that we have under the State statutes that we are required to pay that longevity pay. That's what the State law says. Is that correct?

County Attorney Hart said, that is the interpretation of the Superior Court judges under the strict construction rule. I believe that I have rendered a couple of legal opinions under the attorney/client privilege. We have received a letter from their attorney indicating there is the potential for litigation. If that is the case I feel it would be inappropriate and not in the public's best interest for me to discuss the County's position on the matter with the threat of litigation pending, but I'll be glad to do that in Executive Session, but you are correct, there's a strict construction issue.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, it's important to note that this is not a pay increase. This is a longevity pay statute that has been in existence that in '07 was not abolished. It has not been paid. Strict constructionist or whatever the legal terminology, the end results is that if you view the law, this is an adjustment which I believe that they are entitled to. This is not a pay raise. It is to create some distance between the various levels of the various judgeships in Chatham County. There are no other body in this County government that handles murder cases, there are no other body in this court system that handles the divorces. There should be a distinction. The Legislators made the distinction. We did not abolish the distinction. So that no one is confused, this is a longevity pay that was in existence before this Commis-

sion took seat, and we're simply saying by the vote that we will follow the law. Though some differ what the law is or the necessity in doing it, but we are obligated to follow the law.

County Attorney Hart said, I would also like to say that there is no issue at all that this longevity pay is to continue prospectively. Okay. That has never been at issue here, and also we're talking about a thousand dollars for ever four years of service, though it 's not when you take it on a yearly basis, you're taking \$250.

Chairman Liakakis said, attached to this is the explanation and quoting the State statute, which they are requirements. So anybody that has this County Commission agenda for May 22, 2009, is attached to these — on the back of the items for Individual Action, and in that it shows the — what was stated in there about requirements by the State statutes, the State laws.

Commissioner Odell said, I make a motion that we approve — I guess it would be Alternative 1 with the amendment that we instruct staff and the County Attorney to follow the law. Commissioner Kicklighter said, second.

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

Commissioner Odell said, let me just say I'd like to thank my fellow Commissioners. I have two kids in college, they also thank — no. [Laughter.]

ACTION OF THE BOARD:

Commissioner Odell moved to approve Alternative 1 of the staff report and instruct the staff and the County Attorney to follow the laws of Georgia. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Shay and Gellatly was not present.]

AGENDA ITEM: IX-3
AGENDA DATE: May 22, 2009

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

ISSUE:

Board consideration as to Longevity Pay adjustments to county salary supplements of Superior Court Judges from July, 2006, based upon earned longevity pay under the Local Act.

BACKGROUND:

In 2007, the Commission amended, by local acts, the salaries for local judges, excluding superior court judges¹, in order to bring about uniformity as to the manner in which judges' salaries are determined so as to avoid further pay inequities as a result of piecemeal legislation passed over the years.

In order to address then-existing pay inequities that resulted from prior piecemeal legislation regarding local judges' salaries, the Superior Court judges' base county salary supplement was adjusted upward to a new base from which all other local judges' salaries would be determined upon certain actions occurring as provided for in the amended local legislation. In addition to the base county salary supplement, the local legislation pertaining to superior court judges' county salary supplement also provides for longevity pay increases of \$1,000 for every four years of service.

Subsequent to the amendment of the local act regarding the salaries and to the increase to the superior court judges' base salary, the superior court judges' raised an issue that the previously earned longevity pay must be paid in addition to the new base. The Commission has taken the position that the intent of the Commission, at the time the increased base salary supplement was established, was that the previously earned longevity pay was included therein and that the judges would continue to receive future longevity increases for every additional four years of service. The judges' position is that the cumulative total of previously earned longevity increases should have been layered onto their increased base salary. The judges' position is based upon a strict interpretation

¹Superior court judges' county salary supplements are provided for in separate local legislation that was not amended during this process.

of the local act which was contrary to the Commission's previous statements concerning their intent.

The Commission has outlined their position to the judges in the Chairman's correspondence of April 24, 2009, and attached hereto as exhibit 1. The judges have outlined their legal position to the Commission through their letters from Judge Morse and their attorney dated March 5, 2009 and April 20, 2009, respectively and attached hereto as exhibits 2A, 2B, 2C and 2D. In view of the potential litigation, the County Attorney has issued several attorney-client privileged legal opinions, prepared in anticipation of litigation, outlining the legal position of the Commission based upon judicial interpretation of the local act.

FACTS AND FINDINGS:

1. In July, 2006, the Board of Commission amended, by Local Acts, all judges' salaries in order to bring about uniformity as to the manner in which judges' salaries are determined so as to avoid inequity as a result of piecemeal legislation passed over the years.
2. To address then-existing pay inequities that resulted from prior piecemeal legislation regarding local judges' salaries, the Superior Court judges' base county salary supplement, as provided for in separate local legislation, was adjusted upward to a new base from which all other local judges' salaries would be determined upon certain actions occurring as provided for in the amended local legislation.
3. Subsequent to the amendment of the local act regarding the salaries of the other local judges, and after the superior court judges' base county salary supplement was increased to cure past pay inequities, the superior court judges' raised an issue that the previously earned longevity pay must be paid in addition to the increased base county salary supplement.
4. The Superior Court judges unanimously argue that the strict interpretation of the local act mandates the layering of previously earned longevity onto base salaries as increased in 2006. The Board of Commissioners acknowledge the language of the act. However, the Commission's position is that the intent of the Commission, at the time the increased base salary supplement was established, was that the previously earned longevity pay was included therein and that the judges would continue to receive future longevity increases for every additional four years of service. The County Attorney has provided opinions as to specific issues and the potential exposure resulting from litigation.
5. Attached as exhibit 3 is Human Resources' calculation as to the necessary adjustments to longevity supplements retroactively and prospectively.
6. The salary adjustment proposal would be effective July 1, 2009. The proposed adjustments include retroactive pay to Superior Court judges for payment of longevity salary supplements from July 1, 2006 through June 20, 2009.

FUNDING:

M & O budget - FY 2009.

POLICY ANALYSIS:

Resolution of the issue and avoidance of litigation.

ALTERNATIVES:

1. Approve the adjustments as outlined in Exhibit 3.
2. Do not approve the adjustments and provide further direction.

RECOMMENDATION:

Board consideration.

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4. UPDATE ON CONTRACTING WITH UNION MISSION TO PROVIDE ALTERNATIVES TO INCARCERATION SERVICES.

County Manager Abolt said, if I may, Mr. Chairman, in the interest of time and let me just give you an update. This is an item of priority for this Commission and for certainly the Union Mission board I want to give due recognition to Mr. Monahan, my assistant — another Pat — and then also the judges of the Superior Court for understanding that we can create a partnership that will benefit everyone. We hope that by the next meeting on the 12th of June we will have a complete agreement. Mr. Monahan has taken the lead working with Rev. Elliott and the judges. For that I'm appreciative. It's taken a while, but this is a very creative process.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, so Mr. County Manager, we will have the opportunity to see the contract certainly before we approve it. County Manager Abolt said, yes ma'am. That's where — the gestation period is taking a little longer than expected, but you'll have plenty of time to see the baby before it's baptized. Commissioner Stone said, thank you.

Chairman Liakakis said, okay, so then we don't need any additional —? County Manager Abolt said, no sir. Chairman Liakakis asked, — on that? County Manager Abolt said, just let you know we're working on it because it's a priority. Chairman Liakakis said, okay. It's in your packet also, the information, what Assistant County Manager Pat Monahan has been working with Union Mission on these particular services.

ACTION OF THE BOARD:

Information item to advise the Board of Commissioners the progress of the contract with Union Mission to provide alternatives to incarceration services. [NOTE: Commissioner Gellatly was not present.]

AGENDA ITEM: IX-4
AGENDA DATE: May 22, 2009

DATE: May 19, 2009
TO: R.E. Abolt, County Manager
FROM: Pat Monahan, Asst. County Manager
SUBJECT: Update on Contracting With Union Mission

As an update on on the \$200,000 service contract with Union Mission, I provide the following:

1. Based on Board approval, Union Mission would deliver specified services for payment of \$200,000 as a one-time contract. Reverend Micheal Elliott, Executive Director of Union Mission, and I have worked out a plan; however, the plan needs to be developed into a written agreement before it can be presented to the Board.
2. Assuming the County Attorney approves the final version, the agreement will be ready for the Board's June 12 meeting.

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X. ACTION CALENDAR

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

Chairman Liakakis said, we'll go to the Action Calendar. We have on the Action Calendar 1 through 9 and under Item — 1 through 10 and under Item 10 we have Items A through Z. I request that we pull out Item Z on that under Item 10 and do any of the Commissioners have any other items to pull? Helen [Stone]?

Commissioner Stone said, Item K please. Chairman Liakakis asked, which one? Commissioner Stone said, K. Commissioner Thomas said, K. Commissioner Stone said, I'm just curious about the cost. Chairman Liakakis said, okay.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, Item 9, Item 10-J. Chairman Liakakis said, wait a minute. Item 9? Commissioner Kicklighter said, yes sir. Chairman Liakakis said, and 10-J. Commissioner Kicklighter said, Item 10-J. Chairman

Liakakis said, 10-J — wait a minute. Commissioner Kicklighter said, J, M, R, W and Z. Commissioner Odell asked, are you sure that's enough? Commissioner Kicklighter said, [inaudible because microphone was turned off].

Chairman Liakakis said, okay. Let's see. Any other — any other items? Alright we need a motion on the floor to approve Items 1 through 10 and under Item 10, Items A through Z except the Items K, M, R, W, X, Item J, Item Z, and I think that covers it. Commissioner Kicklighter said, number 9. Chairman Liakakis said, and number 9.

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

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

ACTION OF THE BOARD:

Commissioner Shay moved to approve Items 1 through 10-Y except Items 9, 10-J, 10-K, 10-M, 10-R, 10-W, 10-X and 10-Z. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Gellatly were not present.]

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

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1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF MAY 8, 2009, AS MAILED.

ACTION OF THE BOARD:

Commissioner Farrell moved to approve the minutes of the regular meeting of May 8, 2009. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Gellatly were not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD APRIL 30 THROUGH MAY 13, 2009.

ACTION OF THE BOARD:

Commissioner Farrell moved to authorize the Finance Director to pay the claims against the County for the period April 30, 2009, through May 13, 2009, in the amount of \$3,961,217. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Gellatly were not present.]

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3. REQUEST BOARD APPROVE AN ANNUAL RESOLUTION TO REAFFIRM THE NECESSITY OF THE "E-911," WIRELESS ENHANCED "E-911" AND VOICE OVER INTERNET PROTOCOL (VoIP) SERVICE "E-911" CHARGES.

ACTION OF THE BOARD:

Commissioner Farrell moved to approve an annual resolution to reaffirm the necessity of the "E-911," wireless enhanced "E-911" and Voice over Internet Protocol (VoIP) service "E-911" charges. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Gellatly were not present.]

AGENDA ITEM: X-3
AGENDA DATE: May 22, 2009

DATE: May 7, 2009
TO: Board of Commissioners
THRU: R.E.Abolt, County Manager
FROM: Linda Cramer, Finance Director

ISSUE:

To present to the Board an annual resolution to reaffirm the necessity of the "E-911", wireless enhanced "E-911", and Voice over Internet Protocol (VoIP) service "E-911" charges.

BACKGROUND:

The Board of Commissioners has approved resolutions establishing E-911 charges. The state code requires that the necessity of the charge be reaffirmed by resolution on an annual basis.

FACTS & FINDINGS:

- 1) As provided for in state law, the Board of Commissioners approved a resolution on November 8, 1991, to be effective 120 days thereafter on April 1, 1992, increasing E-911 rates in the unincorporated area and all municipalities with the exception of the City of Savannah from \$.16 to \$1.50. On March 12, 1999 the Board of Commissioners approved a resolution reaffirming the need for the charge of \$1.50 per month per exchange access facility.
- 2) On August 13, 1999 the Board of Commissioners adopted a resolution imposing a \$1.00 per month charge per wireless telecommunications connection. On April 21, 2006 the Board of Commissioners adopted a resolution increasing the fee to \$1.50 per month per wireless telecommunications connection to be effective September 10, 2006.
- 3) On December 21, 2007 the Board of Commissioners adopted a resolution amending the charge of \$1.50 imposed upon each exchange access facility to include Voice over Internet Protocol (VoIP) Service.
- 4) The Official Code of Georgia section 46-5-134(d) (3) requires that Chatham County reaffirm the necessity for the "911" and wireless enhanced "911" charge beginning with the thirteenth month following the month in which the emergency "911" system service is first provided and during such month annually thereafter.
- 5) The charges provide funds to pay for the operation of the E-911 services and for purchase of equipment for such purpose. Under the intergovernmental agreement for police services between the City of Savannah and Chatham County, the County will remit E-911 fees to the City to fund the Savannah-Chatham County Metropolitan Police Department's E-911 functions.

FUNDING: Not applicable.

ALTERNATIVES:

- (1) That the Board of Commissioners approve the resolution for the Chairman's signature.
- (2) That the Board not approve the resolution.

POLICY ANALYSIS:

The Official Code of Georgia section 46-5-134(d)(3) requires that Chatham County reaffirm the necessity for the "911", wireless enhanced "911", and VoIP "911" charges annually.

RECOMMENDATION:

That the Board approve Alternative 1.

Prepared by: Read DeHaven

The County of Chatham
Georgia

Resolution

WHEREAS, E-911 service serves a life-saving link between people and emergency services by improving response times and the accuracy of automated address location; and

WHEREAS, Chatham County now provides this valuable service to promote the safety, health and well-being of residents of Chatham County and its thousands of visitors each year: and

WHEREAS, it remains in the best interests of the citizens of Chatham County to maintain this E-911 service, which Chatham County provides to the unincorporated area and all cities (except Savannah) as a Public Answering Point; and

WHEREAS, the Board of Commissioners of Chatham County does hereby desire to establish a method of paying for this service that would also reduce reliance upon property taxes for these funds; and

WHEREAS, the amount of \$1.50 per month per exchange access facility provided to the telephone subscriber was approved by the Chatham County Board of Commissioners on November 8, 1991 to be effective on the first day of April 1992; and

WHEREAS, the amount of \$1.50 per month per wireless connection provided to each telephone subscriber was approved by the Chatham County Board of Commissioners on April 21, 2006 to be effective on the tenth day of September 2006; and

WHEREAS, on August 13, 1999, the Chatham County Board of Commissioners adopted an amended resolution to impose a wireless enhanced 911 charge within the geographic area that is served or would be served by Chatham County; and

WHEREAS, on December 21, 2007, the Chatham County Board of Commissioners adopted an amended resolution to impose an E-911 charge on Voice over Internet Protocol (VoIP) service in the geographic area that is served by Chatham County or that would be served by Chatham County for the purpose of such an emergency "911" system;

NOW THEREFORE, as required by the Official Code of Georgia, Title 46, Chapter 46-5-134(d)(3), the Board of Commissioners of Chatham County does hereby reaffirm the necessity for a monthly "E-911" charge of \$1.50 upon each exchange access facility subscribed to by telephone subscribers whose exchange to access lines are in areas served by Chatham County's Public Safety Answering Point, reaffirm the necessity for a monthly charge of \$1.50 per month per wireless connection subscribed to by subscribers whose billing address is within the geographic area that is served by Chatham County or that would be served by Chatham County for the purpose of such an emergency "911" system, and reaffirm the necessity for a monthly charge of \$1.50 per month on Voice over Internet Protocol (VoIP) service in the geographic area that is served by Chatham County or that would be served by Chatham County for the purpose of such an emergency "911" system.

BE IT FURTHER RESOLVED that these charges remain effective as reaffirmed by the enactment of this resolution.

BE IT SO RESOLVED ON THIS 22nd DAY OF MAY, 2009.

 Pete Liakakis, Chairman

ATTEST: _____
 Sybil Tillman, Clerk

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**4. REQUEST BOARD TO APPROVE AND EXECUTE A CONTRACT FOR ACQUISITION OF RIGHT OF WAY BETWEEN THE GEORGIA DEPARTMENT OF TRANSPORTATION AND CHATHAM COUNTY FOR THE WHITEFIELD AVENUE WIDENING PROJECT, STP00-00MS-00(005).
[DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Farrell moved to approve and execute a contract for acquisition of right of way between the Georgia Department of Transportation and Chatham County for the whitefield Avenue Widening Project, STP00-00MS-00(005). Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell and Gellatly were not present.]

**AGENDA ITEM: X-4 (see related item IX-1)
AGENDA DATE: May 22, 2009**

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

ISSUE: To approve and execute a Contract for Acquisition of Right of Way between the Georgia Department of Transportation (GDOT) and Chatham County for the Whitefield Avenue Widening Project, STP00-00MS-00(005).

BACKGROUND:

1. The original project agreement between the GDOT and the County was dated September, 1996. It was subsequently amended by Supplemental Agreement #1 dated February, 1999 and amended again by Supplemental Agreement #2 dated May, 2004. Supplemental Agreement #2 specified GDOT would reimburse the County the project right of way acquisition cost, exclusive of administrative cost. A right of way acquisition contract specifying GDOT's right of way cost reimbursement was executed on October 3, 2004. It did not contain a reimbursement dollar amount, nor did it provide for counter-offer approval by the County and it stipulated that any condemnations would be filed by GDOT.

2. Due to the findings of a recent comprehensive internal audit of GDOT, the Attorney General's office is requiring GDOT to re-draft its contracts with all local governments. The new contract specifies a not to exceed reimbursement amount of up to \$7.3 million, County counter offer approval of up to 10% or \$10,000 above the appraised Fair Market Value (FMV), whichever is greater, the County will file all condemnations and a contract expiration date of June 30, 2010. A significant change is that the GDOT will only allow a one-time reimbursement for property acquisition contracts.

FACTS AND FINDINGS:

1. The project is currently scheduled for a June, 2010 construction contract letting which infers completing all right of way acquisition no later than April, 2010.

2. The County's right of way consultant has completed 70% of the appraisals required for the project (including those required for the eleven residential displacees), but cannot make any acquisition or relocation offers pending complete execution of the new right of way contract per the Attorney General's instructions to GDOT. Proceeding with the acquisition offers without executing the new contract would jeopardize GDOT right of way cost reimbursement and GDOT/Federal Highway Administration (FHWA) construction funding.

3. The County does not have the financial resources to independently acquire the right of way and fund project construction.

4. Expeditiously approving and executing the new right of way contract would allow the right of way acquisition to proceed, thus keeping the project on schedule and GDOT/FHWA funding intact.

ALTERNATIVES:

1. To approve and execute a Contract for Acquisition of Right of Way between the Georgia Department of Transportation (GDOT) and Chatham County for the Whitefield Avenue Widening Project, STP00-00MS-00(005).

2. To not approve executing the new right of way acquisition contract, which will place the project on hold indefinitely.

FUNDING: Funds are available in the 1985 - 1993 SPLOST (Sales Tax 1 Fund), Whitefield Avenue (Fund/Dept. 3204220, Project # 32050820) subject to Board approval of budget amendment and availability of cash.

POLICY ANALYSIS: The Board must approve intergovernmental agreements.

RECOMMENDATION: To approve Alternative 1.

District 1

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5. REQUEST BOARD APPROVE A CONSERVATION EASEMENT ON THE HOUSEHOLDER TRACT AS PART OF THE PERMIT APPROVAL FOR THE SALT CREEK MITIGATION BANK AND NAME THE GEORGIA LAND TRUST AS BENEFICIARY. [DISTRICT 7.]

ACTION OF THE BOARD:

Commissioner Farrell moved to approve a Conservation Easement on the Householder Tract as part of the permit approval for the Salt Creek Mitigation Bank and name the Georgia Land Trust as beneficiary. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Gellatly were not present.]

AGENDA ITEM: X-5

AGENDA DATE: May 22, 2009

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Patrick Monahan, Asst. County Manager

ISSUE:

To approve a conservation easement on the Householder Tract as part of the permit approval for the Salt Creek Mitigation Bank and name the Georgia Land Trust as beneficiary.

