

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, SEPTEMBER 11, 2009, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.**

**I. CALL TO ORDER**

Chairman Pete Liakakis called the meeting to order at 9:30 a.m., Friday, September 11, 2009.

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**II. INVOCATION**

Commissioner Pete Liakakis said, what we're doing this morning, we're having a commemoration of September 11, 2001, and I have invited the law enforcement people from the Sheriff's Department, the Police Department, some of the Fire Department, the Veteran of the Year, the Veterans, the Red Cross, our Emergency Management Agency people and, of course, Colonel Aguilar, who is the Garrison Commander for Hunter Field, and he has brought someone with him, so what I'd like to do right now is all of those organizations that we have invited here, come to the front here, the front area, the Fire Department, if you can keep together. I see we've got quite a few people. I see Sheriff Al St. Lawrence here and he's got a large contingency of his law enforcement people from the Sheriff's Department there. So if you will come forward right now. We've got the Red Cross also, Robin who's head of the Red Cross, and all of you please come forward.

Chairman Liakakis said, this commemoration is very important. As we know, on 9-11-2001 the unfortunate and terrible tragedy struck this country where terrorists came in and we saw a number of people who saw a plane as it was going in the New York sky that hit one of the towers, and everybody thought it was an accident that had occurred, and then in a very short period of time we see the second plane and it's directed and hits the other tower. And that in itself, you know, that in itself was by terrorists who wanted to do whatever they can negative towards this country. But what we're doing today is we're remembering, we're remembering those people who died, who succumbed to that terrible incident that occurred in our country and we're also recognizing the law enforcement people, the different EMS groups, the military, the veterans and volunteers, and the Red Cross, who many of them went to New York to assist, and we've got a few members here who actually went to New York. I know from the Southside Fire Department they sent two of their cadaver dogs along with some of their people. The Savannah Fire Department also had some of their members who volunteered and had time off and went to assist up there also, and others. And we really do appreciate that because this was a time when this country came together. And not only the Twin Towers, but of course we see where that particular hijacked plane went into the Pentagon and killed a number of people there also, and then we also have to recognize those civilians, those civilians who were able to fight the terrorists on their plane and that plane, the authorities tell us, that it might have hit the Capitol or hit some other building, the White House, in Washington, but they were brave enough to overpower them, and unfortunately the plane was crashed in Pennsylvania. So we recognize those also today.

What I'm going to do now is there is a message that was written, we don't know who the author is, but it has a lot to say about our country, and it's called *Remembering 9-11*:

As the soot and dirt and ashes rain down,  
We became one color.

As we carried each other down the stairs of the burning building,  
We became one class.

As we lit candles of waiting and hoping,  
We became one generation.

As the firefighters and police officers fought their way into the inferno,  
We became one gender.

As we fell to our knees in prayer for strength,  
We became one faith.

As we whispered or shouted words of encouragement,  
We spoke one language.

As we gave our blood in line a mile long,  
We became one body.

As we mourned together the great loss,  
We became one family.

As we cried tears of grief and loss,  
We became one soul.

As we retell with pride the sacrifice of heroes,  
We became one people.

Chairman Liakakis said, and I think that is very apropos, you know, sort of an invocation in itself that how all of us came together. It didn't matter what color we were, it didn't matter what gender it was, it didn't matter with all of the nationalities, any of those other things. But here is the people in our country responding to that and, of course, you know, we really appreciate all of those people that actually helped in the recovery of some victims and, of course, doing what they could to recover the bodies of those people that died. And we can see the heroic things that our law enforcement people, with our police and our firefighters and EMS people went into the building while it was burning, those buildings, to try to save those people in there, and many of them lost their lives. So we recognize them today.

Chairman Liakakis said, what I'm going to do, I have invited different organizations that had a part in this, and what I'd like to do right now is introduce the Garrison Commander for Hunter Field, who is Colonel Jose Aguilar today, who is representing Hunter Field and the Army, and one of the things that he will have — would you like to talk about the Freedom Walk today also? Would you come up to the microphone, Colonel. Oh, okay. He's very athletic.

Colonel Jose Aguilar said, Chairman, thank you and the community here from Chatham County. I can't tell you that — I was at the National Training Center training brigades there in simulated combat operations during 9-11, and everyone here probably can remember what they were doing on 9-11, initially thinking about it as the Chairman said, as an accident and then eventually understanding that we as a nation were under attack. Those days, obviously we remember all of those people who perished. We also remember those who responded, and what I would like to also say is we remember those who are actually still on the offense in this fight because that day we were on the defense. So we are on the offense now and we have deployed all over the country, we have soldiers — actually I would say service members serving now.

Colonel Aguilar said, tonight at 5:00 p.m., we have a Freedom Walk and the Chairman will actually be there and will be our guest speaker and we have invited communities from across the Coastal Empire, and we will host you there at five. We start, we open up the gates and we have several displays. I cannot tell you how many people have actually stepped up and are coming there to take part in that, so that is great to see everyone coming together. At 6:00 p.m. tonight we will have the Freedom Walk start and you are all invited to come, and it is only one mile. We also have made a turn-around at the quarter mile mark for those of you who would like to turn around, and it is actually — the important thing is not the walk, the important thing is that we are going to be there together sharing friendships and remembering those who perished. So, Chairman, thank you for inviting us here and we are as much of your community as everyone else here. Thank you.

Chairman Liakakis said, thank you very much. Colonel Aguilar since he's taken command at the Hunter Field Post there, he has really integrated with our community and done an outstanding job, and of course he's on our City-County Coalition, being a city in itself with the seven cities and towns and also the County. We do appreciate what you have done in putting on this Freedom Walk because now since 2005 when the Freedom Walk started in Washington, now some 300 communities around the 50 states are having this Freedom Walk. So we do appreciate the Colonel and the others in the military for doing the same thing, recognizing the people whether they are veterans or they're first responders or law enforcement, firefighters, or whoever it might be.

Chairman Liakakis then called upon the following individuals to introduce the representatives from their respective group: Assistant Chief of the Metro Police Department Willie Lovett, Assistant Chief Futrell of the Southside Fire Department, Chief Charles Middleton from the Savannah Fire Department, Sheriff Al St. Lawrence of the Sheriff's Department, Robin with the Red Cross, Veteran of the Year Kent Shockey, and Chatham Emergency Management Agency Executive Director Clayton Scott.

Chairman Liakakis said, I see in the audience we have Liddell Marmolejo who has been heading up the Veterans — the Vietnam Veterans in our community. Vice President of the State of Georgia, President of Chapter 671 Vietnam Veterans of America Rob Taylor, Susie Harvey of the League of Families, POW-MIA; Chief Gary Moss, Captain Rollins and Chief Settles of the Hunter Field Fire Department; Lieutenant [inaudible] from Memorial.

Chairman Liakakis said, we appreciate Memorial with their EMS unit for all of our citizens. We are really proud of all of you so all of you be proud of yourselves with the different services, whatever it might be, police, fire, or whatever it might be. Again, as Colonel Aguilar said about the Freedom Walk this afternoon, some ceremony at five and then at six o'clock the Freedom Walk. You can walk as much as you want to, but we would like to see all of you out there if you can come. Thank you very much.

Chairman Liakakis said, we're going to take a few minutes break — I know a lot of you are busy — so that you might be able to leave.

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**III. PLEDGE OF ALLEGIANCE**

Commissioner Patrick Shay 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 (arrived approximately 10:00 a.m.)  
David M. Gellatly, District Six

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

Commissioner Shay made a motion to excuse the possible absence of Commissioner Odell. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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**V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

**1. PROCLAMATION FOR POW-MIA RECOGNITION DAY. ROBERT TAYLOR WILL BE RECEIVING THE PROCLAMATION.**

Commissioner Farrell said, with great pleasure on behalf of the Chairman and the County Commission, I'd like to read this proclamation that we're going to present to y'all today:



**WHEREAS**, Chatham County and all of its citizens join the Nation in honoring the memories of all our Prisoners-of-War (POWs) and all of our soldiers Missing-in-Action on this very special POW-MIA Recognition Day; and

**WHEREAS**, the members of the Vietnam Veterans of America-Savannah Chapter 671, along with their friends and families, will be holding their annual

recognition to honor the 87,483 POW-MIAs who remain unaccounted for, as well as those former POW-MIAs who have faithfully returned; and

**WHEREAS**, on September 18, 2009 at 7:00 p.m., the American POW-MIA flags will be proudly flown above the Vietnam Memorial in Emmett Park in salute of the former POWs from the Chatham County area; and

**WHEREAS**, in observing POW-MIA Recognition Day, Vietnam Veterans of America-Savannah Chapter 671 is helping to keep alive the memories of and prayers for those 1, 773 POW-MIAs still unaccounted for.

**NOW, THEREFORE**, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim, Friday, September 18, 2009 as:

**POW-MIA RECOGNITION DAY**

in Chatham County as we honor the memories of the 3,347 POW-MIAs from World War I; 74,213 from World War II; 8,039 from the Korea War; 1,773 from the War in Vietnam; 107 from the Cold War, and 4 from the War on Terror. In recognition of the 87,483 husbands, sons, and fathers - LEST WE FORGET, and ask all citizens to join in thanking and in paying very special tribute to all POW-MIAs for the sacrifices they made to their nation - The United States of America.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 11th day of September 2009.

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Pete Liakakis, Chairman  
Chatham County Commission

**ATTEST:**

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Frances Q. Rasmussen, Deputy Clerk

Commissioner Farrell said, and at this time I would like to present this to you and thank you very much for all that you do and have done for your country.

Chairman Liakakis said, come forth, Mr. President, and we'd like for you to make a remark.

Mr. Robert Taylor said, first of all, I want to thank you for that nice proclamation. It's really good. I don't have to tell you all that freedom is not free. We're meeting here today because some people paid the ultimate price for our freedom. We have great soldiers, sailors and marines in harms way today still paying for that freedom. Now there are 1,773 U. S. personnel listed by the Defense POW-MIA Office as missing and unaccounted for from the Vietnam War alone. The number of U. S. personnel accounted for since the end of the Vietnam War in 1975 is now 852. Progress is being made in recovering MIA's, but is very slow.

Captain Michael Spiker [phonetic], U. S. Navy, killed in action on January 17, 1991, the first day of Operation Desert Storm, was recently recovered in Anbar Province, Iraq, near the incident site. His remains were identified by the Armed Forces Institute of Pathology at Dover Air Force Base. The Defense Department notified Captain Spiker's family on August 1<sup>st</sup> of this year that he had been recovered. The League of Families was delighted for this family to have the long-awaited peace of mind that comes with concrete answers. Susie Stephens [phonetic] Harvey, who is here today, is still waiting for news that her brother has been found in Vietnam after so many years.

