

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, NOVEMBER 6, 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 9:43 a.m., Friday, November 6, 2009.

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**II. INVOCATION**

Commissioner Harris Odell introduced Reverend Lee Wright, who gave the Invocation.

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**III. PLEDGE OF ALLEGIANCE**

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

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**IV. ROLL CALL**

The Clerk called the roll.

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

Absent:           Patrick Shay, District Three

Also present:     Patrick Monahan, Assistant County Manager  
                  Jonathan Hart, County Attorney  
                  Sybil E. Tillman, County Clerk

Commissioner Thomas moved to excuse the absence of Commissioner Shay. Commissioner Holmes seconded the motion and it carried unanimously.

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**V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

**1. PROCLAMATION FOR THE 2009 VETERAN OF THE YEAR, DOUG ANDREWS.**

Chairman Liakakis said, Doug [Andrews], will you and the other members come forth at this please. I'm honored to be here for this proclamation for the Veteran of the Year for Chatham County, and I'm going to read this proclamation in just a minute, but being a member of the Veterans Council, I have seen why he was elected as Veteran of the Year because since he has been in the veterans organization, we have Doug Andrews who's done a great job working in many, many aspects and helping the veterans in our community, and I think that's really important that we continue to help our veterans and support them. Even on the World War II monument, he's one of the veterans that took the lead to help with that in many respects and on the legal part and many other things. So what I'd like to do at this point is read this proclamation.

  
**The County of Chatham**  
**Georgia**  
**Proclamation**

**WHEREAS**, thousands of veterans of America's armed forces have served this nation in times of peace and war and, in so doing, have thereby assured the safety and prosperity of all Americans. In the eyes of veterans, the Veteran of the Year is a special person that has demonstrated a willingness to sacrifice time and energy on behalf of veterans and today we salute that special person, the Veteran of the Year 2009 Doug G. Andrews; and

**WHEREAS**, Doug Andrews served in the U.S. Army for 22 years, retiring as a Lieutenant Colonel. His last assignment was General Court-Marshal Judge of Fort Stewart/Hunter Army Airfield; and

**WHEREAS**, his illustrious military assignments included Vietnam as a Field Artillery Battery Commander; Ft. Bragg with the 82<sup>nd</sup> Airborne Division where he earned his wings as a jumpmaster and Senior Parachutist; Germany as a military judge; the Pentagon as an Army Federal Litigation Attorney and Army CID Command Headquarters as Chief Legal Counsel; and

**WHEREAS**, Doug Andrews's commitment and dedication to serving this great county of ours earned him several awards including the Legion of Merit with Oak Leaf Cluster, Bronze Star, Army Commendation Medal, Good Conduct Medal, and other awards for being in the right place at the right time; and

**WHEREAS**, he began his college education at Armstrong, earned a Bachelors Degree in Accounting (Magna cum Laude) in Oklahoma, and a Juris Doctor degree from Emory University Law School in Atlanta and serves as Judge Pro-Tem in various municipal courts in this and other counties. Doug is well known for his contributions to teaching lawyers, judges and police officers, as well as in the Paralegal Program at Armstrong Atlantic State University, and teaches weekly on the Talking Law TV show shown Sundays on WSAV; and

**WHEREAS**, Doug is active in veterans organizations. He is a Life Member and Commander of the American Legion Post 184, the VFW Post 4392, Vietnam Veterans of America, 40 & 8 Military Honor Society, Military Officers Association, Military Order of World Wars, the 8<sup>th</sup> Air Force Historical Society, 82<sup>nd</sup> Airborne Association, and Commander of Tybee Light Sail and Power Squadron.

**NOW, THEREFORE**, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby salute the Veteran of the Year 2009:

**DOUG G. ANDREWS**

for receiving the highest honor a veteran in Chatham County can receive and applaud his dedicated devotion to fellow veterans.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 6<sup>th</sup> day of November 2009.

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Pete Liakakis, Chairman  
Chatham County Commission

**ATTEST:**

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Sybil E. Tillman, Clerk

Chairman Liakakis said, in addition to this proclamation, I think it's very apropos because in the County we have a special medal that we give to special people from the County, and what I'd like to do is present this special medal to Doug Andrews for his service not only to veterans but the other people, you know, in our community and around the State and sometimes around the country. So I award this to you now.

Mr. Andrews said, I feel like I'm being knighted. There's not much I can add to that. It was way too long, but thank you, Mr. Chairman. It is an honor and I am merely a symbol of the hard work of many veterans. I'm not working on the World War II Committee by myself. There's a lot of folks that include Chairman Bill Quinan and Jimmy Ray. They've all been instrumental. Nothing gets done by one person and a lot gets done if you just do the work and don't care about who gets the credit. It's nice to be recognized, but that's not why most of us volunteers do work.

It's because we get our own self-satisfaction from it. If you're doing it for any other reason, you're doing it for the wrong reason. I appreciate the honor and the recognition, and I commend our attention to all veterans that are now in this room. Could I ask all veterans please raise your hand. May we give them a round of applause. [Applause.] I look forward to seeing you all at the Veterans Day Parade. Parade Marshal Jim McNear will be addressing you in a moment. Turnout for the parade — I don't know if the schools are out that day. In some communities they're not. Some communities have stopped Veterans Day Parade because it's not a holiday that many recognize, but it's something that we need to recognize because we'd be speaking a language other than English at the moment if the veterans weren't willing to step up to the plate. God bless America.

Chairman Liakakis said, thank you.

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**2. PROCLAMATION FOR VETERANS PARADE GRAND MARSHAL, JIM MCNEAR.**

Chairman Liakakis said, I'm calling on Commissioner Patrick Farrell for the proclamation for the Veterans Parade Grand Marshal Jim McNear.

Commissioner Farrell said, good morning. It gives me great pleasure to read this proclamation this morning:



**WHEREAS**, originally called Armistice Day, November 11<sup>th</sup>, now known as Veterans Day, is a declared holiday commemorating all service men and women and those killed in battle. To be named Parade Marshal of the Veterans Day Parade is a special honor and we salute the 2009 Veterans Day Parade Marshal, James A. McNear; and

**WHEREAS**, on April 11, 1944, as World War II progressed, James A. McNear enlisted in the U. S. Marine Corps and after completing his recruit training at Paris Island, South Carolina and advanced training at Camp LeJeune, South Carolina, he shipped out to Camp Pendleton, California where he boarded the USS President Monroe and arrived at Guadalcanal in November of 1944; and

**WHEREAS**, he was placed in "C" Battery 155 MM Howitzer Battalion, 3<sup>rd</sup> Amphibious Corps Artillery (30 CAL & 50 CAL Machine Gun Section). He arrived by LST Ship and made beach landing on Okinawa Easter Sunday morning, April 1, 1945. Later at Tientsin, he was assigned duty as security and repatriation of Japanese military and civilians to Japan; and

**WHEREAS**, James A. McNear was discharged at Camp LeJeune, North Carolina on May 31, 1946 and as a member of U. S. Marine Corps Reserve Dog , on June 21, 1950, he shipped out for service during the Korean War. He was again discharged after one year, in June 1951; and

**WHEREAS**, he retired from Savannah Electric & Power Company in 1993 as purchasing agent after 47 years of service and has been active in the Bull Street Baptist Church for many years where he served in many different capacities; and

**WHEREAS**, Jim is active in Elks Lodge #183, Marine Corps League, Dog Company Association, American Legion Post 184, and currently serves as Chaplin for the Veterans Council.

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

**JAMES A. MCNEAR**

for being named Parade Marshal of the 2009 Veterans Day Parade and extend sincere appreciation for his dedication and commitment to veterans in the Chatham County community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 6<sup>th</sup> day of November, 2009.

Pete Liakakis, Chairman  
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

Commissioner Farrell said, thank you so much, sir.

Chairman Liakakis said, well, for all the things that Jim [McNear] has done also, I'm going to award him on behalf of the Chatham County Commission this special medal from Chatham County because serving with Jim many years on the Chatham County Veterans Council, I can see the many things that he has done. He's always supported many things to help the veterans in our area and been an outstanding person to do things. And Jim [McNear] has done a number of other things in our community but, of course, this is a special recognition to him also, and the special medal from Chatham County now goes to Jim McNear.

Mr. McNear said, I don't know why I've been so honored. It is truly a privilege to come before you today and thank you for this recognition and being honored such as I have been. I was much surprised when I was approached to be Parade Marshal this year. I felt that there was probably others that were more qualified than I, but it's an honor that they chose me, and I represent all veterans being a veteran myself. I would correct one little item there in the resume there, the bio, that — Tientsin. Some people don't know where Tientsin is, but that's North China. I spent about six or eight months in North China after the war's end. But again, I thank you so much. I'm honored to be a part of this organization and a resident of Savannah, Chatham County, Georgia. Thank you and God bless you.

Mr. Bill Quinan said, I just wanted to say thank you for having us up here today and also I'd like to thank Helen Stone for her work on our World War II Memorial Committee. Thank you, Helen [Stone]. Thank you all.

Youth Commissioner Briyona Brack said, on behalf of the Chatham County Youth Commission we would also like to say thank you to Mr. Doug Andrews and Jim McNear for all that they have done.

Mr. Andrews said, I ask only that you wear the flag pins before you with pride at your school. God bless.

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**3. PROCLAMATION FOR PANCREATIC CANCER. JANE MILLER WILL RECEIVE THE PROCLAMATION.**

Chairman Liakakis said, this proclamation is for pancreatic cancer to give that information and I think Jane Miller is in the audience that will receive that. Jane [Miller], if you have anybody else that's with the society or anybody else, come forward please while Commissioner James Holmes reads the proclamation.

Commissioner Holmes presented the following proclamation:



**WHEREAS**, pancreatic cancer is the deadliest cancer and the fourth leading cause of cancer death in the United States where 42,000 people will be diagnosed with pancreatic cancer this year and over 35,000 will die from the disease. Approximately 850 deaths will occur in Georgia; and

**WHEREAS**, 76 percent of pancreatic cancer patients die within the first year of their diagnosis and 95 percent of pancreatic cancer patients die within the first five years. There is no cure for pancreatic cancer and there have been no significant improvements in early detection, treatment methods, or survival rates in the last 30 years; and

**WHEREAS**, when symptoms of pancreatic cancer present themselves, it is usually too late for optimistic prognosis, and the average life expectancy of those diagnosed with metastasis disease is only three to six months. Incidence of pancreatic

cancer is approximately 50 percent higher in African Americans than any other ethnic groups; and

**WHEREAS**, the Federal government invests less money in pancreatic cancer research than it does in any of the other leading cancer killers. The good health and well-being of the residents of Chatham County enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments; and

**WHEREAS**, the Pancreatic Cancer Action Network is the first and only national patient advocacy organization that serves the pancreatic cancer community in Chatham County and nationwide by focusing its efforts on public policy, research funding, patient services in public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and

**WHEREAS**, the Pancreatic Cancer Action Network and its affiliates in Chatham County support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less that a cure.

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

**PANCREATIC CANCER AWARENESS MONTH**

in Chatham County and urge all citizens to become involved in this fight and race to defeat this disease.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 6<sup>th</sup> day of November 2009.

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Pete Liakakis, Chairman  
Chatham County Commission

**ATTEST:**

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Sybil E. Tillman, Clerk

Commissioner Holmes said, thank you.

Ms. Jane Miller said, my name is Jane Miller. Thank you, Mr. Gellatly, for assisting me in this cause. I should let you know that I lost my 45-year-old brother about four years ago to pancreatic cancer. He was diagnosed and died in about two and a half weeks after his diagnosis, and as a result of that I decided that pancreatic cancer isn't something that just happens to somebody else. It happens to me and to people who have direct relatives. As the proclamation says, the disease is very serious and until it kind of hits you directly, you just really don't think that there's much that you can do about it. Pancreatic cancer is where breast cancer was in the 1930's, and it is the fourth leading cause of cancer death in the United States. So myself and a very small but growing group of people in Savannah have decided to do what we can to make it better for everyone who might be diagnosed with this disease.

This month we have two events people might be interested in. One is a talk at Memorial Health University Medical Center on Tuesday night, this coming Tuesday, at six o'clock at the Anderson Cancer Institute. The talk is being given by Dr. Steven Brower, who's a local pancreatic cancer surgeon here in town, and the title of the talk is "Recent Advances in the Treatment of Pancreatic Cancer." The second event will be a very small walk at Tybee. It will begin at the pier. It's called the "Purple Stride" and we're walking to Jaycees Park and we're going to have a picnic. So if anyone is interested in that, I'm going to leave some information about pancreatic cancer on the podium outside and you can read about it and get information about the events and I very much appreciate your support. Thank you very much.

Chairman Liakakis said, Jane [Miller], we thank you very much for your participation in bringing awareness about pancreatic cancer because that's really important. Unfortunately, we have so many different types of cancer and we pray that one day that God will bless us and with the people that are doing the research and all that they will come with a cure for cancer so that will not plague us and the rest of the world with this terrible disease of cancer. Thank you very much.

Ms. Miller said, thank you very much. I appreciate it.

Youth Commissioner Eric Brantley said, on behalf of the Youth Commissioners we would like to thank you for all the work that you do to help raise awareness to pancreatic cancer.

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**CHATHAM COUNTY YOUTH COMMISSION**

Chairman Liakakis said, before we proceed I want to introduce the Youth Commissioners today — the Chatham County Youth Commission that was started many, many years ago and have done wonderful things in our community and continue to do those, and we see many of them that graduate from this Commission have gone on to higher things and been really successful in their life.

So first I'd like to introduce Portio Bosco, who is representing Windsor Forest, and then Eric Brantley, who is the Youth Commissioner for Jenkins High School, and Briyona Brack, who is the Youth Commissioner from Savannah Arts. Thank you for all three of you coming today.

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**V. PROCLAMATIONS AND SPECIAL PRESENTATIONS (continued)**

**4. PROCLAMATION IN RECOGNITION OF NATIONAL INDIAN HERITAGE MONTH. LINDA DELANO WILL BE RECEIVING.**

Next on the agenda is the proclamation in recognition of National Indian heritage Month. Linda Delano will be receiving and Commissioner Helen Stone will present this proclamation. And anyone else that you might would like to bring up front with you, Linda [Delano], is fine.

Commissioner Stone presented the following proclamation:



**WHEREAS**, the history and culture of our great nation have been significantly influenced by American Indians and indigenous people; and

**WHEREAS**, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and

**WHEREAS**, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and

**WHEREAS**, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President Georgia Bush in August 1990, designating the month of November as National American Indian Heritage Month; and

**WHEREAS**, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational and historical activities have been planned.

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

**NATIONAL AMERICAN INDIAN HERITAGE MONTH**

in Chatham County and urge all our citizens to observe this month with appropriate programs, ceremonies and activities.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 6<sup>th</sup> day of November 2009.