BACKGROUND:

In December 2008, the County acquired a 106.73-acre tract of land known as the Householder Tract for purpose of obtaining a salt marsh banking instrument, known as the Salt Creek Mitigation Bank. Any public project, such as road, drainage and work along the Savannah River, requires mitigation to offset any impact to salt marsh; otherwise, the project will not receive federal and state permit approval. A mitigation banking instrument, which the Corps of Engineers must approve with federal agencies' concurrence, provides a savings account for future projects. It yields value not only in the availability of salt marsh but also a savings in the time required for each individual project to identify and acquire property, develop a creation/restoration plan and obtain necessary federal approvals.

The Salt Creek Mitigation Bank will be the first permitted salt marsh mitigation bank in the State of Georgia. As part of the permitting, the property must be placed in a conservation easement with a name beneficiary, called a "holder," to ensure the County does not later reverse its conservation use.

FACTS & FINDINGS:

1. As a requirement of the permit from the U.S. Army Corps of Engineers, the County must place the Householder Tract in a conservation easement. The easement ensures that the property will remain preserved and protected as a natural area.
2. The conservation easement requires a beneficiary or holder to the conservation easement. The holder retains the right to inspect the property and to ensure compliance with the conservation easement. In previous agreements, the County has named the U.S. Army Corps of Engineers, Georgia Department of Natural Resources and City of Savannah.
3. The Georgia Land Trust is a non-profit corporation with a charter to accept conservation easements for the purpose of preserving and protecting natural, scenic, educational, recreational and open space properties. The GLT adheres to a written policy, *Land Trust Standards and Practice*.

4. GLT has presented a proposed instrument for the conservation easement. The County Attorney's Office and staff have reviewed the agreement and concur in its form and format.
5. GLT charges for this service, including a baseline documentation fee of approximately \$2,500 and stewardship fee based on 2% on the value of credits. Total cost would be approximately \$25,000, which would be a one-time payment.

FUNDING:

Funding will be from the Open Space, Green Space and Bikeways Account, SPLOST 2003-2008.

ALTERNATIVES:

1. That the Board approve the conservation easement on the Householder Tract as part of the permit approval for the Salt Creek Mitigation Bank and name the Georgia Land Trust as beneficiary.
2. That the Board approve the conservation easement on the Householder Tract but name another entity to serve as holder or beneficiary (subject to approval by the U.S. Army Corps of Engineers.
3. That the Board take no action.

POLICY ANALYSIS:

State law provides that the Board serves as trustee for managing property held in the name of Chatham County, and the placing of an easement with restrictive covenant for conservation purposes not only fulfills its legal authority but also helps to ensure the property will be used as intended for conservation and preservation purposes for perpetuity.

RECOMMENDATION:

That the Board adopt Alternative 1.

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6. REQUEST BOARD CONFIRM EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SAVANNAH, CHATHAM COUNTY, GARDEN CITY AND POOLER FOR THE 2009 BYRNE JUSTICE ASSISTANCE GRANT PROGRAM AWARD (CFDA #16.804).

ACTION OF THE BOARD:

Commissioner Farrell moved that the Board confirm the execution of an agreement between the City of Savannah, Chatham County, Garden City and Pooler for the 2009 Byrne Justice Assistance Grant Program Award (CFDA #16.804). Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Gellatly were not present.]

AGENDA ITEM: X-6
AGENDA DATE: May 22, 2009

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

ISSUE: To request Board confirm execution of an agreement between the City of Savannah and Chatham County, Garden City and Pooler for the 2009 Byrne Justice Assistance Grant Program Award (CFDA #16.804).

FACTS AND FINDINGS:

- 1) The Board of Commissioners approved the County's participation in a Byrne Justice Assistance Grant at its meeting held May 8, 2009.
- 2) The staff report presented at the May 8, 2009 meeting stated that an agreement outlining use of funds and compliance requirements would be forthcoming. The agreement is attached.
- 3) The agreement is between the City of Savannah and Chatham County, Garden City and Pooler. The City of Savannah is acting as the lead agency for the grant.

FUNDING: The grant receipts and disbursements will be reflected in the Multiple Grant Fund. A resolution to amend the budget will be prepared when the grant is awarded.

ALTERNATIVES:

- 1) That the Board confirm execution of an agreement between the City of Savannah and Chatham County, Garden City and Pooler for the 2009 Byrne Justice Assistance Grant Program Award (CFDA #16.804), or
- 2) That the Board deny approval and provide other direction.

POLICY ANALYSIS:

This request is consistent with the County's Procedures for Financial Administration of Grants and consistent with Board approval of the grant applications.

RECOMMENDATION: That the Board approve Alternative 1.

Prepared by: Read DeHaven

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7. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2009. PETITIONER: MICHAEL F. MCMAHON, D/B/A FLYING FISH BAR & GRILL, LOCATED AT 7906 HIGHWAY 80 EAST, SUITE ONE, 31410. [DISTRICT 4.]

ACTION OF THE BOARD:

Commissioner Farrell moved to approve the petition of Michael F. McMahon, d/b/a Flying Fish Bar & Grill, located at 7906 Highway 80 East, Suite One, 31410, for a renewal of Sunday sales of beer, wine and liquor pouring license for 2009. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners odell and Gellatly were not present.]

AGENDA ITEM: X-7
AGENDA DATE: May 22, 2009

TO: BOARD OF COMMISSIONERS

THROUGH: R.E. ABOLT, COUNTY MANAGER

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

ISSUE:
Request approval for renewal of Sunday Sales of beer, wine and liquor pouring license for 2009, Michael F. McMahon d/b/a Flying Fish Bar & Grill located at 7906 Hwy 80 E, Suite One, Savannah, GA 31410.

BACKGROUND:
Mr. McMahon requests renewal of Sunday Sales of beer, wine and liquor pouring 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. The applicant and business meets the requirements of the Chatham County Alcoholic Beverage and Sunday Sales Ordinance.
 - 4. The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION:
The Savannah-Chatham Metropolitan Police 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

Assistant Chief Willie Lovett

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**8. REQUEST BOARD APPROVAL OF A PRIVATE ROAD MAINTENANCE AGREEMENT FOR BRADLEY POINT ROAD UNNAMED ACCESS ROAD FORMERLY KNOWN AS HARDEN LANE.
[DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Farrell moved to approve a Private Road Maintenance Agreement for Bradley Point Road unnamed access road formerly known as Harden Lane. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

**AGENDA ITEM: X-8
AGENDA DATE: May 22, 2009**

TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Robert W. Drewry, Director of Public Works and Park Services

Issue: Request Board approval of a private road maintenance agreement for Bradley Point Road (Unnamed Access Road).

Background: The Board has a long time policy of providing maintenance services on private dirt roads provided the County enters into an agreement with the owners of the road and the owners pay for the cost of the service. The County originally entered into an agreement for the Bradley Point Road (Unnamed Access Road formerly known as Harden Lane) in May of 1993. The agreement is outdated and has long since expired. As a result, staff drafted a new agreement updating the services and costs.

Facts and Findings:

1. Bradley Point Road (Unnamed Access Road) is a private dirt road approximately 0.2 miles in length off Bradley Point Road.
2. The agreement grants the County the right to come upon the Owner's land and specifies that the owners of the road will pay the County a fee per year that includes a base maintenance fee plus loads of fill dirt at the cost per load. Base fee includes road grading twice annually and service includes filling major potholes. The services shall not include providing any drainage improvements or improvements to any individual driveways on the road.
3. Staff has determined the cost for providing this service that includes actual labor and equipment costs. Material cost for dirt is the actual cost of the dirt including hauling.
4. The owners of the Bradley Point Road (Unnamed Access Road) have signed the agreement. The signatures match the owners of the parcels. *
5. The County Attorney has reviewed the agreement and provided comments.

Funding: The cost of providing routine maintenance service on a private dirt road will be paid by the owners of the road.

Policy Statement: The Board has established a long term policy based on opinions by previous County Attorneys to provide maintenance services on private dirt roads in the unincorporated County paid for by the owners of the road.

Alternatives:

1. Board approve of a private road maintenance agreement for Bradley Point Road (Unnamed Access Road) with the owners of the road.

2. Board not to approve agreement.

Recommendations: Board to approve Alternative #1.

District 4

* (Note: Agreement not submitted to us [Chatham County] until recently) R.E.A. 19 May '09

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9. REQUEST BOARD APPROVAL TO UTILIZE THE SERVICES OF THE COUNTY SURVEYOR TO VALIDATE PRECINCT BOUNDARY LINES.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you. On this, request Board approval to utilize the services of the County Surveyor to validate precinct boundary lines, what are we referring to — precinct or districts?

County Manager Abolt said, Commissioner Kicklighter, yeah. Let me first explain the history of it. In all my years I've never come across this, but apparently in the olden days, long ago, there is still on the books a requirement that if the County Surveyor is to be used, and by the way, gentlemen, I don't think I've ever met, but his or her services must be directed by the County Commission. In this particular case, there's a request from the Board of Elections to justify boundaries of districts, and to do that we have to come to the County Commission to, in effect, direct the County Surveyor to do this at the price of a little over \$5,000.

Commissioner Kicklighter asked, okay. So do we need to amend this — the wording here to say validate district boundary lines, rather than precinct? County Manager Abolt said, I defer to Mr. Bridges, who's in the audience, because I don't want to misspeak for the Board of Elections. I just want to read from the staff report. It refers to establishing precinct boundaries and referring to median requirement of Georgia law, but I don't want to stretch my understanding beyond that in case I might misspeak and the Board of Elections should answer that question.

County Attorney Hart said, my understanding in conversations with them that they're asking kind of for both. There's some issues on certain precincts, you know, whether you're on this side of the street or that side of the street and that type situation. So that's what they've asked for.

Commissioner Kicklighter said, precinct. County Attorney Hart said, and district. Commissioner Kicklighter said, okay, so amend this to state precinct and district boundary lines. I move for approval. Commissioner Odell said, second.

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

ACTION OF THE BOARD:

Commissioner Kicklighter moved to direct the County Surveyor to validate the County's precinct and district boundary lines as requested by the Board of Elections. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

AGENDA ITEM: X-9
AGENDA DATE: May 22, 2009

DATE: May 11, 2009
TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Ray M. Thomas, Chairman, Board of Elections
THRU: Russell Bridges, Elections Supervisor

ISSUE:
To obtain approval for utilization of the services of the County Surveyor to validate precinct boundary lines.

BACKGROUND:
The Election Superintendent is responsible for establishing precinct boundaries that meet the requirements of O.C.G.A. 21-2-262.1. The boundary lines have historically been drawn on a map of the county, but the specific line or feature is often not clearly visible or evident. The Board of Elections determined that written legal descriptions of the precinct boundary lines are needed to accompany the maps and establish a clear, non-ambiguous description that can be easily understood and legally defensible.

The Board of Elections desires to utilize the services of the County Surveyor, in his official capacity, to review, evaluate and certify the accuracy and conformance of the lines on the map and the written descriptions with the requirements. The County Surveyor would review and verify each boundary line, make recommendations for adjustments to the lines and certify the final product under the official seal of his office. These certified legal descriptions would be adopted by the Board of Elections to serve as the official legal reference to resolve any question or dispute.

The County Surveyor works under the direction of the Probate Judge or the County Commission and must be directed by either one in order to perform in his official capacity. The County Surveyor has reviewed the project and submitted a proposal not to exceed the amount of \$5,065.00.

FACTS AND FINDINGS:

1. The Board of Elections wants to create certified maps and written legal descriptions.
2. The Board of Elections requests the services of the County Surveyor to validate the map boundaries and written legal descriptions.
3. The County Surveyor has submitted a proposal not to exceed 5065.00 for his services.
4. The County Surveyor works for the Probate Judge and the County Commission.
5. The County Surveyor must be directed by either the Probate Judge or County Commission to perform services in his official capacity.
6. The Board of Elections has sufficient funds in 57.30101 to fund the project.
7. The Board of Elections requests the County Commission to authorize the services of the County Surveyor for this project.

ALTERNATIVES:

1. To approve the services of the County Surveyor for the Board of Elections to validate the written legal descriptions, for an amount not to exceed \$5,065.00.
2. Provide other direction.

FUNDING:

The funds for the increases are included in 57.30101 Miscellaneous.

POLICY:

OCGA 21-2-262 establishes Election Superintendent as responsible for precinct boundaries.

OCGA 36-7 defines the County Surveyor, describes his duties, provides for fees to cover his services and sets the authority for utilization of his services.

RECOMMENDATIONS:

Approve Alternative #1.

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10. 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. Increase to the annual maintenance agreement for voting machines | Board of Elections | Premier Election Solutions | Not to exceed 5% | General Fund/M&O - Board of Elections |
| B. Resurfacing various streets | Public Works and Park Services | Carroll and Carroll, Inc. | \$153,170 | CIP - Public Works |
| C. Playground equipment for Runaway Point Park | Public Works and Park Services | Southern Playgrounds, Inc. | \$12,820 | SPLOST (2003-2008) - Assets - Parks |
| D. Annual maintenance agreement for telephone equipment | I.C.S. | Integrated Network Solutions | \$81,982 | General Fund/M&O - Communications |
| E. Two (2) PowerEdge Servers | I.C.S | Dell Marketing, L.P.(State Contract) | \$10,823 | General Fund/M&O - I.C.S. |

| <u>ITEM</u> | <u>DEPT.</u> | <u>SOURCE</u> | <u>AMOUNT</u> | <u>FUNDING</u> |
|--|--------------------------------|---|---------------------|---|
| F. Annual software maintenance agreement | I.C.S. | Dell Marketing, L.P. (Sole Source) | \$39,982 | General Fund/M&O - I.C.S. |
| G. Two (2) laptops and six (6) computer workstations | Finance | Dell Marketing, L.P. (State Contract) | \$12,788 | General Fund/M&O - Finance |
| H. 11 ZonePorts and 33 Zone Trackers | I.C.S. | File Trail, Inc. | \$56,280 | CIP - File Tracking System |
| I. Annual renewal maintenance agreement for document imaging system, support for servers and software for the Application Xtender | I.C.S. | Palmetto Microfilm, LLC | \$21,590 | General Fund/M&O - I.C.S. |
| J. Office furniture | C.N.T. | National Office Systems (State Contract) | \$10,043 | General Fund/M&O - C.N.T. |
| K. 60 Motorola hand-held mobile and portable digital radios | Detention Center | Motorola, Inc. (Sole Source, GSA Schedule 70 Contract) | \$209,439 | General Fund/M&O - Detention Center |
| L. Data management software including monitoring equipment for field surveillance and monitoring equipment for truck mounted spray systems | Mosquito Control | B&G Chemicals and Equipment Company, Inc. (Sole Source) | \$60,565 | General Fund/M&O - Mosquito Control |
| M. FlexiExpert Softkey sign making software system and equipment | Public Works and Park Services | TAPCO (Sole Source) | \$14,418 | SSD - Public Works |
| N. Annual renewal of the software maintenance support agreement | Public Works and Park Services | Cartegraph, Inc. | \$18,700 | SSD - Public Works |
| O. Four (4) Canon Scanners with extended warranty | Superior Court Clerk | Entre Solutions (MBE) | \$24,769 | General Fund/M&O - Superior Court Clerk |
| P. Windows Server 2008 Client Access Licenses | I.C.S. | Dell marketing, L.P. (Sole Source) | \$18,270 | General Fund/M&O - I.C.S. |
| Q. Extend on a "month to month" basis an annual revenue generating lease for office space in the Courthouse Annex | Special Projects | First Judicial Administrative District | No Funding Required | Revenue Generating |
| R. Extend the annual agreement with the option to renew for four (4) additional one (1) terms for mosquito and wild bird testing | Mosquito Control | University of Georgia | \$45,000 | General Fund/M&O - Mosquito Control |
| S. Renovation of two (2) baseball fields at L. Scott Stell Community Park | Public Works and Park Services | Kerby Enterprises, Inc. | \$199,621 | CIP - Park Services |
| T. Construction of a screened pavilion at Lake Mayer Community Park | Public Works and Park Services | Hasley Recreation & Design, Inc. (Sole Source) | \$66,741 | CIP - Park Services |
| U. Two (2) commercial mowers | Public Works and Park Services | Lawnmower Store (Sole Source) | \$22,238 | Public Works and Park Services |
| V. Change Order No.1 to the McQueen's Island Rails-to-Trails Stabilization Project | Public Works and Park Services | E & D Contracting Services, Inc. | \$93,698 | SPLOST (2003-2008) - Open Space, Green Space and Bikeways |

| <u>ITEM</u> | <u>DEPT.</u> | <u>SOURCE</u> | <u>AMOUNT</u> | <u>FUNDING</u> |
|---|------------------|-------------------------|------------------------|--|
| W. Change Order No. 3 to the Personal Services contract with George Bowen | Special Projects | George Bowen | Not to exceed \$75,000 | SPLOST (2003-2008) - Courthouse Construction |
| X. Donation of four (4) surplus vehicles to McIntosh County | Fleet Operations | McIntosh County | \$1,200 | Revenue Producing |
| Y. Contract for the McQueens Trail Timber Bridge | Special Projects | Kerby Enterprises, Inc. | \$24,899 | SPLOST (2003-2008) - Open Space, Green Spaces and Bikeways |
| Z. Construction contract for the Animal Control Facility | Special Projects | Artley Company | \$2,048,523 | •2005 DSA Series Bond - Animal Control Shelter •CIP - Animal Control Shelter (pending Board approval of transfer at the 12 June 2009 meeting) |

As to Items A through Z, except Items J, K, M, W, X and Z:

Commissioner Farrell moved to approve Items 10-A through 10-Z, except Items 10-J, 10-K, 10-M, 10-R, 10-W and 10-X and 10-Z. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Gellatly were not present.]

As to Item 10-J:

Office furniture, C.N.T., National Office Systems (State Contract), \$10,043, General Fund/M&O - C.N.T.

Commissioner Kicklighter said, thank you. Do we need office furniture in this amount?

County Manager Abolt said, again I can only read the staff report, and this refers to damaged and unserviceable furniture. That's the justification I'm aware of. If you wish to table it for two weeks or three weeks, that's fine, but the only justification I can give you is what is in the written staff report.

Commissioner Kicklighter said, I move to table this item. Commissioner Odell said, second.

Chairman Liakakis said, we have a motion on the floor to table Item J. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Gellatly was not present.] Chairman Liakakis said, the motion passes.

Commissioner Odell said, Mr. Manager, briefly — just a second. Chairman Liakakis said, okay, go ahead. Commissioner Odell said, in that we own CNT, I really think that they do an excellent job and I would like to see all of the neighborhood associations in that we are compelling neighborhoods to develop neighborhoods to develop associations, that each association receive a copy of the report from us, Russ [Abolt] —. County Manager Abolt said, yes, and I think the entire Board knows that at your request I've asked Commander Harris to determine the feasibility and best way in which to do it. I think their example in the morning paper today is very harrowing work on their part — not heroin, harrowing — and anyway they're a sharp unit and they're sharp because of Commander Harris and, most importantly, because of the support and the commitment of this Board to demand accountability for this very vital service.

As to Item 10-K:

60 Motorola hand held mobile and portable digital radios, Detention Center, Motorola, Inc. (Sole Source, GSA Schedule 70 contract), \$209,439, General Fund/M&O - Detention Center

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, Mr. Chairman, I was just concerned about the cost of these radios that are two hundred and something thousand dollars. Maybe somebody can explain to me what they do?

Commissioner Kicklighter asked, which item is this? Commissioner Stone said, Item K. Chairman Liakakis said, Item K. Commissioner Stone said, the Motorola hand-held portable digital radios. It's just a lot of money.

County Manager Abolt said, we're just do—.

Chairman Liakakis asked, Colonel Holmes, do you want to discuss this particular item?

Colonel McArthur Holmes said, yes sir. The radios we have on the agenda, the radios that we have to go to in 2012 and we are going to need quite a few radios because what we're doing is getting them in small blocks so they won't

be a great impact on the County at one time. The radios that we are using now will not be in use after 2012, so we're trying to buy those radios, and this is not the most expensive brand. This is the brand that will cover the needs of the Detention Center.