Some of our MIA's may never be brought home and their families will never have closure. We thank Chairman Pete Liakakis and the Commission for recognizing the POW-MIA's today with this proclamation. I accept it for all the veterans and their families, and this is a quote from Susie Stephens: "Dying for freedom isn't the worst that can happen; being forgotten is." Thank you.

Chairman Liakakis said, thank you very much.

Ms. Susie Stephens Harvey said, good morning, Commissioners, good morning everybody. I think that there's a poem that I would just like to share with you and I think that — oh, I'm sorry. My name is Susan Stephens Harvey. I'm the State and Region I Coordinator to National League of Families for Prisoners of War – Missing in Action. And this is a poem that I think who's fate is still unknown and those who paid the ultimate price of our freedom would ask us to remember, especially today. You know, on 9-11 we not only became a nation of sorrow, but we also became a nation of missing in action because there are over 1,000 unidentified personnel from the World Trade Center today still unaccounted for, so I would like to leave you with this thought. "Yesterday is the past, that is why it is called history. Tomorrow is yet to come, that is why it is called the future. Today is a gift, that is why it is called the present. We owe it to our loved ones who gave up their today so that we might live ours to make the most out of every precious gift. It is their gift to us. Our determination to return these men to America alive or dead

demonstrates our commitment to those who served, not only past, but present and the future. Thank you so much, Commissioner, for doing this.

Chairman Liakakis said, thank you. And Liddell [Marmolejo], would you come forth so everybody will know when the particular function is going to be on Bay Street.

Mr. Marmolejo said, it will be September 18<sup>th</sup>, that's Friday a week from today, 7:00 p.m. Of course, the public is invited, and the name of the speaker — Bay Riderson [phonetic] will be our speaker. He's a POW from the Second World War, and he is the State Commander of the POW's here in the State of Georgia.

Chairman Liakakis said, thank you very much and we really appreciate the Vietnam Veterans, Savannah Chapter, because many of you in the past, as you continue now, to do the things to keep people's memory going for those that are missing in action and also for all of the Vietnam Veterans who got together because it was a forgotten war, as we know, a number of years ago, but with the input that the veterans had, that changed the outlook for the American citizens to see that it was important and we recognize that war and also the veterans and the military who participated in that. Thank you. Mr. Marmolejo said, thank you, sir. We appreciate it and Vietnam Veterans salute you.

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## **CHATHAM COUNTY YOUTH COMMISSIONERS**

Chairman Liakakis said, before I get to Item 2 on Special Presentations, I want to introduce three of the Chatham County Youth Commissioners who are sitting up front here now, who represent the Youth Commission at our County Commission meeting. On my far left is Lester Foster, who is representing Groves High School, Samantha Schikowski, who is representing Johnson High School, and she is also Vice Chairman of the Youth Commission, and Meredith Stone, who is the Secretary and representing Johnson High School. Glad to have all three of you here.

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### **2. SWEARING-IN CEREMONY OF 2009-2010 CHATHAM COUNTY YOUTH COMMISSION.**

Chairman Liakakis said, Van [Johnson], would you come forward.

Mr. Van Johnson said, in all these years I never got a round of applause coming forward. So, I appreciate that. Mr. Chairman, Dr. Thomas, Ladies and Gentlemen, today we pause to remember those who we loved, those that we lost in tragic way. We pause this morning to reaffirm our commitment to our principles, our way of life and our republic. We pause to honor those in the armed services, stateside and abroad who guard our borders and protect our interest, fully prepared to give the ultimate sacrifice if necessary. We also pause to remember those locally that patrol our streets, staff our jails and prisons, put out our fires, and provide emergency medical services 24 hours a day.

What is the most fitting tribute to these who lived so bravely and offered themselves in such a selfless way to make sure that it never ever happens again. How do we make sure that it never ever happens again? We do this by educating our young people that freedom is not free and that the price is high, continuous and requires preparation, education and sacrifice. So it is significant that as we swear in these young leaders on a day that is so significant in our nation's history, it's significant that we're swearing in these young leaders when we are observing the very best examples of service and of sacrifice. With that thought in mind, I present to you the 2009-2010 Chatham County Youth Commission.

Seventeen years ago, Dr. Thomas and the Chatham County Commission at the time made the commitment to grow and develop Chatham County leaders. Seventeen years later we have over 300 graduates across the country, to include two active duty military officers and two currently in military academies. Seventeen years later you are recognized nationally as Fulton County (Atlanta); Alachua County, Gainesville, Florida; Savannah, Georgia, the Savannah Youth Council; Prince George's County, Maryland; Cass County in Fargo, North Dakota; Dougherty County in Albany, Georgia, Riverdale, Georgia, and Newnan, Georgia, all point to you as their inspiration and their model.

This year, as always, we were charged again with looking across the county for young people with the potential to be developed into leaders. We asked the high schools to scour their ranks and to recommend young people to serve in our organization. We started out with over 40 applicants for the coming year. We met with the parents of these young people and we told them up front that candidacy was a difficult process. We told them that we would challenge their young people and we would test their resolve to serve. We told them that their summer belonged to us. We told them that they had to purchase plenty of white t-shirts, and from giving a graduation party to saluting the class of 2009, from attending the Fiesta Latina and meeting Ruby, to mentoring the students of Summer

Bonanza Partnership, from attending County County Commission, City Council and School Board meetings to touring the Savannah History Museum, to touring SCAD and the Chatham County Jail, and riding all over Chatham County in CAT buses. Seventy hours later, after fussing with candidates and sometimes having parents fussing with us, we present 22 of the original 40 candidates to join the 16 returning Youth Commissioners. And I will tell you that probably the best thing that they are looking forward to today is not being sworn in and is not receiving their certificates, but is never having to wear a white t-shirt again.

I thank Dr. Thomas for her continuing commitment to youth and her love. I thank you for your continuing support and encouragement. I thank Mr. Abolt, Mr. Monahan and Mr. Kaigler for their love of young people. I thank our dynamic team of leaders, Mrs. Debra Allen, Mrs. Takiyah Martin, Mrs. Marilyn Rodriguez, Ms. ZaDonna Slay, Mr. John Hawkins, Ms. Taqwaa Saleem for their time and their support. I thank the School Board, Dr. Lockamy, and all of the principals of our schools, both private, public and parochial, for their affirmation of our program. Last, but not least, I thank the families parents, particularly of these young people, many whom are in attendance today. And will our parents and family members please stand? [Applause.] Since she's in the audience, I will also recognize Ms. Sadie Brown, the mother of Brandon Brown, and as we always say in the Youth Commission: "Once a Youth Commissioner, always a Youth Commissioner." Sadie [Brown], are you around? Good to see you. [Applause.]

I now present to you the 2009-2010 Chatham County Youth Commission. As I call the names, I will ask for them to stand and then be seated.

	<b>SCHOOL/ORGANIZATION</b>	<b>CLASS</b>	<b>TERM</b>
<b>CHAIR:</b>			
Ms. Tilly Isaacson*	Savannah Arts Academy	SR	3rd
<b>VICE CHAIR:</b>			
Ms. Samantha Schikowski	Johnson High School	JR	2nd
<b>SECRETARY:</b>			
Ms. Meredith Stone*	Johnson High School	SR	3rd
<b>PARLIAMENTARIAN:</b>			
Ms. Jazmine Ellis	Groves High School	JR	2nd
<b>EXECUTIVE MEMBERS:</b>			
Ms. Kristen Palmares	Calvary Baptist	JR	2nd
Ms. Alexis Slay*	Johnson High School	SR	3rd
Ms. AnnMarie Wakely	Savannah Christian	JR	2nd
<b>MEMBER</b>			
Ms. Brittany Bell*	Jenkins	SR	1st
Ms. Portia Bosco	Windsor Forest	SO	1st
Ms. Briyona Brack	Savannah Arts	SO	1st
Mr. Eric Brantley	Jenkins High	SO	1st
Ms. Alexis Brisbon	St. Vincent's	SO	1st
Mr. Chris Cooley	Savannah Christian	SO	1st
Ms. Carley Dawson	Savannah Arts	JR	2nd
Mr. Joseph Drought	Benedictine	SO	1st
Ms. Shanee' Ferguson*	Jenkins	SR	2nd
Mr. Lester Foster*	Groves	SR	2 <sup>nd</sup>
Ms. Khadijah Green	Savannah Arts	SO	1st
Ms. Takneijah Green*	Bible Baptist	SR	1st
Mr. Desmond Griffith*	Bethesda Home for Boys	SR	3rd
Mr. Richard Jackson	Beach	SO	1st
Mr. Jomell Johnson	Early College	JR	1st
Mr. Kenneth Johnson	Jenkins	SO	1st
Ms. Robin Laguerre	Beach	SO	1st
Ms. Cindy Lee*	Calvary	SR	1st
Ms. Brittany Miller	Savannah Arts	SO	1st
Ms. Korbyn Mingledorf*	Early College	SR	3rd
Ms. Emani Mitchell	Early College	SO	1st
Ms. Malikah Mobley*	Jenkins	SR	1st
Ms. Jazmine Paige*	Windsor Forest	SR	2nd
Mr. Brandon Sanders	Windsor Forest	SO	1st
Mr. Harry Scott	Savannah Arts	SO	1st
Ms. Ericka Sharpe*	Bible Baptist	SR	2nd
Ms. Aigner Smith	Jenkins	SO	1st
Mr. Bryan Smith	Jenkins	SO	1st

Mr. Neal Stevenson	Savannah Christian	JR	1st
Mr. William Stewart*	Savannah Country Day	SR	3rd

\* Graduating Seniors

Chairman Liakakis and Commissioner Thomas administered the Oath of Loyalty to the Youth Commissioners.

Mr. Johnson said, I present to you Samantha Schikowski, our Vice Chair.

Ms. Schikowski said, good morning, Chairman Liakakis, County Commissioners, Alderman Johnson, parents, staff and Youth Commissioners. My name is Samantha Schikowski, Vice Chairperson of the Chatham County Youth Commission. We are all here today to witness the swearing in of the 2009-2010 members. I'd like to thank Chairman Liakakis and all the County Commissioners, as well as Mr. Abolt, our County Manager, for supporting our organization. I'd also like to recognize a select few who have contributed to our success: Dr. Priscilla D. Thomas, our founder, Alderman Johnson, our Advisor, as well as Ms. Allen, Ms. Rodriguez and Ms. Martin, and our graduate advisors: Ms. ZaDonna Slay, Ms. Taqwaa Saleem and Mr. John Hawkins. Without all of you, we wouldn't be where we are today. Thank you.