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Pete Liakakis, Chairman  
Chatham County Commission

**ATTEST:**

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Sybil E. Tillman, Clerk

Ms. Linda Delano said, good morning, Chairman Liakakis and Commissioners. My name is Linda Delano and I am here today representing the Savannah Chapter of the National Society of the Daughters of the American Revolution. Accompanying me today is Ms. Glenda Carter, who is our Regent of the Savannah Chapter. It is indeed an honor today for me to accept this proclamation on behalf of the Savannah Chapter and we thank you for your continued support in helping us to acknowledge the many contributions of America's first people. Thank you very much.

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**5. PROCLAMATION FOR RACE FOR THE CURE. ROBERT ESPINOZA WILL BE RECEIVING.**

Chairman Liakakis said, there is another proclamation on Item 5, but we were asked to postpone it today. So it looks like we will have that proclamation at the next County Commission meeting.

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**VI. CHAIRMAN'S ITEMS**

None.

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**VII. COMMISSIONERS' ITEMS**

**1. RECOGNITION OF ARIZONA CHEMICAL, ST. JOSEPH'S/CANDLER HOSPITAL AND MRS. ARLINDA SMITH BROADY FOR THEIR SUPPORT OF THE SUMMER BONANZA PROGRAM AND ENHANCING OUR YOUTH (COMMISSIONER THOMAS).**

Commissioner Thomas will come forth with the special presentation.

Commissioner Thomas said, good morning. Thank you, Mr. Chairman, thank you, members of the Chatham County Commission, for your support of this special program since its inception in 1991. I want to first give you the honor and the praise for all that you have done throughout the years. I'm delighted to have with us today several persons who have committed not only themselves but other people who are surrounded by them to help them support us in our efforts to work with the youth of Chatham County. Because of their efforts, our youth of Chatham County are now doing quite well. We have a lot more to do, but because of the things that they are doing we have been very, very successful. So I'm going to ask Mr. Paul C. Hinchey, who is the CEO and President of Candler/St. Joseph's Hospital and Ms. Menzanna Blakely [phonetic], who is the Administrator Assistant, who has been so wonderful to this group, to please step forward.

I'm going to ask the Chairman Pro Tem Dean Kicklighter if he would come down and join me, and while you're doing that would you just bring the other set so we'll have that here when we get to it. Thank you.

Mr. Hinchey — I'd like to also ask the Chairman, if possible, if he would just come down and join us, and while he's doing that, I want to say that it's a pleasure to have you here today. I know that you're probably suffering from jetlag, just got in late last night, trying to be here and because you were unable to be with us at the annual luncheon, which Menzanna always does a superb job. We're very grateful that you are here today to be with us to receive the award from the Chatham County Commission on behalf of the Summer Bonanza Partnership Youth in Action Program. And so we provided this token of appreciation and it states: *Presented to Paul C. Hinchey for superior support and outstanding leadership*, from the Chatham County Commission as well as the Summer Bonanza Partnership, Inc., 2009, and I'm going to ask the Chairman to present that.

Chairman Liakakis said, let me mention something in doing this with Paul [Hinchey]. We were just talking about cancer and one of the things that occurred is the Breast Cancer Awareness, so I get a call from St. Joseph's Hospital about coming out there and also with Michael Traynor, the *Savannah Morning News* Publisher, and to meet out there with Paul Hinchey, the President of St. Joseph/Candler, and I found a note on my desk. I wasn't in the office. When I got back in there was a note in there about dying my hair pink for the Awareness Month. I had been wearing the pin, so I was a little skeptical of that, but when I got out to the hospital Paul [Hinchey] met with me and, of course, Michael Traynor, the Publisher of the newspaper, and the three of us did not have to have our hair dyed pink, but what they did they weaved some little pink hair in our hair so that we were supposed to wear that to bring that awareness in for Breast Cancer Awareness. But this is just one of the things that Paul has done in our community, many things under his leadership and all, and we can see many successes in many things that have helped people that are less fortunate in our community, and I thank Paul in addition to that and also to the other recipients of these awards.

Mr. Hinchey said, I just first of all want to say having gone through that exercise, I have much more empathy for all the women in this room having had that hair streaked like that. I want to thank Dr. Thomas for this and also Beverly Whitehead, who we shouldn't forget because she was so involved in this program. I thank Dr. Thomas for two things: one for her vision, but also for her stick-to-it-ness. I'm amazed that this has been going on for 18 years. I wanted to say to all the Commissioners from where I sit I really think this is making a difference in the community. We're kind of seeing some of this effort over in the Carver-Brownsville area, some of the work that we're doing there with the youth. We work with this program at the African American Center on the Georgia Infirmary property. Y'all are going to be getting an invitation. That center is celebrating its tenth anniversary this year, but we work with them on trying to get them to learn how to do resumes, how to do PowerPoint presentations, kind of grab them while they're young, and we also do a little bit of cross-selling to talk about nutrition while we've got them there with this program so we can address some of the issues dealing with obesity. We were blessed with four children and my why gave me a saying that I have in my office, and it says: Children are a mirror unto ourselves, ourselves written small, and I think there's a lot of truth to that. Children are very malleable. If you can get them young, get them a positive experience, they can really blossom. So my hat's off to Dr. Thomas because I think that's the goal of this program. We're very honored to get this. Thank you.

Commissioner Thomas said, and now we're going to have the presentation made to Menzanna [Blakely] by our Chairman Pro Tem Dean Kicklighter. Menzanna is so wonderful. When Mr. Hinchey is not around, and even if he is around, I mean she really takes over and she really supports us. Thank you so very much. Dean [Kicklighter].

Commissioner Kicklighter said, congratulations.

Ms. Blakely said, thank you so much, and for all of you that don't know it, I don't only have one boss, I have two. One, being Mr. Hinchey and the other being Dr. Thomas. Thank you so much.

Commissioner Thomas said, okay. Arizona Chemical, Mr. Mike Hussein and Ms. Paula Webster. I started out with International Paper, but they're housed over in that area, but we're talking about Arizona Chemical this morning, and I cannot tell you enough about these two people. Not only do they support us financially, Paula [Webster] serves on our board. She is our secretary, does an outstanding job. She keeps me on track and it's because a lot of times I forget stuff and every 24 hours she's going either be calling me or going to me emailing and asking me have you done this or that. So we would like to make this presentation to you as well on behalf of the Arizona Chemical Company, and I'm going to ask the Chairman to do that.

Chairman Liakakis said, and this states: *Presented to Mike Hussein for superior support and outstanding leadership to Summer Bonanza Partnership for 2009.* Thank you very much, Mike [Hussein].

Mr. Hussein said, I always — Dr. Thomas does such a great job with this program and I always wonder where she gets the energy. For sure this year I know why with the amount of weight she's lost, but I'm not sure about the other 17 years. So I'm still looking for that fountain of youth. It always surprises me when she gives me these awards because it seems to me that this is a requirement of business in any community and we're just happy to be a part of Summer Bonanza.

Commissioner Thomas said, thank you so much. Ms. Paula Webster.

Commissioner Kicklighter said, this time I'll read this. It says: *Presented to Paula Webster for superior support and outstanding leadership, Summer Bonanza Partnership, 2009.* On behalf of the Chatham County Commission and the Chairman, we certainly do appreciate everything that you've done.

Ms. Webster said, thank you so much. Dr. Thomas does such a phenomenal job with these youth. We should all be thanking her every day for the things that she does for the youth, and we firmly believe in what she does and we appreciate that the County supports that. Thank you.

Commissioner Thomas said, I just want to close by saying I appreciate the accolades, but it's really never about me. It's all about the children, and that's what we are trying to do and hopefully we're getting the messages out there to other corporations and companies, as well as families. We need more families to participate in the overall program. Right now we have 200 young people participating in the Summer Bonanza Program and we do have our Outreach Program, which we have about 60 people in our Outreach Program. Thank you very much.

Commissioner Thomas said, one last but not the least, at one of our workshops — I think it was the financial workshop and then there — Summer Bonanza received recognition for nonprofit, and this young lady happens to be there, and since then her work has been noted by other companies. And at this time I'm going to ask Ms. Arlinda Broady with the Savannah Morning News to please come forward. She participated in, I believe, one of the workshops for Summer Bonanza and was just amazed at what we were doing, and so I want to say to her this morning — she was unable to be with us at the last meeting so we want to present her her certificate of appreciation at this time, and it says: This certificate is awarded to Arlinda Broady in recognition of valuable contributions to Summer Bonanza Partnership, Inc. Thank you so very much. You're not going to get this and I want you to say something, but I just wanted the Commissioners to see this and everybody else. Because of her work with the Savannah Morning News — I assume it goes national-wide or nation-wide, and — Commissioner Kicklighter said, world-wide. Commissioner Thomas said, world-wide, whatever, and this particular company picked this up and thought it was excellent. They did this and they sent it to me. So thank you so very much. We appreciate it and I'll be sharing this with the staff of Summer Bonanza. Thank you very much.

Ms. Broady said, I just wanted to say that as journalists we're often taught to remain behind the headlines. We're really not supposed to be out front, but when there's a cause like the Summer Bonanza Program and the valuable work that Dr. Thomas does, I couldn't help but to put myself out there, and I'd like to encourage everyone, as Dr. Thomas has said, to put yourself out there. In the words of Marian Wright Edelman, the founder of Children's Defense Fund, if we don't stand up for children we really don't stand for anything, and we make the community better, we make this world better by our contributions, and there's no greater contribution than to help children.

Chairman Liakakis said, Arlinda [Broady], I'd like to say something because a number of your articles we've seen, as well as other reporters with the *Morning News*, but especially, you know, in this situation because I know because some things happened at Tybee because of you bringing that out in the public, and we thank you very much for the things that you do also.

Youth Commissioner Portia Bosco said, on behalf of the Chatham County Youth Commission we would like to thank Dr. Thomas, Arizona Chemical, St. Joseph/Candler Hospital and Ms. Broady for their support of the Summer Bonanza Program and all that they have done. Thank you.

Chairman Liakakis said, thank you, Portia [Bosco].

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## **CHATHAM AREA TRANSIT AUTHORITY**

The Board recessed as the County Commission at 10:25 a.m., and convened as the Chatham Area Transit Authority.

Following adjournment of the Chatham Area Transit Authority, the Board reconvened at 11:20 a.m., as the County Commission.

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### VIII. TABLED/RECONSIDERED ITEMS

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

- 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. (See memo from Commissioner Holmes). Note: Item was untabled at meeting of October 16, 2009, and then retabled.**

#### ACTION OF THE BOARD:

This item was not removed from the table for consideration by the Commissioners.

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### IX. ITEMS FOR INDIVIDUAL ACTION

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

- 1. REQUEST BOARD APPROVAL OF THE FOLLOWING BUDGET TRANSFERS AND AMENDMENTS: (1) GENERAL FUND M&O TRANSFERS FROM CONTINGENCY TO COUNTY ATTORNEY (\$5,740), INTERNAL AUDIT (\$15,720), AND SHERIFF (\$64,900) FOR TERMINAL PAY, (2) CONFISCATED REVENUE FUND APPROPRIATION OF \$3,650 FUND BALANCE FOR THE COUNTER NARCOTICS TEAM, (3) SALES TAX I TRANSFER OF \$400,000 FROM RESERVE FOR SPECIFIED PROJECTS TO HUNT ROAD BRIDGE, FAYE ROAD BRIDGE, WALTHOUR ROAD BRIDGE, AND SKIDAWAY ROAD CULVERT IN EQUAL AMOUNTS OF \$100,000 TO EACH, (3) AN AMENDMENT TO THE MULTIPLE GRANT FUND TO RECOGNIZE GRANT AWARDS OF \$199,813 TO THE MENTAL HEALTH COURT, AND \$9,400 TO JUVENILE COURT, AND (4) A TRANSFER OF \$120,000 FROM THE JUVENILE COURT SECURITY IMPROVEMENTS PROJECT TO THE JUVENILE COURT CELL RENOVATION PROJECT IN THE CAPITAL IMPROVEMENT PROGRAM FUND.**

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

Chairman Liakakis said, we have a motion on the floor and a second to approve those items under Item 1. Let's go on the board. The motion carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present.] Chairman Liakakis said, the item passed.

#### ACTION OF THE BOARD:

Commissioner Odell moved that the Board approve the following budget transfers and amendments: (1) General Fund M&O transfers from contingency to County Attorney (\$5,740), Internal Audit (\$15,720), and Sheriff (\$64,900) for terminal pay, (2) Confiscated Revenue Fund appropriation of \$3,650 fund balance for the Counter Narcotics Team, (3) Sales Tax I transfer of \$400,000 from Reserve for Specified Projects to Hunt Road Bridge, Faye Road Bridge, Walthour Road Bridge, and Skidaway Road Culvert in equal amounts of \$100,000 to each, (3) an amendment to the Multiple Grant Fund to recognize grant awards of \$199,813 to the Mental Health Court, and \$9,400 to Juvenile Court, and (4) a transfer of \$120,000 from the Juvenile Court Security Improvements project to the Juvenile Court Cell Renovation project in the Capital Improvement Program Fund. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present.]

**AGENDA ITEM: IX-1**  
**AGENDA DATE: November 6, 2009**

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

**ISSUE:** To request approval of the following budget transfers and amendments: (1) General Fund M&O transfers from contingency to County Attorney (\$5,740), Internal

Audit (\$15,720), and Sheriff (\$64,900) for terminal pay, (2) Confiscated Revenue Fund appropriation of \$3,650 fund balance for the Counter Narcotics Team, (3) Sales Tax I transfer of \$400,000 from Reserve for Specified Projects to Hunt Road Bridge, Faye Road Bridge, Walthour Road Bridge, and Skidaway Road Culvert in equal amounts of \$100,000 to each, (3) an amendment to the Multiple Grant Fund to recognize grant awards of \$199,813 to the Mental Health Court, and \$9,400 to Juvenile Court, and (4) a transfer of \$120,000 from the Juvenile Court Security Improvements project to the Juvenile Court Cell Renovation project in the Capital Improvement Program Fund.