Commissioner Stone asked, just out of curiosity, how many of these do you use at a time? Colonel Holmes said, we would have in the facility at any time, this transport and everybody working at the facility, around the facility, probably somewhere in the neighborhood of about 120 radios. Commissioner Stone said, I was just curious to know about the expenses, over \$200,000 for radios. Colonel Holmes said, the other ones are about \$5,500 apiece.

Commissioner Odell said, but the problem, the reality is that if you've got a deputy, that deputy needs to be able to contact other deputies because it could be a hazardous situation and this is the method of doing that. Colonel Holmes said, the radios we have now would no longer be in use. Commissioner Odell said, when you've got inmates, you've got to have the ability for the guards to communicate with guards, central and et cetera.

Colonel Holmes said, the only thing that we have is a radio. We don't carry guns, we don't carry other weapons inside the jail.

Commissioner Stone said, and I'm not questioning the need for them. I'm just questioning the expense and, you know, it just seemed like to the average citizen a lot of money for radios, and I was just curious as to how many you used at a time and, you know, if it was necessary to buy this many right now. Thank you.

Commissioner Kicklighter said, very good question. Are there cheaper radios out there that would go through the roles out there? County Attorney Hart said, the biggest problem you have out there is just what you said — it's a lot of concrete and steel and —. Commissioner Kicklighter said, right and others just won't get through it. Okay. County Attorney Hart said, you're limited in what you can do.

Colonel Holmes said, this is not the most expensive. The others are about \$5,000, but we tried to get the least expensive radio that will meet our needs, and they're about \$2,500 apiece. Commissioner Kicklighter said, thank you.

Chairman Liakakis said, okay. We need a motion on the floor.

Commissioner Odell said, I will make a motion to approve that item. Commissioner Thomas said, second. Commissioner Stone said, second.

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

As to Item 10-M:

FlexiExpert Softkey sign making software system and equipment, Public Works and Park Services, TAPCO (Sole Source), \$14,418, SSD - Public Works

Chairman Liakakis said, Item M.

Commissioner Kicklighter said, thank you. On M, do we actually have other departments within the County — in other words, this is Public Works and Parks Services wanting \$14,418 for software system and equipment for sign making. If this is approved, which I see no reason not to approve it, but I want to make sure that the other departments throughout the County utilize this one central source where we're not duplicating this type of software and sign making devices or whatever.

Mr. Robert Drewry said, good morning. Robert Drewry from Public Works and Parks Services. Yes, we do make signs for other departments at their request quite often.

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

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

As to Item 10-R:

Extend the annual agreement with the option to renew for four (4) additional one (1) year terms for mosquito control and wild bird testing, Mosquito Control, University of Georgia, \$45,000, General Fund/M&O - Mosquito Control

Chairman Liakakis said, Item R.

Commissioner Kicklighter said, thank you, Mr. Chairman. \$45,000 to extend an agreement with the option for renewal for four additional one-year terms for mosquito and wild bird testing.

County Manager Abolt said, very important, and I'll let Dr. Lewandowski, as you all know has had major surgery yesterday and is now back with us.

My question I guess would be more of how much mosquito testing is involved with this because birds, I can't imagine there being \$45,000 worth of birds found to test. But you tell me.

Dr. Henry Lewandowski said, any of the tests are the same at \$16.50. For example, this is the reason we're asking for this money, which began last year because the Federal grant for West Nile worked nationwide has been severely cut and the State is giving much less. This is part of our early warning system for both West Nile Virus and Eastern Equine Encephalitis Virus. We begin and we have high populations of these mosquitos and they transmit the disease as we begin treating based on numbers, but with the testing we begin — we start treating lower numbers, and this is also when we partner with our Health Department to go out with an early warning system for our County residents, and we're — we budget to sample about 2,700 samples per year and most of it, about 99%, is from mosquitos only because that's where we get our best information.

Commissioner Kicklighter asked, do we do testing in surrounding counties for any fo the —? Dr. Lewandowski said, no sir. Commissioner Kicklighter asked, no? Dr. Lewandowski said, it's strictly in Chatham County. Commissioner Kicklighter said, okay, so just to clarify before I make a motion to approve this, public safety issue is the State and Federal Governments cut monies and here we are making it up again, once again. Basically? Dr. Lewandowski said, well, the initial Federal grant was intended to be temporarily for five years. We're long past that and the ___ the State and the local municipalities were supposed to begin their programs and continue the programs after the Federal money ceased to be appropriated. Commissioner Kicklighter said, fancy way of passing the cost along. Got us involved and we can't stop. Motion to approve. Thank you, you're doing a good job. Commissioner Farrell said, second.

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

As to Item 10-W:

Change Order No. 3 to the Personal Services contract with George Bowen, Special Projects, George Bowen, Not to exceed \$75,000, SPLOST (2003-2008) - Courthouse Construction

Chairman Liakakis said, Item W.

Commissioner Kicklighter said, W is change order to the personal services contract, \$75,000 SPLOST monies. What exactly are we utilizing the services of gentleman?

County Manager Abolt said, this as you know has worked out very effectively for us. Colonel Bowen, by his military title, has been an absolute asset to County staff. He's not a County employee. We have augmented the list of, you know, several millions of dollars, 300-plus, by rather than hiring staff we used experienced individuals in the community under personal services contracts. This is a not to exceed figure. Mr. Monahan closely watches it. When we first entered in the contract with Colonel Bowen, we had an additional staff person available to us who has since taken a job elsewhere, and Colonel Bowen has taken up the slack, and I must say the man's ability to not just manage projects but deal with personnel and deal with elected officials is well worth the dollars invested.

Commissioner Kicklighter asked, so he is actually overseeing this entire project? County Manager Abolt said, yes, along with Mr. Monahan, but he is the direct individual that has to interact with all the constitutional officers and does a fantastic job. Commissioner Kicklighter said, wonderful. I know at this price we're actually getting a bargain because I know he was once the man over all construction for the Board of Education, so —. County Manager Abolt said, we don't want to talk Colonel Bowen into —. Commissioner Kicklighter said, a very good cost-saving move by having Colonel Bowen in this position. I was just curious as to the extent of his involvement. Motion to approve. Commissioner Thomas said, second.

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

As to Item 10-X:

Donation of four (4) surplus vehicles to McIntosh County, Fleet Operations, McIntosh County, \$1,200, Revenue Producing

Chairman Liakakis said, Item X.

Commissioner Kicklighter said, thank you. Donating four surplus vehicles to McIntosh County. Have we checked with any of the local municipalities to see if they need any —? County Manager Abolt said, no sir. In this particular case, attached to your staff report on page 29, McIntosh County is in dire need. They lost four vehicles on a Saturday and they came to us and said, "help," and we want to be responsive, and as you will see, even though they're high mileage, we feel that we can help them out in this great time of need.

Commissioner Farrell said, I'll move for approval. Commissioner Stone said, second.

Commissioner Odell said, what Dean's [Kicklighter] concern is, is do we have other municipalities within Chatham County whereas my need always is concern for everybody in the State of Georgia, but the first priority is for those who live in Chatham County.

County Manager Abolt said, yes, I'm not arguing with you. That's certainly the case, but also we pride ourselves in being responsive to the needs of those that are in the general neighborhood. You'll see that the note from McIntosh County, which is very direct, says "McIntosh County has an urgent need for used patrol cars as I'm sure that you have heard of our loss of 4 cars on Saturday. Just to give you some idea of our situation, McIntosh County is the poorest county on the East Coast, therefore we can't afford to replace these cars at this time and would ask if you and or Chatham County could donate [them]." It is truly an exceptional situation as you know when it comes to any surplus property. We recently did something for Thunderbolt. We're very open to this, but I think the thought of going out and find out what these four vehicles might be used by others might be less than direct in our response to McIntosh County, but it's your choice.

Commissioner Kicklighter said, Mr. Chairman, if I may, just to question if anyone knows here, does McIntosh County still have a large virtually empty jail that in the nature of working with each other when our jail overcrowding, our Sheriff could possibly contact them and have our excess prisoners to utilize some of that space there in the nature of working well with our neighboring counties? County Manager Abolt said, I defer to Colonel Holmes. Colonel Holmes said, I'm just not aware of any neighboring counties calling offering jail space knowing the nature of our problems.

Chairman Liakakis said, one of the things, Dean [Kicklighter], I can tell you is that the cost factor sometimes, you know, with those other county jails like we have sent them in the past, it costs more money than what it was, you know, than our local cost factors on it. Now, we have to find out each one if they can accept, and a lot of the smaller counties they only have capacity for just a few prisoners because, of course, they just don't have that many prisoners going into their systems. And so that's what has happened in the past. Mike [Kaigler], you want to explain?

Mr. Michael Kaigler said, just to respond to Commissioner Kicklighter, we have donated vehicles to other municipalities in Chatham County, this Board has done that in the past, and whenever we get a request, we evaluate that and come before you if we have the resources available. So we have done that for the municipalities in the County.

Commissioner Odell said, I would like to make a determination that there are none of our municipalities, either Thunderbolt, Tybee, Pooler, or any of the other municipalities, would have a need first because my theory of charity is that charity first begins at home, and I think we do a substantial amount for McIntosh County and that we have a fair number of our citizens who work here who derive a benefit from the roads, but pay their taxes down there. They live down there. Mr. Kaigler said, yes sir. Commissioner Odell said, I just am comfortable with that, but I'm just one lonely vote and — well, I've got Dean [Kicklighter].

Commissioner Kicklighter said, and I'll state that I'm fine with helping McIntosh also, but one quick call to the other municipalities here would have been great as far as I'm concerned because it's our taxpayers, being all of the people in all of our cities that originally purchased these vehicles and —.

County Manager Abolt said, I think it's very valid. I do need some policy direction because in the past the Chairman's [inaudible] away on mutual response, you know, in situations where we must call on other counties to respond, and that's not only very noble, it makes good business sense. In this particular case, and I cannot recall ever receiving any request of this nature, so just tell me what you wish to do, we'll do it.

Commissioner Kicklighter said, I wish to respond to any neighboring county in an emergency crisis with people and personnel to help in a crisis nature, but as far as giving our crime-fighting equipment to them is the strangest request I've ever actually heard. I mean, when neighboring counties came to help fight Savannah Sugar, we didn't — I mean, the fire and everything there, we didn't ask them to give us the ambulances and fire trucks, we asked them to come help. And, I mean, and I'm fine giving it to them if we know that nobody else needs it.

Mr. Kaigler said, Commissioner, we would typically not advertise that we have these vehicles. These are vehicle that were scheduled to go up for auction, and like I said, we typically have had Thunderbolt and some other municipalities request equipment and we've donated it in the past.

Commissioner Kicklighter said, well, I'll just state this because the financial times we're facing, at this point we're looking at a police budget for our unincorporated area, a request of over \$15,000,000, which has increased from \$4,000,000 just four years ago or so, and if these vehicles will run in McIntosh County, they ought to work pretty good right here in Chatham County and we can start reducing that outrageous inflated police budget that's being requested of us, and we've got to get it under control here and it starts with little things adding up. I mean, if it will run in McIntosh on those much longer streets, then it surely will run right here in Chatham County, and we've got to get it under control.

Chairman Liakakis said, let's do this then. I'll make a suggestion that, Mr. County Manager —. County Manager Abolt said, yes sir. Chairman Liakakis said, — that we call all of the municipalities, request from them do they need the vehicle, and of course I see it's only \$12,000 for the four vehicle to begin with because it's going for auction, but anyway request from them and, if they want it, bring that back information to us so that we can see because what has been said they'd rather give it back, you know, to local municipalities, and if not can we have the approval since they say it's urgent for the Board to go ahead if we don't have any requests from local —, County Manager Abolt said, I'd prefer you table —. Chairman Liakakis said, municipalities, like you're saying, Dean [Kicklighter]. County Manager Abolt said, I'd prefer you table it, that we do it the right way.

Commissioner Odell said, I didn't hear what you said. County Manager Abolt said, I'd prefer you table it until your next meeting.

Commissioner Thomas said, table. Commissioner Odell said, I'll second her motion to table. Commissioner Kicklighter said, table and check in between.

Chairman Liakakis said, okay, we have a motion to table. Excuse me.

Commissioner Farrell said, we've got a motion on the floor. Commissioner Stone said, yeah, but a motion to table takes precedence, I believe. Commissioner Odell said, a motion to table takes precedence. Commissioner Stone said, takes precedence, is my understanding.

County Attorney Hart said, that's correct. You've got to vote on the motion to table.

Chairman Liakakis said, motion on the floor to table. Go on the board. Chairman Liakakis and Commissioners Stone, Holmes, Farrell, Odell, Kicklighter and Thomas voted in favor of the motion to table. Commissioner Shay voted in opposition. The motion to table carried by a vote of seven to one. [NOTE: Commissioner Gellatly was not present.] Chairman Liakakis said, the motion passes.

As to Item 10-Z:

Construction contract for the Animal Control Facility, Special Projects, Artley Company, \$2,048,523, •2005 DSA Series Bond - Animal Control Shelter, •CIP - Animal Control Shelter (pending Board approval of transfer at 12 June 2009 meeting)

Chairman Liakakis said, let's go to Item Z, the one that I brought up. Under Item Z is the construction contract for the Animal Control Facility, and I'd like for Patrick Monahan, do you have that information for us, Patrick [Monahan], for the awarding of the contract. It has been put out for a proposal on that and the County has received those.

Mr. Patrick Monahan said, yes sir. You should have received the information Wednesday. I think staff advised you on Tuesday that the bid opening would not take place until late Tuesday, and even though generally we don't try to rush our review, we are trying to expedite it because the Commission doesn't meet again until June 12th and we are trying to get started on this long awaited project. The County received ten bids. You have the bids before you. We think that the lowest bid, the lowest amount is the lowest responsible bid. We are continuing the evaluation. We should be done some time next week, but assuming the Board approves it and everything checks out and we complete the contract documents and review the bond, then we will be able to provide a notice to proceed.

Chairman Liakakis said, looking at the specifications and all that were provided to us previously, I mean, this is going to be one of the best animal control shelters in the entire State of Georgia, by looking at all of those. Mr. Monahan said, Mr. Chairman, I don't mean to correct you, but it won't be one of the best. It will be the best. Chairman Liakakis said, okay, the best. Okay, we'll go beyond that — the best.

Mr. Monahan said, it's approximately 14,000 square feet and if you just keep this in mind, if you go out to the current Animal Control Shelter, which is built through a ramshackle arrangement of building through the years, some concrete where the shelter is, some modular — that's a fancy way of saying trailers —, the waste is just washed off now. We are putting in a grinder system, there will be watering, there will be food, but rather than the 28 cages that you see out there in the multi-bunking of the dogs within those cages, we'll have 114 individual areas, although some dogs can be put together including the dog run, so it will not only be state of the art, but a much more humane condition for the animals and we also think it will be much more accessible for the community. We are planning some upgrades as far as the technology. When an animal comes in, just as you go to the Sheriff's website and see an inmate coming in at the picture, we'll have that same availability with the dogs and the cats so that you'll be able to go to the website and take a look to see whether your animal's on there prior to driving out to the facility. In addition to that, once the construction is completed, the existing animal shelter will be demolished and we are converting that to a dog park so that if you're interested in an animal you'll be able to go out and play with it and see it in a different setting than in the shelter itself. So I think the Commission will be quite proud of this facility.

Chairman Liakakis said, oh yeah, because over the last number of years right now, actually the facility out there is not conducive to be healthy or clean, and they're having a tough time out there just cleaning them, and those pets they're just put into a crowded position and that's not really fair to those animals to put them in there. And actually it's causing them somewhat of a suffering.

Commissioner Odell said, could we give Helen Stone a big hand because she has worked on this for the last 10 or 12 years

Chairman Liakakis asked, Annmarie [Wakely], you wanted to ask a question?

Youth Commissioner Wakely said, yes. Where is this new facility to be built, the new Animal Control Facility? Mr. Monahan said, it will be on Sallie Mood Drive approximately 50 yards from its current location. So everyone in the community already knows where to go. Commissioner Kicklighter said, it's behind the Humane Society.

Commissioner Thomas said, I'd just like to say, Mr. Chairman, that I'm really happy that this is going to take place because I visited this facility not too long ago and I was not too happy, you know, with what I was able to see. Hopefully we will stay on top of those who will be building the building to make sure that it is built according to specifications. County Manager Abolt said, Mr. Chairman, I do want —. Commissioner Thomas said, no short course.

County Manager Abolt said, yes sir. Just to protect the record, I know we're moving fast on this because of the priority. You will note that we are going to come back on the 12th with a recommendation to shift out of M&O Contingency for CIP \$300,000, but that gives you the building everybody envisioned. But also I want to let those that are following this very closely, to know that this is a priority of this Board, one of the things you spoke about when you met in your first budget retreat, and you're delivering another promise.

Chairman Liakakis asked, Pat [Monahan], it's not in, you know, on this agenda item, what is the cost factor on the low bid? Mr. Monahan said, sir, it is —. County Manager Abolt said, \$2,048,523. Mr. Monahan said, and it's the Artley Company. Chairman Liakakis said, okay, and one thing we want the general public to know that because what this County Commission — we were able to refinance a bond issue when we came on board, and it gave us the majority of the money. Correct? Mr. Monahan said, yes sir. Chairman Liakakis said, it gave us the money to build this animal shelter, so we want all of the citizens to know that we've saved a huge amount of money because we were financially responsible. We refinanced that bond and it helped in a lot of other areas in addition to just building this animal shelter.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, thank you, Mr. Chairman. I would like to thank Commissioner Odell for his comment, but really this has been a group effort and I don't know how many of you have ever been to the existing facility, but it's not only sad for the animals because they're housed in conditions that are not ideal — the heat, the cold, the extremes — but in addition to that, for the employees and their record keeping and their ability to keep track of animals that might be owned versus ones that have been feral and are on the street, and the more accurate you can be about tracking the animals, the more the probability of these animals being returned to their owners. This is certainly something that's long overdue in this community and I'm just very, very grateful that this is going forward and, Mr. Monahan, you've worked diligently on this and we took a little field trip down to, was it Richmond Hill? Mr. Monahan said, Brunswick. Commissioner Stone said, Brunswick, that's right, and toured the facility there, and I think this is going to be state of the art and it's long overdue, and I thank you for all of your leadership in this.

Commissioner Kicklighter said, I thought this was SPLOST monies that we appropriated —. Chairman Liakakis said, no, no. Commissioner Kicklighter said, — for the new —. Mr. Monahan said, no sir. It was — the original plan was to issue the bonds, as the Chairman said, and use the refinancing of the bonds to fund five capital projects. We originally based that initial project amount on the Brunswick facility, but in looking at the Brunswick facility the totality of their animals is about 40% of Chatham County's, so we had to enlarge the facility so this Board graciously added money through the Capital Improvement Program for the additional funding.

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

Commissioner Stone said, I move to approve. Commissioner Odell said, I second Helen's motion.

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

ACTION OF THE BOARD:

- a. Commissioner Farrell moved to approve Items 10-A through 10-Y, except Items 10-J, 10-K, 10-M, 10-R, 10-W and 10-X and 10-Z. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Gellatly were not present.]
- b. Commissioner Kicklighter moved to approve Item 10-J. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]
- c. Commissioner Kicklighter moved to approve Item 10-K. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]
- d. Commissioner Kicklighter moved to approve Item 10-M. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]
- e. Commissioner Kicklighter moved to approve Item 10-R. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]
- f. Commissioner Kicklighter moved to approve Item 10-W. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]
- g. Commissioner Farrell moved to approve Item 10-X. Commissioner Stone seconded the motion.
- h. Commissioner Thomas moved to table Item 10-X to the next meeting. Commissioner Odell seconded the motion. Chairman Liakakis and Commissioners Stone, Holmes, Farrell, Odell, Kicklighter and Thomas voted in favor of the motion. Commissioner Shay voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Gellatly was not present.]
- i. Commissioner Stone moved to approve Item 10-Z. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

AGENDA ITEM: X-10 A thru Z
AGENDA DATE: MAY 22, 2009

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

ITEM A

ISSUE: Request Board approval of a not to exceed 5% annual increase to the annual maintenance agreement on voting equipment with Premier Election Solutions, Allen, TX for the Board of Elections.