Our new members endured a grueling Summer and sit here before us no longer as candidates, but as Chatham County Youth Commissioners. But as you all know, the road doesn't end here. It's only begun. With that in mind, I'd like to applaud all of you, new members and returning members as well for your commitment. Your dedication is truly admirable and inspiring because many could not make it to where you are today. I look forward to working with each and every one of you. Our goal is to represent the youth in this County and I know that together we can make a difference. A few weeks ago we all set amongst each other a number of individuals, but today we leave as a family, as Chatham County Youth Commissioners. I ask that each Youth Commissioner stand as we say our core value: "Respect, Success, Influence, Integrity, Leadership." As Chatham County Youth Commissioners, we shall: "Excel in our school, community and government; be responsible and respectful young adults; make a difference in our community; reach our full potential; and be strong student leaders by providing safe and inviting opportunities for youth." Congratulations to you all. Thank you.

Chairman Liakakis said, I would also — the Ashtree Group, they have a number of them attending today, the youth. Would you stand if you're still here from the Ashtree organization. [Applause.] Chairman Liakakis said, thank you very much. We appreciate you coming and that's a great organization that's helping a lot of youth and others in our community.

What I'd like to do right now, we'll excuse the Youth Commissioners, their family members and all so you don't have to stay for the rest of the — you're not required to stay for the rest of the meeting for the County Commission. We'll hold up for a few minutes. Thank you for coming.

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## **VI. CHAIRMAN'S ITEMS**

### **1. BOARD CONSIDERATION OF A FUNDING COMMITMENT FOR DEVELOPMENT OF A COMMUNITY INDICATORS DATABASE.**

Chairman Liakakis said, I call on our County Manager for Board consideration of a funding commitment for development of a community indicators database.

County Manager Abolt said, thank you, Mr. Chairman. With your permission too I have a possibility that might also address an issue that will come right after this regarding the initiative of Commissioner Kicklighter. But as the Chairman said, and under his items because he has been the leader on this for a number of months, he has been approached in partnership with Mayor Otis Johnson and also with United Way to do something very special for us, to be able to identify from the demographics and from a tried and true measurement of very important things in the society that we live in in Chatham County looking at what amounts to education and youth development, economic independence, health, wellness and regionalism and use these indicators to make us better prepared to plan and make policy decisions relative to the services we provide our citizens. This is a great opportunity to join with both the City and United Way in this partnership. It's a contractual agreement covering a biannual commitment. The County could participate one-third of the cost the first year of 2010. It would be about \$15,500, and then in 2012 the next iteration of this it would be a little under \$13,000. This money is available. My recommendation after consultation with both the Chairman and with the head of United Way and also with Mr. Thompson, this is a worthwhile use of dollars spent and shows a partnership in dealing with a development of policy issues that are sensitive and documented in the society indicators that will show the real needs of our people.

Now allow me for a moment to look at what amounts to something that I've told Commissioner Kicklighter that I'd feel very bad about and it has to do with discussion on the Silk Hope Road issue. I failed and I admit to him publicly and I apologize for it, to get back with him after he initially talked to me about what appears as Item VII, Number 1, about the application fees for a very useful, very justified Center for Battered Women. Knowing that the

County, based on what I've told you in the pre-meeting, probably will not agree to waive the fees and pick up the cost of that, not because of the merits of the program but the precedent and also the difficult position it puts you in and making the final decision on the zone change, I suggest this. That when I talk to the head of the United Way and tell him, and I would assume that you would approve, participation in the indicator study that he also knows what a strong partner this County is in the United Way program, the fact that we set all records last year, I will appeal to the United Way through his leadership to pick up the application cost to MPC for the zone change at 5528 Silk Hope.

So I go beyond what the Chairman asked me to speak to. I speak strongly for the Chairman wishes in the partnership with United Way and the City of Savannah and the indicators, but I would also beg the indulgence of the Commission in allowing me that if you do approve this, that I would contact the head of the United Way and in addition to giving him the good news about that participation, to encourage him to fine in their largess about \$3,000 to cover the cost of the zoning application for 5528 Silk Hope Road.

Chairman Liakakis said, this particular program on the database, the Mayor, the head of the United Way, myself and out at Armstrong with the professor who is an expert in that area, we can see that it would be very advantageous to the City, the County and the United Way, in fact in some of the data that we will get, we'll save the County, the City and United Way money because we will have information to make important decisions on. And most of that information or all of it was in your packet. So I need a motion on the floor to approve that particular Community Indicators Database.

Commissioner Kicklighter said, move for approval. Commissioner Thomas said, second.

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

**AGENDA ITEM: VI-1**  
**AGENDA DATE: September 11, 2009**

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

**ISSUE:** Board consideration of a funding commitment for development of a Community Indicators Database.

**BACKGROUND:** House Bill 491 (1997) requires the Georgia Department of Community Affairs (DCA) of publish community indicators for local governments. DCA requires local communities to develop these indicators and include them within their Comprehensive Plan.

**FACTS AND FINDINGS:**

- 1) Armstrong Atlantic State University has submitted a feasibility study on the availability of desired community indicators. The general focus areas that have been identified by the United Way and the community as priority are:
  - A) Education and Youth Development
  - B) Economic Independence
  - C) Health and Wellness
  - D) Regionalism
- 2) Among the four categories, twenty indicators were developed. Available indicators would be measured by AASU. Alternative indicators or surveys would need to be developed where no reliable measurements are currently available.
- 3) The County would partner with the City of Savannah and the United Way to fund the project.
- 4) The indicator report would be updated bi-annually. In fiscal 2010, the County's cost share is \$15,535. In fiscal 2012, the County's cost share will be \$12,835.

**FUNDING:** Funds are available in the County Commissioner's budget, Other Purchased Services account (100-1110-52.39001).

**POLICY ANALYSIS:** Development of community indicators is necessary to meet the requirements of House Bill 491.

**ALTERNATIVES:**

- 1) Appropriate \$15,535 for the Community Indicators database and related publications with a commitment for additional funding in fiscal 2012, or
- 2) Provide staff with other direction.

**RECOMMENDATION:** For Board consideration.

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## **VII. COMMISSIONERS' ITEMS**

### **1. WAIVING MPC FEE FOR 5528 SILK HOPE ROAD LAND USE CHANGE (COMMISSIONER KICKLIGHTER).**

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you. I'll just state that I believe our County Manager, he's a great man as well as a great manager, and I appreciate — County Manager Abolt said, I apologize to you, sir. Commissioner Kicklighter said, — what he just did and I thank the Board for what you just did there also. Thank you.

[NOTE: Review Item VI-1 for discussion regarding this item.]

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## **CHATHAM AREA TRANSIT AUTHORITY**

Upon motion made by Commissioner Stone, seconded by Commissioner Holmes and unanimously approved, the Board recessed as the County Commission at 10:28 a.m., and convened as the Chatham Area Transit Authority.

Following adjournment of the Chatham Area Transit Authority at 11:57 a.m., and a recess in the meeting, the Board reconvened at 12:33 p.m., as the County Commission.

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## **VIII. TABLED/RECONSIDERED ITEMS**

<p>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 (*).</p>
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- 1. \* REQUEST BOARD APPROVAL OF AN AGREEMENT WITH CHAIN BASEBALL TO MANAGE THE JIM GOLDEN COMPLEX AT SCOTT STELL COMMUNITY PARK AS A PILOT PROJECT TOWARD MANAGING ALL OF THE PARK IN THE FUTURE. Item was tabled at the August 28, 2009, meeting.**

### **ACTION OF THE BOARD:**

This action was not removed from the table for consideration by the County Commission.

**AGENDA ITEM:** ~~IX-4~~  
**AGENDA DATE:** ~~August 28, 2009~~  
**AGENDA ITEM:** VIII-1  
**AGENDA DATE:** September 11, 2009

**TO:** Board of Commissioners  
**THRU:** R.E. Abolt, County Manager  
**FROM:** Patrick Monahan, Asst. County Manager  
 Al Lipsey, Deputy Director, Public Works & Parks Services

**ISSUE:**  
 To approve an agreement with Chain Baseball to manage the Jim Golden Complex at Scott Stell Community Park as a pilot project toward managing all of the Park in the future.

**BACKGROUND:**

Based on a conceptual plan presented to the Board of Commissioners, Chatham County would enter into a pilot program with Chain, Inc., a non-profit athletic organization, to manage Scott Stell Community Park. The initial phase of the agreement would limit Chain Baseball's responsibility for the Jim Golden Complex but the agreement envisions that Chain Baseball would assume full management responsibility for Scott Stell Community Park in the future. Chain Baseball is a non-profit organization which promotes youth and amateur baseball. Since 1985, the organization has helped 256 youths receive college scholarships, and 39 of the program's players later became drafted into professional baseball.

**FACTS & FINDINGS:**

1. Attached is the proposed agreement which would create the partnership between Chatham County and Chain Baseball. In summary, by terms of the agreement, Chatham County would commit to certain improvements at the Jim Golden Complex to renovate and improve its condition to meet college and tournament competition. The 2009 and 2010 Capital Improvement Program already includes funding for these improvements. In addition, the 2008-2014 Sales Tax program also provides funding. Altogether, these revenue sources will provide ample funding to meet the agreement's obligations, including developing the complex, its ballfields, and amenities for competition at highest amateur levels.
2. In exchange, Chain Baseball would manage the complex, generate revenues to offset maintenance, schedule play and sponsor tournaments. At least 10% of Chain's gross revenues would be allocated for maintenance and to give improvements at the Jim Golden Complex. While Chain retains first rights to schedule events, Chain would receive only priority use but not exclusive use.
3. Chain Baseball intends to develop the Jim Golden Complex into a professional-appearing venue for amateur baseball. Besides regularly-scheduled games, Chain Baseball would promote the complex for clinics and tournaments.
4. Chain Baseball's management of the Jim Golden Complex would be a pilot project. The agreement assumes that Chain Baseball would expand its role and become the manager of Stell Park, including management for all aspects to include personnel.
5. To provide public notice and opportunity for other organizations which may be interested in this agreement, the County advertised "Request for Interest." Only Chain responded.
6. The County Attorney has reviewed the proposed agreement and concurred in its form and format.

**FUNDING:**

Not applicable.

**ALTERNATIVES:**

1. That the Board approve the proposed agreement with Chain Baseball, as proposed.
2. That the Board amend the proposed agreement with Chain Baseball as it deems appropriate.
3. That the Board take no action.

**POLICY ANALYSIS:**

Contracting for the private management of public facilities offers opportunity and challenge. While non-profit organizations especially can focus its exclusive energy to enhance public facilities, agreements should be written so as to avoid conflicts of interest and exclusivity.

**RECOMMENDATION:**

That the Board adopt Alternative 1.

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## 2. \* BOARD WORKSHOP ON COUNTY'S WATER AND SEWER SYSTEMS.