**FACTS AND FINDINGS:**

1. A number of county departments have had long term employees retire in the first quarter of the year. Funds for terminal pay are not budgeted in the adopted budget. Contingency transfers are needed to cover the amounts. The departments include: County Attorney (\$5,740), Internal Audit (\$15,720), and Sheriff (\$64,900) for a total of \$86,360.
2. The Counter Narcotics Team Director has requested a \$3,650 appropriation of confiscated funds to replace the main security gate. Funds will come from FY2009 fund balance carried forward. A resolution is attached.
3. The County Engineer has requested a Sales Tax I transfer of \$400,000 from Reserve for Specified Projects to Hunt Road Bridge, Faye Road Bridge, Walthour Road Bridge, and Skidaway Road Culvert in equal amounts of \$100,000 to each. Correspondence is attached.
4. The Mental Health Court has been awarded a grant of \$199,813 from Department of Justice. The grant match will come from budgeted salaries and will not require additional funding. Correspondence and a resolution are attached.
5. Juvenile Court has been awarded a \$1,900 increase in the FY2009 Purchase of Services grant from the Council of Juvenile Court Judges. A \$7,500 Purchase of Services grant has been awarded for FY2010. Correspondence and a resolution are attached.
6. Juvenile Court is requesting a transfer of \$120,000 from the Juvenile Court Security Improvements project to the Juvenile Court Cell Renovation project in the Capital Improvement Program Fund.

**FUNDING:** Funds are available in the General Fund M&O, the Sales Tax I and Capital Improvement Program Funds for the transfers. Budget amendments will establish funding in the Confiscated Revenue and Multiple Grant Funds.

**ALTERNATIVES:**

- (1) That the Board approve the following:

**GENERAL FUND M&O**

- a) transfer \$5,740 from contingency to County Attorney for terminal pay,
- b) transfer \$15,720 from contingency to Internal Audit for terminal pay,
- c) transfer \$ 64,900 from contingency to Sheriff's Department for terminal pay.

**CONFISCATED REVENUE FUND**

Appropriate \$3,650 fund balance for the Counter Narcotics Team.

**SALES TAX I FUND**

Transfer \$400,000 from Reserve for Specified Projects to Hunt Road Bridge, Faye Road Bridge, Walthour Road Bridge, and Skidaway Road Culvert in equal amounts of \$100,000 to each.

**MULTIPLE GRANT FUND**

- a) increase revenues and expenditures \$199,813 for the Mental Health Court,
- b) increase revenues and expenditures \$1,900 for Juvenile Court Purchase of Services FY2009 grant,
- c) increase revenues and expenditures \$7,500 for Juvenile Court Purchase of Services FY2010 grant.

**CAPITAL IMPROVEMENT PROGRAM FUND**

Transfer \$120,000 from the Juvenile Court Security Improvements project to the Juvenile Court Cell Renovation project.

- (2) Amend or deny the request.

**POLICY ANALYSIS:** State law grants the Board authority to amend the budget during the year as it deems necessary.

**RECOMMENDATION:** That the Board approve Alternative 1.

Prepared by: Read DeHaven

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## **ORDER OF THE AGENDA**

Commissioner Odell said, Mr. Chairman, if we could take Item 6 now, it will take less time than Item 2. I'll guarantee it will take only two minutes.

[NOTE: Item 6 was taken out of order and heard at this point on the agenda.]

Commissioner Kicklighter said, Mr. Chairman, with the Board's permission, I would request that we be able to amend the agenda and go back and address, pull off the table the tabled item, and I've got a brief presentation and it's all wrote down so I will be brief when it's that way.

Chairman Liakakis said, let's do this then. Commissioner Kicklighter said, last. Okay. Chairman Liakakis said, we'll adjourn and then come back to it, but we can finish this other things —. Commissioner Kicklighter asked, can we finish this and if we have time let me do it real quick? I worked hard on it. Chairman Liakakis said, here's what we're going to do. We have to adjourn by 11:30. We don't have any choice, and by doing that we only have about seven minutes to go, so we can do these other things and then as soon as we come back after the Legislative Session, then we can do exactly what you're saying, but you won't have time to do the presentation right now. We only have seven minutes. They have to set it up because all the Legislators will be here by twelve o'clock. They have to clear the entire room out.

Commissioner Kicklighter said, I don't mind if they start setting up while I'm giving the presentation. It's to y'all and I just really would appreciate it.

Chairman Liakakis said, well, we're going to do it, but we'll do it when we come back because we've got other items.

[NOTE: Item 5 was taken out of order and heard at this point on the agenda.]

Commissioner Gellatly said, let's do Item 3. Chairman Liakakis said, let's go to Item 3, as you request.

[NOTE: Item 3 was taken out of order and was heard at this point on the agenda.]

[NOTE: Item 4 was taken out of order and was heard at this point on the agenda.]

Commissioner Kicklighter said, Mr. Chairman, can we make a motion to table the rest of the items for Individual Action and move to Action Calendar?

Chairman Liakakis asked, go back to Table VIII? Commissioner Odell said, no, Action Calendar. Commissioner Kicklighter said, move to Action Calendar where we can approve the rest of them.

[NOTE: Items 2 and 7 were heard at this point on the agenda and were tabled to the meeting of November 20, 2009..]

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## **IX. ITEMS FOR INDIVIDUAL ACTION (Continued)**

### **2. JAIL BEST VALUE SCORE CARD.**

Commissioner Kicklighter said, I make a motion to table the balance of the items for Individual Action until the next meeting. Commissioner Odell said, and that would be the best the "Jail Best Value Score Card" and the "First Quarter Financial and SPLOST reports. For Information Only." So those are the only two items, Dean [Kicklighter], that we did not get to. Commissioner Kicklighter said, okay.

Commissioner Thomas asked, numbers two and seven? Commissioner Odell said, yes ma'am. Commissioner Thomas said, second.

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

[NOTE: Commissioner Shay was not present.]

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

Commissioner Kicklighter moved to table to the next meeting the Jail Best Value Score Card. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

**AGENDA ITEM: IX-2**  
**AGENDA DATE: November 6, 2009**

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

**Issue:** To request Board approval of a best value contracting score care for the Detention Center expansion project.

**Background:** The 2008-2014 SPLOST referendum included a project to expand the Chatham County Detention Center. The Board at the October 16, 2009 meeting reaffirmed Staff's recommendation to have the project completed using the design bid build delivery method. Staff indicated that they will be using the best value contracting scorecard evaluation method to ensure that the project is awarded to a firm that meets the Board goal to maximize local and majority participation in the project. Staff was instructed by the Board to present the scorecard to the board at the November 6, 2009 Commission meeting.

**Facts and Findings:**

1. On April 16, 2004, the Commission voted to develop a pilot best value contracting bid evaluation procedure for County projects. County staff with the assistance of DiversiPlex, Inc. has developed a best value scorecard and evaluation procedure to utilize in assessing the qualification of bidders on County projects.
2. The Board has expressed a desire to have as a part of the scoring criteria, a requirement for contractors to provide a fair or "living wage" and health insurance for workers. Pursuant to O.C.G.A. §34-4-3.1(H.B. 59), local governments are prohibited from using contract evaluation criteria to effect contractors' employee wages or benefits.
3. The following items are included in the County's Best Value Contracting Scorecard:
  1. On-the-Job Training
  2. Employee Safety Training Program
  3. Employee Drug Testing
  4. Qualification/Past Performance
  5. Bonding Capability
  6. Utilization of Local Labor
  7. Adherence to County MWBE Subcontracting Goals
4. The criteria referenced above has been incorporated in the Best Value Scorecard for the Detention Center expansion project. The proposed scoring detail is as follows:
 

Financial	(55 points = 17%)
General References	(15 points = 5%)
Experience	(95 points = 29%)
Proposed Project Personnel	(30 points = 9%)
Management Practices	(56 points= 17%)
Local /Minority Participation	(75 points = 23%)

The total number of possible points that can be awarded is 326. In order to be deemed responsive, a firm must achieve a minimum score of 277 points or 85%. Only the firms who achieve the cut-off score will be allowed to submit a bid.
5. The Board of Commissioners adopted a resolution that established a policy to increase participation of women owned, and local businesses through its Purchasing Ordinance and Procedures, Minority Business Programs, Best Value Construction Program and Local Preference Policy.
6. The proposed scorecard provides points under the local and minority participation criteria that recognizes firms who are committed to hiring local workers and who are committed to coming up with innovative strategies to provide bonding alternatives for small local and minority firms.
7. Attached is a draft copy of the pre-qualification scorecard and questionnaire.

**Funding:** No additional funding is required at this time.

**Alternatives:**

1. Request Board approval of the Best Value Contracting scorecard for the Detention Center expansion project.
2. Request Board approval of the Best Value Contracting scorecard for the Detention Center expansion project with modifications.
3. Provide Staff with other direction.

**Policy Analysis:**

Recent changes in Georgia law provide increased flexibility in the delivery method for constructing projects. The decision about a preferred alternative depends upon the unique characteristics of each project, schedule, availability of qualified subcontractors and suppliers, the local labor market and the public policy goals established by the Board.

**Recommendation:**

The Board adopt alternative 1.

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### 3. REQUEST BOARD APPROVAL OF THE CONSTRUCTION DELIVERY METHOD FOR THE NEW LIBRARY CONSTRUCTION PROJECT.

Commissioner Farrell said, I move that we table that until —. Commissioner Thomas said, second. Commissioner Farrell said, — for two weeks. Commissioner Thomas said, second. Commissioner Odell said, good guy.

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

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

Commissioner Farrell moved to place this item on the table until the next meeting on November 20, 2009. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

**AGENDA ITEM: IX-3**  
**AGENDA DATE: November 6, 2009**

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

**Issue:** To request the Board of Commissioners approval of the construction delivery method for the new Library construction project.

**Background:** The 2008-2014 SPLOST referendum included funding for two new Library facilities to replace existing Libraries that are outdated. The Board of Commissioners has directed County Staff to manage the new Library Branch construction providing a turnkey facility to the Library Board. The replacement Libraries will be constructed on the Westside and Island areas. This staff report will outline the construction delivery method the County will use and a projected time line.

#### **Facts and Findings:**

1. Traditionally, the County has used the design-bid-build construction delivery method in the majority of its construction projects. There has been a request by several members of the Board to consider using the construction manager at risk as a construction delivery method to determine if it would be a better solution to maximize local and minority participation in the project.
2. The Board of Commissioners adopted a resolution that established a policy to increase participation of women owned, minority owned, and local businesses through its Purchasing Ordinance and Procedures, Minority Business Programs, Best Value Construction Program and Local Preference Policy.
3. Staff is recommending that the construction manager at risk(CM At-Risk) project delivery method be used to build the two new Library branches. Under CM At-Risk, the Board contracts with a construction firm to work with a design team (separate contract) to participate in the design process for cost efficiency and constructability. When the construction documents reach a point of completeness (75 percent to 100 percent), the construction manager provides a Guaranteed Maximum Price (GMP) backed by a payment and performance bond. The CM At-Risk also packages subcontracts to encourage local and minority participation.
4. In an ideal situation, the CM At-Risk comes into the project at the planning stage and has the ability to make suggestions to the design team that may incorporate certain value engineering alternatives to the project to keep this project within the construction budget. Staff is recommending that we solicited for the service of a CM At-Risk simultaneous with hiring a design firm in order to maximize the potential benefits of this project.
5. The County Manager has assigned Clifford Bascombe, Assistant Director, Building and Safety and Regulatory Services, to be the County's representation and liaison with the Library Board. His primary duties will be to supervise the CM At-Risk, act as liaison between various Architects, Contractors, Engineers, and the Library Board; responsible for providing status reports to the Board; review, monitor, and approve contractors schedules and applications for payment; review bids and proposals with CM At-Risk, Design Team for compliance with the contract documents and determine ones to accept.
6. The construction manager at risk delivery method is not included in the Chatham County Purchasing Ordinance and Procedures Manual as a current method used by Chatham County Government. The State of Georgia has revised the Georgia Code dealing with public construction projects and has developed a Georgia Construction Manual that prescribes the best practice for planning, designing and building facility for use by State entities. Staff is recommending the Chatham County adopt the State of Georgia Construction Manual as a process guide or handbook for the construction program. The manual will not supersede or

override any Chatham County Policy. The manual is a "how to" and describes the flow of the construction process from planning to design to construction.

- 7. Attached is a tentative schedule to hire a design team and construction manger at risk for this project.

**Funding:** No additional funding is required at this time.

**Alternatives:**

- 1. Request Board concurrence with Staff recommendation to use the construction manger at risk project delivery method for the Library Construction Project and adopted the State of Georgia Construction Manual as the blue print for that process.
- 2. Provide Staff with other direction.

**Policy Analysis:**

Recent changes in Georgia law provide increased flexibility in the delivery method for constructing projects. The decision about a preferred alternative depends upon the unique characteristics of each project, schedule, availability of qualified subcontractors and suppliers, the local labor market and the public policy goals established by the Board.

**Recommendation:**

That the Board approve alternative 1.

**ATTACHMENT 1**

**TENTATIVE TIMELINE**

**TIME TABLE FOR A/E & CM at Risk CONTRACTS**

Clarification of Project Description and Services (Project Manager)	3 WEEKS
Preparation of QBS Solicitation ( Purchasing)	2 WEEKS
Advertising / Pre-Proposal Conference Issues (Purchasing)	4-6 WEEKS
Receipt / Distribution /Evaluation of Proposals ( Purch.& Evaluation Committee)	3 WEEKS
Interviews of "Short List" firms (Evaluation Committee)	3 WEEKS
Negotiation of final Scope of Services and Fee ( Project Manger )	2 WEEKS
Recommendation / Approval by Board (Project Manager & Purchasing)	2 WEEKS
Execution of Contract (Purchasing)	<u>3 WEEKS</u>
<b>TOTAL TIME</b>	<b>22-24 WEEKS</b>

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**4. VERBAL REPORT ON FRANCHISE FEES COLLECTED IN SSD.**

Chairman Liakakis said, let's go to —. Commissioner Odell said, you've got verbal report on franchise fees collected in SSD. We had that in Executive [sic] Session and we're going to talk about that in the Legislative Session, so —.

Commissioner Farrell asked, is there anything you need to add to that?

Mr. Monahan said, no sir. The only thing I was going to just remind for the Board for the Board's direction, the County Manager sent letters to both Atlanta Gas Light and to Georgia Power. Through no fault of Georgia Power it got lost in the mail, but I understand a response should be here within the next couple of days and Georgia Power has been able to identify a specific amount. That will be available at the next meeting. Atlanta Gas Light is in a similar position, looking at its billing of unincorporated customers to determine the amount.

Commissioner Farrell said, I'm looking forward to seeing those numbers and sharing them with all of our 80,000 constituents. Mr. Monahan said, yes sir.

**ACTION OF THE BOARD:**

This item was postponed until the meeting of November 20, 2009.

