

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, FEBRUARY 12, 2010, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.

I. CALL TO ORDER

Chairman Pete Liakakis called the meeting to order at 9:30 a.m., Friday, February 12, 2010.

=====

II. INVOCATION

At the request of Commissioner Priscilla Thomas, County Manager Russ Abolt gave the Invocation.

=====

III. PLEDGE OF ALLEGIANCE

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

=====

IV. ROLL CALL

The Clerk called the roll.

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

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

=====

CHATHAM COUNTY YOUTH COMMISSION

Chairman Liakakis introduced the Youth Commissioners who were in attendance: Jomell Johnson, a Junior at Early College, and Kenneth Johnson, a Sophomore at Jenkins High School.

Chairman Liakakis said, Van Johnson, who is the Director for the Chatham County Youth Commission, would you come forth and give us the information on our Youth Commission.

Youth Commissioner Kenneth Johnson said, last year in Georgia there were 65 intimate partner deaths. Three of those domestic violence-related homicides were young women under the age of 20. One victim was only 17 years old when her ex-boyfriend killed her. To bring awareness to teens and adults alike, SAFE Shelter, the Chatham County Youth Commission and Macy’s are sponsoring the kick-off to the “Love Shouldn’t Hurt” campaign with a press conference today at 4:00 p.m., in Forsyth Park. Chatham County Youth Commission represent both public and private high schools in Chatham County. Youth Commissioners will be wearing T-Shirts promoting this campaign in their respective high schools and handing out Hershey’s candy kisses to mark the campaign with the idea, “Kisses, not Disses!”

Youth Commissioner Jomell Johnson said, we hope that you enjoy the Kisses and stickers we have given you. Domestic violence has no typical victim. Victims are old, young, educated, illiterate, male and female. Last yar SAFE Shelter provided shelter and services to over 800 victims and their children. And most adult victims say the pattern of violence started when they were dating.

We are inviting all of the Savannah/Chatham County community to come out and support this important awareness campaign. Information and education are vital if we are ever going to break the cycle of violence. So as we celebrate love this weekend, we remind you that love should never, ever hurt.

Chairman Liakakis said, thank you, Kenneth and Jomell, and thank you, Van, for helping put that together. I think it's really important for the citizens of Chatham County to really realize what a great Chatham County Youth Commission that we have. Of course, it was the vision of Priscilla Thomas, our Commissioner, who came up with the idea that we should have a Youth Commission and there have been a lot of graduates over the years who have gone to many successful things and we're really proud of them. We can see a lot of them have graduated from the colleges, many of them have businesses that they own, and with all of the activities that they have, it has kept down where some youth get into some negative things, and I'd like to thank all of the parents and all of the guardians and staff people who have helped Van Johnson with our Youth Commission because we see a lot of great things have happened with them. They have gone to Washington and New York, they've been on national television, they've been to the Space Center. There's a lot of things that they have gone [sic] and they have learned a lot of skills, and we're really proud of that. In fact, all over the country now there are many counties around the country that have done the same thing, have their own Youth Commission because they've seen how great it's been in Chatham County. And, of course, Priscilla [Thomas], we again thank you for that and, of course, Van for all your hard work and the staff people, the volunteers who have worked with our Youth Commission.

=====

V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. PROCLAMATION FOR MEMORIAL DAY SCHOOL'S "BLUE THUNDER" FOOTBALL TEAM.

Chairman Liakakis said, next, we still have some other good things about youth in our community today. We have a proclamation for Memorial Day School's Blue Thunder football team, and I'll be out also with the Commissioner for the Sixth District. We're going to have him out there with us also to present these particular citations and all, and proclamation for the school football team, and I'd like to ask Dave Gellatly to please come out front with me now.

Chairman Liakakis said, now the coaches and the members of the Blue Thunder football team, if you'd come up here now and stand beside Commissioner Dave Gellatly and myself because we want to give you some presentations for all of your hard work and all. First, I'll read the proclamation and then we'll give out the particular awards to each one of you.

Chairman Liakakis read the proclamation as follows:



WHEREAS, Chatham County is fortunate to have educational facilities for our youth that provide education in a family atmosphere with caring, loving, nurturing faculty and staff, and in that spirit, we salute with pride, Memorial Day School; and

WHEREAS, Memorial Day School, founded in 1971, seeks to prepare each student for the diverse challenges and opportunities of higher education and for responsible citizenship in a democratic society and in a rapidly changing world; and

WHEREAS, Coach Michael Thompson and his staff lead the 2009 BLUE THUNDER football team to a State Football Championship giving them an unprecedented back-to-back Georgia Independent School Association AA Football State Championships. The Blue Thunder remains the only team to return a football state championship to Savannah / Chatham County since 1982, and they have now done that two years in a row.

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

MEMORIAL DAY SCHOOL’S “BLUE THUNDER” FOOTBALL TEAM

for winning the Georgia Independent School Association AA Football Championship two years in a row and applaud its head coach, Michael Thompson; assistant coaches, Tony Welch, Darien Thompson, Bo Dudley and Adam Kellem; athletic director, Mark Sussman; H20 specialist, Lance Bennett and student trainer, Eboni Washington for their skills and leadership making it possible for the team to achieve this high honor.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 12th day of February 2010.

Pete Liakakis, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

Chairman Liakakis said, Mark, if you will come forth, I would like to present this proclamation to you as the athletic director and I congratulate you also. Okay, I have individual proclamations for each team member, and what I’m going to do is read out the names of those that have played on the team and have won this championship. What I’ll do is I’ll just call out the names because the proclamation wording is the same as the proclamation that I just read gave to Sussman, your athletic director. So I’ll call out the names and hand it to Commissioner Dave Gellatly, who will then present it to each one of the names that I call out. The first one is Jon Marshal Sauls, Dan Holliverse, Thorn Anderson, Trey Sowell, Tyler Tootle, Justin Turner, Lane Naydeck, Tim Rubnitz, Kyle Bruce, Shaad Wright, A. J. Welch, Robert Hill, Jamari Mixon, Gabby Sanchez, Fred Strickland, Justin Berryhill, David Kaplan, Kevin Palmer, Jordan Dyar, Evan Jarecki, Taylor Thompson, Chris Coleman, and last, but not least, Derrick Shavers.

Chairman Liakakis said, we’d like to thank each and every one of you and we know that you are a great student also and we really appreciate the Blue Thunder and Mark and you and the coaches have done a great job, and we thank each and every one of you and hope that you win it again next year.

=====

VI. CHAIRMAN'S ITEMS

1. REMINDER ON BUDGET RETREAT.

Chairman Liakakis said, I want to remind everybody now on the Chairman’s Items is the budget retreat that we’ll have at the Trade Center, the International Trade Center, is on February 23rd. Of course, the first of next week those members that can be there that we will have our pre-retreat meeting in the Green Room. All of you have been contacted on that. There are a couple of members who had prior engagements, but if you’re able to change that around to be able to come to the Green Room, it’s really important.

County Manager Abolt said, Mr. Chairman, just to perfect the record, and realizing on the advise of the County Attorney it’s not necessary to have a special called meeting next Tuesday, because no action is being taken, we just notify the media, which I believe you’ve already done, but to put the double whammy we’re officially announcing at a public meeting that next Tuesday, I believe at ten o’clock in the morning in the Green Room, the County Commission will have its pre-goals session, and that will take place with members, a quorum present, and at that time no action will be taken. It’s purely in preparation for your goals session budget retreat at week later at the Trade Center.

=====

VII. COMMISSIONERS' ITEMS

- 1. AN APPEARANCE BY VAN R. JOHNSON, II AND JOY HALIBURTON, VICE PRESIDENT OF SAVANNAH STATE UNIVERSITY TO PRESENT THE NACO/SIEMENS' DR. PRISCILLA D. THOMAS SCHOLARSHIP RECIPIENTS: MISS SAVANNAH STATE UNIVERSITY, TIERENEE ROBERSON, JOVONA KENNEDY AND CHARITY MAHONE (COMMISSIONER THOMAS).**

Chairman Liakakis said, Commissioner Thomas and Van [Johnson], you want to go into that.

Mr. Van Johnson said, thank you very much, Mr. Chairman, ladies and gentlemen. As active members of the National Association of Counties, I am sure you are very familiar with the NACo Siemens'County Courthouse Award. The purpose of this award is to profile elected County officials who have improved the lives of citizens through outstanding governance as strong leadership. As you are well familiar, in 2008 our very own Dr. Priscilla Thomas was a national winner for this award for her innovation in development of the Chatham County Youth Commission. She received \$5,000 in scholarship funds to be used in any way she saw fit. She also received a very handsome and a very heavy award as well — I don't know how she carries this around — from NACo and from Siemens as well.

This morning we want to briefly show you the benefits of Dr. Thomas' vision and the support that you have given. Dr. Thomas chose Savannah State University to be the administrator of the Dr. Priscilla D. Thomas Scholarship, and as a proud alumnus of the organization, I present Ms. Joy Haliburton, who is the Vice President of the University Advancement, along with the scholarship recipients. Ms. Haliburton.

Ms. Joy Haliburton said, good morning, Vice Chairman Thomas. It's really very special for us to be here with you this morning, but we certainly wanted to give greetings to Chairman Liakakis and the rest of the Commissioners. Thank you so much for giving us time on your program this morning. As the first institution of higher education in Savannah, we feel especially special this morning to be here on Valentine's Day Eve [sic] because we do feel treasured by the Commission. Chairman Liakakis is a regular part of our team in cheering them on at various events and we work very closely with Commissioner Shay in his private efforts to renovate Hill Hall, which we received an award for, and then finally we are so appreciative of Dr. Thomas.

Savannah State is a very important institution in this area, and we are in need of the kind of support that Dr. Thomas so generously gave. Over 95% of our students require some form of financial aid to matriculate, and without that support we turn many students away every year. Unfortunately some times it's for a matter of a few hundred dollars. So this scholarship meant so much to us, and we were able this year to identify three students as recipients so there is a balance that remains so the scholarship can continue. I did want to alert you that this year we are in a matching situation with endowment funding and hope perhaps that the Commission would consider perhaps endowing Dr. Thomas' scholarship. The amendment to endow at Savannah State is only \$10,000 and the endowment provides perpetual support of the institution and would in perpetuity honor Dr. Thomas, which we feel that she so much deserves.

With me this morning are three of the [inaudible]. Ms. SSU Tierene Roberson unfortunately was not able to make it. Got a bit turned around, but she sends her regrets, Dr. Thomas. But with me this morning are two political science majors actually, and they're going to tell you a little more about them and give you their thanks. Charity Mahone is a junior and Jovana Kennedy is a senior at Savannah State University. Young ladies.

Ms. Charity Mahone said, good morning. Like she said, I'm Charity Mahone. Currently I'm a junior at Savannah State University with a major in political science with a concentration in pre-law and a minor English, and I would like to thank you, Dr. Thomas, for allowing me to have this scholarship, as well as I would like to thank you for helping out my institution. Thank you.

Ms. Jovanna Kennedy said, good morning. My name is Jovanna Kennedy. As she already said, I'm a senior at Savannah State University and my major is political science with a minor in behavioral analysis, and I am graduating May 8th. I am going to [inaudible] around the age of 25 or 26, but I would like to start become a teach first right now working at the May Street Y as a assistant to two-year-olds and younger. I thank you so much. It has really helped me and thank you for helping my institution.

Commissioner Thomas said, I'd like to come down and just shake your hands. This is my first opportunity to meet each of you and to congratulate you. [Inaudible because Commissioner Thomas was not near the microphone.] Thank you so much. I appreciate it and thank you, Mr. Johnson, so very much.

Chairman Liakakis said, congratulations to both of you for receiving this.

=====

ORDER OF THE AGENDA

Chairman Liakakis said, I'd like a motion to go with Item VIII, Tabled and Reconsidered Items, to move that forward ahead of the CAT Authority. I need a motion on the floor for that Tabled Items to be moved up.

Commissioner Gellatly said, motion. Commissioner Kicklighter said, second.

Chairman Liakakis said, we have a motion on the floor and a second to move the Tabled Items to the next part of the agenda. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

[NOTE: Item VIII was heard at this point on the agenda.]

=====

CHATHAM AREA TRANSIT AUTHORITY

Chairman Liakakis recessed the meeting as the Chatham County Commission at 11:00 a.m., and convened as the meeting of the Chatham Area Transit Authority.

Following adjournment of the Chatham Area Transit Authority, the Board reconvened at 11:32 a.m., as the County Commission.

=====

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. ITEMS WERE TABLED AT THE JANUARY 29, 2010 MEETING. (NOTE: Recommendation to remain tabled. See attached staff memo.)