County Manager Abolt said, Mr. Chairman, ladies and gentlemen, back on the 10<sup>th</sup> of July shortly after y'all adopted the budget, and I believe it was precipitated by the increase in water rates, sewer rates, you asked that at your first meeting in September staff be prepared to present a workshop regarding different option issues that are centered around changing the configuration in water and sewer and the way it's operated either by the County or by other entities, including current providers. We're prepared to do that. The intent is not to arrive at any decision today, but give you background and in doing this I ask Mr. Monahan to take the lead because some of you, I know Commissioner Shay, Commissioner Thomas were on the County Commission and Commissioner Odell, too, a number of years ago when we did this as an organization and different choices were made essentially to keep it as is. We want to talk about a variety of things dealing with what you might look at as a strategy to either maintain, continue or divest yourself of these systems or these different provider — different water and sewer areas of the County where we provide service. Mr. Monahan please.

Mr. Patrick Monahan said, good afternoon. History tends to repeat itself, doesn't it? In 1992 the then sitting Commission debated this same question about the future of Chatham County's water and sewer systems and it's not unlike the same discussion I hear — I've heard previously. But just to give you a little background about Chatham County's water and sewer system, which is actually a collection of individual wells and lift stations, dates all the way back to the 1960's. The County has always taken, since that period has always taken a rather laissez-faire view of it's water and sewer systems not really knowing whether to get into the system, whether to expand them or to get out of them. I use 1960 as an example because Wilmington Park developed and the Wilmington Park developer wanted a government to assume the responsibility for that system, not only the responsibility for maintenance but also the revenues, and the County Commission seemed to be the natural source because of the development of the unincorporated area, but opted not to. The City of Savannah stepped in and that's why the City owns that system today.

But similar questions arose during through the years. The Georgetown area, a similar question, the City of Savannah developed the sewer system for that area which now serves all of the 204. So through the years the County has always not made a firm commitment of whether it wanted to remain in the business or not, which brings us to what happened in 1992. The then-sitting Commission looked at the possibility of the sale of the system. Staff wrote an RFP, advertised, received two bids, and the two bids were in the \$2.2 million range — both of them plus or minus five percent of one another — but some questions arose with that and principally that was the impact on the customers. We all love capitalism but the problem is if a private investor is going to pay that for the system, somehow another there has to be payback and that payback can only be achieved through rates. Now, of course, the private provider could experience some efficiencies with the system that perhaps would make it more efficient to operate and, therefore, have lower cost, but ultimately the return on that investment can only come through the rates. So as part of the RFP process, the County required that all of the respondents tell us over the next five years how will your rates increase, and those rates would have increased from 20% to 50%, and I think that probably weighed most heavily on the Commission's mind was the impact of that on the customers. The other reason that's important is Georgia is only one of a handful of states in the entire country that does not regulate its private water systems. The Public Service Commissions of all the surrounding states does regulate its systems, but not in the State of Georgia. It's capitalism at its best.

Commissioner Farrell asked, you mean regulate as in how much they charge, but don't the Georgia EPD regulate the —? Mr. Monahan said, Georgia EPD regulates the —. Commissioner Farrell asked, — the quality of the product? Mr. Monahan said, you're absolutely right. It regulates on the quality of the water but not on the cost of the water. That's done through each individual system.

Mr. Monahan said, a couple of the unknowns that we have to still be concerned about that were never answered in 1992, the first of these about \$4,000,000 of federal and state money went into develop these systems, and so the question is what would happen if the County sold that system. It wouldn't make sense to sell the system for \$2,000,000 and then suddenly turn around and have to pay a \$4,000,000 bill to the federal and state government for the grants. There was a presidential executive order in April of 1992 that actually — that promoted the privatization of a lot of these types of systems. We tried to get the answer from the federal government on expectations of any repayment. Unfortunately, because of the age of some of the grants dating back to the 1970s, then Lindsey Thomas, his office assisted us in doing the research but we could not come to a definitive answer, and I think that's one thing before — if the Board proceeds with a sale — before any closing, the County will have to get confirmation on what would be owed.

The second is the City of Savannah is the primary service handler of all the wastewater. The County receives a government rate for that. One, the City is not obligated to receive any sewage from any private provider. So if we had a private provider, the City would have to concur that it (1) would be willing to accept it and (2) what that rate would be. So that's the other big unanswered question that still hangs out there.

I think the other thing that's happened since 1992, the County because of the changes in State policy, this no net increase and withdrawal from the Floridian Aquifer, that the community that's the guiding principle within the community now, leave the City of Savannah in the best posture for any increase in service, and that's why you see the City out along the U.S. 17 area in West Chatham County area selling to the other municipalities. The City in the late 1990s invested \$20,000,000 in a surface treatment which allowed them to take water from surface and provide it, as opposed to withdrawal which then allows the withdrawal to be moved around the community as it saw fit. The County is not in that same position. You know, we need to petition EPD for any increase and increase by permit, and those are — that rarely happens.

Mr. Monahan said, anyway, that's kind of the background in what we've gone through and a little bit about why we're here today and the rest is up to you.

Chairman Liakakis said, well, one of the things — go ahead, Patrick [Shay].

Commissioner Shay said, thanks as always for a briefing even though you're reminding me of stuff from 1992. I will tell you that in my own defense, you know, I was a real new cucumber Commissioner in 1992. I'm sure I didn't understand these issues in 1992. I'm reasonably sure I don't understand them in 2009, but bottom line is if we sold off our systems that we would want to sell them off in entirety, not piecemeal. County Manager Abolt said, yes. Commissioner Shay said, that we would not any longer be the people that get the calls when they don't manage to pay their water bill and they want somebody to get a forgiven or whatever because that private provider under that circumstance would be the one that would get those phone calls, but we also wouldn't be able to protect anybody from getting it sounds like gouged in terms of rate because they're not a Public Service Commission regulated utility. But the last thing is if there were net proceeds, the net proceeds would go to M&O.

Mr. Monahan said, correct. That was the opinion of the County Attorney in the early 1990s and I'm assuming Mr. Hart would concur, but I'll leave that to Mr. Hart to decide.

Commissioner Shay said, okay, and we — when we did this in 1992 the expectation — I mean, the number that we got back then was around \$2,000,000 in value, which presumably would be worth more in 2007 if just for the inflation in the dollars, but there's this fear that right after that we get a phone call from big brother and he says, "And, oh, by the way, you owe us for \$5,000,000 worth of bonds that you issued in 1972." Is that what I'm hearing? Mr. Monahan said, yes sir. Commissioner Shay said, so there's a risk that it might not even pan out to be a net benefit to our reserves.

Mr. Monahan said, just as you, it reminds me just standing here, it reminds me of some of the discussion because I contacted the federal offices about it and I got the general feeling that the federal government would work with the County on the issue, that the ultimate benefit would still be to the benefit of the customer for the original capital outlay for the systems, and the same with the state. I don't expect that either government will look for any sort of repayment, but before the County closes, the County needs to receive confirmation in writing on that point.

Commissioner Shay said, and then although I've been contacted by at least one private water company that says that they are interested in acquiring the system, they didn't express an interest in acquiring the entire system. They wanted to do what you described or I think the Manager described back in July as cherry-pick. You know, given that, at the end of the day we would generate on the order of \$2,000,000 or maybe something more than that by getting out of the water business but not be sure that we wouldn't have a debt to pay to somebody else.

Let me just finish up with one other question, is this one of those things when we look in the budget that we see that's an enterprise, that there's a separate budget within a budget? County Manager Abolt said, yes. Commissioner Shay said, okay, and that's budgeted as an enterprise within the M&O countywide budget? County Manager Abolt said, no, it's a separate enterprise fund funded by rates. That was the issue we got, you know, raising the rates. The money coming in from the rates makes the enterprise mostly self-sufficient. That also is the argument not to cherry-pick because the rates are a function of all of these non-system systems and so you may have one system that's minimum maintenance, but you're making money off of another system that's not. The predicament, Commissioner Shay, reminds me of what did happen in 1992 also. The previous Commission had said let's see what we can do to dispose of the systems and much work. Time went on. A new Commission was just elected and at that time the Chairman, who had had some experience in this when he worked for the County before he was Chairman, was reacting to what I remember of many people I think was in this Chamber, in fact. They were ratepayers. In saying no — at that time the rates were much less than they are now and the appeal to their elected representatives, namely the County Commission, don't throw us at the mercy of whomever who's going to raise rates. That was the political decision.

Commissioner Shay said, I appreciate the effort and time that's gone into researching this and the fact that you at least refreshed my memory on what we went through in 1992. I think we've got enough other things on our plate right now that getting started on doing an in-depth analysis here is probably not warranted. Unless there's a feeling or a sentiment by the rest of the Board that we ought to proceed beyond where we've gone thus far right now, I'll just accept this as information and think about it.

Chairman Liakakis said, one of the things that we know is Commissioner Farrell talked about one of the things with annexation that continues to decrease the unincorporated areas is because not being able to supply water and sewage to those particular areas, and it gets smaller and smaller especially when you get something like 8,000 acres — Boom! Gone from the County rolls. And it's just a situation that —. What is the income every year now on these water and sewer? Mr. Monahan said, it's about two and a half million dollars, I believe. Chairman Liakakis asked, it's about two and a half million? Mr. Monahan said, right. Chairman Liakakis asked, and how much of that is profit other than, you know, the cost factors of running it? Mr. Monahan said, well, as an enterprise fund there's really not profit. It's cost plus depreciation. That's how that fund balances out. County Manager Abolt said, it goes into —. Chairman Liakakis said, I understand the enterprise system, but what I'm saying is there is some, you know, benefit by it.

Commissioner Farrell said, well, it sustains itself. County Manager Abolt said, it sustains itself. There's really not a —. Commissioner Farrell said, it's not a burden to the taxpayer, it's [inaudible] taxpayer.

County Manager Abolt said, you have to question, benefit is kind of, I guess, in your mind more than mine right now. We made a very ambitious rate increase recommendation which you adopted and for the first time you really got some push back on it because we were becoming comparable with our competition, if you want to use that word. So, I mean, that's the issue right now. It will play out in front of you in a couple of ways and one the Chairman mentioned about the annexation, but what's going to happen is, as you know, the Spa Park on the Westside, we've got about a million dollars plus in capital investments we have to make in it. We're trying to avoid having to come up with that out of this enterprise fund and dispose of that, so that will be one issue we have, and the other and before you close, I'd like to have Robert [Drewry] to come back up or come to the podium and talk about just what the Chairman said because the strategy of providing what amounts to an alternative choice for any development of any consequence is severely limited, and that's by controls on the Floridian Aquifer. Robert [Drewry], would you please refresh their memory.

Mr. Robert Drewry said, good afternoon. Probably about a year ago the concern was losing property annexations to water and sewer extensions, and we looked at the County growth, we looked at growth strategies, we identified two corridors that were not served currently by water and sewer and what the potential was to serve those areas. One of those areas now is already — has been under consideration for a private owner that wants to annex and be served by the City of Savannah. The other corridor that we really focused on was the Highway 204 corridor along the Ogeechee River. If you recall, we hired a consultant to give us a feasibility study of whether or not that would be practical to get into water and sewer out in that area. Because of the water restrictions at the upper Floridian Aquifer, the consultant came back and said it's probably not a good idea to start a water service — a water source out in that area, that it may be better served by existing water and sewer providers. As Pat [Monahan] did mention that the City has positioned themselves very well, and that's what is happening particularly on the Westside.