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**5. REQUEST BOARD APPROVE THE CREATION OF THREE (3) PUBLIC DEFENDER POSITIONS: ONE (1) ASSISTANT PUBLIC DEFENDER III; ONE (1) ASSISTANT PUBLIC DEFENDER II; AND ONE (1) INVESTIGATOR ADMINISTRATIVE ASSISTANT.**

Commissioner Odell said, let's do number five. We've got the Assistant Director Public Defender here on three positions and I guess the only question is whether or not those are within his budget or if that's costing us additional money. Item 5, request Board approve the creation of three public defender positions: one Assistant Public Defender III, one Assistant Public Defender II, and one Investigator Administrative Assistant, and I guess my question is where's the money?

Chairman Liakakis recognized Assistant County Manager Patrick Monahan.

Mr. Monahan said, you might recall that the Board in July set up a funding that — the funding's already been transferred. This implements a creation of positions, but the funding was previously set up.

Commissioner Odell asked, we have the money already done? Mr. Monahan said, yes sir. Commissioner Odell said, I move for approval. Commissioner Holmes said, second. Commissioner Thomas said, second.

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

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the request for creation of three (3) public defender positions: one (1) Assistant Public Defender III, one (1) Assistant Public Defender II, and one (1) Investigator Administrative Assistant. Commissioners Holmes and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

**AGENDA ITEM: IX-5**  
**AGENDA DATE: November 6, 2009**

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

**ISSUE:** To approved the creation of three (3) public defender staff positions: (1) Assistant Public Defender III, (1) Assistant Public Defender II and (1) Investigator Administrative Assistant.

**BACKGROUND:** The Board contracts with the Office of the Circuit Public Defender to supplement the staff of said office in order to provide legal representation to indigent persons charged with felony offenses consistent with the provisions of the United States and Georgia Constitutions, as well as the Indigent Defense Act of 2003. The current staffing schedule is attached as Exhibit A. The proposed new staffing schedule is attached as Exhibit B. The proposed changes reflect additions to the Public Defender's Office to maximize resources and efficiency while continuing to provide legal representation that exceeds the constitutionally minimal standard of effective assistance.

**FACTS AND FINDINGS:**

1. The Board approved a budget transfer on July 19, 2009, of \$230,000 from the Panel of Attorneys budget (100-2810) to the Public Defender's budget (100-2800) for the creation of three (3) new Public Defender's Office staff positions.
2. The Public Defender's Office needs administrative assistance for its Investigator's Division. The recently requested investigator position would be converted into an administrative position. The surplus funds from the conversion of the investigator position into an administrative position would be used as partial funding (supplementing existing municipal contract funds) for the Public Defender's Office receptionist position.
3. The Public Defender's Office needs additional staff for increasing Early Intervention Program coverage and maintenance of conflict cases. Two assistant public defenders would be added. Table 1 provides a cost breakdown for the requested positions.

**ALTERNATIVES:**

1. Approve the proposed new staffing schedule.
2. Do not approve.

**FUNDING:** Funding is provided through the existing Public Defender's Office approved budget, including the recently approved transfer of \$230,000 from the Panel of Attorneys budget (100-2810) to the Public Defender's budget (100-2800).

**POLICY ANALYSIS:** Provision of indigent defense is a constitutional and statutory mandate. Personnel changes to add positions requires approval of the Board of Commissioners. In the past, the Board of Commissioners has approved resource

enhancements to departments where a need has been demonstrated and these enhancements maintain the delivery of services to the citizens of Chatham County at adequate and efficient levels.

**RECOMMENDATION:** That the Board approve Alternative 1.

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**6. REQUEST BOARD DENY REQUEST FOR TAX REFUND OF JOHN AND BEVERLY COOPER FOR TAX YEARS 1997-2005.**

Chairman Liakakis said, we have a letter here from the Tax Commissioner that because she overpaid her taxes for nine years now that they would like for us to approve this item and refund the overpaid taxes.

Commissioner Odell said, I make a motion to do that. Commissioner Thomas said, second. Commissioner Odell said, and the reason is that Ms. Cooper’s homestead exemption was removed through no fault of her own.

Chairman Liakakis said, yeah, we understand that. Commissioner Odell asked, you do? Chairman Liakakis said, yeah, well because he told us that.

Commissioner Kicklighter said, call for the question.

Chairman Liakakis said, okay, let’s go on the board. The motion carried unanimously. [NOTE: Commissioner Shay was not present.] Chairman Liakakis said, the motion passes. Thank y’all very much. I’m glad we could do that because we want to be fair to our citizens, especially in matters like this and we appreciate Commissioner Odell for, you know, bringing this up so that you could not listen to all of the other things.

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the request for a tax refund of John and Beverly Cooper for tax years 1997 through 2005 in the amount of \$1,835.49 based on an error in the removal of the homestead exemption on their residence. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

**AGENDA ITEM: IX-6**  
**AGENDA DATE: November 6, 2009**

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

**ISSUE:**

To request Board deny request for tax refund of John and Beverly Cooper for tax years 1997-2005.

**BACKGROUND:**

On September 29, 2009, John and Beverly Cooper requested that the County refund a portion of taxes paid for tax years 1997 through 2006 on their property located at 2 Gerald Drive because the homestead exemption was erroneously removed. pursuant to their authority, delegated by the Commission to correct obvious clerical errors (Attachment 1), the Tax Assessors’ office has adjusted the taxes owed for tax years 2008, 2007 and 2006, and the Tax Commissioner’s office has refunded any overpayments for said years.

O.C.G.A. § 48-5-380 (a) authorizes a refund to taxpayers of taxes which are determined to have been erroneously or illegally assessed or which have been voluntarily or involuntarily overpaid. A refund may be requested three years after the date of the payment of the tax to the County. O.C.G.A. § 48-5-380 (b).

In light of the foregoing law, the Tax Assessors’ office has forwarded the Coopers’ refund request for tax years 1995-2005 to the Board of Commissioners for consideration.

**FACTS AND FINDINGS**

1. The Coopers have requested a refund of a portion of real property taxes paid for years 1997 through 2006 based on an error in removing the homestead exemption on their property.
2. The Tax Assessors’ office has reinstated the Coopers’ Homestead exemption and has corrected the Coopers accounts for taxes on the Coopers’ property for 2006, 2007 and 2008. The Tax Commissioner’s office has refunded any overpayment of taxes for said years.

3. The Coopers' refund claim for tax years 1995 through 2005 is time barred under O.C.G.A. § 48-5-380 (b) because they made their request to the County for a refund in excess of three years from the date of payment of the subject taxes.

**FUNDING:**

Delinquent collections of the Tax Commissioner's Office.

**ALTERNATIVES:**

- 1. Do not grant any refund to Mr. and Mrs. Cooper. \$1,835.49
- 2. Grant refund to Mr. and Mrs. Cooper in the amount of ~~\$4,539.12~~ for tax years 1997 through 2005 based on an error in the removal of the homestead exemption on their residence.

**POLICY ANALYSIS:**

The refund request for tax years 1997 through 2005 is time barred.

**RECOMMENDATION:**

That the Board adopt Alternative 1.

RJH/jr

attachment

cc: Daniel T. Powers, Tax Commissioner  
Sheryl Snider, Chief Appraiser

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**7. FIRST QUARTER FINANCIAL AND SPLOST REPORTS. FOR INFORMATION ONLY.**

(See Item IX-2 for discussion.)

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to table to the next meeting the First Quarter Financial and SPLOST Reports. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

**AGENDA ITEM: IX-7**  
**AGENDA DATE: November 6, 2009**

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

**ISSUE:** To present the Fiscal Year 2010 First Quarter Report dated September 30, 2009 to the Board for information.

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

**FACTS AND FINDINGS:**

- 1) The First Quarter Report covers various county funds and activities, and presents budget-to-actual comparisons. Adopted and amended fund budgets are presented as well as variance data. Prior year numbers are presented for comparison on the General Fund and Special Service District Summary reports.
- 2) The amended budgets shown herein represent budget transfers approved through September 30, 2009. In some cases, subsequent adjustments have occurred. Year-to-date expenditure and project balances are presented. Open purchase orders and outstanding contractual obligations are not included in the year-to-date expenditure amounts.
- 3) On September 9, 2009, Moody's Investors Service upgraded the County's general obligation bond rating to Aa3 from A1 citing a stable outlook. In their rating, Moody's stated that "the upgrade to Aa3 reflects the county's multi-year record of sound financial performance and recently improved reserves supported by strong management practices. The rating also considers the county's minimal debt position and the stable and diverse tax base."

4) Notable items include the following:

**General Fund M&O**

- The General Fund received revenues of \$11.3 million through September 30, 2009 and expended \$40 million. This represented 7.5% and 26% of budgeted amounts respectively. Expenditures were higher than cash receipts by over \$28 million.
- General property tax collections were \$5 million. This amounts to 4.2% of budget. The second installment property tax billings were delayed to account for State legislative changes. Billings were mailed on October 10, 2009 and are due on December 10, 2009.
- Sales and use tax revenue constitutes 7.2% of the General Fund's overall budget. Revenues in this category on target with budget estimates through the end of the first quarter.
- Finance has received reconciled inmate billing invoices through July 2009. Records Court staff are currently reviewing the August and September 2009 invoices and related detail.
- Low investment income reflects the low cash balances in the fund and minimal market interest rates.
- Unusual expenditure variances for the following departments are explained below:
  - Temporary Pool – 67% - This department has shown high usage during the first quarter. A usage review is underway that will charge some of the department's costs back to user departments.
  - Other financing uses – 68% - Most budgeted interfund transfers occur during the first quarter annually. This includes transfers to the Solid Waste Fund and the Risk Management Fund.
  - Teleride – 32.6% - Teleride costs under the contract with First Transit are well over budget. This contract expires at calendar year end. Once a new contract is in place, Finance will be requesting additional funding for the service from current Contingency balances. Based on current activity, the estimated annualized budget shortfall is \$500,000.
  - Various retirement payouts – Upon retirement, former employees may receive payment for their accrued leave balances. These payments can be quite substantial, and can cause department budget issues. Finance will be requesting budgetary assistance for some of these departments on future omnibus reports.

**Special Service District (SSD)**

- Through September 30, 2009, the SSD Fund had received revenues of \$1.4 million, 5% of budgeted amounts. Expenditures of \$7.2 million were recorded, 26% of budgeted amounts. Although expenditure levels were \$5.8 million more than revenues, the fund retained a positive cash balance.
- General property tax collections were \$515,391. This amounts to 3% of budget. The second installment property tax billings were delayed to account for State legislative changes. Billings were mailed on October 10, 2009 and are due on December 10, 2009.
- MPC fees collections totalled \$12,776 or 10.2% of budget estimates. This revenue category is influenced by declines in real estate activity.
- The SSD Fund transferred \$678,047 to the Building Safety Enterprise Fund to supplement the fund's operations.

**Multiple Grant Fund**

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

**Problems with Revenue-Dependent Funds**

Three funds rely on building and land sale activity to fund their operations. They are the Land Bank Fund, the Land Disturbing Activities Ordinance (LDAO) Fund, and the Building Safety & Regulatory Services (BSRS) Fund. These funds are experiencing financial stress.

The Land Bank Fund relies on property sales to fund its operations. Since there have been no recent sales, the fund has entered the fiscal year with a deficit. Expenditures of this fund are being held at a minimum.

The LDAO Fund relies on fee collections as its funding source. In periods of low fee collections, the fund has been utilizing its fund balance to make up the shortfall. However, Finance is projecting the depletion of fund balance by mid-year. Staff are making adjustments.

Low building activity levels continue to impact the BSRS Fund. At current revenue trends, it is projected that the fund will require a combination of expanding employee furloughs and shifting personnel to other funded projects.

**Cash Flow**

Cash flow in non-SPLOST funds will be closely monitored over the next two months to ensure the County's continued ability to meet its payment obligations. The property tax billing delay is the major cause for potential cash flow issues. Property tax payments are due in mid-December, one month behind a "normal" billing cycle.

**Capital Project Fund**

- Project accounting schedules are shown herein for all of the County’s capital project funds, including the SPLOST funds.
- The County’s SPLOST collections are shown on page 59. Collections in the Sales Tax V Fund are \$4.1 million below initial estimates. Finance will continue to monitor revenue patterns for the fund. Original cash flows and project funding levels may require revision if revenues continue at current trend rates.

**Health Insurance Fund**

- Medical costs are on pace with budget through the first quarter. Although retiree health care costs are recorded in the OPEB Trust Fund, their impact is noted on page 34.

**FUNDING:** N/A

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

**ALTERNATIVES:** N/A

**RECOMMENDATION:** For information only.

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**X. ACTION CALENDAR**

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

Chairman Liakakis said, Action Calendar. Alright, we have Items 1 through 9 and under 9 we have Items A through T. Are there any specific items that you see on here that you would like to discuss or pull off first? Any items?

Commissioner Odell said, I make a motion to approve the Action Calendar. Commissioner Thomas said, second, Mr. Chairman.

Chairman Liakakis said, okay. We have a motion on the floor to approve all of the Action Calendar. Let’s go on the board. [NOTE: Commissioner Shay was not present.]

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve Items 1 through 9-T, both inclusive. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

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

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

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the minutes of the regular meeting of October 16, 2009. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

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**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD OCTOBER 8, 2009, THROUGH OCTOBER 28, 2009.**

**ACTION OF THE BOARD:**

Commissioner Odell moved to authorize the Finance Director to pay the claims against the County for the period October 8, 2009, through October 28, 2009, in the amount of \$7,415,834. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

=====

**3. REQUEST FROM H&L DEVELOPERS, FOR THE COUNTY TO END THE TWELVE MONTH WARRANTY PERIOD AND RELEASE THE FINANCIAL GUARANTEE FOR MOSSWOOD, PHASE 2. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the request from H&L Developers for the County to end the twelve (12) month warranty period and release the financial guarantee for Mosswood, Phase 2. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

**AGENDA ITEM: X-3**  
**AGENDA DATE: November 6, 2009**

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

**ISSUE:** To end the twelve month warranty period and return the financial guarantee for Mosswood, Phase 2.

**BACKGROUND:** The developer, H&L Developers, requests that the County end the twelve month warranty period and release the financial guarantee for Mosswood, Phase 2.

**FACTS AND FINDINGS:**

1. Mosswood is a new single family residential subdivision located on Burton Road. Phase 2 of Mosswood consists of 53 lots on 20.66 acres. Paving and drainage improvements will be maintained by the Mosswood Homeowners Association. Water and sewer have been accepted for ownership by Consolidated Utilities, Inc.
2. The constructed improvements on the site are complete. They have been inspected and found to be satisfactory.
3. The developer has submitted a letter of credit issued by Colony Bank in the amount of \$500,060. The letter of credit will be returned at the end of the twelve month warranty period.
4. Streetlight costs and maintenance are the developers responsibility during the warranty period. At the end of the twelve month warranty period, the Mosswood Homeowners Association will be responsible for the streetlight maintenance and costs.