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Annual contract with automatic renewal options for four (4) additional one (1) year terms to provide operation and management services for the Anderson-Cohen Weightlifting Center	Weightlifting Center	Team Savannah	\$96,000	General Fund/M&O - Weightlifting Center
B. Annual contract with automatic renewal options for four (4) additional one (1) year terms to provide janitorial services for the Anderson-Cohen Weightlifting Center	Weightlifting Center	Right Solutions Janitorial Service (MBE)	\$14,358	General Fund/M&O -Weightlifting Center

Chairman Liakakis said, these items were tabled at the January 29, 2010, meeting and there's a notation here because the County Attorney and the County staff has requested that we keep it on the table. And the particular items, the annual contract with automatic renewal options for four additional one-year terms to provide operation and management services for the Anderson-Cohen Weightlifting Center. That's Item A. Item B, the annual contract with automatic renewal options for four additional one-year terms to provide janitorial services for the Anderson-Cohen Weightlifting Center.

Commissioner Odell said, Mr. Chairman, point of parliamentary procedure. Jon [Hart], if we were to follow the staff's advise to leave it on the table, would we have to take it off the table and then vote again to leave it on the table? County Attorney Hart said, well, it's on the table now. So as long as it stays on the table, we're okay. But, yeah, technically yeah.

Commissioner Farrell said, if we voted to take it off the table. County Attorney Hart said, if you vote to take it off and then —, but if you do nothing it stays on the table.

Commissioner Odell said, consistent with staff's recommendation. Right?

Commissioner Kicklighter said, motion to untable, to take it off the table. Commissioner Gellatly said, second.

Chairman Liakakis said, we have a motion on the floor to take it off the table. Commissioner Stone said, for discussion. Chairman Liakakis said, it's been seconded also. Commissioner Stone asked, I mean, this is to allow discussion, correct? Chairman Liakakis said, yes. Commissioner Stone said, okay.

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

County Manager Abolt said, thank you, Mr. Chairman. I obviously appreciate the opportunity to introduce this again. I use the term that we discussed last meeting, two weeks ago, three bites of the apple and that was in reflection of decisions before you that would affect the Anderson-Cohen Weightlifting Center. At the time this was brought forward we only had two bites of the apple and that was an RFP that solicited operation of the Anderson-Cohen Center and then a bid, not an RFP, just to maintain it.

The third bite, which was missing, had to do with the contract potentially with the Buildings Unlimited to deal with services and the provision of services that have become part of the Weightlifting Center by tradition, not as originally envisioned. At the time that it was discussed, it was the wish of the County Commission two weeks ago to wait until all three bites of the apple were available. At this time and based on the response led by Attorney Hart, which I greatly appreciate, we were recommending to get all three bites, to wait two more weeks because of the desire to clarify some things before we have a clear option on the third bite. Consequently, it's our recommendation to not act on A and B on the Purchasing report from last time, but to keep these two items on the table until we finish our evaluation which are key to the third bite of the apple.

County Attorney Hart said, Mr. Chairman, subsequent to the last meeting we had a meeting with the Board of Education, several members of our staff did rather, and essentially the Board of Education is either contemplating or has recently put out an RFP for services to be provided to their students. Originally under the contract we were to provide those services. Apparently at some point in time there became an issue of funding unrelated to the County and the Board of Education decided perhaps maybe they ought to do an RFP and look for services elsewhere. My feeling was that we needed to get with the Board of Education and find out what they wanted to do. If they wanted to use our facility and that was your wish, then we should proceed along having contracts that include that. If they wished to go separate and apart, that is not an issue. My understanding is the Board of Education, or at least their staff, I should say, would like to do something collaborative with the County. I do not want the County entering into contracts that after we enter into contracts we find out that there are details of which that are inconsistent with the use that is contemplated perhaps between the County and staff. We met last week after meeting with the Board of Education and basically went through a scenario of history of what the facility has been, what it has added in additional programs over the years and what it is providing in programs now, as well as what the Board of Education would like to see the programs being provided, and what we intend to do is to bring back a series of options to this Board and we're going to need some policy direction as to where you want to be on this subject. I mean, there are a range of categories. You can make this strictly an Olympic weightlifting center and you can make it an open exercise facility, you can make it a special means facility, you could lease it to the Board of Education, you could run it yourself. I mean, I can go on and on about how this could be structured, but I think it is extremely important that if the Board of Education wishes to be included in the process and that is your desire, that we do something to know where we are as public bodies before we go enter private contracts that may be inconsistent with that policy. Yes sir?

Commissioner Odell said, Mr. Chairman, for the reasons stated by Mr. Hart and Mr. Abolt, I move that we table this for purposes to resolve the direction of the Board of Education. You want them to talk?

Commissioner Stone said, we have people here that need to speak.

Commissioner Kicklighter said, and I even have a suggestion before we get to that point if I may.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, as we weigh all those options, I as one Commissioner would like to understand also what the sum total cost is to this government of operating this facility. I see in the staff report that the annual budget for the Center is \$275,000, but I'd also like to understand what other capital costs we have, what it costs in term of electricity and fuel. I mean, I want to understand how much it costs for us to have a building and have a series of programs apparently and the [inaudible] of it because as we make future deliberations here in the upcoming budget, I want to be able frankly to compare the investment that we're making in this building and this program to some of the other things that we have not been funding and —.

County Manager Abolt said, if I may, only — if I may and I don't mean to interrupt, but the answer is before you. The staff report, which represents your midterm budget report from Ms. Cramer, if you go to page 61, that gives you the budget answer to the questions you've posed. We have a —. Commissioner Shay said, where are you reading from? County Manager Abolt said, yes sir, it's Tab 2 under Individual Action, which the title is the Second Quarter Financial Report, sir. It's a lot of paper, but if you go to page 61 because really for many of the reasons

you've already posed, we have at previous direction always make sure in our quarterly reports we do identify this particular allocation of dollars in a separate part of your regular financial reports. You see, you have general fund subsidy of \$254,000.

Commissioner Shay said, and my question is — I understand all that, but then because we budget for capital maintenance and fuel and all the other items that are necessary in order to operate this building, this is how much it costs for us to operate the programs that go on inside the building under contract but it's not how much it costs for us to actually operate the building.

County Attorney Hart said, Commissioner Shay, I think your question is a good one and it was also brought up in the staff meeting that we needed that number so that we knew how much we were paying for light bill, et cetera, et cetera, et cetera. So your report will include, just like you said, the cost of doing the programs and then the cost of operating the capital facility.

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

Commissioner Kicklighter said, thank you, Mr. Chairman. Actually, the budgeted amount actually includes all the operating expenses minus the major capital improvements of the facility. It includes currently, with the current agreement, it's all of the salaries, your totals of materials, supplies, repairs and other miscellaneous line items. Everything except major capital improvement. If you break it down also, it shows you currently that Team Savannah is being paid \$45 per hour for 66 hours per week, which comes up to \$154,440. Team Savannah, in addition, is being paid \$18,940 for cleaning. Chatham County — we pay, the County pays a supplement for Ms. Rhonda Langford's salary. We pay an additional \$25,000 for that. So total out of the County's pocket right there and basically salaries and those programs is \$198,380 is what we're paying for salaries and the programs that we currently have over there. The budgeted amount is \$275,839 and like I said a minute ago, it includes all the — everything except for major capital improvement there.

Commissioner Farrell asked, so it looks like about \$77,000 for electricity, utility —.

Commissioner Kicklighter said, will run at \$95,000 to be able to pay the electric bill over there, \$95,000 left over after all salaries to pay the electric bill and —. Commissioner Farrell said, \$77,000. Commissioner Kicklighter said, \$95,480 — well, okay. If you take into account the \$18,000 in revenues of which you take the budgeted amount, \$275,000, take away the salaries of \$198,000, add back in as far as reducing the revenues that we make \$18,000, and that leave \$95,000 to pay the electric bill.

Commissioner Odell asked, is that off of page 60, Dean [Kicklighter]. Commissioner Kicklighter said, well, that's — I crunched the numbers from the numbers we have on page 60. We've got the details and I believe we requested these before.

Commissioner Farrell said, Dean [Kicklighter]. Commissioner Kicklighter said, yes. Commissioner Farrell said, if we have a total expenditure of \$275,000 and change, and under your estimation on salaries we're spending \$198,000 and change, doesn't that leave around \$77,000 —? Commissioner Kicklighter said, yes. Commissioner Farrell said, — for the utilities and what have you. Commissioner Kicklighter said, but then you add in the revenues, which we bring in per year there is estimated at \$18,000 in revenues. So you add the revenues into that number you just gave and you're up to \$95,000. In other words, the revenue comes in also and just adds additional monies for — to be able to pay the electric bill. Commissioner Farrell said, well, then you'd have to use the \$254,000 number not the \$275,000 to base your calculations.

Commissioner Kicklighter said, well, that's fine, \$70,000 whatever. I mean, I ran it this way. But currently with that, if you take the \$18,000, that facility is losing \$257,839 a year, and based on the numbers that we've presented here, with 180 current members utilizing the Olympic lifting options there, and just thinking when we go to — start to rework things, I thought it was pretty interesting that the County could actually purchase each participating member in Olympic weightlifting, we could pay a \$50 membership for each person that participates, comes up like \$600 a year, that would actually cost us \$108,000 for every person that's participating to go train in Olympic lifting in some other facility. Based on the revenues that were in front of us here, each member actually pays about \$100 a year and that's actually \$8.33 a month. So if you had \$108,000 and they actually contributed that small amount, if we were paying the membership, that would actually cost Chatham County \$90,000 a year to train all of the Olympic lifters rather than the current amounts which were, you know, a lot more.

We currently have an estimate of 150 handicapped children and citizens utilizing the weightlifting programs. If we did the same thing and paid everyone of their gym memberships at \$50 a month and paid the entire thing and there was no contributions in, that totals \$90,000 that it would actually cost the County. So basically we could pay for everyone \$50, and if the others contributed that small amount, we could pay for everyone to work out for \$180,000 in private fitness centers, training and everything. That's a savings of \$95,839 to the taxpayers. And instead of buying more buildings for County expansions in other areas, you know, we have a 12,000 square foot facility. Now I'm not suggesting that because I took it another route.

If we bid this facility out in more of a public/private partnership manner, we're looking at electric bills, minor improvements, around \$95,000 is what it costs the County to operate it right now as far as just keeping the doors open and the air conditioner on. If we were to take the numbers of participants right now and considering there's

180 members in the Olympic lifting section, if the County were to contribute to private individuals who would like to come in private but accredited-approved Olympic lifting coaches, if we were to pay per member \$25 a month, what we could actually do is we could have these individuals trained, 180 members trained for \$54,000 a year. If we were to pay \$25 per person for the 150 members of the handicapped children, that's \$45,000 per year. If we did that, we actually come up with the \$95,000 in operating costs and the \$18,000 when we take that away on the membership what they would donate towards it, the \$8.33 like they've been doing, we would actually save \$105,000 compared to what we're currently paying out right now, and there's plenty of people out there hungry in this day and time and there's plenty of people that are motivated. There's plenty of people, I'm sure, that are already volunteers their time, and pretty much being offered a free place to train people and receive \$25 a month per person, that's a pretty good gig and any way and any time you look at it.

That's the type of public/private partnership we need to look at at this point if we want to keep this particular facility open and save \$100,000 over what we're doing now, and I think we need to introduce strict criteria as far as the Olympic lifters in the future, not just allowing Joe Blow to walk in, sign his name up and there's the money out the door. There needs to be just like we have for the Chatham County employees. If we join a gym, we have to work out X-amount of times a week or we are not reimbursed. The same thing here. If people want to come join the Olympic lifting facility, current rate applies if they do not meet the criteria needed to become an effective Olympic lifter. That's our goal with this place, and then they pay an increased amount. And if we change our thinking, we can quit throwing money out the window. So, thank y'all.

Chairman Liakakis said, well, I want to respond to part of that to begin with. Number one, we have a huge amount of children and adults that are members of Abilities Unlimited, and if they go there —. Just a minute. Those that have physical and mental disabilities that have that, there's no other place in the City of Savannah or Chatham County that has those particular services for those people, the children and adults that get that service that they do at that center now. There's a large amount. I've been out there, Patrick has been out there to see that, all of the Commissioners are being invited to come look at that particular program. Commissioner Priscilla Thomas has been out there, but we need to look at the whole picture before we make a determination on this because we are putting a huge amount of money into recreation and we're putting it over there at the Charlie Brooks Center, we're putting it at Tom Triplett over there and we're putting it —.

Commissioner Kicklighter said, obviously you didn't listen to anything I just said. Chairman Liakakis said, I listened to you. Commissioner Kicklighter said, you're very defensive and all I did was suggested a way, not for us to vote on today, to provide the exact same thing we're providing for \$100,000 less, and if you would have listened to me I don't think you would be defensive talking about parks you spend on in West Chatham County. It's just a thought to save \$100,000 and keep the same level of great service we have and I'm sorry if you misunderstood me, but that was my intent to explain a way to keep this same level of service for less money.