Chairman Liakakis asked, any questions for Robert [Drewry]?

Commissioner Shay asked, if somebody came forward and they were interested in some part of our system primarily just because it was a missing link in several systems that they had, you know, in the chain so to speak there was a missing link and wanted to buy a segment, is that something that we could at least entertain in order to provide greater continuity of service for —? Mr. Drewry said, we actually did entertain that at the Burroughs system out on the Westside up off of Wild Heron Road. Commissioner Shay said, yes. Mr. Drewry said, a very small system that served a minimal number of customers. The City has completely annexed around it —. Commissioner Shay said, right. Mr. Drewry said, — and it just made a lot more sense for the City just to take over that system. Commissioner Shay said, okay.

Mr. Linda Cramer said, one thing we did when we restructured the rates this time, we broke down our fixed costs and that became the base rate, and then, you know, the variable costs were on top of that. So I think any time you dilute your customer base, it's going to impact your rates that way, so we might have to go back through another rate restructuring because we'd have less customers to spread.

Commissioner Shay said, I mean, another thing that I had forgotten since the last time we discussed this, and I'm sensitive here to Commissioner Gellatly, when Harris [Odell] I'm talking too much, but is the sewer business that's also a very tricky part of this because you can't charge for sewer but you can charge for water, and if the water and sewer is not provided at the same time, then it gets really sticky for a lot of reasons. Okay, thank you all for taking a side journey and reminding me of all the reasons why we didn't do it in 1992.

#### **ACTION OF THE BOARD:**

A workshop was held on the County's water and sewer system and the Commissioners were reminded of the reasons that the Commission previously did not dispose of the systems when the issued was discussed in 1992 or at any time thereafter.

**AGENDA ITEM: VIII-2**  
**AGENDA DATE: September 11, 2009**

**TO:** Board of Commissioners

**THRU:** R.E. Abolt, County Manager

**FROM:** Patrick Monahan, Asst. County Manager

#### **ISSUE:**

To provide information related to the sale of water and sewer systems based on a similar course pursued in 1992.

#### **BACKGROUND:**

The Board is considering sale of Chatham County's water and sewer systems. Since a prior Board pursued this same consideration in 1992, this report will provide major issues and concerns which arose then. Because of time-consuming requirements to

prepare bid documents, evaluate them, consider the rate impact on customers and avoid unintended consequences (i.e. repaying grants, developer obligations), the decision should be made with full understanding of the outcome.

**FACTS & FINDINGS:**

1. In 1992, the then-Board considered sale of the County's water and sewer systems. The Board approved the following tenets:
  - 1.1 The minimum asking price would be \$2 million.
  - 1.2 The system could only be sold to a single buyer and kept intact for future years.
  - 1.3 The new owner would need to provide at least the same level of service as Chatham County (i.e. backup system, maintenance, consideration of extensions).
  - 1.4 Protection must be given to customers against unreasonable rate increases.
  
2. The Board opted not to sell the systems because of several issues of concern, as follows:
  - 2.1 The County received two bids/proposals (nine potential buyers expressed interest). The highest totaled \$2,210,000, while the second totaled \$2,145,000. The County Attorney provided a legal opinion that net proceeds to the sale would become a revenue to the General Fund M&O. Of the gross amount received, the County would need to retire any outstanding obligations, including \$453,215 in obligations to developers for the Pine Barren and Runaway Point systems [subsequent to this issue, the Finance Department in 2008 wrote off these liabilities].
  - 2.2 The bid document required bidders to commit to rates for the first five years. Based on committed rates, existing customers would face a 20% increase to 50% increase, depending upon whether a water or sewer or water/sewer customer, during the first five years (see Attachment 1). It was presumed the buyer would need to recover the capital outlay of purchasing the system through higher fees. Rate guarantees are important especially since Georgia remains one of only a handful of states which does not regulate private water systems.
  - 2.3 Both bidders committed to providing the same or higher level of service. Since one of the bidders already owned systems in the area, this provided an advantage for inter-connecting during emergencies (subsequent to this process, the County began entering into inter-connect systems with private water owners for similar reasons).
  - 2.4 The sale would be exclusive of the SPA Park (Savannah Economic Development Authority), which provided the highest rate of return on revenues versus expenses (subsequent to this issue, the SPA Park needs a major infusion of capital outlay because of demand and permit issues).
  
3. A number of issues remained unresolved from consideration in 1992. Since the Board opted not to pursue the sale of the systems, the answers remain pending. These would need to be resolved subject to sale of the systems.
  - 3.1 The County received \$4.2 million in federal and state grants to construct certain systems (see Attachment 2). A Presidential Executive Order issued on April 30, 1992, "Infrastructure Privatization," enables sale of assets from grants depending upon the type of grant, including reduced value because of depreciation. Despite assistance from then-Congressman Lindsay Thomas' Office, staff could not locate the grants, some which dated back to the 1970s. Should this sale move forward, the County would need written confirmation from the federal government to release the obligations; otherwise, the County could be liable for costs in excess of sales amount
  - 3.2 The County enters into agreements with the City of Savannah for treating wastewater (the County owns only the Pine Barren Sewer System). The City provides this service at a government rate to the County; whether the City would provide this service to a private provider would need to be determined and at what rate.

**FUNDING:**

Not applicable (according to a 1992 opinion from the County Attorney's Office, the net proceeds from the sale of the water and sewer system(s) would become revenue to the General Fund M&O.

**ALTERNATIVES:**

1. Should the Board want to pursue the sale of the water and sewer system, the following procedure should be followed:
  - 1a. Use the 1992 Request for Proposal (RFP) document as a starting point to determine interest, maintenance levels and service, value and rates. See Attachment 3. The Board would need to adopt a resolution which deems the water and sewer system(s) as unserviceable (i.e. surplus to the County's needs).
  - 1b. Obtain a fair market value appraisal of value to place a minimum asking value. This should be done on a blended approach of income and market sales (as opposed to replacement value as done in 1992 since buyers will view this as an investment).
  - 1b. Require as part of the RFP that responses provide a timetable of five years of guaranteed rates. This will provide an analysis to advise customers.
  - 1c. Seek confirmation from the federal/state government on any obligation of repayment for systems built with grants as well as from the City of Savannah on whether the City would continue to accept wastewater for treatment and by what rate.
2. Or, review the issues from the 1992 question, especially as related to the impact on future rate of customers, and opt to continue service as provided.
3. Or, negotiate a conveyance to the City of Savannah and other municipalities, depending upon location of systems, based on conditions of fees and maintenance standards.

**POLICY ANALYSIS:**

As stewards of public property, the Board must protect the public interest and ownership of this asset. State law prescribes certain conditions which must be met, and case law states that the County should obtain "...the most advantageous price." This principle should be balanced against protecting the customers of the water and sewer systems, since as an enterprise fund the customers have long invested in this asset.

**RECOMMENDATION:**

For Board information.

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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) FY2010 GENERAL FUND M&O TRANSFER \$10,000 FROM CONTINGENCY TO SPECIAL APPROPRIATIONS FOR TYBEE LIFEGUARDS, 2) FY2010 SALES TAX IV: A) TRANSFER \$17,874 FROM RESERVE FOR NONPROFIT ORGANIZATIONS TO THE ASH TREE PROJECT, B) AMEND DRAINAGE PROJECTS AS OUTLINED ON THE ATTACHED MEMO FROM THE COUNTY ENGINEER, 3) FY2009 GENERAL FUND M&O APPROPRIATE \$5,000,000 UNDESIGNATED FUND BALANCE TO TRANSFER OUT TO THE CAPITAL IMPROVEMENT PROGRAM, 4) CAPITAL IMPROVEMENT PROGRAM FUND FY2009, AMEND BUDGET FOR \$5,000,000 TRANSFER FROM THE GENERAL FUND M&O.**

Chairman Liakakis said, we have to vote on that one. We need a motion for approval.

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

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

**ACTION OF THE BOARD:**

Commissioner Stone moved that the Board approve the following budget transfers and amendments: 1) FY2010 General Fund M&O transfer \$10,000 from contingency to Special Appropriations for Tybee lifeguards, 2) FY2010 Sales Tax IV: a) transfer \$17,874 from Reserve for Nonprofit Organizations to the Ash Tree project, b) amend drainage projects as outlined on the attached memo from the County Engineer, 3) FY2009 General Fund M&O appropriate \$5,000,000 undesignated fund balance to transfer out to the Capital Improvement Program, 4) Capital Improvement Program Fund FY2009, amend budget for \$5,000,000 transfer from the General Fund M&O. Commissioner Holmes seconded the motion and it carried unanimously.

**AGENDA ITEM: IX-1**

**AGENDA DATE: September 11, 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) FY2010 General Fund M&O transfer \$10,000 from contingency to Special Appropriations for Tybee lifeguards, 2) FY2010 Sales Tax IV: a) transfer \$17,874 from Reserve for Nonprofit Organizations to the Ash Tree project , b) amend drainage projects as outlined on the attached memo from the County Engineer, 3) FY2009 General Fund M&O appropriate \$5,000,000 undesignated fund balance to transfer out to the Capital Improvement Program, 4) Capital Improvement Program Fund FY2009, amend budget for \$5,000,000 transfer from the General Fund M&O.

**FACTS AND FINDINGS:**

1. The Board of Commissioners approved a \$10,000 appropriation to the City of Tybee for lifeguard services at the August 28, 2009 meeting. A General Fund M&O contingency transfer is necessary. A contract for services has been drafted, and will be approved before funds are disbursed.
2. The County Attorney's office has cleared funding for Ash Tree in the 2003-2008 SPLOST fund. A transfer of \$17,874 from Reserve for Nonprofit Organizations to the Ash Tree project is required to establish funding.
3. The County Engineer has requested amendments to drainage projects in Sales Tax IV. The amendments will decrease Chatham County Drainage \$160,000, and Chevis Canal/Airport \$600,000, and increase Dundee Canal \$60,000, Laberta-Cresthill \$400,000, and Belleview Ct. \$300,000. The total allocation remains unchanged. These adjustments are outlined on the attached memo.
4. The Finance Director has requested an appropriation of \$5,000,000 General Fund M&O FY2009 undesignated fund balance to the Capital Improvement Program Fund. The funds were generated by a combination of favorable revenue and expenditure variances in fiscal year 2009. These funds will be available for appropriation in the upcoming CIP process. Resolutions to amend the funds are attached.