**ALTERNATIVES:**

1. To end the twelve month warranty period and release the financial guarantee for Mosswood, Phase 2.
2. Do not approve the request.

**POLICY ANALYSIS:** This action is consistent with the subdivision regulation regarding the creation of lots through plat recording.

**RECOMMENDATION:** That the Commissioners adopt Alternative 1.

District 7

Prepared by: Nathaniel Panther, P.E.

=====

**4. REQUEST FOR NEW BEER, WINE AND LIQUOR POURING LICENSE AND SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2009. PETITIONER: CHARLES ANSLEY WILLIAMS, SPANKY'S ISLANDSIDE LLC, D/B/A MOLLY MCGUIRE'S LOCATED AT 216 JOHNNY MERCER BOULEVARD, UNIT 2-C. [DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the petition of Charles Ansley Williams, Spanky's Islandside LLC, d/b/a Molly McGuire's, located at 216 Johnny Mercer Boulevard, Unite 2-C, for a new beer, wine and liquor pouring license and Sunday sales of beer, wine and liquor pouring license for 2009. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

**AGENDA ITEM: X-4**  
**AGENDA DATE: November 6, 2009**

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

ISSUE

Request for approval of new beer, wine and liquor pouring license and Sunday sales of beer, wine and liquor pouring license for 2009, Charles Ansley Williams, Spanky's Islandside LLC d/b/a Molly McGuires located at 216 Johnny Mercer Blvd, Unit 2-C.

BACKGROUND

Mr Williams requests approval for new beer, wine and liquor pouring license and Sunday sales of beer and wine and liquor license in connection with a new restaurant. The business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance.

FACTS AND FINDINGS

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

RECOMMENDATION

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

District 4

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

/s/ Gregori S. Anderson  
Gregori S. Anderson, CBO

/s/ Willie Lovett  
Assistant Chief Willie Lovett

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**5. REQUEST FOR NEW BEER, WINE AND LIQUOR POURING LICENSE AND SUNDAY SALES OF BEER, WINE AND LIQUOR LICENSE FOR 2009. PETITIONER: MRS. MEIA L. JOINER, D/B/A XTACY II LOCATED AT 5630 OGEECHEE ROAD, SUITE 2. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the petition of Mrs. Meia L. Joiner, d/b/a Xtacy II, located at 5630 Ogeechee Road, Suite 2, for a new beer, wine and liquor pouring license and Sunday sales of beer, wine and liquor pouring license for 2009. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

**AGENDA ITEM: X-5**  
**AGENDA DATE: November 6, 2009**

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

ISSUE

Request for approval of new beer, wine and liquor pouring license and Sunday sales of beer, wine and liquor pouring license for 2009, Mrs. Meia L. Joiner, d/b/a Xtacy II, located at 5630 Ogeechee Road, Suite 2, Savannah, GA 31405.

BACKGROUND

Mrs. Joiner requests approval for new beer, wine and liquor pouring license and Sunday sales of beer and wine and liquor license in connection with a new restaurant. The

business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance.

**FACTS AND FINDINGS**

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

**RECOMMENDATION**

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

District 7

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

/s/ Gregori S. Anderson  
Gregori S. Anderson, CBO

/s/ Willie Lovett  
Assistant Chief Willie Lovett

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**6. REQUEST BOARD APPROVE THE RESOLUTION TO ESTABLISH A FRANCHISE FEE APPLICABLE TO HOLDERS OF CABLE AND VIDEO FRANCHISES ISSUED BY THE STATE OF GEORGIA.**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the resolution to establish a franchise fee applicable to holders of cable and video franchises issued by the State of Georgia. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

**AGENDA ITEM: X-6**  
**AGENDA DATE: November 6, 2009**

**TO:** Board of Commissioners

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

**FROM:** Peter Nichols, Public Information Officer

**ISSUE:**

Request Board approve the Resolution to establish a Franchise Fee applicable to holders of Cable and Video Franchises issued by the State of Georgia. Comcast has applied for a State Franchise with the Secretary of State's office. This Resolution will establish a franchise fee for any cable or video franchise issued in Chatham County by the State of Georgia.

**BACKGROUND:**

Comcast has recently filed an Application to Amend a State-Issued Certificate of Franchise Authority. A State Issued Franchise supercedes the current Local Franchise Agreement between Comcast and Chatham County. This Resolution will establish a franchise fee for any cable or video franchise issued in Chatham County by the State of Georgia.

**FACTS AND FINDINGS:**

- 1. The State Legislature adopted the Georgia Consumer Choice for Television Act in 2007, which establishes a state franchise.
- 2. The new law affects any community that has a cable operator, regardless of whether the franchise agreement is in effect or has expired. Cable operators may apply for cable or video service authorization from the Georgia Secretary of State and "opt out" of their current local agreements.
- 3. Chatham County needs to notify both Comcast and the Secretary of State's office of our franchise fee percentage in order to continue to receive payments.
- 4. Under a State Franchise Comcast will continue to send franchise fee payments directly to Chatham County on a quarterly basis.

**ALTERNATIVES:**

- 1. Approve the agreement
- 2. Do not approve the agreement

**FUNDING:**

Revenue producing, total Franchise Fee collections for FY08: \$1,183,374

**POLICY ANALYSIS:**

One of the purposes of this legislation is to open up competition among companies that provide cable television service. It is consistent with Board Policy to maintain the current franchise fee.

**RECOMMENDATION:**

That the Board adopt Alternative #1.



**A RESOLUTION OF CHATHAM COUNTY THROUGH THE COMMISSION TO AUTHORIZE THE CHAIRMAN OR THE AUTHORIZED REPRESENTATIVE OF SAID COUNTY TO ESTABLISH A FRANCHISE FEE APPLICABLE TO HOLDERS OF CABLE AND VIDEO FRANCHISES ISSUED BY THE STATE OF GEORGIA**

**WHEREAS**, Chatham County shall be notified by the Secretary of State's Office and a cable or video provider of an application for a state issued franchise in the county; and

**WHEREAS**, Chatham County currently collects a franchise fee from any current cable or video providers; and

**WHEREAS**, the Chatham County considers collecting a franchise fee from a cable or video provider utilizing the public rights of way as compensation to the public for the use of the rights of way and a means of promoting the public health safety, welfare and economic development of the County and to protect public works infrastructure;

**WHEREAS**, Chatham County is authorized to collect a franchise fee of up to 5%, the maximum amount established by federal and state law, of each cable or video providers gross revenues generated within the county.

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman and the Chatham County Board of Commissioners hereby requires a franchise fee of 5% for any cable or video state franchise issued in its corporate boundaries by the State of Georgia pursuant to O.C.G.A. 36-76-1 *et.seq.* known as the "Consumer Choice for Television Act" of 2007.

**RESOLVED** by the Chatham and the Chatham County Board of Commissioners of this 6<sup>th</sup> day of November, 2009.

\_\_\_\_\_  
Pete Liakakis, Chairman  
Chatham County Commission

**ATTEST:**

\_\_\_\_\_  
Sybil E. Tillman, Clerk

**Approved as to Form:**

\_\_\_\_\_  
R. Jonathan Hart, Chatham County Attorney

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**7. REQUEST BOARD APPROVE A CONSERVATION EASEMENT ON THE BLUE SKY TRACT AND NAME THE GEORGIA LAND TRUST AS A BENEFICIARY.**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve a conservation easement on the Blue Sky tract and name the Georgia Land Trust as a beneficiary with a one-time payment for this service to include a baseline documentation fee of approximately \$2,500 and a stewardship fee based on 2% on the value of the land for a total cost of approximately \$32,500, SPLOST 2003-2008. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

**AGENDA ITEM: X-7**

**AGENDA DATE: November 6, 2009**

**TO:** Board of Commissioners

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

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

**ISSUE:**

To approve a conservation easement on the Blue Sky tract and name the Georgia Land Trust as a beneficiary.

**BACKGROUND:**

In December 2008, Chatham County acquired a 641-acre tract of land, which extends west of I-95 from the Ogeechee River to State Route 204, as part of the County's greenspace program. The purchase of the land achieves two important goals. First, it supports the Army Compatible Use Buffer (ACUB), which helps protect Fort Stewart and Hunter Army Airfield from the Base Alignment and Closure plan. In May 2008, the Board adopted a resolution to acknowledge the County's partnership in the ACUB (Army Compatible Use Buffer). Second, as part of the Lower Ogeechee River Conservation Corridor, the parcel maintains a natural asset of vegetated, bottomland along the Ogeechee River. With this acquisition, Chatham County owns approximately 1,500 acres within the corridor. Not only will this area become a conservation corridor, but the extension of the East Coast Greenway from the Bamboo Farm to Bryan County will make it among the special highlights of the national trail system.

**FACTS & FINDINGS:**

1. The conservation easement ensures that the property will be used in accordance with the legal intent to acquire it for purposes of greenspace (now referred by Georgia law as "conservation land"). The easement ensures that the property will remain preserved and protected as a natural area, including uses for public enjoyment such as trails, open space, fishing and biking.
2. The conservation easement requires a beneficiary or holder to the conservation easement. The holder retains the right to inspect the property and to ensure compliance with the conservation easement. In previous agreements, the County has named the U.S. Army Corps of Engineers, Georgia Department of Natural Resources and City of Savannah.
3. The Georgia Land Trust is a non-profit corporation with a charter to accept conservation easements for the purpose of preserving and protecting natural, scenic, educational, recreational and open space properties. The GLT adheres to a written polity, *Land Trust Standards and Practice*.
4. GLT has presented a proposed instrument for the conservation easement. The County Attorney's Office and staff have reviewed the agreement and concur in its form and format.
5. GLT charges for this service, including a baseline documentation fee of approximately \$2,500 and stewardship fee based on 2% on the value of the land. Total cost would be approximately \$32,500, which would be a one-time payment. The baseline provides a tool for noting changes in use in the future and whether those changes remain consistent with the conservation easement.

**FUNDING:**

SPLOST 2003-2008, Greenspace for the baseline study and stewardship fee of \$32,500.

**ALTERNATIVES:**

1. That the Board approve the conservation easement on the Blue Sky tract and name the Georgia Land Trust as beneficiary.

- 2. That the Board approve the conservation easement on the Blue Sky tract and name the another qualified entity as beneficiary.
- 3. That the Board take no action.

**POLICY ANALYSIS:**

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

**RECOMMENDATION:**

That the Board adopt Alternative 1.

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**8. REQUEST BOARD APPROVAL OF A RESOLUTION TO DISSOLVE THE SOUTH GEORGIA HOSPITAL AUTHORITY.**

**ACTION OF THE BOARD:**

Commissioner Odell moved to adopt a resolution for dissolution of the South Georgia Hospital Authority. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

**AGENDA ITEM: X-8**  
**AGENDA DATE: November 6, 2009**

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

**ISSUE:**

Adopt Resolution for Dissolution of the South Georgia Hospital Authority.

**BACKGROUND:**

The South Georgia Hospital Authority was formed as a multi-jurisdiction authority with fourteen participating members, including Chatham County, as a method for financing hospital capital expenditures through the sale of tax-exempt bonds. The sale of the bonds would fund an account from which the hospitals could take out loans for capital projects at favorable rates. All loans have been repaid in full, and all bonds have been redeemed.

**FACTS & FINDINGS:**

- 1. The South Georgia Hospital Authority has been inactive since the beginning of this decade, other than having annual board meetings.
- 2. Chatham County has had no representation on the Board since the resignation of Charles C. Brooks in 1991.
- 3. There are no threatened or asserted claims, liens or liabilities for the Authority.
- 4. There is no further interest in the issuance of bonds.
- 5. The South Georgia Hospital Authority's Board has approved a resolution for its dissolution.

**FUNDING:**

Not applicable.

**POLICY ANALYSIS:**

It is in the best interest of Chatham County to adopt Resolution for dissolution of the South Georgia Hospital Authority.

**ALTERNATIVES:**

1. Adopt Resolution to dissolve the South Georgia Hospital Authority.
2. Do not adopt Resolution to dissolve the South Georgia Hospital Authority.

**RECOMMENDATION:**

Alternative No. 1.

RJH/jb

**RESOLUTION FOR ADOPTION AT MEETING OF  
THE BOARD OF COUNTY COMMISSIONERS  
OF CHATHAM COUNTY, GEORGIA  
TO BE HELD ON NOVEMBER 6, 2009**

**WHEREAS**, the Board of Trustees (the "Trustees") of the South Georgia Hospital Authority (the "Authority") has deemed it advisable and in the best interests of the Authority that the Authority be dissolved;

**WHEREAS**, pursuant to Section 31-7-89 of the Georgia Hospital Authority Law, a hospital authority may be dissolved by joint action of the board of trustees of an authority and the governing bodies of participating units of an authority;

**WHEREAS**, the participating counties and municipalities of the Authority are listed on Exhibit A attached hereto and made a part hereof (the "Participating Units");

**WHEREAS**, in a meeting held on Tuesday, June 2, 2009 (the "Board Meeting"), the Trustees approved the dissolution of the Authority;

**WHEREAS**, the Trustees directed the Chairman and Assistant Secretary-Treasurer of the Trustees to take all actions necessary to wind up the affairs of the Authority, and to execute any and all documents or instruments necessarily incident thereto, as provided by the organizational resolution creating a Joint Hospital Authority, the Bylaws of the Authority, prior action of the Trustees, or by law;

**WHEREAS**, the Trustees authorized and directed the Chairman and the Assistant Secretary-Treasurer of the Trustees to apply the assets and cash in kind of the Authority to the payment of its known debts, liabilities and obligations and to make suitable provisions for the payment of all of its known debts, and thereafter, to distribute the remainder of the Authority's assets, if any, pro rata (i.e., 1/14) to the Participating Units (either in cash or in kind) in accordance with the Organizational Resolution Creating a Joint Hospital Authority, the Bylaws of the Authority, prior action of the Trustees, or by law;

**WHEREAS**, the Trustees authorized, directed and required the Chairman and the Assistant Secretary-Treasurer of the Trustees to (i) execute all documents, instruments, reports, tax returns, certificates and affidavits required by any federal, state or local government in connection with or by reason of the liquidation and dissolution of the Authority and (ii) provide or file any notices required by any federal, state or local government or department or deemed appropriate to file by the Chairman and the Assistant Secretary-Treasurer in connection with or by reason of the liquidation and dissolution of the Authority; and

**WHEREAS**, the Trustees recommend the dissolution of the Authority to the Participating Units.

**NOW THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners of Chatham County, Georgia hereby approves the dissolution of the Authority;

**FURTHER RESOLVED**, that the Chairman and the Assistant Secretary-Treasurer of the Trustees are authorized and directed to take all actions necessary to wind up the affairs of the Authority, and to execute any and all documents or instruments necessarily incident thereto as provided by the Organizational Resolution Creating a Joint Hospital Authority, the Bylaws of the Authority, prior action of the Trustees, or by law;

**FURTHER RESOLVED**, that the Chairman and the Assistant Secretary-Treasurer of the Trustees are authorized and directed to apply the assets and cash in kind of the Authority to the payment of its known debts, liabilities and obligations and to make suitable provisions for the payment of all of its known debts, and thereafter, to distribute the remainder of the Authority's assets, if any, pro rata (i.e., 1/14) to the Participating Units (either in cash or in kind) in accordance with the Organizational

Resolution Creating a Joint Hospital Authority, the Bylaws of the Authority, prior action of the Trustees, or by law;

**FURTHER RESOLVED**, that the Chairman and the Assistant Secretary-Treasurer of the Trustees of the Authority are hereby authorized and required to (I) execute all documents, instruments, reports, tax returns, certificates and affidavits required by any federal, state or local government in connection with or by reason of the liquidation and dissolution of the Authority and (ii) provide or file any notices required by any federal, state or local government or department or deemed appropriate to file by the Chairman and the Assistant Secretary-Treasurer in connection with or by reason of the liquidation and dissolution of the Authority; and

**FURTHER RESOLVED**, that the dissolution of the Authority shall be effective as of the last date of the approval of such dissolution by each of the Participating Units.