BACKGROUND: On 23 May 2008, the Board approved an annual "sole source" maintenance agreement with automatic renewal options for four (4) additional one (1) year terms to Premier Election Solutions, Allen, Texas to provide voting equipment maintenance.

FACTS AND FINDINGS:

1. The initial maintenance agreement was awarded for \$84,610 to cover 663 Touch Screen units at \$95 each; 215 ExpressPoll units at \$95 each; and eight (8) Optical Scan units \$150 each.
2. Five (5) ExpressPoll units were inadvertently omitted and will be added to the maintenance agreement as well as any additional machines that will be needed. This brings the total of ExpressPoll units to 220.
3. Staff believes a not to exceed 5% annual increase for maintenance of voter machines to be fair and reasonable.

FUNDING: General Fund/M&O - Board of Elections
 (1001400 - 52.22001)

ALTERNATIVES:

1. Request Board approval of a not to exceed a 5% annual increase to the annual maintenance agreement on voting equipment with Premier Election Solutions, Allen, TX for the Board of Elections.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the cost increase of an annual maintenance agreement if it is in the best interest of the County.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
 CHRIS MORRIS

ITEM B

ISSUE: Request Board approval to award a \$153,170 contract to Carroll and Carroll Inc. of Savannah, GA to resurface streets at various locations within the County for Public Works and Park Services.

BACKGROUND: Various roads within the Unincorporated area of Chatham County have either reached, or are at the end of their life expectancy. However, due to a lack of funding in the past to support a vigorous rehabilitative program and various other factors, Public Works has been unable to maintain a pace necessary for a comprehensive resurfacing program.

FACTS AND FINDINGS:

1. Staff developed a solicitation which addressed routes that are in two (2) sections of the County most in need of immediate attention. There are 16,301 square yards of resurfacing addressed in the solicitation and the overall length of the project is 6,580 linear feet.
2. The routes for resurfacing include the following:

Sea Island Drive - Okatee Drive to west of Shipwreck Road
Burns Lane - Sea Island Road to Wilmington Village Way
Okatee Court - Okatee Drive around the circle
W. Creighton Place - South circle to Rosewood Drive
E. Creighton Place - Randee Drive to Cresthill Avenue
Rosewood Drive - Old Montgomery Road to W. Creighton Place
Hill Avenue - Old Montgomery Road to Cresthill Avenue
Cresthill Avenue - E. Creighton Place to Hill Avenue
3. The above routes were selected on the basis of the Public Works and Park Services Pavement Condition Report. This report is produced from a Pavement Management software program called PavementView Plus. The end product provides a digital image of the roadway and evaluates the condition of the roadway based on various factors, primarily looking at distresses of the roadway and the severity of each defect. The distresses evaluated include rut depth, cracking of the pavement, raveling of the aggregate on the surface, edge conditions, excess bituminous material on the surface, pushing of the roadway at intersections, sections of asphalt breaking away and holes in the surface. The routes selected had very low ratings according to the report and were visually inspected by staff to verify condition and severity since the report was produced approximately a year ago. Other routes near by the selected routes were evaluated to determine if these routes would make good companion projects in order to reduce costs.
4. This project was properly advertised and four (4) bids were received and opened on 30 April 2009. The bid results are as follows:

| | |
|---|-----------|
| Carroll and Carroll, Inc. Savannah, GA | \$153,170 |
| Griffin Contracting, Inc. Pooler, GA | \$157,870 |
| Sikes Brothers, Inc. Metter, GA | \$167,214 |
| R. B. Baker Construction, Inc. Garden City, GA | \$169,540 |

4. Staff reviewed the bid and references submitted by Carroll and Carroll, Inc. and believes their bid to be fair and reasonable.

FUNDING: CIP - Public Works
(3504100 - 54.14001 - 35030837)

ALTERNATIVES:

1. Board approval to award a \$153,170 contract to Carroll and Carroll Inc. of Savannah, Georgia to resurface streets at various locations within the County for Public Works and Park Services.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM C

ISSUE: Request Board approval of a \$12,820 purchase of playground equipment from Southern Playgrounds, Inc., Marietta, GA., for the Public Works and Park Services.

BACKGROUND: Funding was approved by the Board of Commissioners to purchase additional playground equipment for Runaway Point Park as per the master plan.

FACTS AND FINDINGS:

1. Request for Quotes were received from three (3) prospective bidders. Each vendor was to provide three (3) quotes each that were within the \$12,000 budget that included setups. Only GameTime and Southern Playgrounds, Inc., provided the correct number of quotes. The quotes are as follows;

| | |
|--------------------------------------|-----------|
| GameTime Longwood , FL | \$ 11,761 |
| Southern Playgrounds Marietta, GA | \$ 12,820 |
| PlayFitness Buford, GA | \$ 13,968 |

2. Staff believes even though GameTime has the lowest quotes, Public Works and Park Services hereby request an exception to the Policy to purchase playground equipment based on the lowest quote. Southern Playground offers ten (10) challenge stations and the stations are spread out more for less crowding. The playground equipment offers more of a challenge to the kids between the ages of five (5) to twelve (12) years of age.
3. Public Works and Park Services believes it would be in the best interest of the County to accept the quote from Southern Playgrounds. Staff believes additional dollars spent will offer the County the best value. Assuredly, it will enhance the appearance of the park. None of the options presented by GameTime took into consideration the ADA requirements.

FUNDING: SPLOST (2003-2008) - Assets-Parks
(3234981-52.39001-32370071)

ALTERNATIVES:

1. Board approval of \$12,820 for the purchase of playground equipment from Southern Playgrounds, Inc., Marietta, GA., for Public Works and Park Services.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve purchase equipment for the user department within the best interest of the county.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM D

ISSUE: Request Board approval of an \$81,982 annual maintenance agreement with Integrated Network Solutions, Savannah, GA, for maintenance for telephone communications for I.C.S.

BACKGROUND: Every year the Board approves the annual agreement, with Integrated Network Solutions, for maintenance of the Telephone communications. This maintenance agreement is required to maintain the telephone switches and telephones installed throughout various County Facilities.

FACTS AND FINDINGS:

1. Integrated Network Solutions has a fully trained staff for the maintenance of our system. They guarantee 24/7 service to make any necessary repairs or troubleshooting to the County system.
2. The equipment to be covered includes the County's eight (8) PBXs which provide telephone service to all County staff. The PBXs are located at the Judicial Courthouse, Administrative Courthouse, Sheriff's Complex, County Administrative Annex, Public Works, Citizens Service Center on Eisenhower Drive, Mosquito Control and the Active Voice Mail System.
3. Staff believes the total costs of \$81,982 to be fair and reasonable.

FUNDING: General Fund/M & O - Communications
(1001536 - 52.22001)

ALTERNATIVES:

1. Board approval of a \$81,982 annual maintenance agreement with Integrated Network Solutions, Savannah, GA, for maintenance for telephone communications for I.C.S.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary maintenance agreement on County Equipment.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM E

ISSUE: Request Board approval of a \$10,823 purchase of two (2) PowerEdge Servers, off the State of Georgia contract, from Dell Marketing, L.P. for I.C.S

BACKGROUND: These servers are for support for Application Extender software, WebExtender, ScanExtender and Data Manager for various departments within the county who scan documents into the document imaging system.

FACTS AND FINDINGS:

1. The I.C.S. department has determined that the servers that multiple departments use for the Document Imaging System Application is very outdated and there is no hardware support on these servers.
2. Due to the age of the servers, Dell will no longer sell support agreements on this hardware thus they should be replaced.
3. Staff believes the total cost of \$10,823 for the two (2) servers to be fair and reasonable.

FUNDING: General Fund/M & O - I.C.S
(1001535 - 54.25001)

ALTERNATIVES:

1. Request Board approval of a \$10,823 purchase of two (2) PowerEdge Servers, off the State of Georgia contract, from Dell Marketing, L.P. for I.C.S
2. Provide other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of essential hardware to run needed software applications used throughout the county.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM F

ISSUE: Request Board approval of a \$39,982 sole source purchase for an annual software maintenance agreement for various Chatham County Department from Dell Marketing, L.P. for I.C.S.

BACKGROUND: This Corel Maintenance and License Agreement (MLA) provides the County with technical support, upgrade protection and reduced pricing for additional licenses. This software provides word processing tools with a full suite of productivity software.

FACTS AND FINDINGS:

1. State Purchasing awarded this sole source contract through a competitive process based on requirements and specifications of the Georgia Technology Authority.
2. Dell Marketing, L.P. quoted staff a total cost of \$39,982. This price reflects an increase over last year's maintenance cost. The increase is attributed to the change in the total number of licenses (598) requiring maintenance. Each department purchases new licenses with prorated maintenance throughout the year. I.C.S. pays the maintenance renewal annually. This maintenance period is for 1 July 2009 through 30 June 2010.
3. Staff believes the cost of \$39,982 is fair and reasonable.

FUNDING: General Fund/M & O - I.C.S.
(1001535 - 52.22001)

ALTERNATIVES:

1. Request Board approval of a \$39,982 sole source purchase for an annual software maintenance agreement for various Chatham County Department from Dell Marketing, L.P. (Dell USA) for I.C.S.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary maintenance agreements for County computer equipment.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM G

ISSUE: Request Board approval of a \$12,788 purchase of two (2) laptops and six (6) computer workstations, off the State of Georgia contract, from Dell Marketing, L.P. for Finance.

BACKGROUND: The Finance Department relies heavily on dependable and efficient workstations in order to perform daily duties. I.C.S has a policy in place that requires computer equipment to be updated/replaced on a timely basis.

FACTS AND FINDINGS:

1. Workstations to be replaced have been in service for over four (4) years. Staff workstations have been used an average of 40 hours per week during their working life.
2. Warranty ends after three (3) years, increasing maintenance costs for parts and labor. Workstations become slower and more prone to trouble, causing staff downtime.
3. Staff believes the total cost of \$12,788 for the computer equipment to be fair and reasonable.

FUNDING: General Fund/M&O - Finance
(1001510 - 54.24002)

ALTERNATIVES:

1. Board approval of a \$12,788 purchase of two (2) laptops and six (6) computer workstations, off the State of Georgia contract, from Dell Marketing, L.P. for Finance.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of essential computer hardware to run applications used throughout the county.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM H

ISSUE: Request Board approval of a \$56,280 purchase of 11 ZonePorts and 33 Zone Trackers from FileTrail, Inc for I.C.S

BACKGROUND: The Clerk of Superior Court and Superior Court Case Manager received approval to purchase a radio frequency ID File Tracking System on 13 April 2007. This system is used for scanning of criminal case files.

FACTS AND FINDINGS:

1. These devices will be used to expand the coverage of the current file tracking system originally purchased in April 2007 and will also include installation and payment of the first annual fee.
2. The initial installation of FileTrail has been successful in providing location information of case files within the courthouse. This purchase is the second phase of installation and will provide coverage to areas that currently require tracking of case files.
3. Staff believes the total cost of \$56,280 for the Zone Ports and Zone Trackers to be fair and reasonable.

FUNDING: CIP - File Tracking System
(3502101 - 54.25001 - 35030848)

ALTERNATIVES:

1. Board approval of a \$56,280 purchase of 11 ZonePorts and 33 Zone Trackers from FileTrail, Inc for I.C.S
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of essential hardware to run needed software applications used throughout the county.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM I

ISSUE: Request Board approval of a \$21,590 annual renewal for Document Imaging System maintenance and support for servers and software for the Application Xtender from Palmetto Microfilm, LLC for I.C.S

BACKGROUND: This maintenance is for support for Application Extender software, WebExtender, ScanExtender and Data Manager from Palmetto Microfilm, Inc. for various departments within the county who scan documents into the document imaging system.

FACTS AND FINDINGS:

1. Chatham County I.C.S has purchased all Application Extender, or AX licenses from Palmetto Micro. I.C.S has recommended that all departments using document imaging use the AX software as a standard and annual maintenance is a requirement.
2. I.C.S recommends the maintenance renewal for support for this software for all users scanning documents into document imaging.

3. Staff believes the total cost of \$21,590 for annual maintenance and support renewal to be fair and reasonable.

FUNDING: General Fund/M & O - I.C.S
(1001535 - 52.22001)

ALTERNATIVES:

1. Board approval of a \$21,590 annual renewal for Document Imaging System maintenance and support for servers and software for the Application Xtender from Palmetto Microfilm, LLC for I.C.S
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary support for applications they use for job productivity.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM J

ISSUE: Request Board approval of a \$10,043 purchase of office furniture, off the State of Georgia contract, from National Office Systems for C.N.T.

BACKGROUND: The furniture at the C.N.T. facility is damaged and unserviceable for staff to use. Furniture is being replaced to match existing furniture throughout the facility.

FACTS AND FINDINGS:

1. The State of Georgia Contractor for this furniture is National Office Systems.
2. Staff believes the total cost of \$10,043 to be fair and reasonable.

FUNDING: General Fund/M&O - C.N.T.
(1003222 – 53.17009)

ALTERNATIVES:

1. Board approval of \$10,043 purchase of office furniture, off the State of Georgia contract, from National Office Systems for C.N.T.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary equipment for staff to perform daily tasks.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM K

ISSUE: Request Board approval of a \$209,439 sole source purchase off the State of Georgia contract, 60 hand held mobile and portable digital radios from Motorola, Inc. for the Detention Center.

BACKGROUND: The Savannah-Chatham Metro Police Department upgraded their radio system from analog technology to digital technology. The County continues the migration towards total compatibility with the upgraded technology with various purchases throughout the year. This purchase represents approximately half of the required purchase to complete this transition.

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 \$209,439 for the 60 hand held mobile and portable digital radios to be fair and reasonable.

FUNDING: General Fund/M & O - Detention Center
(1003326 - 54.25001)

ALTERNATIVES:

1. Board approval of a \$209,439 sole source purchase off the State of Georgia contract, 60 hand held mobile and portable digital radios from Motorola, Inc for the Detention Center.
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 L

ISSUE: Request Board approval of a \$60,565 sole source purchase of data management software including monitoring equipment for field surveillance and monitoring equipment for truck mounted spray systems from B&G Chemicals and Equipment Company Inc. for Mosquito Control.

BACKGROUND: Mosquito Control's data management system is over 20 years old and based on old technology. The system cannot fully incorporate GIS/GPS technology. The aging monitoring software and hardware used in our ground based treatment program is increasingly unreliable. Both systems are in need of replacement. The utility and complexity of off-the-shelf products makes it impractical to continue using minimally capable programs written by staff.

FACTS AND FINDINGS:

1. The current service request tracking software was developed by Mosquito Control staff 20 years ago and was based on caller's telephone number. Increasing use of cellular telephones and other technological changes have rendered this application obsolete.
2. Continuing problems with the current data management and tracking equipment for the truck-mounted spray systems has resulted in increased down time and hampered treatment efforts.
3. The current, staff-developed, data management applications for service requests, adulticiding, larviciding and surveillance do not fully incorporate GIS/GPS technologies.
4. Staff has researched all available software and hardware applications written specifically for mosquito control agencies.
5. The Sentinel GIS system, offered by B & G Chemicals and Equipment Company, Inc., incorporates all the functions into one package designed to work together. No product offered by any other vendor is as comprehensive and has the required level of integration.
6. The B&G Sentinel GIS system is based on ESRI's ArcView software and can seamlessly use any GIS data generated by SAGIS. ArcView is the backbone of Chatham County's GIS/GPS applications.
7. The B&G Sentinel GIS system is extremely flexible. With its open architecture, it can easily be adapted to fit our evolving needs well into the future.

FUNDING: General Fund/M & O - Mosquito Control
(1005144 - 53.17009)

ALTERNATIVES:

1. Board approval of a \$60,565 sole source purchase of data management software including monitoring equipment for field surveillance and monitoring equipment for truck mounted spray systems from B&G Chemicals and Equipment Company Inc. for Mosquito Control.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to support environmentally sound, cost effective mosquito control operations.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM M

ISSUE: Request Board approval of a \$14,418 sole-source purchase of FlexiExpert Softkey sign making software system and equipment from TAPCO of Elm Grove, WI, for Public Works and Park Services.

BACKGROUND: The Public Works Road Maintenance Section needs to upgrade and replace the existing sign fabricating software and equipment. The original turn-key system, Version 5.1, was purchased from TAPCO in 2001. The existing Federal Highway Administration Manual of Uniform Traffic Control Devices Sign Library software does not meet the current regulations. Chatham County Road Maintenance cannot fabricate and produce the signs necessary by law to meet the current Federal Highway Administration requirements without the upgraded system. There are a few signs the current system cannot produce.

FACTS AND FINDINGS:

1. The Road Maintenance Section of Public Works currently has TAPCO sign fabricating software and equipment purchased in 2001 as a turn-key system. The existing equipment is worn beyond economical repair.
2. It is more economical to purchase a complete turn-key system again from TAPCO, because we are able to upgrade portions of the existing software system that are still compatible and are necessary components of the total system, and by doing so we are able to recognize considerable cost savings.
3. Staff believes the total cost of \$14,418 for the software system and equipment to be fair and reasonable.

FUNDING: SSD-Public Works
(2704100 - 54.25001)

ALTERNATIVES:

1. Board approval of the \$14,418 purchase of FlexiExpert Softkey sign making software system and equipment from TAPCO of Elm Grove, WI, for Public Works and Park Services.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of equivalent replacement equipment for the lowest price.

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM N

ISSUE: Request Board approval of a \$18,700 annual renewal of the software maintenance support agreement for WorkDirector, CallLink, PavementView and PavementView Plus from Cartegraph, Inc., of Dubuque, Iowa, for Public Works and Park Services.

BACKGROUND: Public Works and Park Services has utilized the Cartegraph WorkDirector Software System as a method of taking and tracking routine and non-routine work orders for the past eight (8) years. The system provides not only information on the work in progress and completed by Public Works for the citizens of the County, but also provides information regarding costs for that work. This year, the Department has purchased and will be integrating the PavementView module which is a road surface grading system that will assist Public Works in rating the road infrastructure in the unincorporated area for resurfacing and other maintenance activities. In addition, within the next three (3) months the StormView module will also be integrated with the WorkDirector Software System, providing an inventory of stormwater management structures in the unincorporated area and enabling Public Works to keep track of inspections and work done in and on drainage structures. This software will be used to help meet the requirements of the County's NPDES Stormwater Permits. Maintenance and support for this software system is critical and becoming more so with each new module added since all of the activities and information regarding the day-to-day work order operations are contained on this system.

FACTS AND FINDINGS:

1. Cartegraph is proprietary software. There are no other vendors that can provide maintenance and support for this software. There is an 14% increase in price from last year due to the purchase and installation of two (2) additional software modules.
2. The additional modules being added to the system will address key infrastructure components such as road pavement condition and stormwater management structures.
3. Maintaining and preventing software system failures is critical to safeguarding the data contained within this system.

FUNDING: SSD-Public Works
(2704100 - 52.39001)

ALTERNATIVES:

1. Board approval of the \$18,700 annual renewal of the software maintenance support agreement for WorkDirector, CallLink, PavementView and PavementView Plus to Cartegraph, Inc., of Dubuque, Iowa, for Public Works and Park Services.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of maintenance support for safeguarding critical system data.

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM O

ISSUE: Request Board approval of a \$24,769 purchase of four (4) Canon Scanners with extended warranty from Entre Solutions, for the Office of the Superior Court Clerk.

BACKGROUND: The purchase of the Canon DR-9080C scanner for Superior Court Clerk is for working with the document imaging project for Superior Court Clerk File Division. These scanners are 90 pages per minute scanners and will replace slower and older scanners now in use.