Chairman Liakakis said, it's not being defensive. I'm just making a statement that there's no other place —. Commissioner Kicklighter said, I support the handicapped citizens, too, Mr. Chairman. Chairman Liakakis said, — there's no other place for that. That's what I was responding to.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, thank you, Mr. Chairman. Just in looking at the budget, I would encourage any other proposals for bids because currently we are running according to this particular sheet in the notebook \$104,000 deficit on the facility so I think it's critical we have an obligation at this point in time to listen to the other proposals and to see what we can do to keep this facility open and running and not running into deficit. That's all I wanted to say. I think there are people here today that want to speak on that and I'm grateful that they are here and I want to hear what they have to say, but I'm also mindful of what the County Attorney has just said, the County Manager has just said that we need to pay attention to partnering with the School Board and whatever we can do to make this the most cost effective facility possible. Thank you.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, I'm not certain, but it appears that we do not have enough information today to make a decision. We'll also get a sense that there's a desire that those kind citizens who are vested in this be allowed the opportunity to come before us to speak briefly, and that's going to be my recommendation that, I know we have people from Team Savannah, we have people from Performance Initiative. If we could give them five minutes and they can select one of their own to come give us a presentation. What I'm hoping to do is, is not to have the same side come and tell us the same thing five or six different times. Otherwise, I'm intending to make my motion now to table, but if we can come to a happy medium understanding that there's not going to be a decision made today because we have an obligation to look at what the Board of Education is going to be doing. We have an obligation to do that. We have an obligation to look at where the people who receive the Abilities Unlimited services are coming from and maybe even partner with some of the municipalities. I'm prepared to make the motion to table. I will not do so understanding my fellow Commissioners' desire that each side of each bidder be allowed no more than five minutes to come and give us a brief overview.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, [inaudible]. The Clerk asked, would you —? Commissioner Thomas said, I'm sorry, my mike was not own. I'll go back. I don't know how many of you received phone calls this week, particularly — and all of my phone calls have been from proponents and I think the information that they were giving me was in their own right to do so, but I just want it known that — I mean, I was just — I mean, I didn't know what to say because all day and all night and two people had the nerve to test, you know, me as to whether — which way I was going. So I just want to make it publicly, as I have said to each individual. I am my own person, I make my decisions and my decisions are based on the information that I have, and I think both groups have the right to make their presentations and then once both groups have given their information and then I will make my determination. It will not be based on the phone calls. I just want that to be known. It will be based upon the information that's being given by both sides and then I will make my decision.

Chairman Liakakis said, Harris [Odell], what is your motion then at this time?

Commissioner Odell said, I would really like to have the various bidders to be allowed in some orderly fashion to come before us for no more than five minutes. If you cannot tell it in five minutes, I think you're going to lose a lot of the audience and this is not something that we have not done before, so if you're going to select one of your representatives to come forward and do any five-minute overview, that would be helpful with the understanding that there's not going to be a final vote today. So, let's start to my right. I see the Cohen Weightlifting Center, do we have a representative from there who would like to come forward? And the limitations are, and with all due respect then, if we could keep it to five minutes that would be appreciated.

Mr. Michael Cohen said, yes sir. My name is Michael Cohen. I'm the Executive Director of Team Savannah. I've been in front of you many times.

This whole process started in 1986 when I formed the Team Savannah Weightlifting Organization. In 1993 Commissioner Saussy asked me to get involved in a SPLOST account to have an opportunity to build a facility in Chatham County where the youth of Chatham County could go to frame — workout, to exercise. That passed; the facility was built; it was designated and devoted to the sport of Olympic lifting and also understanding that it had to reach out in the community and to develop other programs. The emphasis as Commissioner Mahany said when we put the facility together was we built it, now you bring us the Olympics and, of course, we did just that. In 2000 we developed our first Olympian and repeated it in 2004.

But over the years the facility has changed. We brought into the Special Olympic Program. It's one of the biggest programs in Chatham County, no question about that, and [inaudible] and that's the right thing to do, and we also brought in numerous other programs that have been hugely successful in our community. Unfortunately, there's not a lot of facilities. In fact, there's only one facility in Chatham County that allows that type of training. The only facility that is available for this large number of people is the Anderson-Cohen facility for which it was built.

Over the years Team Savannah has developed numerous athletes and numerous spectacular athletes, but also some that you've never heard of. The little boy that handed me the torch in the relay in 1996, and I got to light the cauldron at the Forsyth Park, was a special needs kid that I worked with. He was also honored and carried the torch, so we've done a tremendous amount of things in the past. In the future, it has been exciting because we have expanded far beyond the dream of the facility, far beyond the vision of the facility. Just a few years ago, we entered contracts with multiple groups in the community and reached out in the community because we [inaudible] in physical fitness and health and we worked with numerous football programs, basketball, baseball, all the colleges from Armstrong to Savannah State to Savannah College of Art and Design and those programs have been very successful.

Last year, or actually two years ago I was asked to develop a Women's Fitness Program. A Women's Fitness Program was thought up by [inaudible] and it's all over the country. That program started at the Anderson-Cohen Center and it continues at the Anderson-Cohen Center. Three nights a week from six to six-thirty you can come over there, Monday, Tuesday and Thursday night and you'll see 15 to 30 women participating in that program. A fantastic program. It's offered now in four locations in Chatham County. The cost? Ten dollars a month, the same as everything else. Nothing else costs any more than that, and it was this Commission here that made the decision that the people of Chatham County would only pay ten dollars a month. When the facility was built, it was not designed to compete with other locations because other locations did not want people dropping weights, did not want the handicapped in the facilities. It was designed to meet the needs of those individuals that weren't being treated equally, and that's expanded.

Last year, actually two years ago, I was invited by Savannah State University to get involved in their research on minority disparity in health and I was a key component of that and brought in the staff of Chatham County Parks and Recreation and we put together a proposal. That proposal was part of the grant that Savannah State submitted and was accepted in the National Institute of Health awarded a \$4.1 million grant to Savannah State University, which the Anderson-Cohen Center is a part of that program run under the tutelage of Team Savannah.

So we've done far, gone far out. The Anderson-Cohen Center is attracting numerous athletes from all over the world and you read about them time and time again in the *Savannah Morning News*. Look at all the international competitions that have come to our community. From the World Championships in 1999 to the World Masters in 2003, from the National Level Competitions that were here last year to the ones that are already scheduled for 2010 and 2011. These hundreds of peoples, these thousands of people that come to our community, stay in our

hotels, they eat in our restaurants, and they stay in our community. And so we have a — not only this minor amount of money that comes into the facility, that ten dollar fee was designed by the Commission. It's also a tremendous outreach of individuals who [inaudible] to Savannah to train. That's [inaudible]. We have numerous people that utilize the facility that are very important to our community. We have letters of support from Galinda [phonetic] Anderson, who is the wife of Paul Anderson, [inaudible] the relationship with Team Savannah. This is what he wanted. This is what he visioned when him and my father sat down years ago. When you walk into the facility, the first picture you see is a picture of Mr. Anderson and me when I was nine years old. This is what they dreamed about, having a facility that everyone could use. Everyone could use. You didn't have to go to a special [inaudible] or special spa, it's right there.

So it is a wonderful facility. We've worked hard. We've worked tremendously hard to get this thing. It was a dream. We look at it, the most important thing about it is that when staff asked for a bid on this thing, two groups bid on it. Team Savannah and Performance Initiatives. When Team Savannah submitted their bid, Performance Initiatives submitted their bid, our bid came in approximately \$50,000 cheaper than the other bid. So when we're talking about funding, Team Savannah has already accepted a 25% cut in the figures that Mr. Kicklighter had already presented. We recognize the problem, we recognize the need. We're doing everything in our power to meet the needs of our community at high level expectations of our athletes and our coaches and provide services that are meeting the needs of all individuals in Chatham County.

Commissioner Odell said, Mr. Cohen, before you leave, and I thank you for your presentation. I know we all do and it's been very helpful. Just three points of inquiries. One is the Chatham County Board of Education currently, are you familiar with their — Mr. Cohen said, I'm very familiar with it, sir. I'm very familiar with it. Commissioner Odell said, that's one, and if you could respond to the County Manager as it relates to your current bid and how it might if any in your vision interface with the Board of Education's ongoing effort — not now, but at a later date. That's point number one, and point number two is do you foresee or is it foreseeable that this will ever be self-sufficient? I know it has a great benefit and all, but is there anything in the long-range planning where you see that it might see foreseeable. Don't answer it now and I'll tell you why. It puts you on the spot and I don't mean to be — Mr. Cohen said, well, I'm ready to answer it. Commissioner Odell said, I know, but what I'd like for you to do is to get an answer to the County Manager, who at that point can distribute it to all the various Commission. I thank you for our time.

Commissioner Kicklighter said, Mr. Cohen, throughout the years have you submitted change orders to your original budget request? Mr. Cohen said, no sir. That's not correct. In 2001, '02, '99 —, around 2000, about ten years ago, sir. We've operated the facility at the same figure for the last ten years with no increase in budget. Commissioner Kicklighter said, I was just checking because it's different to see someone come in basically bidding lower than what they received in the past like that. Mr. Cohen said, we recognize what's going on in our community, and the management is willing to take a substantial cut to keep the facility operational. We're not blind to the needs of the community, but then on the other hand, we also recognize the fact that this facility is a dream. It's been a dream from the conception, and we'll do everything in our power to maintain that dream for this community. After all, it has my father's name on that facility.

Commissioner Kicklighter said, thank you. Is there such a thing as international coaching certification? Mr. Cohen said, yes there is. Commissioner Kicklighter asked, how long have you been certified like this? Mr. Cohen said 1998. Commissioner Kicklighter asked, is that a requirement now for someone to be able to coach someone in the facility? Mr. Cohen said, yes it is. Yes it is, that's correct. Commissioner Kicklighter asked, when did that become policy? Mr. Cohen said, I believe it had a — it was done in the last budget, which would have been 2004, I believe, sir. Commissioner Kicklighter said, 2004. Mr. Cohen said, that's correct. I believe so. Commissioner Kicklighter asked, when was the facility first opened? Mr. Cohen said, 1996 sir. Commissioner Kicklighter said, '96. So you actually coached there two years without this certification. Mr. Cohen said, there was no such certification at that time. I had the highest level certification when this facility was opened. The Senior International Coaches Certificate came on board a little later than that. I was one of the top three to get the certification. Commissioner Kicklighter said, you were certified in 1998 and — Mr. Cohen said, no sir — oh, yes sir.

Commissioner Kicklighter said, six years later you implemented a policy that would not allow anyone other than someone with that certification to participate. Now I don't know, but it's my understanding that our bronze medalist in the Olympics because of this policy that was implemented, could no longer basically train in this Chatham County facility because her coach was no longer allowed to train her. Mr. Cohen said, that's unfortunate you've got that information. Commissioner Kicklighter said, that's why I'm asking. Mr. Cohen said, that's unfortunate you've got that information. The bronze medalist was a member of Team Savannah up until 2006 when the bronze medalist decided that she was no longer willing to be trained under this diagnosis. The facility, you had a group of individuals that was part of Team Savannah that left Team Savannah. She was one of the ones who left the Savannah organization. Now — Commissioner Kicklighter asked, and she moved where? Mr. Cohen said, I believe her current residents is Colorado Springs. Commissioner Kicklighter asked, okay, is that where they were training for to be [inaudible] for the Olympics. Mr. Cohen said, I think she's been in Colorado Springs for the last couple of years. Commissioner Kicklighter said, okay, that's — Mr. Cohen said, in fact, she's paid by the United States Olympic Committee to live at the training center and train there. Commissioner Kicklighter said, okay, that's what I thought. I mean, it wasn't abandonment. I mean, she — Mr. Cohen said, oh no. We didn't kick anyone out of the facility.

Commissioner Kicklighter asked, Mr. Cohen, if she walked in the door today with her coach, can she train there with her coach. Mr. Cohen said, if her coach is a senior international coach, then she has all that right to do that, absolutely. Now there is an exception to that rule, as approved by staff, and that was for international athletes. Their senior international coaches are a little bit different than ours, but they still have the same high level. If you're going to train at a high level, then you must have a high level coach. It's that simple. When we train athletes, those athletes make progress. When they go to somewhere else with another coach of lesser qualifications, then they usually go backwards. You don't take a Division 1 gymnast, which — I'm sorry, a Division 12 gymnast, which is top division, and have a Division 1 coach work with him. I'm sorry, it doesn't work that way.