**EXHIBIT A  
Participating Counties and Municipalities**

- Ben Hill County
- Bibb County
- Bulloch County
- Chatham County
- City of Donalsonville
- Coffee County
- Colquitt County
- Decatur County
- Dougherty County
- Jasper County
- Miller County
- Sumter County
- Thomas County
- Tift County

=====

**9. REQUEST BOARD APPROVAL TO AWARD BIDS AS FOLLOWS: (Please note that new purchase thresholds of \$10,000 or more have been enacted; however, contracts and change orders of a lesser amount still will appear.)**

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Construction contract to install bottomless arch culverts over the Hardin Canal on Dean Forest Road	Engineering	McLendon Enterprises, Inc.	\$4,095,470	SPLOST (1998-2003) - Hardin Canal
B. Extend for one (1) year a professional engineering services contract	Engineering	Vincent Grevemberg	\$62 per hour	•SPLOST - (1985 - 1993), (1998 - 2003), (2003 - 2008), (2003 - 2014) •Land Bank Account •Capital Improvement Program (CIP) •SSD
C. Purchase and installation of Musco Sports lighting at L. Scott Stell Park	Public Works and Park Services	Middle Georgia Outdoor Lighting	\$378,990	CIP - Recreation
D. Change Order No. 1 to the contract for the purchase and installation of workstations for additional cost for the installation	District Attorney	Modern Business System	\$3,830	SPLOST (2003-2008) - Courthouse Construction
E. Annual contract with automatic renewal options for four (4) additional one (1) year term to provide maintenance on Pool Pak units	Aquatic Center	Boaen Mechanical	\$59,197	General Fund/M & O - Aquatic Center
F. Printing, inserting and mailing of the 2009 second installment tax bills	Tax Commissioner	Diversified Companies, LLC (Sole Source)	\$11,805	General Fund/M & O - Tax Commissioner

<b>ITEM</b>	<b>DEPT.</b>	<b>SOURCE</b>	<b>AMOUNT</b>	<b>FUNDING</b>
G. Amendment to the contract for concessionaire services and concession, custodial and security service to recognize a name change	Public Works and Park Services	Myrtice J. Morrision D/B/A Sweet Dreams Pavilion	N/A	N/A
H. Change Order No. 1 to the landfill monitoring services contract for additional monitoring	Public Works and Park Services	Advanced Environmental Management	\$11,530	Solid Waste
I. Construction contract for drainage improvements on Limestone Lane in Stonebridge Subdivision Phase 3	Public Works and Park Services	E & D Contracting Services (WBE)	\$25,600	CIP - Public Works
J. Contract for the renovations for the Juvenile Court facility	Juvenile Court	Catamount Constructors, Inc.	\$337,467	CIP - Juvenile Court - Judges/Cell Renovations (pending Board approval of transfer)
K. Engineering services for Truman Trail Phase II	Special Projects	Thomas & Hutton	\$268,500	SPLOST (2003-2008) - Open Space, Green Space and Bikeways
L. Courthouse basement hollow metal doors and toilet partitions	Special Projects	McCarthy, Inc.	\$17,280	SPLOST (2003-2008) - Courthouse Construction
M. Design services for the District Attorney's office	Special Projects	National Office Systems	\$26,000	SPLOST (2003-2008) - Courthouse Construction
N. Engineering services to amend Slip 3 Categorical Exclusion document	Special Projects	Thomas & Hutton	\$35,500	SPLOST (1998-2003) - Hutchinson Island Riverwalk
O. Annual contract with automatic renewal options for four (4) additional one (1) year terms to provide vehicle rental	Finance	Enterprise Leasing Company	Varies by service	Risk Management Fund
P. Seven (7) replacement vehicles with trade-ins	Fleet Operations	•Chatham Parkway Toyota •Fairway Lincoln Mercury •Grainger Honda	\$122,938	CIP - Fleet Replacement
Q. 2009 slope mower	Public Works and Park Services	Kut Kwick Corporation	\$48,911	SPLOST (2003-2008) - Fleet Replacement
R. Memorandum of Understanding to provide services to the Family Dependency Treatment Court participants	Juvenile Court	Morningstar Children and Family, Inc.	\$250 per session	Multiple Grant Fund - Juvenile Court
S. Architectural services for construction administration for Records Center	Special Projects	Ramsey-Sherrill	\$24,750	SPLOST (2003-2008) - Courthouse Construction
T. Dental plan options for active and retired employees	Human Resources	Concordia Dental	N/A	N/A

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve Items 9-A through 9-T, both inclusive. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

**AGENDA ITEM: X-9 A thru T**  
**AGENDA DATE: November 6, 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 to award a \$4,095,470 construction contract to McLendon Enterprises, Inc. to install bottomless arch culverts over the Hardin Canal on Dean Forest Road.

**BACKGROUND:** The Hardin Canal project is a part of the 1998-2003 SPLOST, County Drainage Improvement Program. The project is located in Garden City and the City of Savannah where the Hardin Canal crosses State Route 307 (Dean Forest Road). The primary purpose of the project is to increase the limited drainage capacity of the existing system and reduce flooding upstream.

**FACTS AND FINDINGS:**

1. This project was properly advertised and six (6) bids were received and opened 20 October 2009. The bid responses are as follows:

McLendon Enterprises, Inc. Vidalia, GA	\$4,095,470
TIC - The Industrial Company, Inc. Savannah, GA	\$4,398,374
Sayer Enterprise, Inc. Jacksonville, FL	\$4,418,000
Collins Construction, Inc. Savannah, GA	\$4,684,249
R. B. Baker Construction, Inc. Garden City, GA	\$4,945,160
L-J, Inc. Columbia, SC	\$5,984,595

2. Staff believes the bid from McLendon Enterprises to be fair and reasonable and well within the construction cost estimate.
3. The project is expected to be completed within 350 days from the Notice To Proceed.

**FUNDING:** SPLOST (1998 - 2003) - Hardin Canal  
(3224250 - 54.14021 - 32280227)

**ALTERNATIVES:**

1. Board approval to award a \$4,095,470 construction contract to McLendon Enterprises, Inc. to install bottomless arch culverts over the Hardin Canal on Dean Forest Road.
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 the approval of Alternative 1.

BUDGET APPROVAL \_\_\_\_\_  
ESTELLE BROWN

**ITEM B**

**ISSUE:** Request Board approval to extend the professional services contract for an additional year with Vincent Grevemberg in the amount of \$62 per hour to provide engineering services.

**BACKGROUND:** Mr. Grevemberg has been providing professional services since 7 November 2008. The contract was for one (1) year with an option to renew for one (1) year. He has agreed to assist with projects on a part-time basis for another year.

**FACTS AND FINDINGS:**

1. Due to his unique background and experience, staff finds Mr. Grevemberg's continued services indispensable. Staff anticipates needing his services for at least one (1) more year. The hourly rate (no change) is comparable to the compensation as a direct employee.
2. His services are charged to projects or programs for which he provides consulting services. His services involve, but are not necessarily limited to:
  - a. Quality assurance/quality control (QA/QC) on the LiDAR (Light Detection and Ranging) acquisition contract awarded by the MPC in November, 2008. County-wide LiDAR is used with other topographic mapping to support drainage studies for SPLOST projects and permitting.
  - b. Geographic Information System (GIS) support and QA/QC for the Municipal Separate Storm Sewer System (MS4) inventory.
  - c. GIS support and QA/QC for the Right-of-Way inventory project that will create new GIS layers for road and drainage rights-of-way and easements.
  - d. Coordinating implementation of the new Digital Flood Insurance Rate Maps (DFIRMs) for Unincorporated Chatham County, and updating the GIS flood hazard map layer to recognize Letters of Map Changes approved by the Federal Emergency Management Agency.
  - e. Maintaining the digital plat GIS layers used by the Board of Assessors to improve the accuracy of the parcel maps.
  - f. Managing Chatham County's part of the Georgia Power street lighting inventory data sharing agreement.

**FUNDING:** SPLOST - (1985 - 1993), (1998 - 2003), (2003 - 2008), (2008 - 2014)  
 SSD - Various  
 Land Bank Accounts  
 Capital Improvement Program (CIP)

**ALTERNATIVES:**

1. Board approval to extend the professional services contract for an additional year with Vincent Grevemberg in the amount of \$62 per hour to provide engineering 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 professional services agreements.

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

BUDGET APPROVAL \_\_\_\_\_  
 ESTELLE BROWN

**ITEM C**

**ISSUE:** Request Board approval of a \$378,990 purchase from Middle Georgia Outdoor Lighting, Inc., Macon GA., for the installation of the Musco Sports Lighting at L. Scott Stell Park for Chatham County Public Works and Park Services.

**BACKGROUND:** At the Board's request, staff developed a Recreational Action Plan(RAP) that best utilized funding that was allocated to Parks and Recreation. It was and is staff's overall commitment to improve the visibility of the recreational facilities and quality of recreational programs for the citizens of this community. Replacing the field lights is a step in that direction. Like Ambuc Park lights prior to their replacement, Jim Golden Complex lights are susceptible to electrical storms.

**FACTS AND FINDINGS:**

1. Musco Lighting System is currently installed at three (3) facilities, Charlie Brooks Park, Concord Soccer Field, and Ambuc Park. For continuity and maintenance of the parks, Musco is the brand name lighting as the selected standard.

2. Invitation for Bid's were properly advertised, and mailed to six (6) prospective vendors. Five (5) local vendors attended the pre-bid opening. The bid was opened 22 October 2009. The bid responses are as follows:

*	Middle Georgia Outdoor Lighting Macon, GA	\$378,990
	M. Gay Constructors, Inc. Decatur, GA	\$427,456

\* WBE Firm

3. Musco Lighting comes with a 25 year warranty providing that the installer is familiar with their lighting system, and has previous experience with their installation methods. Musco Lighting System includes a ten-year (10) maintenance agreement.

**FUNDING:** CIP - Recreation  
(3506100 - 54.12009 - 35031330)

**ALTERNATIVES:**

1. Board approval of a \$378,990 purchase from Middle Georgia Outdoor Lighting, Inc., Macon GA., for the installation of the Musco Sports Lighting at L. Scott Stell Park for Chatham County Public Works and Park Services.
2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to approve contracts to the low responsive bidders.

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

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

**ITEM D**

**ISSUE:** Request Board approval of Change Order No. 1, in the amount of \$3,830, to the workstation contract with Modern Business System, for the additional cost of installation of the workstations for the Office of the District Attorney.

**BACKGROUND:** On 16 October 2009, the Board approved the purchase and installation of the workstations. The installation was to be completed during the Thanksgiving Holiday.

**FACTS AND FINDINGS:**

1. Staff was notified the carpet installation for the District Attorney's space would require a six (6) week lead time. This delivery will cause a delay for the installation of the workstations.
2. The Christmas Holiday period is the next available date selected by the District Attorney's office to install the workstations. The vendor has agreed to change the installation date but the cost will increase.
3. Contract History:

Original Contract Amount (10-16-09)	\$ 103,505
Change Order 1 (Pending)	<u>3,830</u>
Revised Contract Amount	\$ 107,335

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

**ALTERNATIVES:**

1. Board approval of Change Order No. 1, in the amount of \$3,830, to the workstation contract with Modern Business System, for the additional cost of installation of the workstations.
2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to approve change orders necessary for the completion of projects.

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

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

**ITEM E**

**ISSUE:** Request Board approval to award a \$59,197 maintenance agreement, with automatic renewal options for four (4) additional one (1) year terms, on Pool Pak units with Boen Mechanical for the Aquatic Center.

**BACKGROUND:** The PoolPak dehumidification systems effectively removes unwanted moisture within a pool facility using heat pump technology. It recycles the heat recovered during the dehumidification process using it to heat the enclosure space and pool water, resulting in dramatically lower energy costs. PoolPaks use solid state microprocessor controls and sensors to continually monitor water and air conditions. They deliver warm, dry air for total comfort and protection against the corrosive effects of the chlorine-laden moisture.

**FACTS AND FINDINGS:**

1. Request for Quotes were properly advertised and received on 31 August 2009. Quote responses are as follows:

Johnson Controls Savannah, GA	\$10,449
Mock Plumbing & Mechanical Savannah, GA	\$46,955
Boen Mechanical Savannah, GA	\$59,197
2. The quote requested a five (5) year cost. Each firm submitted their cost for the four (4) additional one (1) year terms. See attached page 23 for pricing.
3. The low quotes from Johnson Controls and Mock Plumbing were deemed non-responsive. They currently do not have a certified Pool Pak technician to work on the units.
4. Boen Mechanical has a certified Pool Pak technician to perform the maintenance of our Pool Pak units. They guarantee 24/7 service to make any necessary repairs or troubleshooting to the Pool Pak units.
5. Staff believes the total cost of \$59,197 to be fair and reasonable.

**FUNDING:** General Fund /M & O – Aquatic Center  
(1006124 - 52.22001)

**ALTERNATIVES:**

1. Board approval to award a \$59,197 maintenance agreement, with automatic renewal options for four (4) additional one (1) year terms, on Pool Pak units with Boen Mechanical for the Aquatic Center.
2. Provide staff other direction.