FACTS AND FINDINGS:

1. These scanners are needed in order to scan documents more quickly and are working well for other county departments with higher volume loads.
2. This price includes three (3) years next business day on site warranty through a third party vendor, WACA, with a savings of \$3,480 direct from Canon.
3. Quotes were solicited and received from the following vendors:

| | |
|---------------------------------------|----------|
| Florida Micro Delray Beach, FL | \$24,769 |
| GHA Technologies, Inc. Phoenix, AZ | \$25,232 |
| ** Entre Solutions Savannah, GA | \$31,992 |
| ** MBE firm | |

4. On 27 March 1998, the Board approved a “local preference” policy which, when a firm from outside Chatham County submits the “lowest quote” the policy allows the lowest local vendor to match the “lowest” quote. If the local firm does match the “lowest” quote, the local firm is awarded the purchase. As indicated above, a non-Chatham County firm offered the “lowest low” quote. The Chatham County firm was asked if they would match the outside firms’ quote. As indicated, Entre Solutions, a MBE firm did match the “lowest” quote.
5. Staff believes that the total cost of \$24,769 for the purchase of scanners to be fair and reasonable.

FUNDING: General Fund/M & O - Superior Court Clerk
(1002180 - 54.25.001)

ALTERNATIVES:

1. Board approval of a \$24,769 purchase of four (4) Canon Scanners with extended warranty from Florida Micro LLC, for Superior Court Clerk File Division.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM P

ISSUE: Request Board approval of a \$18,270 sole source purchase for Windows Server 2008 Client Access Licenses from Dell Marketing, L.P. for I.C.S.

BACKGROUND: These licenses are needed to connect our workstations to the Active Directory. Currently, the County is not compliant.

FACTS AND FINDINGS:

1. State Purchasing awarded this sole source contract through a competitive process based on requirements and specifications of the Georgia Technology Authority.
2. These are new licenses are necessary to make the County compliant with our licenses through our Select Agreement with Microsoft.
3. Staff believes the cost of \$18,270 is fair and reasonable.

FUNDING: General Fund/M & O - I.C.S.
(1001535 - 53.17009)

ALTERNATIVES:

1. Board approval of a \$18,270 sole source purchase for Windows Server 2008 Client Access Licenses from Dell Marketing, L.P. for I.C.S.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary software agreements for County computer equipment.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM Q

ISSUE: Request Board approval to extend, on a “month to month” basis, the annual revenue generating lease of approximately 517 square feet of office space in the Courthouse Annex, to the First Judicial Administrative District, a division of the Judicial Council of Georgia, at a monthly cost of \$893 or \$10,716 annually.

BACKGROUND: On 23 July 2001, the Board approved an annual revenue generating lease agreement to the First Judicial Administrative District, a division of the Judicial Council of Georgia, to rent approximately 517 sq. ft. of office space located in the Chatham County Courthouse Annex.

FACTS AND FINDINGS:

1. The First Judicial Administrative District has requested to extend their current lease, on a “month to month” basis until “Master Plan” renovations of the Courthouse Annex are completed.
2. Cost is based on a market study of similar downtown office space at a square footage rate of \$18 (\$9,307 annually), plus a prorated cost of security based on 517 square feet (\$1,409).
3. The First Judicial Administrative District has agreed to the “month to month” extension, with all prices, terms and conditions remaining the same.

FUNDING: Revenue Generating

ALTERNATIVES:

1. Board approval to extend, on a “month to month” basis, the annual revenue generating lease of approximately 517 square feet of office space in the Courthouse Annex, to the First Judicial Administrative District, a division of the Judicial Council of Georgia, at a monthly cost of \$893 or \$10,716 annually.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide essential office space at a fair market cost to state and judicial entities.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM R

ISSUE: Request Board approval to extend the Memorandum of Agreement with automatic renewal options for four (4) additional one (1) year terms between the University of Georgia Research Foundation, Inc. and Chatham County in the amount of \$45,000 to provide testing of mosquitoes and wild birds for the detection of West Nile virus and other mosquito-borne diseases.

BACKGROUND: The Board approved at their meeting of 27 June 2008, a Memorandum of Agreement with University of Georgia to provide mosquito and wild bird testing by the Southeastern Cooperative Wildlife Disease Study.

FACTS AND FINDINGS:

1. The Memorandum of Agreement will expire on June 30, 2009. The University of Georgia has agreed to extend the Memorandum of Agreement with terms and conditions remaining the same.
2. Staff believes the total annual cost for mosquito and wild bird testing to be fair and reasonable.

ALTERNATIVES:

1. Board approval to extend the Memorandum of Agreement with automatic renewal options for four (4) additional one (1) year terms between the University of Georgia Research Foundation, Inc. and Chatham County in the amount of \$45,000 to provide testing of mosquitoes and wild birds for the detection of West Nile virus and other mosquito-borne diseases.
2. Provide staff other direction.

FUNDING: General Fund/M & O - Mosquito Control
(1005144 - 52.11001)

POLICY ANALYSIS: It is consistent with Board policy to extend contract and/or agreements when it is in the best interest of the County.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM S

ISSUE: Request Board approval to award a contract in the amount of \$199,621 to Kerby Enterprises, Inc. for the renovation of two (2) baseball fields at L. Scott Stell Community Park.

BACKGROUND: L. Scott Stell Community Park is located off Bush Road in west Chatham County. Inside the park is a four (4) field baseball complex known as the Jim Golden Complex. The Board has set aside funds to upgrade the complex. In addition, at the request of the Board, staff worked with Chain Baseball to identify improvements to the complex that could accommodate youth baseball programs. As a result, staff hired Kern Coleman Engineers to draft a field layout for differing age groups of youth baseball. The layout will expand the outfield fencing without impacting the sports lighting. This will open opportunities for additional youth baseball programs at the complex.

FACTS AND FINDINGS:

1. This project includes the removal and installation of fencing, backstops, and dugouts for two (2) baseball fields (Field #2 and #4), the installation of drainage improvements for the complex, and removal and replacement of concrete walkways.
2. This project was properly advertised and seven (7) bids were received and opened 28 April 2009. The bids are as follows:

| | |
|---|-----------|
| Kerby Enterprises, Inc. Bloomington, GA | \$199,621 |
| C.S. Thomas Construction, LLC Pooler, GA | \$244,090 |

| | | |
|----|--|-----------|
| | Lavender & Associates Statesboro, GA | \$247,639 |
| | Savannah Paving Company Brooklet, GA | \$271,111 |
| * | Delmonico Atlanta, GA | \$301,821 |
| * | Sandhill ALS Construction, Inc. Hardeeville, SC | \$305,998 |
| ** | E & D Contracting Services, Inc. Savannah, GA | \$394,141 |
| * | MBE firm | |
| ** | WBE firm | |

4. Staff believes the bid from Kerby Enterprises, Inc. to be fair and reasonable and well within the construction estimate.

FUNDING: CIP - Park Services
(3506100 - 52.22001 - 35030410)

ALTERNATIVES:

1. Board approval to award a contract in the amount of \$199,621 to Kerby Enterprises, Inc. for the renovation of two baseball fields at L. Scott Stell Community Park.
2. Provide staff with other direction.

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

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM T

ISSUE: Request Board approval to award a \$66,741 sole-source contract to Hasley Recreation and Design, Inc. for the purchase and installation of a 30'x 64' picnic shelter/pavilion at Lake Mayer.

BACKGROUND: On 19 December 2003, 28 May 2004 and 22 February 2008, the Board approved sole-source contracts with Halsley Recreation and Design, Inc. for these same shelters/pavilions for Tom Triplett Community Park, Runaway Point Park, Grays Subdivision and Runaway Point Park respectively.

FACTS AND FINDINGS:

1. The small picnic shelter/pavilion was originally constructed in the late nineteen sixties. It was later expanded in size by County Maintenance. This small shelter/pavilion is in demand and has contributed \$17,300 in revenue over the last three year period. The current condition of the structure prevents staff from renting it during or after it has rained. Staff, on occasion, refund the rental fee due to the roof leaks. It has been determined by staff that with all of the rotting wood and roof issues, that any further repairs would not be economically effective.
2. For continuity and standardization, staff believes continuing to sole-source these structures is in the best interest of the County. It is anticipated maintenance issues will cost less in the long term having this uniformity and allow staff to expedite repairs and purchases.
3. The new shelter/pavilion will be 30'x 64'. Revenue is expected to increase with the new larger structure.
4. Hasley Recreation and Design, Inc., Greensboro, Ga., provide the installation in accordance to all County codes. The frames are rated with a wind load of 140 mph.
5. Staff believes the price from Hasley Recreation and Design, Inc. to be fair and reasonable.

FUNDING: CIP - Recreation
(3506100 - 54.13009 - 35030327)

ALTERNATIVES:

1. Board approval to award a \$66,741 sole-source contract to Hasley Recreation and Design, Inc. for the purchase and installation of a 64'x30' picnic shelter/pavilion at Lake Mayer.
2. Provide staff other direction.

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

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM U

ISSUE: Request Board approval of the \$22,238 sole source purchase of two (2) Z589, 29HP Water Cool LC KAWA/ 72" deck commercial mowers from LawnMower Store, Savannah, GA for Public Works and Park Services.

BACKGROUND: The Park and Recreation Lawncare Section needs to replace two (2) existing lawn mowers that were purchased in 2002 that are worn out beyond repair. These lawn mowers are used to maintain all of the community and neighborhood parks within the unincorporated area of Chatham County.

FACTS AND FINDINGS:

1. The switch to commercial mowers verses the Bush hoe mower was made in order to increase productivity and to meet the Maintenance standards for cutting each park at least once a week. What makes the Z589's unique is that they are water cooled and the LawnMower Store is the only known local source.
2. Staff believes the price quoted by Lawnmower Store to be fair and reasonable.

FUNDING: General Fund/M & O - Park and Recreation
(1006100 - 54.25001)

ALTERNATIVES:

1. Board approval of the Sole Source \$22,238 purchase of two (2) Z589, 29HP Water Cool LC KAWA/ 72" deck commercial mower from LawnMower Store, Savannah, for Public Works and Park Services.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM V

ISSUE: Request Board approval of Change Order No. 1 in the amount of \$93,698 with E & D Contracting Services, Inc., to contract for the McQueen's Island Rails-to-Trails Stabilization Project.

BACKGROUND: At the 13 February 2009 meeting, the Board awarded a contract for the McQueen's Island Stabilization Project. Because of the almost one-year time period from the initial survey of damaged areas and meeting bidding requirements, the engineer has certified another 619 linear feet of damaged area. To ensure no further loss of trail, the contractor should be awarded a change order in a timely manner because of the additional work.

FACTS AND FINDINGS:

1. By terms of the contract, the contractor would be entitled to a change order since the stabilization of another 619 linear feet represents additional work.
2. The consulting engineer, Thomas & Hutton, has certified the additional work based on surveys. The engineer established station marks along the trail and has noted the additional 619 linear feet of damage.
3. In discussions with the contractor, and based on agreed upon pricing for labor, materials, equipment and overhead/profit, the unit cost would be \$151.37 per linear foot. This brings the total change order to \$93,698.
4. Change Order history:

| | | | |
|----------------|----------|------------------|-----------|
| Contract award | 02/13/09 | \$183,310 | |
| Change Order 1 | 05/22/09 | <u>\$ 93,698</u> | (pending) |
| | | \$277,008 | |

FUNDING: SPLOST (2003 - 2008) - Open Space, Green Space and Bikeways
(3234985 - 54.11011 - 32370427)

ALTERNATIVES:

1. Board approval of Change Order No. 1 in the amount of \$93,698 with E & D Contracting Services, Inc., to contract for the McQueen’s Island Rails-to-Trails Stabilization Project.
2. Board opt not to award a contract and direct staff to re-bid the additional work.
3. Board take no action.

POLICY ANALYSIS: By the County’s Purchasing Ordinance and Procedures Manual, any changes in contract terms and amounts require Board approval.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM W

ISSUE: Request Board approval to amend the professional services contract with George Bowen.

BACKGROUND: At the 19 October 2007 meeting, the Board approved a personal services agreement with George Bowen as part of a plan of action for managing more than 180 capital projects with a value in excess of \$325 million. The Board agreed to expedite projects by contracting with retired government and specialist employees to assist with project management responsibility.

FACTS AND FINDINGS:

1. The Board approved a contract in 2007 George Bowen, and in particular to work on the Courthouse project. Mr. Bowen is also managing the relocation of the Communications Tower from the Sheriff’s Department complex as part of the Detention Center Expansion.
2. Mr. Bowen previously served as the Deputy Superintendent for the Board of Education. He came highly recommended based on his previous background, especially in managing the school construction program and in serving as an U.S. Air Force officer handling large and complex projects.
3. Mr. Bowen’s specific scope of work focuses on the day-to-day responsibility for the Courthouse project. With the departure of the Special Projects Coordinator, he assumed responsibility for the project during design and construction.
4. Change Order history:

| | | |
|-------------------|------------|--------------------|
| Award of contract | 10/19/2007 | \$65,000 |
| Change order 1 | 05/09/2008 | Change rate |
| Change order 2 | 10/03/2008 | Contract extension |
| Change order 3 | 05/22/2009 | Contract extension |

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

ALTERNATIVES:

1. Board amend the professional services contract with George Bowen to extend the term for another period not to exceed \$75,000.
2. Board not amend the contract.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM X

ISSUE: Request Board to declare four (4) Ford Crown Victoria police vehicles as surplus and approve the sale of the vehicles to McIntosh County.

BACKGROUND: McIntosh County Sheriff's Department has lost four (4) vehicles early this month in an accident. Due to that, McIntosh County has requested that Chatham County sell to them four (4) used salvage vehicles. These vehicles are in our salvage due because it is not economical to maintain them any longer. However, due to McIntosh County's situation they are well suited. They looked at the vehicles and offer to purchase them.

FACTS AND FINDINGS:

1. McIntosh County has requested (see attached page 29) to purchase four (4) vehicles from Chatham County for the price of \$ 300 each.
2. The vehicles are in county salvage waiting to be auctioned.
3. If these cars were to be auctioned they may bring \$800 to \$1,200 each.
4. By State Law and County Policy, vehicles and equipment are disposed of when they reach the end of their useful life or are no longer required by Chatham County. Disposal is normally carried out by public auction. The County may also transfer these items to other government entities if it wishes.
5. Transfer to another governmental entity requires the approval of the County Commission. The Commission must also determine whether to donate the item at no charge, or whether to charge the Fair Market Value of the vehicle or some portion of that value.
6. The vehicles requested are from the Departments listed below:

| MODEL | DEPT. | UNIT | YEAR | MILES | VEND # |
|-------------------|-------|------|------|--------|-------------------|
| CROWN VIC POLICE | | 830 | 2004 | 134947 | 2FAFP71W14X166218 |
| CROWN VIC POLICE | | 833 | 2004 | 115663 | 2FAFP71W84X121941 |
| CROWN VIC POLICE | | 837 | 2004 | 119039 | 2FAFP71W54X166223 |
| CROWN VIC SHERIFF | | 755 | 2000 | 134930 | 2FAFP71W5YX144728 |

FUNDING: Revenue Producing - No funds required

ALTERNATIVES:

1. Board to declare four (4) Ford Crown Victoria police vehicles as surplus and approve the sale of the vehicles to McIntosh County.
2. Board to declare these vehicles surplus and approve the donation of the salvaged vehicle to McIntosh County for a set price.
3. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve a request to declare an item surplus and authorize the transfer to another municipality.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM Y

ISSUE: Request Board approval to award a \$24,899 construction contract with Kerby Enterprises for the replacement of the timber bridge at McQueen’s Trail.

BACKGROUND: As part of the McQueen’s Island Rails-to-Trails Stabilization Project, the timber bridge on the western section near mile 2.75 must be replaced. The bridge has collapsed. Thomas & Hutton Engineering designed a new structure based on the weight and width requirements for equipment from Public Works & Parks Services.

FACTS AND FINDINGS:

1. Chatham County released bidding documents for the replacement timber bridge. The County received seven (7) bids, as follows:

| | |
|--|----------|
| Kerby Enterprises Bloomingdale, GA | \$24,899 |
| E & D contracting Services, Inc. Savannah, GA | \$28,310 |
| Alpha Construction Co., Inc. Savannah, GA | \$29,676 |
| PINCO Garden City, GA | \$40,100 |
| First City Utilities Savannah, GA | \$43,595 |
| Johnson Marine Construction Savannah, GA | \$48,267 |
| Alloy Industrial Savannah, GA | \$69,727 |

2. Kerby Enterprises presented the lowest, responsible bid.

FUNDING: SPLOST (2003 - 2008) - Open Space, Green Space and Bikeways (3234985 - 54.11011 - 32370427)

ALTERNATIVES:

1. Board approval to award a \$24,899 construction contract with Kerby Enterprises for the replacement of the timber bridge at McQueen’s Trail.
2. Board opt not to award a contract and direct staff to re-bid.
3. Board take no action.

POLICY ANALYSIS: By the County’s Purchasing Ordinance and Procedures Manual, any changes in contract terms and amounts require Board approval.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM Z

NOTE: The opening of bids will not enable distribution of this award of construction until Wednesday after release of the agenda. Because of the desire to award this project in May, staff will present this item as an addendum on Wednesday, May 20.

ISSUE: Request Board award a contract for construction of a new Animal Control Shelter.

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.

1. **AT ISSUE IS A REQUEST TO REZONE APPROXIMATELY 19.39 ACRES FROM THE BC (COMMERCIAL BUSINESS) AND M (MANUFACTURING) ZONING CLASSIFICATIONS, TO A B (BUSINESS) ZONING CLASSIFICATION. THE SUBJECT PROPERTY, LOCATED AT 3609 OGEECHEE ROAD NEAR THE I-516 ON-RAMP IS A VACANT FORMER SAM’S CLUB LOCATION AND IF REZONING IS APPROVED WILL BE REPURPOSED IN PART TO ACCOMMODATE A COMMERCIAL/RETAIL HEATING AND AIR CONDITIONING BUSINESS THAT WOULD NOT BE ALLOWED IN THE CURRENT ZONING DISTRICTS.
MPC FILE NO. Z-090331-00020-1
[DISTRICT 5.]**

ACTION OF THE BOARD:

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

AGENDA ITEM: XI-1
AGENDA DATE: May 22, 2009

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

ISSUE: At issue is a request to rezone approximately 19.39 acres from the BC (Commercial Business) and M (Manufacturing) zoning classifications, to a B (Business) zoning classification.

BACKGROUND: The subject property, located at 3609 Ogeechee Road near the I-516 on-ramp is a vacant former Sam’s Club location and if rezoning is approved will be repurposed in part to accommodate a commercial / retail Heating and Air Conditioning business that would not be allowed in the current zoning districts.

FACTS AND FINDINGS:

1. **Public Notice:** As required by the City of Savannah Zoning Ordinance, all property owners within 200 feet of the subject property were sent notices of the proposed rezoning and postings were placed on the site.
2. **Existing Development Pattern:** The land uses and zoning districts surrounding the subject property include:

| <u>Location</u> | <u>Land Use</u> | <u>Zoning</u> |
|-----------------|-----------------|---------------|
| North | Commercial | BC |
| East | Residential | R6 [1] |
| South | Manufacturing | M |
| West | Commercial | BC |

[1] Single Family Residential

2. **Transportation Network:** The property is accessed from Ogeechee Road. The proposed rezoning will not alter the traffic pattern. Public transportation is available via Chatham Area Transit Bus #17 with a stop approximately 200 feet from the subject property.
3. **Public Services and Facilities:** The property is currently served by the Metropolitan Police Department, and Cit fire protection, water and sewer. The proposed rezoning will not affect these services.
4. **Proposed (B) Zoning District:**
 - a. **Intent of the B District:** The purpose of this district shall be to create and protect areas in which heavy commercial and certain industrial-like activities are permitted.
 - b. **Allowed Uses:** The uses allowed within the B district appear in the attached chart.
 - c. **Development Standards:** The development standards for the B district appear in the attached table (Table 1).
5. **Existing (BC) and (M) Zoning Districts:**
 - a. **Intent of the BC District:** The purpose of this district shall be to provide community shopping facilities consisting of a wide variety of sales and service facilities at locations that will be accessible to a market area containing from 35,000 to 70,000 people.
 - b. **Intent of the M District:** The purpose of this district shall be to create and protect areas in which nuisance producing manufacturing activities and non-manufacturing uses closely related to such activities will be permitted.
 - c. **Allowed Uses:** The uses allowed within the BC and M districts appear in the attached chart.
 - d. **Development Standards:** The development standards for the BC and M districts appear in the attached table (Table 1).
6. **Land Use Element:** Botj the property in question and the adjacent properties are designated as Commercial on the Tri-Centennial Comprehensive Plan Future Land Use Map. The existing building is designed and built for an intense commercial use with adequate setbacks from roadways, homes and other businesses. The proposed use will occupy approximately one third of the existing building.