Commissioner Kicklighter said, I'm not an attorney but I would think that our creative attorney over there could create a release form pretty quick that may hold up if an athlete wanted their trainer to train them. I'm correct on that, Mr. Hart, a possible —? County Attorney Hart said, I'd need to know more about it, but I'm sure I could figure out something. Mr. Cohen said, Mr. Kicklighter, we did not make the policy. Commissioner Kicklighter said, you just made the statement that not everybody can train there. Mr. Cohen said, that's right. Commissioner Kicklighter said, and that's actually partially the case. I just find that part, the person that in my opinion is the backbone of how that facility actually got started cannot actually train there because it's just my opinion sounds like some hurt feelings of somebody left and went somewhere and —. Mr. Cohen said, no again, Mr. Kicklighter, you're —. Commissioner Kicklighter said, and utilizing and that's a shame when it's our local hero that cannot train in the facility that, if you will, she built. Dion Sanders left the Atlanta Falcons and went and to Dallas and called that dome his house. That's Cheryl Hayworth's house out there. Mr. Cohens said, I appreciate your support and Ms. Hayworth's, no question about it, but make sure you understand correctly, make sure you understand correctly the facility was built in 1995. Ms. Hayworth didn't come onto the scene until '97. The facility was built for the athletes so that they could train here in the community. She received the benefits of the facility, she received the benefits of the coaching staff. She received all those benefits. Now when the decision was made —. Commissioner Kicklighter said, then I'm sorry, I stand corrected. Mr. Cohen said, no, when she was —. Commissioner Kicklighter said, she put the facility on the map, I guess then. Mr. Cohen said, well, to be perfectly honest with you, sir, the person that put the facility on the map was Cassie Clark. That's the person who put the facility on the map. Commissioner Kicklighter asked, what medal did she win? Mr. Cohen asked, I'm sorry? Commissioner Kicklighter asked, what medal did she win? Mr. Cohen said, Ms. Clark never made it to the Olympics.

County Attorney Hart said, Mr. Chairman, we need to get back on the subject that we're discussion.

Chairman Liakakis said, yeah, let's do this then. We've got two more Commissioners that want to —.

Commissioner Kicklighter said, I'm sure that she did and I don't even know who that is and I appreciate her and what she's done for the facility, but there's just no denying that keeping our bronze medalist out of the facility with her trainer is absolutely ridiculous and goes against everything the place was actually opened for. That's just the point I wanted to bring out. We have problems going on other than the expenses there and I do believe after whoever wants to speak, and I thank Ms. Hayworth. I believe she was flown in from Colorado to be here today. I want to thank you for being here, thank all of you for being here, but should this remain with you, Mr. Cohen, in the end, I hope that you will get with our attorney and in the very least figure out a way to let our medalist, our Olympic medalist train in this facility that the County built. Mr. Cohen said, I appreciate that, but again I'll say again for the record, Team Savannah does not make the policies at that facility. It's made by staff, not by Team Savannah. That's Chatham County staff, not Team Savannah. Commissioner Kicklighter asked, do we have someone on our staff that I don't know about that has a keen understanding of weightlifting that could have just came up with that policy? Mr. Cohen said, I believe the question was what is the highest rank we want the best working with our people in the facility. [Inaudible] makes perfect sense. You want the best working for you, you want the highest level working for you. Commissioner Kicklighter said, I grew up with my dad owning a gym and I could have never just popped up with that credential to run it, so I was just curious. So, alright that's enough. I appreciate it.

Chairman Liakakis said, James and then Patrick [Farrell].

Commissioner Holmes asked, how are you doing, Mr. Cohen? Mr. Cohen said, fine. Commissioner Holmes said, working with the School Board, what age group is connected with the Cohen Gym? Mr. Cohen asked, I'm sorry, sir? Commissioner Holmes asked, what age group coming from the Board of Education? Mr. Cohen asked, coming from the Board of Education? Commissioner Holmes said, yes. Commissioner Farrell said, children coming from the Board of Education? Mr. Cohen said, oh. Are you talking Special Needs? Commissioner Holmes said, yes. Mr. Cohen said, Special Needs. If I'm not mistaken the Special Needs are primarily middle school —, high school students, sir. Commissioner Holmes said, they're high school. Mr. Cohen said, yes sir. Commissioner Holmes said, okay.

Chairman Liakakis said, James [Holmes], let me answer that so that you'll know. Number one, the School Board is not just for the regular programs and all. That's the children that have disabilities in the school system that have been working out there. That's what that's for.

Commissioner Holmes said, I've got it. You mentioned that you are with Savannah State University? Mr. Cohen said, yes sir, I'm a professor there. Commissioner Holmes said, okay, and you are the Manager of the Cohen's Gym —. Mr. Cohen said, no sir, I'm not. Commissioner Holmes said, you're the —. Mr. Cohen said, no sir, I'm not. I'm the Executive Director of Team Savannah. Mr. Henry Meyers [phonetic] is the General Manager of the Anderson-Cohen Center. Commissioner Holmes said, okay, that's good enough.

Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell said, yeah, this question is for our County Manager. Earlier in the conversation it was indicated that one of our contractors changes County policy at our facility, and I just want a clarification if that is true or if that is — what is that because I was under the impression that Commissioners and staffers made policy that our contractors would have to follow. Is that —? County Manager Abolt said, I need time to go back and review. You might recall a number — not a number of years ago, but a while back there were certain allegations that dealt with an investigation by Internal Audit and there were certain findings in that audit, and I'd have to go back and review it before I could answer the question. Commissioner Farrell said, I'm just asking a general question that has nothing to do with any particular contractor or any, you know, I just want to know do contractors that work under contract for this Commission, do they change policy at County facilities —? County Manager Abolt said, oh, heck no. Commissioner Farrell asked, on their own validity? County Manager Abolt said, heck no. Commissioner Farrell asked, or is it done through staff and through this Commission? County Manager Abolt said, no, you're paying for a service, whatever that service is and you retain all of the control. You control the purse strings, pure and simple. Commissioner Farrell said, so this Commission and this staff is in charge of policy, not the contractor. County Manager Abolt said, yes sir. Commissioner Farrell said, thank you.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, thank you, Mr. Chairman. I have concerns too and, you know, obviously I don't understand what the — how the policies were made or what have you, but I for the life of me can't understand. In this community we're fortunate enough to have an Olympic medal winner, and through some kind of a — it sounds to me — an unfortunate if not stupid technical reason she could not train in that facility. I think that whatever the problem is it needs to be corrected, and if it's not in violation of a federal law that's someone's going to be arrested if you do that, she should be allowed to train in that gym or any other gym in this County, and I really have a problem with that. I want you to know that.

Mr. Cohen said, Mr. Gellatly, first of all, I agree with you a hundred percent. No one has barred anybody from the facility, no one's kicked anybody out of the facility. That is again you're not getting the whole truth. You know, again it's all about having all the information. I stand in front of you and in front of all you many times. I was raised in this community. When I tell you something then I an back it up. The bottom line is that a group of individuals with Team Savannah left the organization. They left the organization and formed their own organization. This same group came in front of this Commission with allegations that the County Manager was alluding to, and you gentlemen performed an internal and external audit investigation on all the allegations, some 12 allegations, all of which were found to be inaccurate, untrue and just downright hateful. Now, this same group is now in front of you telling you, calling you on the phone, telling you all kinds of horrible things that we've done. The reality of the matter is that you don't have all your information. The applicants that were with Team Savannah, these are all Team Savannah, these are all individuals that moved to this community to train with us, under us. We developed, we worked with them, we developed the programs. These individuals made a conscious to leave and they left. We didn't change any rules, we didn't do anything. They were training there up until they got their own facility, one of three they bounced back and forth from. So no one has done that. Again, that's not true by any stretch of the imagination.

Commissioner Gellatly said, no, I listened to you very carefully before and I understood that. What I didn't understand, who made the policy or the rule or the regulation that you had to have a coach at X-level or you couldn't —? Mr. Cohen said, Mr. Gellatly, it's to have a manager at the facility. The manager of the facility according to RFP, and your staff is here, has to be a senior international coach. Commissioner Gellatly asked, who makes that rules? Mr. Cohen said, staff made that rule, sir. Commissioner Gellatly asked, our staff? Mr. Cohen said, yes sir. That's part of the requirement to run that facility is you have to be the highest level. Now, do we have other coaches that are at the Center that are not that level? Yes. Commissioner Gellatly said, I mean, the staff works for us. Mr. Cohen said, I understand that. Commissioner Gellatly said, I'm not aware of them making a rule like that. Mr. Cohen said, you have your staff here, sir. You have your staff here.

Commissioner Farrell said, that's a good question for staff to answer not the contractor.

Commissioner Gellatly said, you're exactly right. Mr. Cohen said, you have your staff here, sir. We filled out the forms, we put a bid in, we follow the RFP. It's just that simple. Staff goes through the RFP's and decides which one of the two companies are [inaudible] better position for this community. That's the way it was. We follow the rules of the game and hope that the senior international coaches we have four on staff that live, work here, develop here. Four. The other group will have to pull it from some other source. They don't have anybody on that can reach staff's goal. We said they'd have to bring somebody here from outside to be able to fulfill that part of the RFP. The RFP specifically stated that the manager of that organization has to be a senior international coach, the highest level. Commissioner Gellatly said, well, if we get — if our staff creates, we can uncreate.

County Manager Abolt said, if I may, I can't answer the point for Commissioner Farrell a few moments ago as to what may have transpired in the audit, but you have to understand the justification. Like, I can't speak to job titles. This as fro the get-go sold to the voters and the voters approved it as an Olympic Weightlifting Center. It was — and you know it better than I, but the spirit that captured our community pre-1996, and in anticipating of gathering all we could from the Olympic movement, one of the jewels in the crown beyond Wright Stadium where the track and field went in, beyond the Olympic pool, was this Weightlifting Center and the idea was that we would make a

mark as a community in the international weightlifting sport, and from that we would create all opportunities. Fifteen minutes ago Commissioner David Saussy's name was mentioned. He was a leader with this. There was the Savannah Sports Council, there was for a while a residual contract with the International Olympic Committee to train athletes both at Wright Stadium and then at the Weightlifting Center, and that fell through. But this --- when you finally make your decision in the days ahead, I would certainly ask that you revisit the whole genus purpose and whether you want to continue to do this because you have to realize that what may have been germane and part of this Olympic dream pre-1996 may not be your dream, and to try to prop up something from which there is not support, I think you have to seriously evaluate where you want to go with this. Commissioner Gellatly said, thank you.

Chairman Liakakis said, okay, Harris [Odell] is next.

Commissioner Odell said, thank you for your time. Do we have someone from Performance Initiative here who would like to speak? If you will come forward.

Commissioner Kicklighter said, while they're coming up, could I just clarify — the young lady that he [Cohen] spoke of. I didn't mean anything offensive. I do remember the young lady being a wonderful weightlifter and I didn't mean anything with comparison about the medals. So I know that sounded horrible, so she was great.

Chairman Liakakis said, Identify yourself please.

Ms. Kerry Goodrich [phonetic] said, thank you for having us. Chairman Liakakis said, come closer to the microphone. Ms. Goodrich said, thank you for the opportunity to speak. Cheryl Hayworth, as you know, is our bronze medalist and also a part of Performance Initiatives. The Clerk asked, would you identify yourself please? Ms. Kerry Goodrich. I'm the Executive Director for Performance Initiatives and Cheryl [Hayworth] did fly in today to speak to you a few words if you don't mind that she takes some of our time.

Chairman Liakakis said, well, what was requested by Commissioner Harris [Odell] is that one person speak, you know, for the organization. So we need just one person, you know to handle this particular situation. So if it's you, and all of us know Cheryl, you know, on there, so it's either you or Cheryl to speak for the organization now.

Commissioner Odell said, Mr. Chairman, I will amend that. I think we spent a lot of time on the earlier one. We have an opportunity to hear from Cheryl [Hayworth] and I am so pleased to see you again. The whole community was so proud of you. With the understanding that you flew in for this purpose, but the Executive Director probably has more budgetary information, if you all could divide the time. If there's no exception —? Commissioner Gellatly said, I agree. Commissioner Thomas said, fine. I would love to.

Ms. Hayworth said, certainly Commissioner. My name is Cheryl Ann Hayworth. I did fly in from Colorado, but Commissioner Kicklighter you don't have to thank me. The food is better here in Georgia than it is in Colorado and also the weather. So it's an honor to be here. Thank you for your time. I just wanted to say that I agree with Mr. Cohen on a few things, as a matter of fact, that Abilities Unlimited is an important part of the community. I know Rhonda Langford personally. One of my best friends on the planet, Jim Chaplan [phonetic], works for Abilities Unlimited and they are very, very progressive and it's fantastic thing we have at that facility. Also, I agree with Mr. Cohen that it is true that you do not have the full story. You do have part information from one party and part from another. I just want to say that I switched from Michael Cohen to Don McCawley [phonetic], who is here as well, as my personal coach. I have full trust in him. I am a professional athlete. I do get paid to lift weights and I don't take these decisions lightly. He is not an international level coach. He has coached me at international events, but that is an entire layer of politics having to do with one of the worst national governing bodies, USA Weightlifting, to get that certification. That's just a whole other can of worms.