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

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

BUDGET APPROVAL \_\_\_\_\_  
RUSHEDA ADESHINA

**ITEM F**

**ISSUE:** Request Board approval of an \$11,805 sole source purchase for printing, inserting, and mailing the 2009 second installment tax bills with Diversified Companies LLC for the Tax Commissioner’s Office.

**BACKGROUND:** The process involves programming as well as the actual labor of printing, inserting and mailing tax bills.

**FACTS AND FINDINGS:**

- 1. Diversified Companies is capable of this programming, but also receives support from Manatron, the vendor for Chatham County's tax collection software, due to their close physical proximity.
- 2. Staff believes the total cost of \$11,805 to be fair and reasonable.

**FUNDING:** General Fund/M & O - Tax Commissioner  
(1001545 - 52.11001)

**ALTERNATIVES:**

- 1. Board approval of an \$11,805 sole source purchase for printing, inserting, and mailing the 2009 second installment tax bills with Diversified Companies LLC for the Tax Commissioner's Office.
- 2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to approve purchases for the using departments for the mailing of tax bills.

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

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

**ITEM G**

**ISSUE:** Request Board approval of an Amendment to the existing contracts for Concessionaire Services and Concession, Custodial and Security Services with Sweet Dream Ice Cream, Inc., to recognize a name change to Myrtice J. Morrison D/B/A Sweet Dreams Pavilion.

**BACKGROUND:** On 24 July 2009, the Board approved a contract for Concessionaire Services with Sweet Dream Ice Cream, Inc.

**FACTS AND FINDINGS:**

- 1. Staff was notified by Chatham County Attorney of the name change.
- 2. This Amendment is needed to reflect the name change to the contract.
- 3. There will be no changes to the terms and conditions of this contract.

**FUNDING:** N/A

**ALTERNATIVES:**

- 1. Board approval of an Amendment to the existing contract for Concessionaire Services and Concession, Custodial and Security Services with Sweet Dream Ice Cream, Inc., to recognize a name change to Myrtice J. Morrison D/B/A Sweet Dreams Pavilion.
- 2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to amend contracts that require any changes made to the name, and/or to terms and conditions.

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

BUDGET APPROVAL \_\_\_\_\_  
RUSHEDA ADESHINA

**ITEM H**

**ISSUE:** Request Board approval of Change Order No. 1 in the amount of \$11,530 to the existing Advanced Environmental Management contract to modify the scope of service due to an increase EPD monitoring requirements. The new total yearly monitoring contract amount is: \$65,460.

**BACKGROUND:** On 7 March 2008, the Board awarded an engineering services contract to Advanced Environmental Management for Landfill Monitoring Services for Chatham County. Due to extraordinary dry conditions last calendar year, coupled with

positive results from routine testing in the previously two (2) years additional testing requirements were placed upon the County by EPD. EPD required the County install additional wells, perform additional sampling as well as increase the frequency of the routine sampling until such time as EPD is satisfied that the positive results are an anomaly caused by the extreme climatic conditions and natural ground occurrences. As a result, the original contract amount with Advanced Environmental Management was insufficient to cover the cost of the additional work required.

**FACTS AND FINDINGS:**

1. There has been a history of contamination detection at several of the County closed landfill sites during the last several calendar years.
2. EPD was not satisfied with the previous demonstration project, and the additional water sampling that the previous engineering firm had instituted that was deemed, inconclusive, at best.
3. Advanced Environmental Management was hired to replace the previous engineering firm.
4. In the past year, Advanced Environmental Management has been working closely with EDP to bring the County into compliance which required additional wells be established, additional sampling be done, as well as the frequency of sampling be increased in order to establish the causation of the positive contaminated sampling.
5. This additional work resulted in additional costs. These costs will be permanent additional costs to the contract.
6. Contract history:

Original contract (3-7-08)	\$53,930
Change Order No. 1 (pending)	<u>\$11,530</u>
Revised contract amount	\$65,460

**FUNDING:** Solid Waste Fund  
(5404501 - 52.39021) - (Closure/Post Closure)

**ALTERNATIVES:**

1. Board approval of Change Order No. 1 in the amount of \$11,530 to the existing Advanced Environmental Management contract to modify the scope of service due to an increase EPD monitoring requirements.
2. Provide staff other direction

**POLICY ANALYSIS:** It is consistent with Board policy to ensure compliance on regulations governing public health and safety particularly on closed landfill sites within the County.

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

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

**ITEM I**

**ISSUE:** Request Board approval to award a \$25,600 construction contract to E&D Contracting Services, a WBE firm, for drainage improvements on Limestone Lane in Stonebridge Subdivision Phase 3 for Public Works and Park Services.

**BACKGROUND:** At the regular meeting on 26 June 2009, the Board approved to include drainage improvements on Limestone Lane in Stonebridge Subdivision Phase 3 into the Storm Drainage CIP program. Staff proceeded with drafting a scope of work and obtaining quotes.

**FACTS AND FINDINGS:**

1. The resident at the intersection of Stonebridge Circle and Limestone Lane has complained of water standing around a fire hydrant in the right-of-way of Limestone Lane for long periods of time killing the grass. Initially, the standing water problem was investigated by the owner of the private water system believing an adjacent fire hydrant was leaking. They concluded that the

underground "sock drain" was not functioning. It seems there is standing water along both sides of Limestone Lane from Stonebridge Circle to the cul-de-sac.

- 2. It was found that Limestone Lane was constructed adjacent to jurisdictional wetlands. It is possible the standing water is contributed by a high groundwater from those wetland areas.
- 3. There is a "sock drain" that extends only 25 to 30 feet from a County catch basin at the intersection of Stonebridge Circle and Limestone Lane. Staff developed a scope of work to install approximately 730 lineal feet of six (6) inch underdrain pipe. Included is the removal and replacement of several concrete driveways and sod. Staff estimated the cost of construction could exceed \$10,000.
- 4. Staff received quotes from six (6) contractors and the responses are as follows:

*	E&D Contracting Services, Inc. Savannah, GA	\$25,600
*	Savannah River Utilities Company Springfield, GA	\$26,465
	Old South Site Prep and Utilities, Inc. Savannah, GA	\$31,425
	Atlantic Underground Utilities, Inc. Richmond Hill, GA	\$43,150
	J. Hiers Company, Inc. Baxley, GA	\$43,500
	J. Easy Construction Company Savannah, GA	\$55,169

\* WBE firm

**FUNDING:** CIP - Public Works - Storm Drainage  
(3504100 - 54.12009 - 35038227)

**ALTERNATIVES:**

- 1. Board approval to award a \$25,600 construction contract to E&D Contracting Services, a WBE firm, for drainage improvements on Limestone Lane in Stonebridge Subdivision Phase 3 for Public Works and Park Services.
- 2. Provide staff other direction

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

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

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

**ITEM J**

**ISSUE:** Request Board approval to award a construction contract in the amount of \$337,467 to Catamount Constructors, Inc. for renovations to the Juvenile Court Facility.

**BACKGROUND:** In 2004, a security assessment report on the Juvenile Court Facility outlined serious operational and security needs for the building. Renovations to the Judge's wing and additions to the secure holding cells were two of the critical improvements needed. Currently, the holding capacity for the secure cells present classification issues for the Sheriff's Department as there is not enough space to ensure mandatory separation of those detained. Additionally, the current location of the holding cells requires the Judges and staff to pass through the area. The improvements are necessary to ensure the safety and the security of the Judges, staff, the citizens of this community and the children and families they serve.

**FACTS AND FINDINGS:**

- 1. This project was properly advertised and nine (9) bids were received and opened September 30, 2009. The bid results are as follows:

Catamount Constructors, Inc. Savannah, Ga.	\$337,467
Y-Delta, Inc. Statesboro, Ga.	\$359,250
Harbor Construction Co., Inc.* Savannah, Ga.	\$372,027
Collins Construction Services, Inc. Savannah, GA	\$372,234
R L Construction, Inc.** Savannah, GA	\$372,394
Pinnacle Valdosta, Ga.	\$378,300
Carson & Company Thunderbolt, Ga.	\$400,900
C. E. Hall Construction, Inc. Savannah, Ga.	\$414,000
Marchese Construction, LLC Pooler, Ga.	\$479,594

\* MBE firm  
\*\* WBE firm

2. The prices shown above include the total Base Bid and Alternate that was part of the bid solicitation. The Juvenile Court Administrator has determined that they want to include the Alternate as part of this project.
3. Staff believes the bid from Catamount Constructors, Inc. to be fair and reasonable and well within the construction cost estimate.
4. The project is expected to be completed within 120 days from the Notice To Proceed.

**FUNDING:** CIP - Juvenile Court - Judges/Cell Renovation (Pending transfer)  
(3502600 - 54.13001 - 35031340)

**ALTERNATIVES:**

1. Board approval to award a construction contract in the amount of \$337,467 to Catamount Constructors, Inc. for renovations to the Juvenile Court Facility.
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 the approval of Alternative 1.

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

**ITEM K**

**ISSUE:** Request Board approval to award a \$268,500 professional services contract to Thomas & Hutton Engineering to provide engineering services for Truman Trail, Phase 2.

**BACKGROUND:** Truman Trail provides a 6.3-mile trail which will link Daffin Park (77-acre park) to Lake Mayer/Bacon Park (750 acres). The project includes 4.8 miles of new trail and about 1.5 miles of widening the existing Julie Backus Smith Trail at Lake Mayer. Total project cost is estimated at \$1.6 million.

**FACTS AND FINDINGS:**

1. Seven firms responded to the RFP. A staff committee comprised of Asst. County Manager Pat Monahan; Bob Marshall, Purchasing Contracts Administrator; Robert Drewry, Director of Public Works and Parks Services; Al Lipsey, Deputy

Director of Public Works and Parks Services; and Michael Blakely, County Engineer's Office evaluated the proposals, developed a short list of two firms to interview and ranked them based on established points.

- 2. The process resulted in highest rating to the proposal from Thomas & Hutton Engineering in association with WPC (environmental and geotechnical), Merle Grimes (trail planning), Resource Land Consultants (ecological), Brockington (ecological), Coastline Consulting (construction administration). The team is comprised of 95% local, including 8% DBE. The firm received excellent references
- 3. The team rated highest based on its overall proposal, especially with Thomas & Hutton's previous trail experience, including same projects with Chatham County such as the Robert McCorkle Trail Extension and McQueen's Trail restoration.
- 4. Based on the scope of work, including following GDOT's Planned Development Process, staff negotiated a fee of \$268,500.
- 5. Through the assistance of Congressman Barrow, the federal government designated \$1,00,008 in funding as a high priority TEA-LU project. Chatham County's matching funds will be from the Greenspace, Open Space and Bikeways in SPLOST 2003-2008.

**FUNDING:** SPLOST (2003-2008) - Open Space, Green Space and Bikeways (3234985 - 52.12003 - 32370427)

**ALTERNATIVES:**

- 1. Request Board approval to award a \$268,500 professional services contract to Thomas & Hutton Engineering to provide engineering services for Truman Trail, Phase 2.
- 2. Provide staff other direction.

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

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

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

**ITEM L**

**ISSUE:** Request Board award a \$26,000 contract to McCarthy Inc. for interior doors and toilet partitions for the Courthouse basement as part of the Courthouse renovation project.

**BACKGROUND:** The County solicited quotes for two projects related to the renovation of the Courthouse basement for the Court Services Division as part of the relocation of the sallyport and holding cells.

**FACTS AND FINDINGS:**

- 1. Two bidders provided pricing based on the required work for hollow metal doors, interior wood doors and finish hardware, as follows:
 

McCarthy	\$13,194
All Around	\$17,880
- 2. Two bidders providing pricing based on the required work for toilet partitions, as follows:
 

McCarthy	\$4,086
Atlantic Coastal	\$9,562
- 3. Since McCarthy provided lowest responsible pricing on both, the total contract value will be \$17,280.

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

**ALTERNATIVES:**

1. Request Board award a \$26,000 contract to McCarthy Inc. for interior doors and toilet partitions for the Courthouse basement as part of the Courthouse renovation project.
2. That the Board not award any contract for this work.

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

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

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

**ITEM M**

**ISSUE:** Request Board approve a \$26,000 contract with National Office Systems for design of the District Attorney's Office space as part of the Courthouse project.

**BACKGROUND:** National Office Systems is a consultant to the architectural and engineering firm selected for the Courthouse project. Because the District Attorney's Office will be remaining and expanding to the entire 6<sup>th</sup> floor of the Courthouse under the plan, design services can begin now for this space.

**FACTS AND FINDINGS:**

1. The design will provide a renovation of the District Attorney's Office to create new efficiencies in the space.
2. The project will also look at planning for the District Attorney's Office to assume the entire 6<sup>th</sup> floor of the Courthouse once other offices are vacated.
3. Work will be completed by National Office Systems outside of the scope of work for the Courthouse renovation contract. The contract will be between Chatham County and National Office Systems. Based on an approved hourly rate, the contract will total \$26,000.

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

**ALTERNATIVES:**

1. Request Board approve a \$26,000 contract with National Office Systems for design of the District Attorney's Office space as part of the Courthouse project.
2. Provide staff other direction.

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

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

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

**ITEM N**

**ISSUE:** Request Board approval to award a \$ 35,500 professional services contract to Thomas & Hutton Engineering to provide engineering services to amend the Slip 3 Categorical Exclusion document.

**BACKGROUND:** Chatham County obtained a Categorical Exclusion under the federal review process for developing Slip 3 for the water ferry maintenance facility. Subsequent to the permit approval, the Trade Center Authority received funding to extend the Hutchinson Island riverwalk as part of the Slip 3 development. This will require amending the original Categorical Exclusion document to enable this additional use.

**FACTS AND FINDINGS:**

1. Thomas & Hutton completed the original documentation for the Slip 3 environmental document, which resulted in the Categorical Exclusion. Because

of the firm's knowledge of the project and prior experience, the Trade Center Authority obtained a quote of \$35,500 for the additional work.

2. Because Chatham County owns title to Slip3 and Parcel 7, the update of the environmental document, including the Categorical Exclusion, should be presented by the County. Therefore, the contract for this work will be Chatham County's to supervise.

**FUNDING:** SPLOST (998-2003) - Hutchinson Island Riverwalk  
(3224985 - 52.12003 - 32260380)

**ALTERNATIVES:**

1. That the Board award a professional services contract to Thomas & Hutton Engineering in the amount of \$35,500 to update the environmental document for a Categorical Exclusion of Slip 3 on Hutchinson Island.
2. Provide Staff other direction.

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

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

BUDGET APPROVAL \_\_\_\_\_  
ESTELLE BROWN

**ITEM O**

**ISSUE:** Request Board approval to award an annual contract with option to renew for four (4) additional one (1) year terms to provide rental vehicles to claimants whose vehicles were damaged as the result of an at-fault accident involving the operation of a County-owned vehicle.