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 that is generated by uses permitted under the current zoning district to the detriment of maintaining acceptable or current volume capacity (V/C) ratio for the streets that provide vehicular access to the proposed zoning district and adjacent and nearby properties?
- Yes _____ No X
5. Will the proposed zoning district permit uses or scale of development that would require a greater level of public services such as drainage facilities, utilities, or safety services above that required for uses permitted under the current zoning district such that the provision of these services will create financial burden to the public?
- Yes _____ No X
6. Will the proposed zoning district permit uses or scale of development that would adversely impact the improvement or development of adjacent and nearby properties in accordance with existing zoning regulations and development controls deemed necessary to maintain the stability and livability of the surrounding neighborhood?
- Yes _____ No X
7. Will the proposed zoning district permit development that is inconsistent with the comprehensive land use plan?
- Yes _____ No X

ALTERNATIVES:

1. Approve the petitioner's request to rezone the property from BC and M zoning classifications to a B zoning classification.
2. Deny the petitioner's request.

POLICY ANALYSIS:

The purpose of the business (B) district is "to create and protect areas in which heavy commercial and certain industrial-like activities are permitted." The proposed rezoning is very consistent with the overall character of the area and its most likely future development pattern. If approved, this rezoning would allow for the reuse of a long abandoned structure which serves as the cornerstone of a busy commercial corridor.

RECOMMENDATION: The MPC and Director of Building Safety and Regulatory Services recommend **APPROVAL** of the request to rezone the subject property from BC & M classifications to a B classification.

PREPARED BY: Jim Hansen, AICP, Director
Development Services

April 21, 2009

Gregori Anderson, Director
BUILDING SAFETY AND REGULATORY SERVICES

| Table 1: Comparison of Development Standards for the Existing BC & M and Proposed B Zoning Districts | | |
|--|---|---|
| | BC & M Districts | B |
| Minimum Lot Area | N/A | N/A |
| Minimum Lot Width | N/A | N/A |
| Front Yard Setback | 85 feet from the centerline of the right-of-way | 85 feet from the centerline of the right-of-way |
| Minimum Side Yard Setback | BC district 10 feet M district 25 feet | 0 feet (does not abut residential) |
| Minimum Rear Yard Setback | BC district 10 feet M district 25 feet | 0 feet (does not abut residential) |
| Maximum Height | N/A | N/A |
| Maximum Building Coverage | N/A | N/A |
| Maximum Density | N/A | N/A |

MPC File #: Z-090331-00020-1
 3609 Ogeechee Road
 Harold Yellin, Agent
 District 5

MPC recommends that the following described property be rezoned from its present B-C (Commercial Business) and M (Manufacturing) classification to a B (Business) zoning classification.

LEGAL DESCRIPTION

Beginning on a point located at the intersection of the centerline of I-516 and Ogeechee Road, thence proceeding in a southerly direction along the centerline of I-516 a distance of approximately 1723 feet to a point, thence westerly along a line North 73 degrees 06 minutes West a distance of approximately 645 feet to a point, thence northerly along a line North 16 degrees 57 minutes East a distance of approximately 384 feet to a point, thence in a northwesterly direction along a line North 15 degrees 06 minutes West a distance of approximately 510 feet to a point, thence northeasterly along a line North 71 degrees 53 minutes East a distance of approximately 293 feet to a point, thence northerly along a line North 17 degrees 18 minutes East to its intersection with the centerline of Ogeechee Road, thence easterly along the centerline of Ogeechee Road a distance of approximately 114 feet to a point, thence southerly along a line South 10 degrees 00 minutes East a distance of approximately 58 feet to a point, thence southwesterly along a line South 65 degrees 13 minutes West a distance of approximately 24 feet to a point, thence along a line South 72 degrees 45 minutes East for a distance of approximately 25 feet to a point, thence along a line South 14 degrees 02 minutes East a distance of approximately 42 feet to a point, thence easterly along a line North 56 degrees 36 minutes East a distance of approximately 44 feet to a point, thence northwesterly along a line North 13 degrees 16 minutes West to its intersection with the centerline of Ogeechee Road, thence easterly along the centerline of Ogeechee Road a distance of approximately 790 feet back to the point of beginning.

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

P.I.N.: 1-0706-01-013, 014

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XII. SECOND READINGS

1. AMENDMENTS TO THE CHATHAM COUNTY REVENUE ORDINANCE FOR CHANGES TO THE PARKING GARAGE FEES AND WATER AND SEWER FEES; AND TO APPROVE A SOLID WASTE FEE AND NEW RECREATIONAL FEES.

County Manager Abolt said, Mr. Chairman, if I may make the presentation. It's two parts. Because of the adjustments to the water and sewer rates, you have to have a public hearing on that, but I do want to, even though I know each member of the Board is well aware of the financial situation, I want to make sure it's very clear to the general community what you have done and are being called upon to do as stewards of County expenditures, but particularly your responsibilities as I always liken to the city council of the second largest city in the unincorporated area representing 77,000 people. As that city council, I address you by indicating what you're already well aware of, the SSD has been in trouble for no less than six years. We have been living on savings, which means non-reoccurring revenue. We continually to financially put ourselves in peril and to use plain spoken words by a person I will not identify, who's not on staff but his words say it better than I, we're looking at a train wreck. The SSD is in dire shape.

Last year looking at it, we knew we could get by for one more twelve-month period by relying on our savings. I had asked Ms. Cramer, as you have supported in the past, to make sure, number one, we adhered to your financial policies, but even before we began to put first pencil to paper on this budget, I said I wanted a five-year projection on where we were with the SSD budget. She did that. This was in January and this was before we fell further into the world economic crisis we're in, but at that time looking at five years out and making an assumption, a very conservative assumption we thought at the time of a 3% digest growth — 3% —, Ms. Cramer said to me that I would have to recommend just based on the numbers a millage increase for this year and next one mill per year. That obviously is not acceptable from the standpoint of the common sense argument on those most affected by it — the property taxpayer. But that does not lessen the significance of that information, nor does it detract or take away from my fiduciary responsibility to tell you —, and realize full well you'll make the final decision as the board of directors —, but I will tell you up front that this is a train wreck. This is a problem that is not going to go away. A solid waste fee is not going to solve the problems in the SSD. When you look at what was done to balance the budget without a tax increase, we have many high profile cuts which you are all well aware of, in those few departments which comprise the Special Service District: Building and Safety, Public Works, Metropolitan Planning Commission and the Metropolitan Police Department. Those cuts are of some consequence. In some cases, the cuts in the Metropolitan Planning Commission and the Building Safety can be inflated and brought back up, to use a more appropriate word, once the revenue starts coming in from new building permit activity. It will not so happen in Public Works.

I have a budget that's balanced with a \$1.1 million cut already in the Public Works Department after, number one, I made an assumption that that \$85 fee would be there and I still — still had to dip into the savings account, the last bit of dollars we had short of our essential reserves almost \$1.6 million. This is not the way to run this business. We are in serious trouble in the SSD. If you look at the paper as I do occasionally, there's been some argument as to the justification for the fee in light of the digest growth. You heard Mr. Lower here a few days ago talk about 1½% if we get it. Ladies and gentlemen, if we get it, Ms. Cramer tells me that will mean we will have \$240,000 more in the SSD. That's not enough to address the entire problem of SSD. It's not enough to obviate anything of any consequence which I recommended to you. In my estimation, it makes perfect sense for this city council of this second largest city to say to those people who benefit from dry trash, those residential customers, that they should pay a fee like everyone else does in the incorporated areas of Chatham County. It is a fee, it is not a tax. Yes, it replaces some ____ tax. I obviously have not recommended the current tax reduction because of the compelling train wreck we're about to experience.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, Mr. Chairman, I would just state that if we were a city council for the second largest city in the County, we would have to be the worst city council in the State of Georgia. Basically, what we have here now is we have our city, us being a council, what we are now doing is we are giving as a service to our city police service, period. Everything else now is cut to the bone. Cutting the Public Works Department, which already needs a lot more money, they can't even mow grass in areas that needs grass cut, they can't dig ditches that needs to be dug out, they are already cut to the bone and not as far as money, it's pathetic what they're able to do because of the amount of monies that they get. Cutting that is terrible and please don't fool ourselves into some type of feel good situation that we're not raising taxes because a solid waste fee — the proposed solid waste fee would generate \$1.5 million in revenues, which translates into a .35 mill increase in property taxes if we chose to take the route that I guess is more obvious. It's the same thing. Call it what you want to. It's a .35 mill increase without us putting a mill increase out there. If staff recommended a one mill increase this year to cover things, that actually alone, just that fee solves almost half of that problem all by itself. So, you know, it's a millage rate increase no matter how you look at it.

The reality of it is, is a few years back, and I honestly — I guess I do — I hate that I was so right now at this point, but I was right when I was the lone person voted against those departments. I knew that this would take place and it's here and it's hitting us like a train wreck. We now have a police budget that has gone from four years ago in the 4,000,000 range to now requested over \$15,000,000. That's all these people in the unincorporated area is going to get now is police protection. And if that's what we're happy with as city council members, so be it. But to address this one issue alone on the .35 mill property tax that we're basically implementing, if this is approved today, why not just split it.

Why not, if worst case scenario, let's eliminate that type of service period and let people call in that wants it. If they want to call for a pickup, let's charge a fee for that particular pickup and that away [sic] the people that utilize it, they can pay for it if they want to have that service, and, you know, I just think that — I think it's a great service, I think it's a shame for — to cut any service we provide in the unincorporated area because we really don't do anything for them as is for the tax dollars other than police protection.

They pay for their own fire department for their own fire protection. The entire County chips in as far as recreation monies and, you know, street lighting districts, they pay for that. We don't do a lot for them as is. So, you know, let's just call them a police district instead of the city or whatever on that. Anyhow that's it. I recommend — I think that we need that we need to split this into three separate votes on the second reading. One should be, in my opinion, garage fees. The next vote should be on raising water and sewer fees, and the third should be to approve a solid waste fee.

The first one I definitely — garage fees — I have no problem raising the fees of the garage. Water and sewer fees, I would like to hear an argument of why they should actually be raised because they seems pretty decently priced right now, and the third, solid waste, I don't believe we need to do it. I think we ought to look at the areas that really should be cut, which is the amount of monies we're being asked to pay. County Manager Abolt said, there's also park fees in there, too, sir.

Chairman Liakakis said, one of the things too though, we've got to look at, this County Commission previously has voted for fees. Just like every city that we have in Chatham County and fees are all over the State of Georgia in every city and every county. This is a fee that's set out for operation, just like the City of Savannah. Fortunately, they've got a lot more things that they can get fees. We don't have the income that they do from fees, but what you just said, it contradicts exactly what you said. The sewer fee that we should go ahead on it, we could consider that as a tax. Commissioner Kicklighter said, no, I said, we shouldn't. I think it's high enough, the water and sewer fees. Chairman Liakakis said, well, it's a fee increase to begin with. Commissioner Kicklighter said, yeah, and I don't support it. Chairman Liakakis said, well, you just said that you thought it was good. Commissioner Kicklighter said, no sir. I said I could support raising the parking garage fee. Chairman Liakakis said, the parking garage fee then. Let's got to the parking garage fee. It's a fee, and anyway we need to look at this budget because we've got a responsibility to our citizens, and the other thing is we provide a huge amount of services. It's just not police and recreation that we're required by State law. There's six court systems that we have here, the Health Department that we have —.

Commissioner Kicklighter said, that's a different budget, Mr. Chairman. Let's not confuse the two budgets. We're talking SSD in a train wreck. Chairman Liakakis said, no —. Commissioner Kicklighter said, M&O is our countywide paid budget, which is pretty much fine because we didn't merge an entire County police together. We merged the Chatham County Special Service District Police Department with Savannah's and bloated that budget over. So, just — let's just tell the citizens like it is. We're paying an astronomical amount for police services now and we're either going to have to cut everything else almost completely out or increase their taxes, however which ever way we want to call it. If we all feel good calling it a fee, have at it and vote it through, but I think we need to face the reality and do the proper thing and get the police budget in order.

Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell said, at this juncture in the discussion, I would like to ask for a motion to table for the very — for the purpose of we have a Special Service District budget hearing on Tuesday, the next working day after today. The reason I would like to table it is I would like to see what the other option is. We've been presented one option to balance the Special Service District budget. Before I'm prepared to vote on this one option, I would like to see what another option would be to balance the budget without this new fee in the Special Service District for the solid waste. I'd just like to be able to see the two of them. Commissioner Kicklighter said, second.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I agree with Commissioner Farrell that I think that it would be appropriate to wait until we hear from the departments within the Special Service District, but also something that, Mr. Abolt, that you said that alarmed me. You said that this \$85 fee, you've already calculated that in before we've even approved it. County Manager Abolt said, yes ma'am. Commissioner Stone said, and that's not right. County Manager Abolt said, yes, it is, ma'am. I have a responsibility to make a recommendation to you on a budget plan, balance it. I did that. I —. Commissioner Stone said, but it's being balanced with something we haven't approved. County Manager Abolt said, that's why I'm recommending it to you. I cannot fully do my job for you in preparing a proposed budget, not a budget without exploring all the objections available. Otherwise, I would not be doing my job. It is a recommendation. This budget is a recommendation. It's not the County's budget. What you adopt the end of June is a budget. Just like every other staff report you have in here, it is a recommendation, but I feel very strongly about what the Chairman said, this is in this case a fee. It is more than justified. It is not going to solve the problems in the SSD, but I don't think it's fair to imply the property taxes should be used to address something that is truly service oriented. Now when you talk about options, I'm not trying to threaten — I would never do that, but as we all know the County in a Special Service District is primarily relying upon property taxes. So if you're looking at options, essentially those options we have are, number one, to cut the service or cut services, cut more, or to in effect look at a property tax increase. Those are the only sources of revenue I have.

Commissioner Stone said, I understand that, but then you made the statement that this solid waste fee would not solve the problems of the SSD. County Manager Abolt said, yes ma'am.

Commissioner Odell said, point of parliamentary procedure. If we have a motion to table, as a matter — not to be a lawyer —. Commissioner Thomas said, no further discussion. Commissioner Odell asked, — does that cut off the discussion?

County Attorney Hart said, I'm sorry. I was out of the room when there was —. Commissioner Odell said, you're here now. Does that cut off the discussion? County Attorney Hart said, yes. Commissioner Thomas said, yes.

Commissioner Kicklighter said, I would withdraw my second where Commissioner Shay can speak, if I can do that. I don't know. Can I withdraw the second to that? County Attorney Hart said, you can withdraw — the maker of the motion can withdraw the motion or ask for another second. Commissioner Kicklighter asked, will you withdraw and let Commissioner Shay speak? Commissioner Farrell said, yeah.

Chairman Liakakis said, we've got a withdrawal.

Commissioner Stone said, I just wanted to finish real quickly. You said that this solid waste fee would not solve the problems of the Special Service District, so what we're looking at right here is a band-aid. County Manager Abolt said, yes ma'am. We've looked at band-aids for six years. Commissioner Stone said, okay. I just —. County Manager Abolt said, and if times had been better and based on Ms. Cramer's forecast, which we've relied upon repeatedly, you would have had a budget in front of me that would have recommended what amounted to a mill tax increase in the SSD. I chose not to do that. Commissioner Stone said, okay. I just wanted to be very clear about what that fee would mean in the long term. It would not — it would not be the overall repair that we need for the Special Service District budget.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, a couple of quick questions and then I'll get out of the way of the motion. Currently, is dry trash removal provided to any property owners other than single family residences? County Manager Abolt said, my understanding is the answer is no. It's just a residential service. Commissioner Shay said, it is purely a service that is provided for only to residential single-family property owners —. County Manager Abolt said, correct. Commissioner Shay said, — presently, but the tax is paid by all of the property that is valued in the Special Service District. County Manager Abolt said, yes sir.

Commissioner Shay said, the second question is at the end of the paragraph that starts Section 3, Solid Waste Fees, there's a sentence that says, "Penalties and due dates will be the same as indicated on the tax bill." It basically points out that this fee would be notice to the residential single-family customers, if it passes, on the tax bill. The penalties and due dates will be the same as indicated on the tax bill. My question is will failure to pay ultimately result in an involuntary sale of the property? County Manager Abolt said, I defer to the County Attorney. Commissioner Shay said, in other words, it's —. Commissioner Farrell said, the Tax Commissioner's here. Commissioner Shay said, I mean, is it —. Chairman Liakakis said, he knows more than the Tax Commissioner. Commissioner Shay said, well, I just asked a question and whoever wants to answer it, can answer it, but I want to know the answer. Chairman Liakakis said, well, I think the County Attorney, because he's our legal adviser.

County Attorney Hart said, if you wanted to make it a lien against the property, you're probably going to have to, as part of the fee process in the ordinance amend it because you just can't create liens out of nowhere. You've got to have some underlying ability to do that.

Commissioner Shay asked, so the ordinance that we may or may not adopt, or the change to the ordinance, the Revenue Ordinance changes, that we may or may not adopt, does not currently have a provision for liens? County Attorney Hart said, no sir. Normally we either cut off the service or reduce it to judgment, and then we put it on the general execution docket. When you put it on the general execution docket, it becomes a lien. Commissioner Shay said, I just want to play what-if here. I mean, as a resident within the city limits of the City of Savannah, if I choose not to pay the waste collection fee to the City of Savannah because they also control my water and sewer, they'll shut off my water and they'll get my attention pretty quickly that way. Since we don't provide water or sewer services in the same area, I'm just concerned that, you know, people might not pay it.

County Manager Abolt said, it's legitimate, if I may, before the Tax Commissioner responds. We have the other options which I chose not to do because, remember, this was initially introduced in the context of recycling fee and I felt that that juncture this is hand in glove with that, but this is a charge and, yes, it's a charge that is broadly applied to provide the specificity, the individual attention to a property owner, a homeowner, when it comes to do I get the service or not adds yet more cost to it because it requires administration. But then you must also reflect on days not like today, but days when the wind starts blowing, and this loosely-called dry trash service is essential to cleaning up our County.

Commissioner Shay said, but if the service isn't provided to anybody other than single-family homes, then the limbs don't know whether they land in an apartment complex or a parking lot. I'm not trying to be —. County Manager Abolt said, again, that's — excuse my term before the common sense test, we are not marketing this nor would we attempt to supplant the responsibilities of commercial development. But when it hits the fan, folks, we provide the service as best we can and where not necessarily [inaudible] careful — we're not necessarily discriminating on where those limbs fall. Commissioner Shay said, one of the problems I've always had with the idea of providing this particular kind of service and then paying for it out of property tax that's levied against everybody is that there seems to be an inequity there inherent in the fact that if I own an apartment complex or — I don't — but if I owned a commercial property, I'm being levied pretty heavily for a service that's provided to others. Now, that's fine. I mean, you can say the same thing

about the jail. None of us use the jail and we all have to pay for it, but one of the things that I think is sort of inherently inequitable about using property tax for a service that's only provided to single-family residential customers is — I guess at the end of the day, is one of the options that we have, Mr. County Manager, to just not provide this service other than as, you know, in the context of CEMA or immediately after storms?