**FUNDING:** Funds are available in the FY2010 General Fund M&O contingency and the Sales Tax IV Fund for the transfers.

**ALTERNATIVES:**

- (1) That the Board approve the following:

**GENERAL FUND M&O FY2010**

Transfer \$10,000 from contingency to Special Appropriations for Tybee lifeguards.

**2003-2008 SPLOST FUND FY2010**

- a) transfer \$17,874 from Reserve for Nonprofit Organizations to the Ash Tree project.
- b) decrease Chatham County Drainage \$160,000, and Chevis Canal/Airport \$600,000, and increase Dundee Canal \$60,000, Laberta-Cresthill \$400,000, and Belleview Ct. \$300,000.

**GENERAL FUND M&O FY2009**

Appropriate \$5,000,000 undesignated fund balance to Transfer Out to Capital Improvement Program.

**CAPITAL IMPROVEMENT PROGRAM FUND FY2009**

Increase revenues and expenditures for the \$5,000,000 transfer in from the General Fund M&O.

(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 approve Alternative 1.

Prepared by: Read DeHaven

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**2. REQUEST BOARD APPROVE A PROJECT TO PLANT THE WESTLAKE/LAMARVILLE FOREST AS A COMMUNITY PARTNERSHIP BETWEEN CHATHAM COUNTY, SAVANNAH TREE FOUNDATION, GEORGIA FORESTRY COMMISSION AND WESTLAKE AND LAMARVILLE COMMUNITY ASSOCIATIONS.  
[DISTRICT 5.]**

Chairman Liakakis said, that's District 5 and Harris [Odell] has left.

Commissioner Stone said, I would move for approval, Mr. Chairman, for the staff recommendation. Commissioner Shay said, second.

Chairman Liakakis said, let's go on the Board. The motion carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

County Manager Abolt said, this is a neat project and I thank Mr. Monahan —.

Commissioner Shay said, a neat project with good people. Commissioner Stone said, a neat project. I make a motion for a neat project.

Mr. Monahan said, Mr. Chairman, if you have five minutes I'd like to make a quick presentation.

County Manager Abolt said, it is neat and it's green.

Chairman Liakakis said, it's important too. This Board has been environmentally conscious of this and putting a number of things in effect and have acquired a lot of pieces of property, putting in trails and all kinds of environmental things and then because something happened on the Johnny Mercer Boulevard, we were highly criticized about two trees that were approved in 2005 to be taken down, which is ridiculous. But anyway, we move on from there and let's see what you've got here. This isn't going to take —.

Mr. Monahan said, actually I'm not going to make a presentation since the Board's already it, but I did want to introduce, we had Mr. Ernest Majors, Jr., here — Major, Jr., who is the President of the Lamarville Neighborhood Association. He's helping the volunteers and also we had Reverend James Brown, but he also had to leave. Oh, there he is. Excuse me, he's still here. Diane Houston from the Savannah Tree Foundation. She's the President. Danny Wescott actually developed the plan. He's with the Georgia Forestry Commission, and also Dale Thorpe with the Savannah Tree Foundation, and this is a partnership between Chatham County, the Georgia Forestry Commission, the neighborhood associations at Lamarville and Westlake, and also — I mentioned the Tree Foundation. Anyway, so this would result in the planting of almost 500 trees, inch and a half in caliber, probably phased in over a couple of different weeks, but it provides many important results, not only meeting our commitment to plant 365 trees a year under the Greenest County Plan, but also it helps demonstrate our commitment to FEMA, because this is a flood mitigation area, and creates a natural habitat for both migratory nesting birds and other wildlife, and also it develops a community esprit de corps because it will take a large community effort in order to plant that many trees so quickly.

Chairman Liakakis said, well, one thing, the history of this particular Board for the last session and this session have been really cognizant and to make this the greenest county, and we could see many, many good things that have happened here. I would like to commend the Savannah Tree Foundation. They've done an outstanding job in this community over the years to help this environment and to help in many ways. Trees are great for our community and, for example, for pollution control, for one of those things, the beauty of it, and of course to reduce the flooding situations that we're having. There's a lot of other good benefits there. So I want the Savannah Tree Foundation to really appreciate what you have done, not only in the City but the County and the other things that

you've participated in because it's made a big difference in our community. And I'm glad that in the past I was able to help plant trees with the Savannah Tree Foundation in a number of places, whether it was Savannah State or out there on Bacon/Fell Street or Hunter Field, wherever it might have been. They've got a lot of great volunteers that don't get paid anything, but they want to make this community better. So thanks again for that.

**ACTION OF THE BOARD:**

Commissioner Stone moved to approve a project to plant the Westlake/Lamarville Forest as a community partnership between Chatham County, Savannah Tree Foundation, Georgia Forestry Commission and Westlake and Lamarville community associations. Commissioner Shay seconded the motion and it carried unanimously.

**AGENDA ITEM: IX-2**

**AGENDA DATE: September 11, 2009**

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

**ISSUE:**

To approve a project to plant the Westlake/Lamarville Forest as a community partnership between Chatham County, Savannah Tree Foundation, Georgia Forestry Commission and the Westlake and Lamarville community associations.

**BACKGROUND:**

Chatham County acquired some 30 properties in the Lamarville Woods and Parkway subdivisions near Westlake as a flood mitigation area. The vacant five-acre has become an attractive nuisance for dumping and generally remains unsightly. The five-acres connect two existing forestlands of 21 acres and 10 acres, which Chatham County owns. Staff approached the Savannah Tree Foundation about a planting project to create a connecting forest as part of the "Greenest County" Plan, which commits Chatham County to plant 365 trees annually.

**FACTS & FINDINGS:**

1. The project, which will result in the planting of some 500 trees, involves Chatham County, Savannah Tree Foundation, Georgia Forestry and community representatives from Westlake and Lamarville.

1.1 Georgia Forestry has developed a planting plan and selected species for the low-lying area. In addition, Georgia Forestry will provide oversight in site preparation and tree location.

1.2 Savannah Tree Foundation will provide best-practices guidance and help organize volunteers for the planting day.

1.3 Community representatives from Westlake and Lamarville will help organize volunteers and provide volunteers.

1.4 Chatham County will provide funding to purchase the trees, assist with site preparation and irrigation, and provide mulching from its recycling program.

2. The planting will likely occur in phases because of the number of trees. In addition, most of the holes will be pre-dug and soil additives provided. The trees will be in 15-gallon containers with trunk caliper of at least 1 ½ inches. Plans call for a temporary irrigation system to ensure the trees become established early.

3. A section of the five-acre parcel will be reserved for a community park, which will include an open, grassed area for various youth activities.

4. The project not only provide ecological benefits because of the forest, which will attract nesting birds, but also help to build community esprit d' corps.

5. The project will result in a forest within 10 to 15 years. It also helps to meet the goals of 365 trees planted annually as provided in the "Greenest County in Georgia Plan."

6. The Department of Public Works & Parks Services previously participated in a successful tree planting project at Westlake/Lamarville. While not of the scope of the proposed project, the previous planting showed the enthusiasm of volunteers.

**FUNDING:**

Project funding will be \$100,000. 2003-2008 SPLOST (Open Space, Green Space and Bikeways (Fund/Department 3234985, Project 32378102, Object Code 5411011)).

**ALTERNATIVES:**

1. That the Board authorize the Westlake/Lamarville planting project.
2. That the County opt not to participate but make the property available for a project for the Savannah Tree Foundation and neighborhood volunteers.
3. That the Board take no action.

**POLICY ANALYSIS:**

While the worthwhile purpose behind the project will not be evident for 15 years when the forest matures and its ecological benefits begin to reach maturity, its immediate benefits are community participation and volunteerism. The project also helps to meet the goals of Chatham County planting at least 365 trees annually as adopted in the "Greenest County in Georgia" plan.

**RECOMMENDATION:**

That the Board adopt Alternative 1.

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**X. ACTION CALENDAR**

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

Chairman Liakakis said, we have Items 1 through 4 and under 4 we have A through F. Are there any specific items that you would like to hold off on this portion? Okay, we have — we need a motion on the floor for Action Calendar 1 through 4 and under 4 A through F.

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

Chairman Liakakis said, we have a motion on the floor and a second. Let's go on the board. [NOTE: Commissioners Odell and Kicklighter were not present.]

**ACTION OF THE BOARD:**

Commissioner Stone moved to approve Items 1 through 4-F, both inclusive. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter 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 AUGUST 28, 2009, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Stone moved to approve the minutes of the regular meeting of September 11, 2009. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

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**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD AUGUST 20 THROUGH SEPTEMBER 2, 2009.**

**ACTION OF THE BOARD:**

Commissioner Stone moved to authorize the Finance Director to pay the claims against the County for the period August 20, 2009, through September 2, 2009, in the amount of \$4,140,785. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

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**3. REQUEST BOARD DECLARE AS SURPLUS A VACANT PARCEL IN UNINCORPORATED CHATHAM COUNTY ON JONES STREET AND AUCTION THE COUNTY'S INTEREST IN THIS PROPERTY HELD BY TAX DEED. [DISTRICT 3.]**

**ACTION OF THE BOARD:**

Commissioner Stone moved to declare as surplus a vacant parcel in unincorporated Chatham County on Jones Street and auction the County's interest in this property held by tax deed. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

**AGENDA ITEM: X-3**

**AGENDA DATE: September 11, 2009**

**TO:** Board of Commissioners

**THRU:** R.E. Abolt, County Manager

**FROM:** Patrick Monahan, Asst. County Manager

**ISSUE:**

To declare as surplus a vacant parcel in unincorporated Chatham County on Jones Street and auction the county's interest in this property held by tax deed.

**BACKGROUND:**

Chatham County has legal interest by tax deed (unpaid taxes) in a parcel on Jones Street in unincorporated Chatham County. While some legal question remains about the extent of Chatham County's legal interest in such properties, the Board has followed the following procedure:

1. Properly advertise the properties for sale in accordance with Georgia law, O.C.G.A. 36-9-3 (public bid after 15 day legal notice that describes properties).
2. Make the successful bidder responsible for paying all outstanding taxes, penalties and interest, which represents Chatham County's interest in the property.
3. Make the successful bidder responsible for obtaining marketable title.

**FACTS & FINDINGS:**

1. The property of interest is a vacant lot in unincorporated east Chatham County known as 0 Jones Street with a legal description as "Lots 39 through 44 BLK 8 Addn to E Savannah," (PIN 1-0279-01-002). The property totals about 4/10 of an acre.
2. Not to be confused with the Jones Street in Savannah's Landmark District, 0 Jones Street in unincorporated Chatham County has challenges for potential development. According to SAGIS' elevation tool, the property remains in an extremely low-lying area with an elevation about five feet. In addition, the lots are situated on a platted but unopened road as an extension of Iowa Street. The parcel's value totals \$500.
3. The property previously went to tax sale on the steps of the Courthouse because of the default of the property owners of record to pay taxes. When no private bidder makes an offer on the outstanding tax value, Chatham County assumes its name on the tax deed (state law requires this action to prevent any conveyance of property without settlement of the tax lien). Many interested in property confuse a tax deed in Chatham County's name with the same rights as ownership.