Ms. Hayworth said, I want to say also that it was not my decision to transition from one of the greatest Olympic weightlifting facilities in the country by far to my garage, which is where I had to train because my coach was not allowed in the facility. Plain and simple. I hold myself to a high standard and that's just as plainly as I can put it. Honestly, as soon as I switched coaches, Don McCawley was let go from this facility and not by choice. Some policy changes or something —.

Commissioner Kicklighter asked, can I stop you? So he actually worked at the facility as a coach? Ms. Hayworth said many years, many years, in good standing and coached some tremendous athletes. I shifted to him for very personal reasons and very soon thereafter he was let go from the facility. And again, it was not by choice to not only scrounge, for the lack of a better term, for inferior weights. Weights are — they're expensive things. They really are. Scrounge for inferior materials so that I can just do what I love to do in my garage, okay. The ceilings aren't even high enough in my garage. I had to amend my workouts just to be able to lift and the result is my looking for better facilities, i.e. Colorado Springs. And I don't want to take up too much of your time, but I just wanted to clarify that that is the situation one hundred percent, and I'm going to let Kerry [Goodrich] speak to the nitty-gritty of the things that are just completely over my head, but I just wanted to thank each and every one of you for your time this morning and hopefully I can see some of your beautiful [inaudible].

Commissioner Thomas said, thank you, we're proud of you. Ms. Hayworth said, thank you very much and I appreciate the kind words, I really do. Thank you very much.

Ms. Goodrich said, I would like to address what Performance Initiatives' programs are if that's the direction you would like for me to take. Commissioner Farrell said, minutes. Commissioner Thomas said, yes. Ms. Goodrich said, thank you. We actually begin a good personal training and work with kids. I did coach voluntarily in this facility at one time and developed kid's scope of programs that my board of directors designed was to facilitate the entire person, so the education was very much important. We provided [inaudible] to support of the kids as well as [inaudible] athletes of ages, skill level, national, local and international. And we did. When our coach and our lifters were no longer welcome, we did garage sales, we did raise money. We bought weights and we would work out in donated space and we worked very hard in collaboration with the community that fully supported our vision and our ethics in what we were doing. And that is what Performance Initiatives can bring to the table can bring to the table.

Ms. Goodrich said, and in this collaboration we're very wise in our budgeting. We can spend financially in very good [inaudible] of places, take care of the facilities and still manage a high level of quality. Our believe is that if you are entrusted with children or adults at any level, you must have a very high level integrity and you have responsibility to model that for them and to develop those athletes in that way. Not just on the platform, but off the platform, and hold them accountable to that as well.

Our concern with the RFP that we had brought forth was addressed earlier. Some of the things in there when it was changed, the certification came out as a U.S. verified national level coach, and in the meeting it was diverted to the incumbrance on how they should have written what they should put in there. There were just things like that we did fund a formal complaint to with no response.

Commissioner Odell asked, who did you send that to? Ms. Goodrich said, we sent it through the administrator for the RFP, through that process like it as requested to do. We have a copy. We can provide it for you or send it to you at any time. Commissioner Odell said, I would like to have a copy. Commissioner Thomas said, I'd like to see it.

Ms. Goodrich said, Ms. Thomas, I apologize if anybody bothered you late at night. I think they're just passionate about the services —. Commissioner Thomas said, I understand. Ms. Goodrich said, — and the results that they received and what they're doing that they wanted to make sure that we were heard and that you were aware of what's going on and to please just give us a fair opportunity. Commissioner Thomas said, I understand. Ms. Goodrich said, and either way you choose, it's your choice, and we were just asking for that opportunity.

Performance Initiatives runs after school programs. We are run on a very tight budget and we are fully supported by the community businesses and people in the community on a volunteer services and funding. So we're open after school from three to seven currently. We do run other programs besides weightlifting. We put in this proposal. We highlighted some of those emphasizing on the weightlifting because our understanding is that you were looking for. Coming to the table today and listening to you it sounds like you want to maybe broaden those scopes, and it's a little bit unclear to us how you want to do that, but we are very willing to work with any budget that you see fit that you need to work with, and we feel that there is no reason why this facility cannot be consult sufficient with community support in the same manner that we have been doing for the last three and a half years.

Commissioner Odell asked, at what point down the road do you foresee that it could become self-sufficient? Ms. Goodrich said, I think in our business plan that we ran numbers on, within the five years we feel like it could if you run a community-based model and support system, and the way you are running it can be up for discussion. How you want, the direction you want to run it, it seems like there's a little bit of question there too, and that means a lot of prep.

Commissioner Farrell asked, was there anything in your bid that reflected that because it seemed like your bid was \$50,000 higher than the existing bid, so you're going back to zero. There's a little bit of a disconnect there. Ms. Goodrich said, we're saying within a time frame and what we're asking we would like the chance to explain that. There were two options in the bid, so you could do Option 1, Option 2, when we propose it. And I'm not sure if you're familiar with that, but when we did the fee schedules, there was no where to explain that or put that in which option you went and how you proposed it. So look at your business plan. That was not —.

Commissioner Odell asked, would that be a gradual scale over the five years —. Ms. Goodrich said, we would have to —. Commissioner Odell asked, after five years we wouldn't have to pay or the third year it would be 60% reduction —? Ms. Goodrich said, it would be a gradual process and it would be based on looking at the County still taking care of the electricity and the building maintenance. Commissioner Odell asked, was that in your proposal. That identified the gradual zero budget or cost other than the facility? Ms. Goodrich said, it is not detailed in the proposal. We were — we asked if we needed to put a detailed plan in there and they said, no, we'll ask if we have questions. And this is our first process. We might have misunderstood something or had —, but that was what was told to us and that's how we did it. Commissioner Odell said, thank you. I would —.

Ms. Goodrich said, could I address just one thing also. When Mr. Cohen brought up some things, if there are specific things that need to be addressed, we are happy to address those. What I would like to see happen is a very professional bidding process, not an emotional mud slinging or what happened in the past. I think people grow and learn, but also I think that's not bringing a good way and making the County proud of what they're doing, and that's what we would like to bring to the table is something very positive, growing community leaders that are

going to be running this County Commission in the future and bring positive programs entrusted to this Commission.

Commissioner Odell asked, are your board of directors here? Your board of directors, those that set the policy, are those individuals here? Ms. Goodrich said, one of them is here. We have a couple out of town and a couple that had to work. Commissioner Odell asked, and is it a diverse board? Ms. Goodrich said, we have a diverse board, a diversity of experience, diversity of gender, diversity of race, diversity of —. Commissioner Odell said, income levels and background. Ms. Goodrich said, yes, a very diverse board. Our policy is not to turn anyone away, that we provide services. If they cannot pay for those services in any fashion, we do fund raising that does provide scholarships for those families.

Commissioner Thomas asked, do you have a mechanism by which you go about, you know, dealing with those who are unable to pay? I mean, they just can't just walk up and say I'm unable to pay? Ms. Goodrich said, right. We have a scholarship fund and we have a procedure and a policy that they go through. Commissioner Thomas said, okay.

Chairman Liakakis asked, what is the — what I was going to do if it's — if this Commission would like to do that is to ask the County Manager to go ahead and put something together concerning this particular RFP and keep all of that information that you're going to put together and the particular concerns that the Commissioners had, to address those and get that disseminated to them before we have the next meeting. If it's the desire to table this at this particular time if that's what the Board would like to do, and then come up with this other information and go from there.

County Attorney Hart said, Mr. Chairman, in all due respect, we have an outstanding RFP for people to come in and bid on a contract on a competitive basis, not do a job interview, okay. We're in a situation that if we're going to amend our RFP, let's go ahead and amend the RFP and put it out to everybody so everybody is on the same playing field, and I have no problem doing that, but just to throw something together and send it out is not going to be the way to proceed in this case. We've got a facility here that you people need to figure out what you want to do with it when you grow up, okay, and I say that facetiously but it's not that funny because we've got a facility that started out with one thing and it's morphed into something else. Now maybe what it's morphed into is what we want, but we need to answer the fundamental question what kind of facilities does this thing need to be, and once we know what you guys want to do as far as facilities, we can draw an RFP to make it work, but right now we're sitting up, we've got an RFP out and we don't even know what services we want provided at this weightlifting facility. So it would be my recommendation that this thing be tabled, let staff bring back the report. I think Commissioner Shay made some very valid points. We'll give you some options and staff does not care which option is followed. We will implement whatever option this Commission deems appropriate.

Commissioner Odell said, you will give us the total cost, that's facility cost and everything, and you will give us how it intermix with the Board of Education, if any. Ultimately, we're looking at cost benefit, and I agree with what you said. I would make — I don't know, Pat had his hand up and Dave — I'm sorry, Dean [Kicklighter].

Chairman Liakakis said, Dean [Kicklighter] and then Priscilla [Thomas].

Commissioner Kicklighter said, thank you. So basically we need to throw out both bids and —. County Attorney Hart said, no. We just need to table it until we can come back with something that makes — that y'all can decide what you want to do, and if you —, the RFP at that point may work. But then again, if you choose something else, yes, we may have to start over at ground one because you want your RFP to match what you're trying to do in your facility.

Commissioner Kicklighter said, in the meantime, how long would it take or can we accomplish — this should not take an act of Congress to have a form and it says: I, Cheryl Hayworth, have obtained personal training coaching services from an outside source that is not associated with the Cohen Anderson [sic] weightlifting facility and release any responsibility from Chatham County. How long will it take to get that where this young lady can sign it and get the training in our facility? In her facility, everybody that bought that facility being —. County Attorney Hart said, we will look at any rule that is there in place, and under our contracts we reserve the right to approve or not approve a change of regulations. If that rule needs to be redefined, we can define it as broadly or as narrowly as we choose to do as a Commission, and if there needs to be some tweaking to include an group of individuals, we can do that too. The other alternative is similar to what you suggest, do some sort of waiver. I don't know that that's necessarily necessary if we modify the rule.

Commissioner Kicklighter said, I just want something [inaudible].

Commissioner Odell said, if I could do this. We're going to beat this horse to death in trying to solve problems and we don't have enough information. With all due respect, I make a motion that this be tabled —. Commissioner Thomas said, second. Commissioner Odell said, and I further call for the question. The Clerk asked, time certain? Commissioner Odell said, two weeks, after our budget meeting.

Chairman Liakakis said, okay, we have a motion on the floor and a second to table this item. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Farrell was not present.]

Commissioner Kicklighter said, Jon [Hart], that's why we pay you the big bucks where you can not let us change a law real quickly.

Chairman Liakakis said, okay, the motion passes. Thank you very much.

Ms. Goodrich said, if I could just clarify one thing that Mr. Cohen —. County Attorney Hart said, the matter has been tabled. Chairman Liakakis said, it's been tabled and, see, there's no more discussion on that —. Ms. Goodrich said, thank you. Chairman Liakakis said, because of that. That's the legal procedure. Ms. Goodrich said, oh, that's fine. Thank you very much. I appreciate your time.

ACTION OF THE BOARD:

- a. Commissioner Kicklighter moved to untable this item for discussion by the Board of Commissioners. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

- b. Commissioner Odell moved to table this item until the next meeting to be held on February 26, 2010. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Farrell was not present.]

AGENDA ITEM: VIII-1 A and B
AGENDA DATE: February 12, 2010



INTER-OFFICE CORRESPONDENCE

DATE: February 9, 2010

TO: R. E. Abolt
County Manager

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

SUBJECT: Status of Contracts Affecting Anderson/Cohen Weightlifting Center

Russ, as you are aware, staff developed solicitations for the management of the weightlifting center and janitorial services, along with operations of a special needs program at the center. Responses were received for each and a recommendation for award of a contract for operations and janitorial services was forwarded to the Board for approval at the January 29, 2010 Commission Meeting. The Board voted to table until the February 12th commission meeting, consideration of the award of these two contracts until staff completed an analysis of the special needs contract, in order to get a clear picture of the total cost for operating the weightlifting center. The County Attorney along with, staff from the Public Works and Parks Services Department met today to review this issue. Based on this meeting there are a number of issues that the County Attorney is reviewing in order to provide the Board with additional information and options. Before a recommendation for award can be made, staff has requested that these agenda items remain on the table until the next Board meeting to allow staff adequate time to develop options for Board consideration.

~~**AGENDA ITEM: X-8 A thru M**~~
~~**AGENDA DATE: January 29, 2010**~~

AGENDA ITEM: VIII-1 A and B
AGENDA DATE: February 12, 2010

TO: BOARD OF COMMISSIONERS

THRU: R.E. ABOLT, COUNTY MANAGER

FROM: MICHAEL A. KAIGLER, DIRECTOR
HUMAN RESOURCES & SERVICES

SUBJECT: AWARD OF BIDS

ITEM A

ISSUE: Request Board approval of an \$8,000 per month annual contract of \$96,000 with automatic renewal option for four (4) additional one (1) years terms with Team Savannah,

to provide Operation and Management Services for Chatham County Anderson-Cohen Weightlifting Center.