County Manager Abolt said, well, what I would have to do, sir, if you choose not to take my recommendation, I would have to with Ms. Cramer's help look at where reductions could be made, but they would have to be made in the Public Works Department. And I'm very careful about this. I know that there's some misunderstanding possibly on how the budget is put together, but I have always avoided appearing even subtly to threaten. This is not a threat. I don't want to come to you today, realizing that this is a difficult decision for you all to make, but I don't want to say well if you don't do this, then I'm going to do this. I will never do that. I will always do what you tell me at the end of the day, but I just want you to understand going into this how the end of the day might look.

Commissioner Shay said, and one of the things that I just — and I'll finally be quite after I say this — I'm concerned as somebody who represents people who live in Thunderbolt, many people who live in the City of Savannah, and some who live in the unincorporated area, not a few, that if we continue on the path of, for lack of a better term, impoverishing the Special Service District to the point where it no longer serves any real purpose, then ultimately what will happen is that all those costs will be transferred over to countywide M&O and the people like me that live inside the City of Savannah and have these services are going to end up getting double taxed for it, and I don't think that's fair. I don't think that we can just consider how to preserve the low rate, relatively speaking, that those people in the Special Service District pay whether it's for policing or whether it's for trash pickup or for other things to the point where we basically bankrupt and put out of business the Special Service District. And with that I'll close.

Chairman Liakakis said, Dean [Kicklighter] and then Priscilla [Thomas]. I want to hear from the [Tax] Commissioner, he's been up there. Dean [Kicklighter]?

Commissioner Kicklighter said, I just want to make it clear that, Mr. Abolt, I respect the job you have to do. You have to present us with a balanced budget and you surely couldn't fix a police merger budget problem by yourself within the short amount of time that it took this long to get to this current state that we're in, and I just want everyone to know that I didn't mean to imply, and I definitely do not want any type of property tax increase at all. I simply want us to get, I guess, our own house in order, see where the bloated expense is, and that's in what we're paying right now for police services, and we need to offer an amount that's sufficient to cover the area. I hopefully shortly, which you've all actually seen, will be receiving some information that we should have had back in '03 and '04 of what actually we're getting for our monies. I believe we're going to be shocked as to what we're actually getting, and I think that's going to be a good start for us to pay proper prices and — for police services. And, you know, we can't cut everything for the unincorporated area and just provide them with one service, and that's what we're looking at here. You know, I think we need to either, like Commissioner Shay said, we either need to just eliminate the dry trash pickup service period and keep a truck out there. If someone really needs it, they can call and pay for that individual pickup, but taxing all of the homeowners out there for a service that not everyone uses, I mean, taxing it however you want to look at it there, it's just not right, and a fee to me would be something that we, basically when you're taking this amount, would be — if we created some type of new service for the citizens in that area and said if you want it you can opt in for X-amount of money, that's not so bad, but when we're talking about a service that they've had for years and years and all of a sudden they're going to pay a fee for it, it's a tax increase no matter what we want to try to call it. And that's it, and I'm not supporting any type of tax increase.

Mr. Danny Powers, Tax Commissioner, said, yes. As you know, I was here previously to speak on this issue when it was — when we were discussing the recycling fee. Now we're on dry trash or whatever it's called now. I'm concerned about the public awareness on this issue. Okay? I mentioned to you previously when I was here the HTRG has gone away. The State — you were talking about the State all day, we've been making statements here about the big train wreck, well we're going to have another one on these property tax bills. Here's where the big train wreck's coming. You've got — people are going to automatically get an increase \$200 to \$300 on their property tax bill.

Chairman Liakakis asked, in which way? Explain that.

Mr. Powers said, because the State took away their funding on the HTRG exemption, and it's going back on the tax bill. Okay? Now — I know where Russ [[Abolt] is, I hate to sit here and do this, but \$85 more on the Special Service District is going to put somewhere in the range of \$300 to \$400 out there per resident. Okay? And the way escrows work, they work a four month, I guess, buffer that they require on escrow payments on a mortgage. Okay? So they're going to take four months of somebody — they're going to send them a notice and say you've got your taxes that are increased, what have you, fee, tax, it's the same, okay, has increased. Now you're looking at the mortgage company having a buffer in there of about \$1,200. You're going to look at a homeowner that's going to potentially end up with an increase on their mortgage payment of somewhere around \$100 a month. Commissioner Thomas said, filing for bankruptcy. Mr. Powers said, now we haven't thought of these issues, but these issues, they're legitimate and they are there, and it will happen. Escrows will change, escrows will increase.

Chairman Liakakis asked, where do you get the \$300 or \$400 that you're talking about because this is \$85 — Mr. Powers said, the HTRG — Chairman Liakakis said, listen. This is \$85 for this particular service. Whether we vote on it or don't vote on it — Mr. Powers said, yeah, it is. Chairman Liakakis said, — it's only \$85 for the whole year. It's not —

Mr. Powers said, that's right, this is \$85 for the whole year and the HTRG is anywhere from \$200 to \$300. Okay? Multiply that times four. They take a four month and prorate it out, so you're going to — you could potentially see somewhere close to \$100 a month increase in someone's mortgage. Mr. Powers said, yes sir.

Chairman Liakakis recognized County Attorney Hart.

County Attorney Hart said, the typical way a mortgage escrow works is they have a float in there and they'll have probably a two and a half or three month float. There's a federal act that controls how escrows work for mortgage banking because in the old days they used to pump up the escrows and make money on the escrow accounts. They can't do that anymore. They have to have escrow disclosure at every real estate closing that happens in the United States now that has an escrow account, and what will happen will be they will — what will happen is the \$300 or \$400 — \$385 comes along, the \$85 is not going to be paid through escrow. Okay? That's number one. Number two, is if there's a \$300 shortage, then there's going to end up at the end of the year being an escrow shortage and there's probably going to be a float to cover it. Now they'll readjust the float, but what they normally do on a readjusted float is send you a notice saying your escrow is going to go up \$18 a month over the next twelve months to get them back to where they need to be, and —.

Mr. Powers said, or either you've got to make a substantial contribution to your escrow and —. County Attorney Hart said, I don't know when anybody —. Mr. Powers said, and that fee will be in escrow, Jonathan [Hart], because street-light is currently escrowed. I get the pay —.

Commissioner Shay said, mathematically it doesn't make sense that you would increase \$100 a month for something that would cover \$300 a year. Mr. Powers said, if it —. Commissioner Shay said, let me just —, we don't really need to debate the wisdom —. Mr. Powers said, I just —. Commissioner Shay said, of the State placing another tax burden on these same people. The State in its wisdom has chosen to do that, you know, and we're just going to have to learn to, you know, all of us to live with it.

Mr. Powers said, there's going to be a tax increase if the — at the end of the year, okay. Commissioner Shay said, correct. Mr. Powers said, and they are going to be some escrow shortage and there's going to be people calling, you know, wanting to know what's going on, and this is going on the Chatham County tax bill, and what I want you to provide me, provide me with a phone number and a contact person who the taxpayer should call in regards to this situation.

Commissioner Shay said, well, maybe in the tax bills we'll just send a list of who the State Legislators are in the district, but —. Mr. Powers said, I mean, this is your \$85 fee. Commissioner Shay said, but — Danny [Powers], we're debating whether or not to have an \$85 fee. Don't stand in front of a TV camera and talk as if it already exists, alright. Let's be fair. We're going to notify the people that are out there of what's going on. Let's be fair about it and talk about something that we're deliberating on not as if it already exists. Mr. Powers said, no, I'm not saying that it exists. Commissioner Shay said, you said in the positive and affirmative that it already is going to be on their tax bills. We don't know that yet. Let's be fair.

Chairman Liakakis recognized Commissioner Thomas.

Mr. Powers said, getting touchy there. Commissioner Shay said, it's going to get a lot touchier too.

Commissioner Thomas said, thank you, Mr. Chairman. Mr. Tax Commissioner, [inaudible because microphone was not turned on]. Mr. Powers said, yeah, that's the Homeowners Tax Relief Grant that was established several years ago. Commissioner Thomas said, okay, Homeowners Tax Relief Grant. Mr. Powers said, yes ma'am. Have we, and I know that the only option that we have at this point are the property taxes. Are there any other areas out there, have we explored to see whether we can do something other than just on property taxes?

County Manager Abolt said, yes ma'am. Remember you — I know you well remember when we briefed you, in the Special Service District in addition to this, you know, we looked at Storm Water Utility, but that will not be perfected to a status that I can bring it back to you until the Fall of the year. But we can do these things, but you're still dealing with a corporation, in this case Special Services, the second largest city, that in the main derives its revenue from property taxes. We're doing the best we can, but we're doing it in the context of when all is said and done the type of fees that can be talked about, you know, whether they're \$85 a year for what amounts to five visits a month by a refuse truck versus raising fees in other aspects of Special Service District is a very hollow answer to a question that has to be addressed by this city council, and it has to do with living on our savings and even on the issue, Mr. Curl and those have reported that to realize that my recommendation based on all those services to include the Metropolitan Police Department are based on what I believe to be our benefit derived by the citizens of this unincorporated area. My recommendation and the cuts that I've recommended in the MPD are reflective of what I understand to the type of work that goes on in the unincorporated area. So if this were a city council only, and you were to say, Mr. Manager, why are you making what amounts to annualized, you know, \$1.2 million reduction in the police department, I'll say because we're not getting the service. So I don't want to imply that just because the agreement said what it did a number of years ago that staff nor have you been unmindful of the need to change that agreement, you have been unsuccessful in doing that. We still have to deal with balancing the budget. My budget recommendation says, number one, to our partners, the City Council, we're not going to back off of our funding agreement until the first of January when their new budget comes into effect, but, number two, I can only justify to my city council what would amount to an annualized reduction of \$1.2 million a year in annual expenditures for the MPD.

Commissioner Kicklighter said, Mr. Chairman.

Chairman Liakakis said, let's do this. Mr. Powers said, I just want to make a final statement. My only intention here today was to make you aware and hopefully the public aware of potentially what is going to happen in September when the tax bills go out. Thank you. Chairman Liakakis said, okay. Commissioner Kicklighter said, thank you.

Chairman Liakakis said, okay, listen. Let's do this right now because we can go on and on with this because we're supposed to have a public hearing on the water and sewer rates, and then you come back up for the tabling of the other motion for the trash fee, because we've got to have this public hearing right now and then we can vote on that and just do the other thing on the situation where you were talking, some of the Commissioners were talking about the trash fee.

Commissioner Kicklighter asked, so we need to split this up and the second reading needs to be —. Chairman Liakakis said, you have to do it separately anyway by what's on the agenda.

Chairman Liakakis said, alright. Agenda Item XII includes a proposal to increase water and sewer rates as listed in Revenue Ordinance Article W, Sections 2 and 3. On May 3, 2009, the proposed rate increases were advertised in the Savannah Morning News. A public hearing was also advertised therein. In association with the Second Reading Agenda Item XII.1.1, I hereby open the public hearing on the proposed water and sewer fee increases and invite those wishing to speak on this issue to come forward. All persons wishing to speak should provide their name, address on the table, but that's not necessary. We don't have that many people here now. So what I'd like to do is open up the hearing. Do we have anybody in the audience that would like to speak on the water and sewer fees? Anybody? [No response.] Chairman Liakakis said, none here. I hereby close the public hearing on water and sewer fees.

Chairman Liakakis said, we need a motion on the floor now to increase water and sewer rates as listed. We have gotten that information.

Commissioner Kicklighter said, motion to deny. [No Commissioner seconded the motion.]

Chairman Liakakis said, we don't have a second. Then do we have a motion on the floor for this and then we can table the item on the trash fee and just do what Commissioner Farrell said, on Tuesday go over other items and look at that. Do we have a motion on the floor —. Commissioner Farrell asked, to table? Chairman Liakakis said, no, to just do the water and sewer and then come back on the trash fee, which everybody did not want to do.

Commissioner Kicklighter asked, may I make a comment? Chairman Liakakis said, yes. Commissioner Kicklighter said, I think tabling this would be in everyone's best interest. It was mentioned a few minutes ago that couldn't recommend cutting of any police department because we don't know, or basically something about the amount of services we're getting. I'll state that it was on the 12th of this month that I sent the request for details as to what we're getting for the police services and here we are — what's today? This many days later and we still have — we don't have that information in hand, and as soon as we can get that information, I believe we'll know what we're getting for the amounts of monies, which I believe can solve a lot of problems. And so I would really like to table all of these fee increases, which is just being imposed to us at the ridiculous police charges we're receiving.

County Manager Abolt said, no. If I may just clarify, no, no sir, it's not. Commissioner Kicklighter said, I know State law says you can't make money off of water and sewer revenues, but —. County Manager Abolt said, I want to help you on this, I really do. If your issue is the dry trash fee, my suggestion strongly is to deal with that in whatever fashion you feel appropriate, but not to minimize — not to take away from a justification on the water and sewer increases. It had nothing to do with the police services or any other service. It's an enterprise fund. The fees can be justified we feel based on our Green Policy. It's changing and creating an incentive to use less of this very precious resource. We also have a recommendation on parking fees, which is minimal and that doesn't affect the SSD. That has to do with the parking garage, which is separate. And the last bit of it has to do with the Aquatic Center fees and Parks and Recreation fees. So I would ask for some understanding that if it's found to be wise not to table it all. Deal with what you can do today and then focus on that issue that troubles you.

Commissioner Farrell said, I'd like to make a motion that we go ahead and vote up or down all of the fees except the new fee which is the solid waste fee that's in question, which I would like to table. I don't know if I need to make two separate motions.

Chairman Liakakis said, alright, you made the motion then. Do we have a second on that motion? Commissioner Stone asked, what is the motion?

Commissioner Farrell said, vote on all the fees —. Chairman Liakakis said, except the —. Commissioner Stone said, I understand, but it is a motion up or down. Commissioner Kicklighter asked, is it a motion to approve all fees except for that? Commissioner Odell said, no, the motion is to vote on the fees today and table the dry trash to a later date. Is that your motion? Commissioner Farrell said, yes. Commissioner Thomas said, right.

Chairman Liakakis asked, do we have a second? Commissioner Stone said, second. Chairman Liakakis said, alright, we've got a second on the floor. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Gellatly was not present.] Chairman Liakakis said, the motion passes.

Chairman Liakakis said, okay. The one now — did you want to take them both the water and sewer —. Commissioner Odell said, let's take them one at a time and go to the —. Chairman Liakakis said, okay. Water and sewer rates as listed in the Revenue Ordinance that was given to us and discussed. Do we have a motion on the floor for the water and sewer.

Commissioner Odell said, I move to adopt the staff recommendation for the water and sewer. Commissioner Farrell said, second. Commissioner Thomas said, second.

Chairman Liakakis said, we have a second. Let's go on the board. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Odell and Thomas voted in favor of the motion. Commissioner Kicklighter voted in opposition. The motion carried by a voter of seven to one. [NOTE: Commissioner Gellatly was not present.] Chairman Liakakis said, the motion passes.

Commissioner Odell asked, what's the next one, Russ [Abolt]? County Manager Abolt said, parking fees. Commissioner Odell said, parking fees. We're recommending what? County Manager Abolt said, the adjustment on the monthly use, which is found on page three of the staff report. It affects Montgomery Street and the Oglethorpe lot. Commissioner Odell asked, and how much is that adjustment per parking? County Manager Abolt said, it — \$10. I'm just looking, sir. I don't want to read what's in front of you. County employees would go from \$55 to \$65 a month; non-County employees would go from \$80 to \$90. That's in the Montgomery Street lot, that's for reserved spaces. Unreserved they go from \$37 to \$47 for County employees and \$65 to \$75 for non-County employees. The Montgomery Street lot area would be a flat hourly rate of \$1.00 —. Wait, I apologize. Chairman Liakakis said, the dollar stays as is. County Manager Abolt said, stays. I'm sorry. Thank you very much, and then the Annex Lot, which is a lot just south of Oglethorpe, would go from \$25 to \$30 for reserved space and \$20 to \$25 for an unreserved space.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I make a motion that we adopt the staff recommendations on the increase in parking rates for the downtown area. Commissioner Holmes said, I second.

Chairman Liakakis said, we have a motion on the floor and a second. Let's go on the board. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Kicklighter and Thomas voted in favor of the motion. Commissioner Odell voted in opposition. The motion carried by a voter of seven to one. [NOTE: Commissioner Gellatly was not present.] Chairman Liakakis said, the motion passes.

Commissioner Odell said, I park there. So to all of the employees of the Courthouse then, I don't want them to believe that I'm voting to increase their parking.

Chairman Liakakis said, go ahead.

County Manager Abolt said, I'm going to go ahead because we have the video on this. We'll hold the solid waste. You've already heard the explanation on that. The last remaining portion would have to do with the Aquatic Center fees and new Park and Recreation fees. They are contained on page —.

Commissioner Odell said, move for approval of the staff recommendation. County Manager Abolt said, page four of the staff report. Commissioner Holmes said, second.

Chairman Liakakis said, we have a motion on the floor and a second. Let's go on the board. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Odell and Thomas voted in favor of the motion. Commissioner Kicklighter voted in opposition. The motion carried by a voter of seven to one. [NOTE: Commissioner Gellatly was not present.] Chairman Liakakis said, the motion passes.

Chairman Liakakis said, and that's it. Now we need a motion on the floor to table the trash pickup.

Commissioner Farrell said, I make a motion that we table the new solid waste proposed fee until such time as —. Commissioner Kicklighter said, second.

Chairman Liakakis said, alright, we have a motion on the floor to table that item. Let's go on the board. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Odell and Thomas voted in favor of the motion. Commissioner Kicklighter voted in opposition. The motion carried by a voter of seven to one. [NOTE: Commissioner Gellatly was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

- a. ~~Commissioner Farrell moved to table the recommendations for a solid waste fee. Commissioner Kicklighter seconded the motion. [Motion to table and second were withdrawn.]~~
- b. Commissioner Farrell moved that the Board that go ahead and vote up or down all of the fees except the solid waste fee, which I wish to table. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]
- c. Commissioner Odell said, I move to adopt the staff recommendation for the water and sewer fees. Commissioners Farrell and Thomas seconded the motion. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Odell and Thomas voted in favor of the motion. Commissioner Kicklighter voted in opposition. The motion carried by a voter of seven to one. [NOTE: Commissioner Gellatly was not present.]
- d. Commissioner Shay moved to adopt the staff recommendations for the increase in parking fees. Commissioner Holmes seconded the motion. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Kicklighter and Thomas voted in favor of the motion. Commissioner Odell voted in opposition. The motion carried by a voter of seven to one. [NOTE: Commissioner Gellatly was not present.]
- e. Commissioner Odell moved to approve the staff recommendations for an increase in rate changes for the Parks and Recreation and the Aquatic Center fees. Commissioner Holmes seconded the motion. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Odell and Thomas voted in favor of the motion. Commissioner Kicklighter voted in opposition. The motion carried by a voter of seven to one. [NOTE: Commissioner Gellatly was not present.]
- f. Commissioner Farrell moved to table the new solid waste proposed fee. Commissioner Kicklighter seconded the motion. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Odell and Thomas voted in favor of the motion. Commissioner Kicklighter voted in opposition. The motion carried by a voter of seven to one. [NOTE: Commissioner Gellatly was not present.]

~~AGENDA ITEM: XI-1~~~~AGENDA DATE: May 8, 2009~~

AGENDA ITEM: XII-1

AGENDA DATE: May 22, 2009

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Linda B. Cramer, Finance Director

ISSUE:

Modify the Chatham County Revenue Ordinance for changes to the parking garage fees and water and sewer fees. Approve a solid waste fee and new recreational fees.

BACKGROUND:

The County's current Revenue Ordinance was updated and approved by the Board of Commissioners on September 5, 2008. In order to fund operational costs, it is recommended parking garage fees and water & sewer fees be increased. It is also recommended that a solid waste fee be implemented for curbside dry trash pick-up. Additional fees are requested for the aquatic center and for parks and recreation.