**BACKGROUND:** When requested, Chatham County provides claimants rental vehicles if, their vehicle is unsafe to operate or while their damaged vehicle is being repaired.

**FACTS AND FINDINGS:**

1. Chatham County performs in-house claims adjustment. Claims adjustment includes providing the claimant a similar model vehicle as the model that was damaged.
2. The claimant has the option of a loss of use allowance of \$30/day in lieu of accepting a rental vehicle. In some cases, daily rental rates may exceed the loss of use allowance of \$30/day.
3. Bids were properly advertised and mailed to nine (9) bidders. The County received one bid from Enterprise Leasing Company. A copy of daily and weekly rates is attached. (See page 24)
4. Since only one (1) bid was received, staff contacted the other firms to find out the reason the firms did not submit a bid. Most of the firms stated they would not be able to lock into a price for one (1) year. The County would have to contact them each and every time a vehicle was need to be rented.

**FUNDING:** Risk Management Fund B - Claims and Judgments  
(6259925 - 57.30101)

**ALTERNATIVES:**

1. Board approval to award an annual contract with option to renew for four (4) additional one (1) year terms to provide rental vehicles to claimants whose vehicles were damaged as the result of an at-fault accident involving the operation of a County-owned vehicle.
2. Provide staff other direction.

**POLICY ANALYSIS:** County claims adjustment incorporates the concept of indemnity whereby claimant are to be returned to the same economic condition as before the accident. Acceptance of Enterprise's bid will enable the County to continue that practice.

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

BUDGET APPROVAL \_\_\_\_\_  
ESTELLE BROWN

**ITEM P**

**ISSUE:** Request Board approval of the \$122,938 purchase of seven (7) used non-typical replacement vehicles for C.N.T. from Grainger Honda, Fairway Lincoln Mercury and Chatham Toyota all of Savannah, GA and authorized the disposal of seven (7) vehicles that will be used as trade-ins.

**BACKGROUND:** C.N.T. has approved funding to replace 13 vehicles through the CIP, Police Merger. These vehicles are no longer suitable for department operation. The trade-in will simplify the purchase of seven vehicles.

**FACTS AND FINDINGS:**

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

Grainger Honda	5 vehicles	\$113,490
Fairway Lincoln Mercury	1 vehicle	\$ 23,000
Chatham Toyota	1 vehicle	\$ 23,948
Less trade-in		<u>(37,500)</u>
Total Purchase		\$122,938

**FUNDING:** CIP - Fleet Replacement  
(3503222 - 54.22001 - 35030650)

**ALTERNATIVES:**

- 1. Request Board approval of the \$122,938 purchase of seven (7) used non-typical replacement vehicles for C.N.T. from Grainger Honda, Fairway Lincoln Mercury and Chatham Toyota all of Savannah, GA and authorized the disposal of seven (7) vehicles that will be used as trade-ins.
- 2. Provide staff other direction.

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

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

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

**ITEM Q**

**ISSUE:** Request Board approval of the \$48,911 sole source purchase of a 2009 Kut Kwick Commercial Slope Mower from Kut Kwick Corporation of Brunswick, GA for Public Works

**BACKGROUND:** Currently the Public Works department do not have a slope mower capable of mowing the Rights of Way with severe slopes. The tractors with bush hove mowers, which also mow the Rights of Way, do not have the capability to transverse steep slopes or mow horizontally on such slopes. It is necessary that a replacement be purchased.

**FACTS AND FINDINGS:**

- 1. There is no local supplier available that has a comparable piece of equipment.
- 2. Kut Kwick Corporation is a GSA approved contractor and has extended to the County the discounted price of \$48,911 for the purchase of this equipment.

- 3. Staff believes this cost to be fair and responsible.

**FUNDING:** SPLOST (2003-2008) - Fleet Replacement  
(3234985 - 54.22001 - 3236063B)

**ALTERNATIVES:**

- 1. Request Board approval of the \$48,911 sole source purchase of a 2009 Kut Kwick Commercial Slope Mower from Kut Kwick Corporation of Brunswick, GA for Public Works
- 2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to purchase replacement equipment essential to the daily operation of the using department.

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

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

**ITEM R**

**ISSUE:** Request Board approval for a Memorandum of Understanding between Juvenile Court and Morningstar Children and Family Services, Inc., to provide services to the Family Dependency Treatment Court Participants.

**BACKGROUND:** Morningstar Treatment Services, Inc., is a private, non-profit, ecumenical organization the provides residential and non-residential therapeutic services for troubled youth in the Coastal Area. In addition to Celebrating and Strengthening Families, their programs include therapeutic foster care, family resource centers, Youth Estate Center and Treutlan House.

**FACTS AND FINDINGS:**

- 1. The Family Dependency Treatment Court has been awarded a grant by te Administrative Office of the Courts that includes funding for the Celebrating Families and Strengthening Families program.
- 2. The use of grant funds for the purpose has been approved by the grantors.
- 3. This agreement will remain in effect as long as grant funds are available for this purpose. Morningstar Children and Family Services, Inc., will be paid \$250 per session. (See draft Memorandum of Understanding Agreement page 25).

**FUNDING:** Multiple Grant Fund/Juvenile Court  
(2502600- 52.39001- 25024082)

**ALTERNATIVES:**

- 1. Board approval for a Memorandum of Understanding between Juvenile Court and Morningstar Children and Family Services, Inc., to provide services to the Family Dependency Treatment Court Participants.
- 2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to approve Memorandums of Understanding with agencies providing services.

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

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

**ITEM S**

**ISSUE:** Request Board approval to award a \$24,750 professional services contract to Ramsay Sherrill for construction administration services for the Records Center.

**BACKGROUND:** The Board has awarded a contract for construction of the Records Center. Ramsey Sherill Associates completed the design work on architectural drawings, but the contract did not include construction administration services. The

scope of work will be for contract administration, construction site visits and conformance and coordinating engineering services.

**FACTS AND FINDINGS:**

1. Ramsay Sherrill Associates completed the architectural drawings for Records Center. Under this contract, Ramsay Sherrill would provide contract administration and construction administration services. This will ensure construction conforms to construction documents.
2. Ramsay Sherrill has quoted a fee of \$24,750. Staff has determined this fee as reasonable for the scope of work.

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

**ALTERNATIVES:**

1. Request Board approval to award a \$24,750 professional services contract to Ramsay Sherrill for construction administration services for the Records Center.
2. Provide staff other direction.

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

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

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

**ITEM T**

**ISSUE:** To request Board approval of a contract with United Concordia Dental for voluntary dental plan options for active and retired employees.

**BACKGROUND:** Chatham County has offered several voluntary benefit programs which provide benefits to county employees on an as needed basis. The County has offered voluntary dental options through Guardian Dental for several years. The Plan contracted rate guarantees end this year. The Program was brokered with requests for proposals taken and six carriers quoted. Guardian, Assurant, and United Concordia were selected as finalists with the best overall plans. Ultimately, United Concordia was recommended for replacement of Guardian based on price, rate guarantees, contract design improvements, and size of network in area, although, employees can go to any dentist and the plan pays the normal benefits.

**FACTS AND FINDINGS:**

1. The United Concordia Plan improved annual maximums to \$1,250 per person every year on the high option and increased the low option to \$1,000 annual max.
2. Approximately 70-75% of submitted claims each year fall into the preventive class. A preventative incentive plan covered at 100% adds a huge advantage by not applying to the annual maximums, as present and new quotes, by Guardian. This is a new benefit potentially adding approximately \$250 to \$400 per year per person.
3. United Concordia is one of the largest dental insurance carriers in the country with over 40 years of experience. It also has one of the largest dental networks in the country and this area.
4. United Concordia has strong supporting structure including efficient claims processing, customer service, and on-line services.
5. United Concordia has administered the Tricare Dental Plan for active duty and selected reserve members and families, currently in the middle of an unprecedented third, five year contract since 1996. They also enjoy good references with a 96% contract retention rate.
6. They offer many subtle improvements in the contract and have agreed to match several of the features where Guardian had an edge.

- 7. Participating employees will save 5.44% and 5.46% (high and low options) from current premiums with the Guardian Plan and approximately 12% from the Guardian renewal premiums.
- 8. United Concordia quotes came strongest with a two year rate guarantee and capping a potential third year at rates, even then, lower than the current Guardian Plan rates.
- 9. There are few employees and retirees who may remain in a couple of older plans which are no longer offered.

**FUNDING:** No County funding is required.

**ALTERNATIVES:**

- 1. The Board to approve the voluntary dental program effective January 1, 2010, through United Concordia and authorize appropriate executing agreements.
- 2. Provide Staff with other direction.

**POLICY ANALYSIS:** As a policy, the Board of Commissioners strives to provide a healthy environment and benefit package for the County employees. Providing voluntary dental program options will support this policy by contributing to low cost dental plan options with preventative incentives for a more secure and healthy workforce.

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

BUDGET APPROVAL \_\_\_\_\_  
RUSHEDA ADESHINA

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

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Commissioner Kicklighter said, I've got three minutes to give my presentation. Mr. Chairman, I've got three minutes to give that presentation now.

Chairman Liakakis said, look, you want to do it right. With all that confusion, and they won't be listening to what you're doing and all, and that's not fair to you.

Commissioner Kicklighter said, well, we'll just wait until the next meeting if that's the case.

Commissioner Holmes said, just be patient, Mr. [inaudible].

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**XI. FIRST READINGS**

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

- 1. **REQUEST BOARD APPROVAL OF AMENDMENT TO SECTION 12-301 OF THE COUNTY CODE REGARDING COMMERCIAL VEHICLES PARKING IN RESIDENTIAL AREAS.**

**ACTION OF THE BOARD:**

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



**Section 12-301**

Commercial and Recreational Motor Home Vehicles Parking in Residential Areas Prohibited

§ 12-301 Parking of Specified Motor Vehicles, Motor Homes, Trailers, Semitrailers or Truck Tractors on any Lot or Private Property in Residential Zone Prohibited. It shall be unlawful for any person to park or cause to be parked any motor vehicle exceeding 22 feet in length, and or 10,000 pounds gross vehicle weight, or any trailer coach, motor home, trailer, semitrailer, or truck tractor, or part of such vehicle on any lot or private property located within a subdivision zoned residential that has, or has had in the past, a restrictive covenant.

ADOPTED AND APPROVED, this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Pete Liakakis, Chairman  
Chatham County Commission

\_\_\_\_\_  
Sybil Tillman, Clerk  
Chatham County Commission

[SEAL]

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**XII. SECOND READINGS**

None.

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**XIII. INFORMATION ITEMS**

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

**ACTION OF THE BOARD:**

A status report was attached as information.

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

**ACTION OF THE BOARD:**

A status report was attached as information.

**AGENDA ITEM: XIII-2**  
**DATE: November 6, 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>
Installation of doors, sheet rock and acoustical ceiling tiles	Special Projects	James Smith Drywall Unlimited	\$8,835	SPLOST (2003-2008) - Courthouse Construction
Annual software support for Fleet Management Software	Fleet Operations	CCG Systems, Inc. (Sole Source)	\$5,290	General Fund/M&O - Fleet Operations

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Six (6) Stihl weed eaters and three (3) Stihl blowers	Public Works and Park Services	Andy's Lawn Machinery	\$2,970	Reserve for Deductible
Engineering services for structural evaluation of Memorial Stadium	Public Works and Park Services	Port City Design Group	\$2,800	CIP - Parks and Recreation
Removed old generator and installed a new one	Fleet Operations	Cummins Power South	\$5,035	CIP - Public Works Drainage
10,400 Clerk of Superior Court printed file folders	Administrative Services	Wynn Business Systems	\$9,152	General Fund/M&O - Administrative Services
Replaced motherboard and recertify Gamewell Fire Alarm system and install software	Detention Center	Brewer Technology Solutions (Sole Source)	\$3,215	General Fund/M&O - Detention Center
Purchase used engine for trash compactor	Fleet Operations	LKQ Heavy Trucks	\$6,775	General Fund/M&O - Fleet Inventory
12 Stihl chainsaws	Public Works and Park Services	Lawnmower Store	\$8,057	Reserve for Deductible
Two (2) Dell computers	Sheriff	Dell Marketing (State Contract)	\$2,695	General Fund/M&O - Sheriff
Emergency rental of bypass pump for Nancy Place lift station	Public Works and Park Services	Thompson Pump & Manufacturing	\$3,760	Water & Sewer

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**EXECUTIVE SESSION**

Upon motion being made by Commissioner Stone and seconded by Commissioner Odell, the Board recessed at 11:30 a.m., to go into Executive Session for the purpose of discussing litigation, land acquisition and personnel. Chairman Liakakis and Commissioners Stone, Holmes, Farrell, Odell, Gellatly and Thomas voted in favor of the motion. Commissioner Kicklighter voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Shay was not present.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 11:59 a.m.

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**ITEMS FROM EXECUTIVE SESSION**

- 1. SETTLEMENT OF CASE INVOLVING VERNETTE D. HARRIS V. MALCOLM L. KENDRICK, CHATHAM COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA, AND LINDA G. WILSON, IN THE SUPERIOR COURT OF CHATHAM COUNTY, GEORGIA, CASE NO. CV08-0891-BA (JON HART).**

**ACTION OF THE BOARD:**

Commissioner Odell made a motion to settle the case of *Vernette D. Harris v. Malcolm L. Kendrick, Chatham County, a political subdivision of the State of Georgia, and Linda G. Wilson*, in the Superior Court of Chatham County, Georgia, Case No. CV08-0891-BA, in the amount of \$15,000. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

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**2. SETTLEMENT OF THE WORKERS' COMPENSATION CLAIM OF ALFRED DUNHAM (JON HART).**

**ACTION OF THE BOARD:**

Commissioner Odell made a motion to settle the workers' compensation claim of Alfred Dunham in the amount of \$18,500. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

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**3. SETTLEMENT AUTHORITY TO RESOLVE THE CLAIM OF DIMITRIS C. NEWTON REGARDING DESTROYED GUNS (JON HART).**

**ACTION OF THE BOARD:**

Commissioner Odell made a motion to approve settlement of the claim of Dimitris C. Newton regarding destroyed guns in the amount of \$12,000. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

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**4. SETTLEMENT OF WORKERS' COMPENSATION CLAIM OF CAROL MOROSOVILLO (JON HART).**

Commissioner Odell made a motion to settle the workers' compensation claim of Carol Morosovillo in the amount of \$49,000. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

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

**ACTION OF THE BOARD:**

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

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**ADJOURNMENT**

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 12:01 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