4. Because Chatham County acquires legal interest through default of taxes, staff explains to any prospective buyers the problems that can arise with marketable title. Chatham County conveys its legal interest in the property by quitclaim. The quitclaim can be used as a route to gain ownership by filing a quiet title action. Staff explains to the holder of the quit claim deed the issues related to clearing title, which includes paying off all outstanding tax liability to Chatham County and the City of Savannah as well as other possible lien holders.
5. Besides the legal challenge of obtaining marketable title, staff has explained to an interested bidder about the development challenges with this parcel. In all likelihood, the property lacks any potential for development.

**FUNDING:**

Funding is not applicable.

**ALTERNATIVES:**

1. Authorize staff to proceed with the disposition of the property as provided by Georgia law, including issuance of a quit claim.
2. Do not authorize staff to proceed with disposition of the property.

**POLICY ANALYSIS:**

Under Georgia law (O.C.G.A. 36-9-3), Chatham County must follow certain procedures in the disposition of public property. While recent amendments to this code section make this task easier, the law requires certain procedures to maintain the public's interest in property it owns. Returning these properties to private ownership achieves the county's goals of returning property to tax generating status and responsible maintenance.

**RECOMMENDATION:**

That the Board adopt Alternative 1.

0 Jones Street                      District 3

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**4. 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.).**

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. Independent consultant service contract to provide management of various Parks and Recreation capital projects	Public Works and Park Services	John Walz	\$40 per hour	CIP - Recreation
B. Three (3) 2010 Chevrolet Tahoe vehicles	Sheriff	Coastal Chevrolet	\$75,741	Multiple Grant Fund - Sheriff's Department
C. Change Order No. 4 to the annual contract to provide pest control services to the various departments to change scope of service for Drug Court	Drug Court	Cox Termite and Pest Control	Net Change of \$240 per year	General Fund/M&O - Court Expenditures
D. Change Order No. 2 to the contract for the McQueen's Island Rails-to-Trails Stabilization Project for additional services	Public Works and Park Services	E & D Contracting (WBE)	\$28,387	SPLOST (2003-2008) - Open Space, Green Space and Bikeways
E. Amphibious long reach excavator	Mosquito Control	ASC Construction Equipment, Inc.	\$385,000	CIP - Mosquito Control
F. Contract to construct traffic improvements at the on and off ramps of Veterans Parkway and Chatham Parkway as well as Chatham Parkway and Garrard Avenue	Engineering	Moye Electric, Inc.	\$200,899	SPLOST (2003-2008) - Unincorporated Roads, Chatham Parkway/ Veterans

**ACTION OF THE BOARD:**

Commissioner Stone moved to approve Items 4-A through 4-H, both inclusive. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

**AGENDA ITEM X-4 A thru H**  
**AGENDA DATE: September 11, 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 an independent consultant service contract with John Walz at \$40 per hour for Public Works and Park Services.

**BACKGROUND:** John Walz, a retired Public Works Maintenance Manager, has experience and qualifications necessary to manage various complex capital projects.

**FACTS AND FINDINGS:**

1. Mr. Walz will be providing project management and on-site construction administration services for the Thunderbolt Boat Ramp and Salt Creek Boat Ramp repairs.
2. Under the provisions of this contract Mr. Walz will provide his schedule of hours worked each week on a month-to month basis, not to exceed 12 months. The contract will be for one(1) year unless otherwise amended for additional services.
3. Mr. Walz will review and develop a working knowledge of the engineering drawings and documents and approved environmental permit from the Georgia Department of Natural Resources and the U.S. Corp of Engineering.
4. Staff believes the negotiated fee of \$40 per hour not to exceed \$9,000 to be fair and reasonable.

**FUNDING:** CIP - Recreation  
 ( 3506100 - 52.22001 - 35030330)

**ALTERNATIVES:**

1. Board approval of an independent consultant service contract with John Walz at \$40 per hour for Public Works and Park Services.
2. Provide staff other direction.

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

**RECOMMENDATION:** Staff recommends approval of Alternative 1.

BUDGET APPROVAL \_\_\_\_\_  
 CHRIS MORRIS

**ITEM B**

**ISSUE:** Request Board approval of the \$75,741 purchase for three (3) 2010 Chevrolet Tahoe PPV Police Pursuit from Coastal Chevrolet for the Sheriff's Department.

**BACKGROUND:** In June 2009 the Board approved the acceptance of a non-matching grant from the Georgia Emergency Management Agency for Homeland Security. A

portion of these funds were allotted for the purchase of three (3) vehicles to be used for the Chatham County K9 Regional Team in supporting regional K9 explosives response.

**FACTS AND FINDINGS:**

1. Staff requested quotes from three (3) Georgia dealerships. Responses are as follows:
 

Hardy Chevrolet Dallas, GA	\$25,247/ea
Coastal Chevrolet Savannah, GA	\$26,119/ea
Gordon Chevrolet Augusta, GA	\$26,554/ea
2. On 27 March 1998, the Chatham County Board of Commissioners adopted a "Local Vendor" Preference Ordinance that gives the lowest Chatham County vendor the opportunity to match the lowest price offered by an out-of-County vendor. If the County vendor confirms in writing within 24 hours, the award will be made to the Chatham County vendor. Coastal Chevrolet has agreed to match the low quote of Hardy Chevrolet.
3. Staff believes the total cost of \$75,741 base price for the purchase of three (3) 2010 Chevrolet Tahoe PPV Police Pursuits to be fair and reasonable.

**FUNDING:** Multiple Grant Fund - Sheriff's Department  
(2503300 - 54.22002 - 25023252)

**ALTERNATIVES:**

1. Request Board approval of the \$75,741 purchase for three (3) 2010 Chevrolet Tahoe PPV Police Pursuit from Coastal Chevrolet for the Sheriff's Department.
2. Provide staff other direction.

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

**RECOMMENDATION:** Staff recommends approval of Alternative 1.

BUDGET APPROVAL \_\_\_\_\_  
TOM DRANE

**ITEM C**

**ISSUE:** Request Board approval of Change Order No. 4, in the *deductive* amount of \$25 per month to discontinue monthly pest control services at the "old" Drug Court Building located at 1607 Skidaway Road, and an *additional* amount of \$45 per month to add to the scope of service of the contract, monthly pest control service at the "new" Drug Court Building located at 1464 East Victory Drive, to the annual contract with Cox Termite and Pest Control.

**BACKGROUND:** On 21 November 2008, the Board approved an annual contract with four (4) automatic renewals for pest control services at various departments and agencies of Chatham County with Cox Termite & Pest Control.

**FACTS AND FINDINGS:**

1. The contract for pest control services covers various departments and agencies of Chatham County and included the Drug Court Building at the old location of 1607 Skidaway Drive. The lease for this location expired on 31 August 2009.
2. The 1464 East Victory Drive location will require pest control service. The difference in the price per month is due to the square footage increase at the new location.

3. Staff believes the price quoted from Cox Termite and Pest Control to be fair and reasonable.

4. Contract history is as follows:

Original Contract Amount (11-21-08)	\$18,740/Year
Change Order No. 1 (01-16-09)	\$ 300/Year
Change Order No. 2 (03-13-09)	\$ 540/Year
Deductive Change Order No. 3 (03-27-09)	\$ (180)/Year
Change Order No. 4 - <i>Deduction</i> (Pending)	\$ (300)/Year
Change Order No. 4 - <i>Addition</i> (Pending)	\$ 540/Year
Revised Contract Amount	\$19,640/Year

**FUNDING:** General Fund/M & O - Court Expenditures  
(1002110 - 52.39001)

**ALTERNATIVES:**

1. Board approval of Change Order No. 4, in the *deductive* amount of \$25 per month to discontinue monthly pest control services at the "old" Drug Court Building located at 1607 Skidaway Road, and an *additional* amount of \$45 per month to add to the scope of service of the contract, monthly pest control service at the "new" Drug Court Building located at 1464 East Victory Drive, to the annual contract with Cox Termite and Pest Control.
2. Provide staff other direction.

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

**RECOMMENDATION:** Staff recommends approval of Alternative 1.

BUDGET APPROVAL \_\_\_\_\_  
GLORIA SAUGH

**ITEM D**

**ISSUE:** Request Board approval of Change Order 2, in the amount of \$28,387, to contract for the McQueen's Island Rails-to-Trails Stabilization Project with E & D Contracting.

**BACKGROUND:** At the 13 February 2009 meeting, the Board awarded a contract for the McQueen's Island Stabilization Project to E&D Contracting. Work is nearing completion; however, the Department of Public Works and Parks Services has requested an additional section of oyster restoration west of the timber bridge. In addition, the 10-foot tides in June caused previously-repaired areas to wash out.

**FACTS AND FINDINGS:**

1. By terms of the contract, the contractor would be entitled to a change order since the additional section of shoreline restoration represents more work than shown on the plans. Public Works & Parks Services has requested the additional section to enable larger mowing equipment toward the western section of the trail, and thereby reducing or eliminating the need for manual cutting.
2. In June, 10-foot tides covered the trail and caused some areas previously repaired to wash out. This required the contractor to haul and fill these areas in accordance with the engineering plans. While county staff initially questioned whether the contractor should be liable for this work, a review of the damaged sections and consideration of the highly-unusual occurrence of 10-foot tides suggest the contractor should be entitled for payment.
3. Based on a previously-agreed rate of \$151.37 per linear foot, the contractor would be entitled to \$15,137 for the additional 100 feet of restored area as requested by Public Works & Parks Services. In addition, based on time and materials, the consulting engineer has determined repair of the damaged sections due to high tides totals \$13,250.
4. Change Order history:

Contract award	02/13/09	\$183,310	
Change Order 1	05/22/09	\$ 93,698	(add 619 LF of restoration)
Change Order 2	09/11/09	<u>\$ 28,387</u>	(pending for 100LF and tidal repair)
		\$305,395	

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

**ALTERNATIVES:**

1. Board approve Change Order No. 2, in the amount of \$28,387, for the additional 100 linear feet of work and repair of damaged sections on the McQueen's Island Rails-to-Trails Stabilization Project to E&D Contracting.
2. Board opt not to approve the Change Order and direct staff to re-bid the additional work.
3. Board takes 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 E**

**ISSUE:** Request Board approval of a \$385,000 purchase an amphibious long reach excavator from ASC Construction Equipment, Inc., for Mosquito Control.