FACTS AND FINDINGS:

1. To fund operational costs, Article P Section 1 needs to be amended to increase parking fees. The last increase occurred on July 1, 2005.
2. Article W Sections 2 & 3 for Water and Sewer Service Charges & Fees needs to be amended. These increases are proposed to offset cost increases within the fund, encourage water conservation, and facilitate capital improvements. The new rate structure reduces base fees. Consumption rates increase with higher usage. Note that rates were amended for Sewer – Irrigation since the Budget Message.
3. A new section needs to be added for the new solid waste fee – Article V Section 3. This revenue is proposed to offset the costs of curbside dry trash pickup, which are currently paid through SSD Fund property taxes.
4. Appendix F Sections 1 & 2 needs to be amended to add the new aquatic center fees and the new parks and recreation fee.

FUNDING:

The revised rates are intended to fund related operational costs. New rates in recreational activities will generate additional revenue in the General Fund.

POLICY ANALYSIS:

In accordance with adopted financial policies, the Finance Department will submit an updated Revenue Ordinance for approval each year within 45 days of annual budget adoption. Amendments to the Ordinance may be submitted throughout the year.

ALTERNATIVES:

1. As described in Facts and Findings, modify the Revenue Ordinance to make the changes as per attached. The fees will be effective July 1, 2009.
2. Provide the Finance Department with other guidance.

RECOMMENDATION:

That the Board follow Alternative 1.

RECOMMENDED REVENUE ORDINANCE CHANGES

Article P. Parking Fees

Section 1

| Parking Garage - Montgomery Street – Monthly | | OLD | NEW |
|---|---------------------|------------|------------|
| Reserved Space | County Employees | \$ 55.00 | \$ 65.00 |
| | Non-County Employee | \$ 80.00 | \$ 90.00 |
| Unreserved Space | County Employees | \$ 37.00 | \$ 47.00 |
| | Non-County Employee | \$ 65.00 | \$ 75.00 |

| Parking Garage - Montgomery Street – Hourly / Daily Rates | | OLD | NEW |
|--|--|------------|------------|
| Hourly Rate - 1 st hour | | \$ 1.00 | |
| Hourly Rate - 2 nd thru 6 th hour | | \$.50 | \$ 1.00 |
| Daily Rate - Maximum | | \$ 6.00 | \$ 10.00 |

| Annex Lot (Oglethorpe) – Monthly | | OLD | NEW |
|---|--|------------|------------|
| Reserved Space | | \$ 25.00 | \$ 30.00 |
| Un-Reserved Space | | \$ 20.00 | \$ 25.00 |

Article V. Solid Waste Operations

Section 3 Solid Waste Fees

For every single family residential unit in the unincorporated area, a Solid Waste Fee will be charged per year. This charge is for solid waste services in the unincorporated area of the county which includes yard waste recycling and curbside bulky item collection. The fee will be included on the 2nd installment real estate property tax bills. The Tax Commissioner is responsible for collecting the fees. Penalties and due dates will be the same as indicated on the tax bill.

The fee will be \$85.00 per year per single family residential unit. For purposes of this ordinance, single-family residential means residential properties classified by the County as having only one dwelling unit per property or parcel.

Article W. Water & Sewer Service Charges & Fees

Section 2 Water Service Fees

| | OLD | NEW |
|---|------------|------------|
| Water Base Charge (no water usage included) | \$ 24.58 | \$ 20.00 |
| 0-2,000 feet of usage (per 100 cubic feet = one unit) | \$.33 | \$ 1.00 |
| Over 2,000 cubic feet of usage (per 100 cubic feet) | \$.53 | \$ 2.00 |
| Customer Deposit - Water Only* | \$ 50.00 | \$ 50.00 |
| Customer Deposit - Water & Sewer* | \$ 125.00 | \$ 125.00 |
| Re-connection Charge | \$ 50.00 | \$ 50.00 |
| Meter Tampering Penalty | \$ 200.00 | \$ 200.00 |

Section 3 Sewer Service Fees

| | | |
|---|------------|------------|
| Flat Rate | \$ 65.00 | \$ 72.00 |
| Base Charge | \$ 30.15 | \$ 28.00 |
| 0 - 2,000 feet of usage (per 100 cubic feet = one unit) | \$ 1.42 | \$ 1.90 |
| Over 2,000 cubic feet of usage (per 100 cubic feet) | \$ 1.81 | \$ 2.40 |
| Customer Deposit - Sewer Only | \$ 125.00 | \$ 125.00 |
| Sewer – Special Flat Rate | \$1,041.59 | \$1,145.00 |
| Sewer – Special Deposit Flat Rate | \$ 120.00 | \$ 120.00 |
| Sewer – Irrigation Base Charge | \$ 30.00 | \$ 22.00 |
| Sewer – Bethesda Base Charge | \$ 30.00 | \$ 22.00 |

Appendix F

Section 1 Parks and Recreation

Add – Space Fee - Portable Vendor Space – Charge per day - \$125.00

Section 2 Aquatic Center

Add – Annual Membership - Child (3-12 yrs old) - \$180
 Annual Active Military Family Membership - \$500.00 (Includes the immediate family members living in the household. Must provide proof of active military status)
 Starfish Swim Lesson Instructor Training - \$25.00 – 8 hour instructor course
 Rental of Training Room - \$10.00 per hour

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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: May 22, 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) 64-channel DVR with Optiview | Juvenile Court. | SFI Electronics, Inc. | \$5,954 | General Fund/M&O - Juvenile |
| One (1) 13 vane spreader for airtractor | Mosquito Control | Stainless Steel Fabricators, Inc. (Sole Source) | \$9,200 | General Fund/M&O - Mosquito Control |
| 200 12' sign posts, 50 10' sign posts | Public Works and Park Services | Vulcan Sign | \$3,445 | SSD - Public Works |

| <u>ITEM</u> | <u>DEPT.</u> | <u>SOURCE</u> | <u>AMOUNT</u> | <u>FUNDING</u> |
|---|---------------------------------------|---|---------------|---|
| Nine (9) line trimmers, three (3) edgers, three (3) blowers, one (1) hedge trimmer, one (1) pole saw, one (1) chain saw | Parks and Recreation | Lawnmower Store | \$5,940 | General Fund/M&O - Parks and Recreation |
| One (1) credenza, hutch, file cabinet, desk and chair-Bldg. 7 | C.N.T | Staples Business Advantage | \$3,679 | General Fund/M&O - C.N.T. |
| Bucket repair to full size backhoe Unit #25 | Fleet Operations | Yancey Brothers Company, Inc. | \$5,140 | General Fund/M&O - Fleet Operations |
| One (1) borescope for engine inspections | Mosquito Control | Pacific Borescopes | \$8,635 | General Fund/M&O - Mosquito Control |
| Guardrail repairs on Jimmy DeLoach Parkway | Public Works and Park Services | Leon's Fence & Guardrail, LLC (MBE) | \$4,107 | SSD - Public Works |
| One 40' hi-cube storage container | Mosquito Control | Con Global (Sole Source) | \$5,348 | General Fund/M&O - Mosquito Control |
| Repair cracked stucco on administration building | Mosquito Control | E & D Contracting, Inc. (WBE) (Sole Source) | \$4,800 | General Fund/M&O - Mosquito Control |
| 42 Motorola radio lapel microphones and adapters | Sheriff | Savannah Communication (Sole Source) | \$5,250 | General Fund/M&O - Sheriff |
| Painting of interior of men's and women's restrooms at the weightlifting center | Facilities Maintenance and Operations | Rare Inc. | \$4,500 | General Fund/M&O - Weightlifting Center |
| Ten (10) Glock 22 handguns with fixed sights and magazines | Sheriff | Ed's Public Safety | \$3,570 | General Fund/M&O - Sheriff |
| 1000 custom made deputy bears | Sheriff | RJ Power Promotions | \$4,000 | General Fund/M&O - Sheriff |
| 12 Mitel 4025 telephones | I.C.S. | Integrated Network Solutions, Inc. | \$2,502 | General Fund/M&O - Communication |
| Six (6) laser jet printers and toner cartridges, ten (10) thumb drives | Court Administrator | GHA Technologies | \$2,752 | General Fund/M&O - Court Administrator |

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3. ROADS AND DRAINAGE REPORTS.

ACTION OF THE BOARD:

Status reports were attached as information.

AGENDA ITEM: XIII-3 - *Roads*
AGENDA DATE: May 22, 2009

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

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

BACKGROUND: Project prioritization as promised by the former GDOT Commissioner for January 2009 was not finalized. Projects statewide appear to be moving forward under the Interim Commissioner. The State Transportation Improvement Program (STIP) and priorities for transportation funding under the American Recovery and Reinvestment Act (ARRA) are being developed.

FACTS AND FINDING:

1. Truman Parkway, Phase 5. Certification of right of way (ROW) was submitted to the GDOT on December 3, 2008. The Final Field Plan Review (FFPR) was held March 11, 2009. The GDOT did not include the project as part of the Phase 1 ARRA funds due to the high cost (\$100 million). An alternative has been submitted to the GDOT to break the project into three phases and include a portion of the project in the Phase 2 ARRA funding.
2. Diamond Causeway.
 - a. The GDOT is pursuing a design/build contract in FY 2009 to construct a two lane high level bridge over Skidaway Narrows to replace the bascule bridge.
 - b. On July 25, 2008 the Board approved a contract to construct a traffic signal with turn lanes at State Park Road and to widen the roadway to Lake Street. The intersection is scheduled to be fully operational by May 2009.
3. Whitefield Avenue. Right of way acquisition is underway affecting 81 properties. Expect to certify ROW in March 2010. Funding for construction in the STIP is 2011. Previous contract revoked by the GDOT for ROW and a revised contract is pending Board approval.
4. Local Roads.
 - a. Troy Street, Catherine Street, Adeline Street, Billings Road, Elmhurst Road, Beechwood Road, Ridgewood Road. Dirt roads being designed for paving. Billings Road easement acquisitions underway.
 - b. Bond Avenue, Betran Avenue. Board approved award of construction contract for Betran on February 27, 2009. Estimated completion in June 2009. Board approved the Bond Avenue contract on April 24, 2009. Contractor will have 90 days from notice to proceed for construction.
 - c. Brandy Road. Board approved award of construction contract on March 27, 2009. Preconstruction meeting with contractor was held on April 22, 2009.
 - d. Pyeland Avenue. Final right of way and construction plans are complete. Easement acquisition is underway. Expect to solicit bids for a construction contract in June 2009.
 - e. Wright Avenue and Fenwick Avenue. Under design.
 - f. Intersection improvements on Chatham Parkway at Veterans Parkway and Garrard Avenue. Being designed to install traffic signals at the interchange on Veterans Parkway and at the intersection of Garrard.
 - g. Intersection improvements on King George Blvd at Grove Point Road. Being

designed to install turn lanes and signalize the intersection. Construction plans complete. ROW acquisitions are underway.

RECOMMENDATION: For information.

Districts: All

AGENDA ITEM: XIII-3 - Drainage
AGENDA DATE: May 22, 2009

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

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

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

FACTS AND FINDING:

1. Pipemakers Canal. The Pipemakers Canal extends from Bloomingdale to the Savannah River (over 13 miles). The project includes canal widening, bank stabilization, sluice gates and culverts. Construction of the sluice gate structure and channel improvements from SR 21 to the Savannah River (about 1.4 miles) was completed in 2005. The wetland credits have been purchased for Section One of the Phase 2 project which extends from SR21 to SR307.
2. Hardin Canal. The Hardin Canal extends from Bloomingdale to Salt Creek near US 17 (over 12 miles). The project includes canal widening, bank stabilization, bridges and culverts. Several years of delay resulted from objections by the US Fish and Wildlife Service. A project to replace culverts under SR 307 with bridges is designed. Right of way acquisition is underway. Design work to replace golf cart bridges between I-16 and Southbridge Boulevard is underway.
3. Conaway Branch Canal. The Conaway Canal extends from Bloomingdale at US 80 to Pipemakers Canal (about 1.6 miles). The project includes canal widening, bank stabilization and larger culverts. The design is complete and utility relocation work is underway. The portion of the project involving replacement of three roadway culverts is expected to be advertised for bids in June 2009.
4. Little Hurst Canal. Improvements consist of constructing a new culvert under the railroad east of SR 21. Work is underway to acquire easements and rights of way, and to acquire permits for construction. Design will commence after accomplishing these tasks.
5. Wilmington Park Canal. The Wilmington Park Canal extends from North Cromwell Road to the Wilmington River (about 1.4 miles). The project includes canal widening, bank stabilization and culverts. Construction of new culverts with tide gates at Wilmington Island Road was completed in 2002. A project to install rip rap erosion protection at the culvert is under construction.
6. Kings Way Canal. The Kings Way Canal extends from the Kingswood Subdivision to Whitefield Avenue (about 0.7 miles). The project includes canal widening, bank stabilization and culverts. Phase 1 was completed in 2005 as a part of the construction of Truman Parkway. Phase 2 is scheduled to be complete by June 2009. Replacement of damaged fences and moving fences out of the drainage rights of way will be completed after the drainage improvements are completed. Staff is considering options to clear vegetation from the subdivision's northern perimeter drainage ditch.
7. Dundee Canal. This project improves the tidegate structure and concrete headwalls. The project is under construction. The project is scheduled for completion by June 2009.
8. Louis Mills / Redgate Canal. The Louis Mills and Redgate Canals are tributaries to the South Springfield Canal. Bids were received on April 30, 2009 for a project to widen the

channel and replace culverts between Garrard Avenue and the railroad. Staff will expect to recommend award of a construction contract in June 2009.

9. Ogeechee Farms Area. The Ogeechee Farms project includes improvements to canals and culverts. Phase 1 was completed in July 2005 (piped in about 0.2 miles of channel south of Vidalia Road and replaced a road crossing at Waynesboro Road). Design is complete on Phase 2 which includes improving several undersized culverts along the Vidalia Canal south of Vidalia Road. The bid package is being assembled and should be released next month. Construction is expected to begin in September 2009 and be complete in February 2010.

10. Chevis Canal. The Chevis Canal project includes improvements to the drainage culvert at the Hodges Air Park located approximately 3600 feet downstream of Chevis Road. The improvements will double the existing drainage capacity. Construction is expected to be complete in June 2009.

11. Fawcett Canal. The Fawcett Canal serves the Georgetown area. The drainage system includes a network of open channels, culverts and storm drain pipes. Lagoons managed by the homeowners' association are a functional part of the system. Phase 1 (completed in 2002) involved about 1.4 miles of canal widening and new tide gates at Grove Point Road. Improvements to the lagoons were completed in 2005. The project to replace storm drain pipes along Red Fox Drive to relieve flooding at White Hawthorn Drive is complete. No additional drainage improvements are anticipated.

12. Quacco Canal. The Quacco Canal extends from the Little Ogeechee River to the Regency Mobile Home Park (about 4 miles). The project includes canal widening, bank stabilization, culverts, and providing access for maintenance. Completed work included enlarging the US 17 culvert. Staff is negotiating with the contractor to establish the extent of additional construction costs. Design to improve road culverts along Quacco Road and construct channel improvements to protect the Regency Mobile Home park is complete. Staff is developing a project scope for extending drainage improvements to the Willow Lakes Subdivision.

13. Norwood Drainage Outfalls. The project will improve drainage capacity and access for maintenance. Four outfalls along Norwood, between Skidaway Road and Lester Avenue are being considered for improvements. Preliminary design work is underway for one outfall.

14. Henderson/Gateway. Drainage is provided by the Little Neck Canal and the Henderson Branch Canal (combined length about 2 miles). Development of the subdivisions led to increased rates and volumes of storm water runoff which the canals cannot handle. Design is underway to replace culverts at Little Neck Road, at Henderson Oaks Drive and at a golf path crossing. The City of Savannah is holding up improvements at Henderson Oaks Drive by refusing to relocate the sanitary sewer and water line within the County's Rights of Way. Bids were received to replace the culvert at Little Neck Road. Staff expects to recommend award of a construction contract in June 2009.

15. Shipyard-Beaulieu Area. The project will be accomplished in phases. The first phase of work will be to replace the storm drain pipe at Beaulieu Avenue. There appears to be adequate existing easements. The final design for this improvement is complete. The bid package is being assembled and should be released next month. Construction is expected to begin in September 2009 and be complete in December 2009.

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

17. Hily Drainage Improvements. The project involves installation of channel stabilization rip rap and acquisition of easements to improve access for maintenance. Construction is expected to be complete in June 2009.

RECOMMENDATION: For information.

Districts: All

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

A status report was attached as information.

AGENDA ITEM: XIII-4
AGENDA DATE: May 22, 2009

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Robert Drewry Director, Public Works and Park Services

ISSUE: Provide Board a status update on RAP

BACKGROUND:

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

FACTS AND FINDINGS:

1. FY 06 staff was able to accomplish the following:
 - In-house renovation of Lake Mayer's Restrooms
 - Installed new infield mix for Ambuc Park, L. Scott Stell, and Charlie Brooks Park
 - Installed new backstop and foul line fencing for Ambuc Park
 - Hired nine Maintenance Workers
 - Replaced the scoreboards at Ambuc, L. Scott Stell, and Charlie Brooks Park
 - Replaced all roofs at Memorial Stadium
 - Purchased three new vehicles
 - Purchased material for the renovation of the restroom at Ambuc Park
 - Painted the exterior of the concession stand at L. Scott Stell, and Ambuc Park
 - Contracts were awarded to replace the roof on the large pavilion at Lake Mayer, and reconstruct/resurface eighteen tennis courts
2. FY 07 staff completed the following:
 - All eighteen tennis courts were renovated or re-constructed.
 - Tom Triplett Park Bridge is completed
 - Frank W. Spencer Boat Ramp - Renovation is completed and the restrooms were re-opened
3. FY 08 staff completed the following:
 - Westlake Neighborhood Park - Playground Equipment installation is completed.
 - Lamarville Neighborhood Park - Playground Equipment installation is completed.
 - Salt Creek Complex - Playground Equipment installation is completed.
 - Replacement of the pavilion at Grey's Subdivision is completed
 - Replacement of the pavilion at Runaway Point Park is completed
 - Replacement of the fence at Memorial Stadium is completed.
 - Repaired bridges at L. Scott Stell that connects park with playground/picnic area.
 - Replacement of light wiring for tennis courts at Lake Mayer is completed.
 - Kings Ferry Pavilions Roofs were completed the end of July.
 - Ambuc Sports Lighting - Installation of new lights is now completed.
 - Installation of the playground equipment at Hodges -Turner-Young is completed.
4. FY 09 staff completed the following:
 - Renovated the former offices into a new Community Center and opened for use on January 16, 2009.
 - Resurfacing of the basketball court at Hodge-Turner-Young is completed.

- 5. Status of CIP project recently approved by the Board:
 - Fred Thompson has been assigned as Project Manager to manage CIP projects for Park Services.
 - Turners Creek Boat Ramp parking lot paving - Engineering is currently working with a consultant for design.
 - Kings Ferry Park Restroom - Construction began on 3/2/09 and is twenty percent complete
 - Thunderbolt Boat ramp - A request has been submitted to the Army Corps of Engineers to make extensive repairs to the boat ramp.

- 6. RAP improvements identified in Park Services operating budget for FY 08.
 - Jim Golden Complex backstop replacement -Bids opened on 4/28/09. Award of contract is pending
 - Change water source at the Soccer Complex - Design completion is pending.
 - Purchased web based scheduling software for coaches and parents.

FUNDING:
N/A

RECOMMENDATION:
For Board Information Only

[All Districts]

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EXECUTIVE SESSION

Upon motion being made by Commissioner Farrell and seconded by Commissioner Stone, the Board recessed at approximately 11:55 a.m. to go into Executive Session for the purpose of discussing litigation, land acquisition and personnel. [NOTE: Commissioner Gellatly was not present.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at approximately 12:57 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 Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

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APPOINTMENTS

1. CHATHAM COUNTY BOARD OF ASSESSORS

ACTION OF THE BOARD:

Commissioner Kicklighter moved to reappoint Mr. Terry Tolbert to the Board of Assessors to a term which will expire on June 27, 2013. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly 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 approximately 1:00 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