BACKGROUND: The Anderson-Cohen Weightlifting Center is a 12,000 square foot facility constructed in 1996 and one of Chatham County's Olympic Legacy facilities. The facility provides the community Olympic Weightlifting opportunities and it is defined as the only form of weightlifting recognized in the Olympic Games in which a barbell is lifted competitively by an athlete. The facility has equipped locker rooms including separate showers and dry saunas. The facility has available 24 Olympic weight training stations, one (1) competition platform, standard free weights and nautilus equipment.

FACTS AND FINDINGS:

1. The County currently contracts with Team Savannah to provide the management and operation of the Anderson-Cohen Weightlifting Center. They have been providing this service since the opening of the facility. The contract annual renewals have expired and therefore they are currently operating on a month to month basis until a new contract can be awarded. The County pays Team Savannah \$45 per hour for a total of \$154,440 per year to operate the Center 66 hours per week. Team Savannah also provides janitorial services as required by the current contract in the amount of \$18,940. Membership at the facility is approximately 180. Total revenues generated at the facility average \$18,000 yearly or \$1500 per month.
2. The current contract requires Team Savannah to provide an exercise program for members with special needs. Team Savannah originally hired Rhonda Langford who also now works for a not for profit organization, Abilities Unlimited, to meet the contract requirement. The County contributes \$25,000 to supplement Ms. Langford's salary and a part time instructor. Special Needs membership at the facility is approximately 150 including the Board of Education students.
3. The annual budget for the Center is \$275,839 which includes the management and operation service, Ms. Langford's part time salary, utilities, materials and supplies, repairs and other miscellaneous line items.
4. The County prepared a scope of services with the intent of removing both the Special Needs requirement and the janitorial services. These services will be contracted separately. Otherwise, the scope of service for the Operation and Management Services contract generally remained as it has been. However, potential vendors were given options for the method of compensation. One (1) option was for the County to set membership rates and the contractor proposes a monthly operator service fee. The other option allows the contractor to set membership rates and solicit membership. The County would expect a monthly facility service fee from the contractor.
5. Two (2) proposals were received, Team Savannah and Performance Initiatives. Interviews were conducted and a fee proposal was received from each vendor. Each vendor indicated that they could meet the requirements in the scope of services. Services proposed by Team Savannah remained as they have been. However, they proposed a monthly operator service fee that lowered their fee from \$45 per hour to \$26.93 per hour provided they collect and retain the revenue from membership fees. All membership fees collected by Team Savannah that amount to more than \$3000 per month will be split 50/50 with the County. The fee structure will remain the same throughout the five (5) year contract.
6. Performance Initiatives offered a different approach to the use of the Center. They will still provide an Olympic Weightlifting program but they propose to build champions from the inside out. They are dedicated to educating and mentoring of others and use athletics and fitness as outreach tools. Other athletic programs offered include Cross Training, Jiu-Jitsu, and baseball. Their model includes Life Skills Training and Family Support. Performance Initiatives submitted a monthly operator service fee of \$45.16 per hour for the first year with minor deductions annually (See attached matrix page 18).

FUNDING: General Fund/M&O - Weightlifting Center
(1006130 - 52.11001)

ALTERNATIVES:

1. Board approve an \$8,000 per month annual contact of \$96,000 with automatic renewal option for four (4) additional one (1) years terms with Team Savannah, to provide Operation and Management Services for Chatham County Anderson-Cohen Weightlifting Center.
2. Provide staff with other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide essential service contracts at the lowest possible cost.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM B

ISSUE: Request Board approval to award a \$14,358 annual contract, with automatic renewal options for four (4) additional one (1) year terms, to Right Solutions Janitorial Services, a MBE firm, to provide janitorial services for the Chatham County Anderson-Cohen Weightlifting Center.

BACKGROUND: Janitorial contracts have proven to be more cost effective than hiring personnel to perform the service “in-house”. This contract provides the Chatham County Anderson-Cohen Weightlifting Center with daily janitorial service.

FACTS AND FINDINGS:

1. Specifications established work schedule, hours to be worked by custodian, out of scope service requirements, and minimum qualification criteria.
2. A mandatory pre-bid conference was conducted. Following this conference, staff accompanied bidders on a “walk-through” of the site.
3. Bids were properly advertised and opened on 1 October 2009. The bid responses are as follows:

*	Right Solutions Janitorial Services Savannah, GA	\$14,358
*	K&B Cleaning Services Savannah, GA	\$16,620
	Savannah Professional Maintenance Savannah, GA	\$17,800
	John J White Office Cleaning Services, Inc Savannah, GA	\$22,800
*	Imagann Cleaning Services Savannah, GA	\$22,800
**	Sizemore, Inc. Savannah, GA	\$28,575

* MBE firm
** WBE firm

- 4. Staff reviewed the bids and believes the low bid from Right Solutions Janitorial Services to be fair and reasonable.

FUNDING: General Fund /M & O – Weightlifting Center
(1006130 - 52.21301)

ALTERNATIVES:

- 1. Board approval to award a \$14,358 annual contract, with automatic renewal options for four (4) additional one (1) year terms, to Right Solutions Janitorial Services, a MBE firm, to provide janitorial services for the Chatham County Anderson-Cohen Weightlifting Center.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide essential service contracts at the lowest possible cost.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

=====

IX. ITEMS FOR INDIVIDUAL ACTION

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

- 1. **TO REQUEST APPROVAL OF THE FOLLOWING BUDGET AMENDMENTS AND TRANSFERS: (1) IN THE GENERAL FUND M&O A) INCREASE REVENUES AND EXPENDITURES \$234,364 TO APPROPRIATE A REFUND FROM THE STATE OF GEORGIA FOR PANEL ATTORNEYS, B) DECREASE REVENUES AND EXPENDITURES \$7,560 DUE TO A REDUCTION IN STATE OF GEORGIA REIMBURSEMENT FOR SUPERIOR COURT, C) TRANSFER \$2,910 WITHIN THE COURT ADMINISTRATOR’S BUDGET TO SALARIES, (2) IN THE CAPITAL IMPROVEMENT PROGRAM FUND TRANSFER \$220,000 FROM GREENSPACE TO THE MCQUEEN’S TRAIL STABILIZATION PROJECT, (3) TRANSFER \$10,025 FROM SPECIAL SERVICE DISTRICT FUND CONTINGENCY TO FELL STREET MAINTENANCE, AND (4) APPROPRIATE \$4,105 IN THE CONFISCATED REVENUE FUND TO THE COUNTER NARCOTICS TEAM.**

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

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

Chairman Liakakis said, okay, let’s go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved that the Board approve the following budget amendments and transfers: (1) In the General Fund M&O (a) increase revenues and expenditures \$234,364 to appropriate a refund from the State of Georgia for panel attorneys, (b) decrease revenues and expenditures \$7,560 due to a reduction in State of Georgia reimbursement for Superior Court, (c) transfer \$2,910 within the Court Administrator’s budget to salaries; (2) in the Capital Improvement Program Fund transfer \$220,000 from Greenspace to the McQueen’s Trail Stabilization project; (3) transfer \$10,025 from Special Service District Fund contingency to Fell Street Maintenance; and (4) appropriate \$4,105 in the Confiscated Revenue Fund to the Counter Narcotics Team. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: IX-1**AGENDA DATE: February 12, 2010**

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

ISSUE: To request approval of the following budget amendments and transfers: (1) in the General Fund M&O a) increase revenues and expenditures \$234,364 to appropriate a refund from the State of Georgia for panel attorneys, b) decrease revenues and expenditures \$7,560 due to a reduction in State of Georgia reimbursement for Superior Court, c) transfer \$2,910 within the Court Administrator's budget to salaries, (2) in the Capital Improvement Program Fund transfer \$220,000 from Greenspace to the McQueen's Trail Stabilization project, (3) transfer \$10,025 from Special Service District Fund contingency to Fell Street Maintenance, and (4) appropriate \$4,105 in the Confiscated Revenue Fund to the Counter Narcotics Team.

FACTS AND FINDINGS:

1. The Public Defender has forwarded a \$234,364 reimbursement from the State of Georgia to Chatham County. The Public Defender is requesting a budget amendment that will increase General Fund M&O revenues \$234,364 and appropriate the funds to pay panel attorneys. A resolution and correspondence are attached.
2. The Superior Court Administrator has received notification that the state is reducing its reimbursement for court expenses. This will result in a revenue shortage of \$7,560 for the General Fund M&O. A corresponding decrease in the budget for court expenditures will offset the revenue variance and balance the budget. A resolution and correspondence are attached.
3. A transfer of \$2,910 within the Court Administrator budget is necessary to fund an employee's salary as set by the modular pay plan for legal assistants. The transfer will be from operating line items to salaries. Correspondence is attached.
4. The McQueen's Trail Stabilization project in CIP requires additional funding. A \$220,000 transfer from the Greenspace project will provide funding.
5. Chatham County and the City of Savannah share the cost of repairs and maintenance for the Fell Street pump station. The latest invoice exceeds the current budget by \$10,025. A transfer from the Special Service District contingency is needed. A resolution is attached.
6. The CNT Director has requested an appropriation of \$4,105 in the Confiscated Revenue fund to clear title for a vehicle. Correspondence is attached.

FUNDING: Funds are available in the General Fund M&O, the Special Service District, Confiscated Revenue and Capital Improvement Program funds for the transfers. The budget amendments will establish funding in the General Fund M&O.

ALTERNATIVES:

- (1) That the Board approve the following:

GENERAL FUND M&O

- a) an amendment to increase revenues and expenditures \$234,364 for panel attorneys,
- b) an amendment to decrease revenues and expenditures \$7,560 for Superior Court,
- c) transfer \$2,910 within the Court Administrator's budget to salaries.

CAPITAL IMPROVEMENT PROGRAM FUND

- a) transfer \$220,000 from the Greenspace project to the McQueen's Island Stabilization project.

SPECIAL SERVICE DISTRICT FUND

Transfer \$10,025 from contingency to Fell Street pump station.

CONFISCATED REVENUE FUND

Appropriate \$4,105 to the Counter Narcotics Team to clear title on a vehicle.

(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: *Reed DeHaven*

=====

2. TRANSMITTAL OF FISCAL YEAR 2010 SECOND QUARTER REPORT DATED DECEMBER 31, 2009, TO THE BOARD FOR INFORMATION.

Chairman Liakakis said, you all have that particular report.

County Manager Abolt said, Mr. Chairman, if I may. This is information. Ms. Cramer is prepared to respond. As always, the timeliness of this in proximity to your budget retreat it is very appropriate, and whether you prefer to have the presentation today or during your retreat, it is vital that we are able to communicate to you the status of certain funds.

Chairman Liakakis said, okay. Next item —.

Commissioner Shay said, whoa. Chairman Liakakis said, oh, excuse me, I'm sorry. Commissioner Shay said, I do have a question. I'm trying to learn how to count and you've been very patient in trying to teach me how to count. One of the things I've been trying to count is how much money is in the Special Service District unincorporated area fund encumbered, unrestricted or otherwise, unobligated fund balance. I've been trying to keep an eye on it and it fluctuates enough that I guess you [inaudible]. I've asked you to help me understand how last year at budget time it was around \$4,000,000, but more recently when we reviewed the CAFR, it managed to increase considerably from that figure, and I know it's because I'm not smart enough to be able to follow all these transfers. But as of right now —.

County Manager Abolt said, if I may, this is key. A fund balance is a function of an audit. It is one — there's one day in the year when the audit is complete and that's the fund balance. Staff cannot respond on what the fund balance is as of the 12th day of February unless there's an audit completed. That's the predicament we're in. So it's not a moveable feast. It is a historical event in an audit so when you're closing your books, you have certain obligations and you have certain hopefully money left over. Part of that money left over is either obligated or unobligated fund balance, so we cannot tell you, and whatever Ms. Cramer tells you it will be a creature and part of that audit.

Ms. Cramer said, what I can tell you is if you look on page 14, which is your SSD [inaudible] to date information, what we have in the fund balance right now is the same thing we had June 30, 2009, and I think that was around \$8,000,000. Now I need to check my numbers, but we have budgeted this year to use about \$1,575,996 exactly in fund balance, and through the end of December we have not used any of that money largely because our revenues are more than the expenditures that we have actually here to date. So right now we're still at that June 30, 2009, number and what I've been giving you in the past are forecasts based on — forecasts on the use of fund balance going out over the next two or three years, and that's where you're getting that \$4,000,000 figure because we show — we straightened that forecast a while back that I gave you that we were going to start clipping through that fund balance based on cost estimates. When we go to the workshop on the 23rd, I think it is, we will have a forecast for you and we'll go back through that again so you can see projections.