**BACKGROUND:** For many years, Mosquito Control has operated two (2) amphibious rotary ditchers in the dredge material containment areas (DMCA) along the Savannah River. These machines de-water the containment sites, mechanically preventing mosquitoes from breeding in more than 5,000 spoil acres. Mosquito Control is currently using one (1) long reach amphibious excavator and one (1) standard boom excavator on mats for the de-watering process.

**FACTS AND FINDINGS:**

1. Continuing this work is more important than ever for two (2) reasons: a) mechanical means of mosquito control prolongs the useful life of chemical pesticides that must otherwise be used to control mosquitoes generated by harbor maintenance activities and; b) Chatham County is now getting reimbursed by the Georgia Department of Transportation (GDOT) and the U. S. Army Corps of Engineers (USACE) for mosquito control operations, including ditching, necessitated by harbor maintenance activities along the Savannah River.
2. In federal fiscal year 2008/2009, ditching alone comprised 94% of the reimbursable expenses allowed by the USACE.
3. Mosquito Control replaced one (1) rotary ditcher with a long reach amphibious excavator in 2008 and implemented new ditching techniques. This new approach, as demonstrated in spoil area 12B, reduced the amount of acreage requiring treatment by 90%, saving more than \$4,500 per treatment.
4. The standard tracked excavator (non-amphibious), also currently in use, is on loan from Public Works and Park Services. Because of the soft ground, this machine must work on mats to avoid sinking. Working on mats is slow and this machine has severely limited utility in wet areas. Ditching while working on mats is 50% less productive than ditching with an amphibious excavator.
5. The requested long reach amphibious excavator will replace a 1987 model tracked rotary ditcher. Due to the age and condition of this machine, over 40% of workable hours are spent on repairs.

6. The tracked rotary ditcher is an obsolete model. It is difficult to locate replacement parts for the amphibious pontoons and track mechanism. Parts for the ditcher attachment are no longer available and have to be individually fabricated at great expense. Rotary ditching is no longer considered a viable means of mosquito control in our environment because the smaller sized ditches constructed are much less efficient in de-watering dredge spoil areas when compared to the ditches constructed with amphibious long reach excavators.
7. The requested amphibious long reach excavator will allow access to areas the rotary ditcher cannot reach, and allow quicker de-watering of the DMCA's. It will work in concert with the existing amphibious excavator to reduce the number of acres that must be treated with costly chemical pesticides. Minimizing pesticide use greatly reduces the possibility that our local mosquitoes will become pesticide resistant. Sound mosquito control practices minimize nuisance mosquito migrations into Chatham County. A new amphibious long reach excavator will increase productivity, minimize pesticide use, and decrease the time required to regain our capital investment.
8. Bids were properly advertised, mailed to five (5) prospective bidders, and opened on 24 August 2009. Responses are as follows:

ASC Construction Equipment, Inc. Savannah, GA	\$385,000
Industrial Tractor Company, Inc. Savannah, GA	\$455,000
Grove River Leasing Richmond Hill, GA	\$458,950
Low Country Machinery Pooler, GA	\$479,174
Yancey Bros. Co., Inc. Pooler, GA	\$508,619

**FUNDING:** CIP- Mosquito Control  
(3505144 - 54.25001 - 3503028Z)

**ALTERNATIVES:**

1. Board approval of a \$385,000 purchase an amphibious long reach excavator from ASC Construction Equipment, Inc., for Mosquito Control.
2. Provide staff with other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to support safe, cost effective, and environmentally responsible operations.

**RECOMMENDATION:** Approve Alternative 1.

BUDGET APPROVAL \_\_\_\_\_  
CHRIS MORRIS

**ITEM F**

**ISSUE:** Request Board approval to award a \$200,899 construction contract to construct traffic improvements at the on and off ramps of Veterans Parkway and Chatham Parkway, as well as improvements to the intersection of Chatham Parkway and Garrard Avenue with Moye Electric, Inc.

**BACKGROUND:** The project involves installation of two (2) new traffic signals, traffic signs and striping at both on and off ramps of Veterans Parkway and Chatham Parkway, and installing new traffic signs and lenses for the existing flashing signal at the intersection of Chatham Parkway and Garrard Avenue.

**FACTS AND FINDINGS:**

1. This project was properly advertized and two (2) bids were received and opened on 26 August 2009. Responses are as follows:

Moye Electric, Inc. \$200,899  
Dublin, GA

Griffin Contracting, Inc. \$242,866  
Pooler, GA

- 2. The project is expected to be completed within 200 calendar days after issuing the Notice To Proceed.

**FUNDING:** SPLOST (2003 - 2008) - Unincorporated Roads, Chatham Pkwy/Veterans (3234220 - 52.12003 - 32356587)

**ALTERNATIVES:**

- 1. Board approval to award a \$200,899 construction contract to construct traffic improvements at the on and off ramps of Veterans Parkway and Chatham Parkway, as well as improvements to the intersection of Chatham Parkway and Garrard Avenue with Moye Electric, Inc.
- 2. Provide staff other direction.

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

**RECOMMENDATION:** Staff recommends approval of Alternative 1.

BUDGET APPROVAL \_\_\_\_\_  
CHRIS MORRIS

PREPARED BY \_\_\_\_\_  
PURCHASING AGENT

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**XI. FIRST READINGS**

Proposed changes to ordinances must be read or presented in written form at two meetings held not less than one week apart.  
A vote on the following listed matters will occur at the next regularly scheduled meeting.  
On first reading, presentation by MPC staff and discussion only by Commissioners will be heard.  
Comments, discussion and debate from members of the public will be received only at the meeting at which a vote is to be taken on one of the following listed items.

None.

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**XII. SECOND READINGS**

- 1. **ADOPT AN ORDINANCE WHICH PROVIDES A POLICY AND PROCEDURES FOR DISPOSITION OF SURPLUS PROPERTY DEEMED AS "UNDEVELOPABLE," IN ACCORDANCE WITH AUTHORITY GRANTED BY STATE LAW.**

County Manager Abolt said, this is also neat.

Chairman Liakakis said, yeah. This is a neat project also. County Manager Abolt said, it allows us to get rid of these remnant parcels quickly, and after it's been determined that no one else is really interested in them, dealing with the adjoining property owners and speeding up the process and get these back on the tax rolls. I thank Mr. Monahan for the leadership.

Commissioner Stone said, I make a motion to approve, Mr. Chairman. Commissioner Gellatly said, second.

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

**ACTION OF THE BOARD:**

Commissioner Stone moved to adopt an ordinance which provides a policy and procedures for disposition of surplus property deemed as “undevelopable” in accordance with authority granted by State law. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

**AGENDA ITEM:** ~~XI-1~~

**AGENDA DATE:** ~~September 11, 2009~~

**AGENDA ITEM:** XII-1

**AGENDA DATE:** September 11, 2009

**TO:** Board of Commissioners

**THRU:** R.E. Abolt, County Manager

**FROM:** Patrick Monahan, Asst. County Manager

**ISSUE:**

To adopt an ordinance which provides conditions and procedures for disposition of surplus property deemed as undevelopable in accordance with authority granted by state law.

**BACKGROUND:**

Under O.C.G.A. §36-9-3, state law provides the procedure for disposition of publicly-owned property. The process includes notification via advertising at least 15 days prior to the sale date and opportunity to acquire through either a public auction or sealed bid. However, O.C.G.A. ¶ (a)(2)(h) provides an exception to this process when the disposition involves smaller parcels incapable of development. In these instances, the County can convey the property to adjoining property owner as long as certain conditions can be met. State law provides this process of disposition by negotiation for these smaller parcels must be provided by ordinance.

**FACTS & FINDINGS:**

1. Chatham County holds legal interest to many parcels which are not capable of becoming developed either because they cannot meet minimum square footage requirements by zoning or they are uneconomical remnants. Examples include:
  - 1.1 Strips of land, some of which are as small as three feet wide.
  - 1.2 Portions of platted but never opened and never maintained drives, lanes and streets.
  - 1.3 Remnants from the purchase of property for rights-of-way but only a portion of the property becomes needed.
  - 1.4 Parcels held as common area but identified by a property identification number and taxed. The developer does not convey the property to a property owners association, and then defaults on taxes. The property becomes placed in the name of Chatham County when no one offers a bid at tax sale.
2. In most instances, the vacant parcels offer limited fair market value, because they could not be developed under zoning regulations either due to total square footage or setback requirements. Almost all of the time, the adjoining property owner serves as the only one with interest in these undevelopable properties.
3. The properties become a maintenance requirement as well as a liability for Chatham County. Besides these issues, the properties do not generate any tax revenue, however minimal, because of the County's ownership (if in name only).
4. O.C.G.A. ¶ (a)(2)(h) provides a solution. A county may adopt an ordinance which provides a policy of disposition to the adjoining property owner under conditions as outlined by ordinances. Chatham County's proposed ordinance is attached. It provides, in summary:
  - 4.1 Defines “undevelopable” as a vacant parcel which could not be developed independently based on the requirements contained within the *Chatham County Zoning Ordinance*.
  - 4.2 Provides notification and opportunity if the property affects more than one owner.
  - 4.3 Provides the basis of determining value by use of the fair market value as assigned by the Assessor's Office. Because many of these parcels are uneconomical, it would be costly to obtain a fair market value appraisal which could be several times more than the value of the property. In

some instances, if the disposition serves the public interest, the cost may be \$0.

- 4.4 As a safeguard, each disposition would be approved by the Board. Conveyance would be by quitclaim.

**FUNDING:**

Not applicable.

**ALTERNATIVES:**

- 1. That the Board adopt the ordinance as proposed.
- 2. That the Board amend the proposed ordinance as it deems appropriate.
- 3. That the Board take no action.

**POLICY ANALYSIS:**

Under Georgia law (O.C.G.A. 36-9-3), Chatham County must follow certain procedures in the disposition of public property. While recent amendments to this code section make this task easier, the law requires certain procedures to maintain the public's interest in property it owns. Returning these properties to private ownership achieves the county's goals of returning property to tax generating status and responsible maintenance.

**RECOMMENDATION:**

That the Board adopt Alternative 1.

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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: September 11, 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>
Annual system support contract for quick key controller	Superior Court Clerk	High Tech Accessory Items, Inc.	\$2,560	General Fund/Escrow Account - Superior Court Clerk
Four (4) month rental of mail meter for tag offices	Tax Commissioner	Pitney Bowes Credit Corporation	\$2,586	General Fund/M&O - Tax Commissioner
Two (2) - Ten (10) drawer parts cabinets	Mosquito Control	Stanley Fastening Systems	\$3,283	General Fund/M&O - Mosquito Control

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Unit software for maintimizer	Mosquito Control	Ashcom Technologies, Inc. (Sole Source)	\$2,600	General Fund/M&O - Mosquito Control
One (1) back-up replacement pump for Nancy Place lift station	Public Works and Park Services	PDA (Sole Source)	\$4,145	Water and Sewer Enterprise Fund

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**ADJOURNMENT**

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 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