Commissioner Shay said, and I think I grasp this. When I in a fit of madness decided to run for this County Commission again in 2004, I had the opportunity to go to about 25 forums with the then County Commissioner Mr. John McMasters, and John was brilliant in the way that he could present just about every fund that's in all of the books that you helped me walk through the other day as fund balance. But the undesignated, unobligated fund balance is something yet different. And when we got elected as a Commission, we decided that what we wanted to do is be able to look forward three or four or five years and be able to see, you know, given the assumptions that you have to make that the growth of the digest is going to be, what the collections are going to be. A lot of assumptions, but assumptions that were actually doable based on looking at the last 20 years and other trends that are out there, and try and use that as a benchmark for what the financial status of the Special Service District but also the General Fund M&O and all the other funds that we obtain, but especially those two since those are the ones that are driven by tax millage rate revenue, obviously more sensitive to us than these other ones for that reason. So I just, at this given moment it's more than \$4,000,000.

Ms. Cramer said, oh yes, yes it is. You have at least three months reserve still in your fund balance and our financial policies are two months. So you're still in your — compliance with your financial policies. Commissioner Shay said, alright. Ms. Cramer said, you know, our concern is going forward with the expenditure levels that we see going forward that we won't be able to sustain that fund balance policy level.

Commissioner Shay said, and what I'd like to do is for our budget for upcoming year is if we could have year after year. I mean, what was forecast, last Summer what was budgeted and how that compared to the forecast now, because although I know it's difficult without having an audit [inaudible] to see what's in the fund balance, it's a little bit like me saying in my own household budget that, you know, there's always money in the checking account so why do I have to bother to, you know, get a balance. But it's harder for you to balance than it is for me because you have a hundred thousand transactions and I only have a thousand, but it's still really important for us to understand what the balance is when we get ready to vote on reallocating these funds or shifting them from one fund to the other.

County Manager Abolt said, if I may, I really want to make this point with your permission. That's why you are the quality Commission that you are. In the past, balancing a checkbook was kind of a very superficial way to do it. If we got through the year, we're doing okay. And that obviously was false. It was false for a lot of reasons that don't have to enumerate right now, but as Ms. Cramer said and you've indicated, you know, you have supported an idea of making multi-year forecasts, and they're just that — forecasts. It's going to snow this afternoon — we'll find out. But the same issue is that you embrace the concept and planning is — the process of planning as I've always told is more important than the outcome. In your financial plan you always look at what the forecast is. The fund balance, yes, it's easy to quantify at the end of an audit, but it's also easy to confuse in political rhetoric, and this County Commission has never succumbed to the temptation of doing that. Here's what you're faced. That fund balance will grow this year in SSD. Why? One reason specifically y'all agreed at my recommendation at the last meeting to freeze positions. So that means that we have artificially created savings which aren't there given and expect a level of service in the spending plan you adopted back in June/July. That's important to know. Also, a year and a half ago a decision was made because we knew we were having problems in SSD not to take fund balance in the SSD over the reserve and use it for CIP. You have no CIP in the SSD. So it's easy to say, oh, man, the checkbook balances today, but what aren't we doing. The forecast is a mechanism to talk about what we aren't doing, and it's more important to realize when you talk about true fund balance, it's one day in 365 after an audit's complete.

Ms Cramer said, and I might want to elaborate on that. The forecast itself is really a way for you as managers, and I'm not the only financial manager here. You guys are the key financial managers of this organization. It is a way for you to determine what your policies and strategies are for any fund you have. Long term, short term, whatever way you want to go, and it's a way to look at how are we going to implement those policies. Let's come up with a cost for what we want to do. Let's look first at how we want to implement these programs and how we're going to pay for them, and that's what forecasting is about it. It's about supporting your short term and your long term plans and goals for the organization, and that's what we'll talk about at the workshop.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, just real quickly. In reading this, in the Special Service District the Recorders Court revenues are still down. What — do we have a — I mean, just — County Manager Abolt said, we've had an explanation periodically from Recorders Court and it has to do with the issue of not just — I want to be careful of how I say this. It isn't just the citations, it's the final decision of the judge as to whether or not a fine will be levied. Commissioner Stone asked, and so they're just dropped off? County Manager Abolt said, I don't want to —, I just wanted to say that and if it is a discretionary act of a judge to determine whether or not the merit or the citation is justified and consequently fines are levied. There have been conjecture in the past are there enough police officers out there. The Chairman brought to my attention we now have, you know, State Patrol on some on some of our roads. The Administrator for Recorders Court has been giving, which I gave you this week, kind of an update on it. It's not one of those predictable things.

Ms. Cramer said, there's also a hierarchy of who gets paid. If you have a \$200 fee at the court, there might be eight agencies that are paid out before they get to the County. So if that person only pays a partial fee, the County doesn't get paid until these other State, you know, whatever. They're like Peace Officers Association, different programs are paid for first. So we're left hurting. Commissioner Stone said, I was just curious.

Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell said, when revenues go down in the courtrooms, are there options to also lower expenses to match those lower revenues so that we're not tapping into the millage rate to stand up —? County Manager Abolt said, let me try to answer it in somewhat of a general sense and if I'm not on point, please tell me. We have court systems. If you look at just the function of the courtroom that more than produce revenue to operate them, and from time to time when budget is tight in the M&O, you will have constitutional officers who happen to be judges coming forward and say, well, I generate all this revenue. We specifically have a financial policy, we don't earmark so you cannot say to a judge, well you did generate X-more than we thought you would and so we're going to give that to you for whatever. You also have the fine balance from the standpoint of this democratic system, you don't want courts to even have it implied that they are on a quota system. So you have to have justice be just that, and the issue is, and unless Ms. Cramer might tell me, I don't think of any court by its strict definition that is being subsidized. The courts by definition do certain things and they perform functions and we use the revenue that come in for the general fund by and large to support the District Attorney, to support the Sheriff, to support all those ancillary things. But if you look at a court, normally a court is more than producing its revenue, and you want to be very careful how you ask those questions. You understand what I mean. It will be wrongly understood.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, I'm going to be very careful with my question. County Manager Abolt said, and you always are, sir, as Commissioner Farrell is, and it's an honor to work with both of you and the rest of the Commission. Commissioner Gellatly said, the report that was submitted by Records Court, I found it to be very limited. County Manager Abolt said, it is, yes sir. Commissioner Gellatly said, I'm being very kind when I say very limited. I had problems with the wording right at the top that our computers will not give us this information. The last time I looked, most computer systems were controlled by the owners and they call that programming. They can program any information that they want off of that. I find that statement by the Clerk to be totally unacceptable. I have a concern that when a simple request is made as to highway patrol, how many tickets are they writing and how many is the Metro Police, and that's basic information that's needed not only by us but it's needed by the various law enforcement agencies to adequately determine where they're going to appropriate their resources, and again law enforcement does not issue citations with the idea of making money. They issue citations where accidents occur, where they can, I would imagine that traffic engineers need that information and things of this nature, and I think that should be made available to us, and I would respectfully point out to the Clerk of Court that we maintain — we being him — can maintain and manipulate his computer to produce any kind of information that we need, and if we ask a legitimate question, and I think that we weren't given the appropriate information, then I would ask that they reconsider that.

County Manager Abolt said, I agree with you, sir, and I would also say that to me as a civilian, unlike yourself who's been a practitioner, it doesn't mean anything to me unless I see past history. I've got to be able to see some record of something that gives you comparison.

Commissioner Gellatly said, I would think that — my other question would be that the information that Records Court provides us on an annual or quarterly basis, is it the exact same information they provide the City of Savannah? I would think the City of Savannah would want more detailed information, and I would request that we get the same kind of information that the City of Savannah gets. County Manager Abolt said, your timing is perfect. I would suggest on the 23rd when representatives of that court are before you that that same question would be reasked. Commissioner Gellatly said, I would be happy to reask it. County Manager Abolt said, thank you, sir.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, thank you. I just want to say — ask that we continue to be vigilant in terms of our fund balance because I see it as a key component to our financial system. County Manager Abolt said, Dr. Thomas, permit me. I'm very supportive of what you've just said. Please remember, and I realize that the SSD is giving us all big headaches, but realize what you've done is you've got the attention of Wall Street. In very difficult times, your bond rating is good and it's because you do things like financial planning because you are aware of fund balance because you're not balancing a checkbook from day to day.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, as a follow-up, last night in the packet that was distributed to me and my sort of County Commissioner homework I got something that was forwarded to the County Manager Abolt from Linda Cramer, our Finance Director, in regard to the County indirect cost allocation plan. And correct me if I'm wrong here, but in our budget there are dozens of line items that are marked IDC for one reason or another. This is what we're talking about here isn't it, the indirect cost, IDC? Ms. Cramer said, yes, they show up as revenue in the general fund, IDC. Commissioner Shay said, so basically it's the way we reimburse the General Fund M&O for the fact that it pays for basically everybody that's in the room today almost that's working for the County, and those other line departments don't — that's their way of contributing to offset those costs. Is that correct? Ms. Cramer said, right. We spread that across different funds so we charge it to funds outside of the General Fund.

Commissioner Shay said, I guess what's confusing to me is that I'm reading here that the 2008 plan for indirect cost allocation is going to be ready on March 1, 2010, and the 2009 plan is going to be ready on June 15th. I know this is not you personally, but I've got to ask somebody so you're standing at the microphone. Given the fact that we've already voted on those budgets and all of those indirect transfers have all been allocated by some other process, apparently because we didn't do a scientific one, I guess if I could use that word, or an empirical one, or whatever it is that indirect cost allocation consultants do, if their results come back and they're not consistent with prior budgets, does that mean we're going to go back and reallocate between department?

Ms. Cramer said, no sir. Most counties and cities use an indirect cost allocation plan primarily for federal grants. Commissioner Shay said, I got you. Ms. Cramer said, so if you for example in a Child Support Fund, we use the indirect cost allocation number, put that in the grant fund for Child Support and that is the basis of recovery from mistake for indirect cost allocations. We also use it, you know, for internal budget purposes where the General Fund is charging its services out to other County funds. It's not unusual for you to use a two-year prior number in your budgets. So, for example, we can use a 2008 cost allocation number on our 2010 budget. That's not unusual. In fact that's the way we did it at the City of Savannah, we were two years prior. But what we're trying to do is get our consultant to go ahead and catch up and give us that 2009 number, which is based on our own nine numbers, our '09 numbers, our '09 audited numbers.

Commissioner Shay asked, so does this or does this not have to do with things like how much the Special Service District unincorporated area budget should logically, if I can use that word —. Ms Cramer said, oh yes. Commissioner Shay said, be reimbursing the M&O budget. Is that what this study is about? Ms. Cramer said, that's true, that is what it's for and they're taking a snapshot of the cost to service to the SSD from the General Fund as of any physical year, and that would be in theory what the SSD would repay the General Fund for that cost for services, and we have not historically charged at the full cost because of some, I guess, old policies that we need to revisit. Commissioner Stone said, okay, well, you're kind enough here and I'll get off this horse for a little while. You know, the document is very voluminous, but the consultant does give us an electronic version if you want to forward that to the Board. I love homework. I just love homework so please forward that to me and if it's in Word or something that I can open up my computer that we won't have to [inaudible]. Ms. Cramer said, I think it's PDF. Commissioner Shay said, PDF, I can open PDF. Thank you.

Chairman Liakakis said, Russ [Abolt], I want distributed to all of the Commissioners the plan because the City was holding us up for a number of months distributing the funds from the Recorders Court to Chatham County, okay. So here's what I'm saying. I want to see the formula, how it's done now. Has that been corrected because they said the police officers, but I want to know as well as give all the information to these Commissioners to make sure that we are getting the monies that are, you know, for the particular citations and all that are given in the unincorporated area to make sure that we're getting our money and it doesn't go to some other area, and that's really important. But I want to know for this Commission how they have fixed that particular way so that we don't have to hold up like we have been held up two or three or four months in the past about the money from the Recorders Court distributed to the —. County Manager Abolt said, I need clarification. Is it Recorders Court or is it jail prisoners? Commissioner Stone said, jail prisoners. Chairman Liakakis said, well the jail plus Recorders Court. We should have that information also. County Manager Abolt said, yes sir. Chairman Liakakis said, because what they do, when you have the jail, it goes in the Recorders Court thing, and they're the ones that give the information out about how much money is in the City and how much money is the County to begin with. County Manager Abolt said, yes sir. Now we — this past week or the week before we gave you an update on where we were with collection of the prisoner thing, and I've talked to Michael Brown about it and we're pretty good on that. The other thing on Recorders Court, as you know, at your request which I really appreciate, the Recorders Court will not provide us quarterly that information. They just gave us the past quarterly report, which Commissioner Gellatly rightfully criticized, and I suggested that when it comes before you in the workshop on the 23rd, that wehn the leaders of the Recorders Court are there, that you would help reaffirm that us.

Chairman Liakakis said, so we know what the formula is and how it's adhered to so we don't have that problem like we had. County Manager Abolt said, again, the jail issue and I know because y'all have taken the lead on this for which I'm very appreciative it, but I've had very good conversations with Mr. Brown from the City and you have the results of it.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, just two things. As it relates to the jail, effective this year they started the early intervention and the early intervention basically is that you have this prisoner who's charged with a felony. Then the DA's are getting involved substantially or orally to make a determination and try to early resolve that case. The importance of that is that we're getting them off the County's dime onto the State's dime and hopefully saving some costs in there, and I'm really pleased with the DA doing that. And the second arm of that, and I'm not certain if Jon [Hart] can verify it, at some point our numbers in Recorders Court started to fall. We've been looking at why the revenues have been reduced and part of that revenue reduction is that we had a change in our police department where they eliminated the patrol division in part in the unincorporated and the city area, and rededicated some of the officers to nonpatrol activities. Therefore, the number of citations issued were reduced.

Commissioner Farrell said, which is great and that's why I asked the question. With less citations, then there should be a smaller work load and perhaps there should be a smaller cost.

Commissioner Odell said, and I think what is — and I may have misstated, David [Gellatly] — I spoke to the Recorders Court Administrator and all three judges, and my concern legitimately I think was your concerns that if we have less citations does that mean that we have less hours worked and our piece of the pie therefore should be less, and my answer from speaking to everybody is that they're going to be simply doing other things.

County Manager Abolt said, if I may on this and I realize this is purely —. Commissioner Stone said, that's why I brought it up. County Manager Abolt said, the policy issues are very valid, but I wanted to give you the impressions of one person, myself, and I want to give high praise to Chief Lovett in this case because I live, as you know, on the Islands area, and the Captain of the precinct, Scott Simpkins, I can tell you only as one resident of the Special Service District, it's not uncommon for me to leave this building after five on a workday, and between here and Wilmington Island to see at least five patrol vehicles in the unincorporated area. So whatever they're doing based on that very antidotal type thing, ladies and gentlemen, Wilmington Island and the Islands area, we've got police officers. Whether they're writing tickets, I don't know, but they're all over the place and I appreciate that only as a Wilmington Island resident.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, the police department unless things have really changed since I used to work, the traffic unit writes most of the tickets as opposed to patrol. Alright. Commissioner Kicklighter said, [inaudible]. Commissioner Gellatly asked, they're not? They are to an extent. But at any rate, my point is that the police department can show you monthly, quarterly or annually the number of tickets they wrote, where they wrote them, what the violation was. Why in the world can't the Records Court show us the same thing. You know, you can do an analysis where did those fines start going down. You can compare it. Did the police department write less tickets? I don't think you're going to find that's the case. County Manager Abolt said, I agree with you. Commissioner Gellatly said, and I reassert that the report that we receive from Records Court was totally, totally uneventful and that comment by the Clerk that they can't get — what was it — their computer will not allow them to. I mean, that's terrible. You know what I mean? We're in charge of the computers and we can program those computers to give any kind of information we want, and I would challenge them to go ahead and take a look. Where did the revenues go down and I think you're going to find the police department was writing as many tickets as ever. So the problem may be somewhere else other than the police department.

Commissioner Stone said, thank you, Commissioner Gellatly. That was the explanation I was looking for.

Chairman Liakakis said, Russ [Abolt]. County Manager Abolt said, sir. This thing about exactly what he was saying about they don't have the ability with their computer system, I want to find out why and to see about getting it corrected. Then that formula just like all of the Commissioners are talking about, put all that together to bring the information to us so that we will fully know what's going on.

County Manager Abolt said, I'm with y'all. I'm not trying to give more reason for you to be less than confident in the system. The question should be posed to Records Court, as you know. The Records Court is supported by the City of Savannah computer system. So again, I'm not pointing fingers, but the issue has to be addressed in my opinion by the Administrator of the Court and Chief Judge.

Commissioner Gellatly said, well again, I still ask the same question —. County Manager Abolt said, yes sir, I'm not —. Commissioner Gellatly said, to get the same report. Having worked for the City of Savannah, I know that they would require more detailed information from the Records Court than what I saw on the first page of that report. County Manager Abolt said, yes sir.

Chairman Liakakis said, okay, we need — let's go and vote on —. County Manager Abolt said, that's just for information, sir. And again for your reference, you may wish to keep this with you for next Tuesday and the following Tuesday. If not, staff can summarize it.

ACTION OF THE BOARD:

This item was presented for information only; therefore, no action was taken by the Board of Commissioners.

AGENDA ITEM: IX - 2

AGENDA DATE: February 12, 2010

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

ISSUE: To present the Fiscal Year 2010 Second Quarter Report dated December 31, 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 Second Quarter Report covers various county funds and activities, presenting 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) Amended budgets shown herein represent budget transfers approved through December 31, 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 or project expenditure amounts.
- 3) Notable items include the following:

General Fund M&O

- The General Fund received revenues of \$81.1 million during the first half of fiscal 2010 and expended \$78.3 million. This represented 53.8% and 50.8% of budgeted amounts respectively. Due to the receipt of property tax collections in the second quarter, the fund's cash balance is now positive.
- General property tax collections were \$66.6 million. General property tax collections were at 55% of budget levels, slightly lower than the 56.5% collected a year ago.
- Sales and use taxes were 46.5% of budget at mid-year. Actual revenues have decreased from 2009 levels by \$301,932. Recent months continue to show declines.
- The Other taxes category includes revenue from penalties and interest collected on delinquent taxes. Revenues in this category have exceeded adopted budget amounts and stand at 100.49% of budget revenues for this item.
- Finance has invoiced the City of Savannah for housing prisoners through October 2009. The City recently paid the September 2009 invoice. Records Court and Detention Center staff are in the process of reconciling the November and December activity.
- Low investment income reflects low cash balances in the fund through most of the first half of the year and low market investment rates.
- The expenditure variance in the Other Financing Uses category was caused by interfund transfers at the first of the year.
- Unusual expenditure variances for the following departments are explained below:
 - County Commissioners – 28.64% – Encumbered funds for management consultant services and for the County's legislative liaison have not been fully expended.
 - Board of Elections – 31.71% - Budgeted repairs and maintenance items have not yet been expended. The department shows encumbrances for these items.
 - Communications – 35.2% - Low repairs and maintenance costs year to date result in a favorable variance.
 - Utilities – 25% - Lags in receipt of bills and seasonal temperature variations are the cause of the favorable variance in this department.
 - Temporary Pool – 129% - A usage review is underway that will charge some of the overage back to user departments. Temporary usage policies are also under review.
 - BSRS / Animal Tags – 36.7% - There is a vacancy in this department that is resulting in low salary expenditures year-to-date.

Special Service District (SSD)

- At mid-year the SSD Fund had received revenues of \$15.4 million, 59% of budgeted amounts. Expenditures of \$14.6 million were recorded, 52% of budgeted amounts. The fund's cash balance is positive.
- During the second quarter the County received insurance premium taxes of \$3.5 million from the State of Georgia. This revenue boosted the Other taxes category.
- General property tax collections were \$9.6 million or 56.3% of budget estimates. This compares favorably to fiscal 2009 amounts.
- Revenue from Licenses and Permits were below budget since most are collected within the third quarter of the year.
- MPC fees were \$22,376 at 17.9% of budget estimates. This revenue category is influenced by fluctuations in construction and real estate activity.
- Investment income in the fund trended low against the budget amount during the first six months of the year due to cash flow trends in the fund and decreasing market investment rates.
- Records Court revenues continue to be sluggish, dropping from 2009 levels by \$67,000.
- The expenditure variance in the Other Financing Uses category was caused by interfund transfers.

Multiple Grant Fund

Grant drawdowns should eventually offset the difference between fund revenues and expenditures.

Land Bank Fund

- This fund is in a deficit position. Historically, property sales have been used as the revenue source for the Land Bank Fund. Expenditures of this fund are being held to a minimum.

Solid Waste Management Fund

- Collections for the solid waste service fee were 71% of budget or \$828,999. This is a new fee for dry trash pick-up service. The fee first appeared on the October 2009 second installment tax bills issued by the Tax Commissioner's office.

Building Safety & Regulatory Services Fund

- A separate staff reports addresses the budgetary issues for the Building Safety & Regulatory Services Enterprise Fund.

Capital Project Funds

- 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. Through December collections in the Sales Tax V Fund are \$7.7 million below initial budget estimates. The fund’s proposed fiscal 2011 budget will include the revenue reductions down to the project level based on the referendum.

Health Insurance Fund

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

FUNDING: N/A

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

ALTERNATIVES: N/A

RECOMMENDATION: For information only.

=====

3. PROPOSED OPERATIONAL PLAN FOR THE BUILDING SAFETY AND REGULATORY SERVICES’ FUND FOR THE BALANCE OF FY 2009-2010.

County Manager Abolt said, Mr. Chairman, ladies and gentlemen, let me begin the introduction to an issue which is not new to any of you. We did send out an advance copy of this earlier this week on Monday, and it is reflective of a lot of history, and let me begin and I listened very attentively as I hope I always do to the Commissioners, particularly Commissioner Shay, on what his expectations were before you vote on this, and so permit me, not trying to jump, but I think it might be helpful at least to introduce it. If you go to page five of the staff report, Attachment A, and again we’re involving quality people and having let them go, I don’t want to minimize the effect of losing those talented people, but in this case I want to focus on the dollars by way of introduction.

You’ll recall that in past discussions, probably the most memorable was back in the Fall a year before or a year ago, 2008 I guess it was, where we came to you and said that we see that there is a trend, which at that time was alarming which did not go away, but it had to do with what we had lived on for a number of years, namely excess revenue collected from a single function within Mr. Anderson’s department having to do with the permitting and new construction and it’s important to understand that in, as I say, back in the day for a number of years we had benefit, I don’t want to say boon construction, but it was a very healthy construction for which we were collecting more money than was actually necessary to fund the cost of that function. In taking full advantage of that and in fact going way back, which is a long time ago, but I remember when we used to make sufficient money in Building and Safety to be able to take that money and fund the Chatham County Police Department to an extent. So it gave us great discretion. It was also reflective of the fact that we wanted to always growth support itself, even though that’s a very difficult balance to achieve. But it was possible to say at least from the standpoint of an argument that new growth beyond just property tax for the permits that were issued and the money received was helping to pay the way of other services.

There were since changes in the legislation so we had to confine that to a general category which we now know traditionally as Building and Safety. Now we have by practice trying to enfold under Mr. Anderson’s direction and responsibility many, many functions, functions that exceed just the issuance of building permits and inspecting new construction. We did that with purpose. We did that because we wanted to take advantage of that money coming in and, yes, we wanted to lessen the hit on the Special Service District. Jon Hart reminded me a few weeks ago that, yes, back in the day we had enough money in that fund that we made possible the Citizens Service Center. So every time you go out on Eisenhower and a new facility was built for the Tax Commissioner not from this, but all the remodeling of the National Guard facility which now serves to house both Building and Safety and other functions, elections and all of that, was made possible in the main because we were making money in the issuance of permits.

Now what does Attachment A, page 5, say? It shows that starting in 2006 as the trends started to change, and obviously we were not at the brink of a recession, that it became necessary to do something that is something that we do not apologize for, it’s something that most jurisdictions in our neighborhood and throughout the State do. They fund a function of Building Safety and Regulatory Services through property tax because there are many

things that Mr. Anderson does for me and for you that are not reflective of the pure ministerial act of issuing a building permit and inspecting a building.

So with that in mind, look at the numbers. In 2006/2007 we look at that heavy shaded line, we took SSD property taxes, and to balance that budget we took \$704,000 [sic] to make that balance work. In 2007/2008 it was lessened. It was \$460,000 [sic]. In the last fiscal year, and this is the one I know the editorial writers like to focus on, but in expectation of the problem we talked about again a year ago last Fall about the possibility of having to shift \$1.1 million, that was a forecast. What we actually had to shift after a series of budget cutbacks, which enumerated in the cover staff report on the way in which we, as Commissioner Shay says, we purposed some of those inspectors and personnel, the amount of subsidy from the SSD property tax was \$777,000, not \$1.1 million. It's not the same as, but it's not that much different when you look at it from the standpoint of a big picture of what was done in 2006/2007. We understand full well the problems that are affected affecting the Special Service District. So when you look at our forecast for this current fiscal year and why we come tell you midyear, we planned to budget about \$670,000, let's say \$680,000 in subsidy from the SSD property tax to the M&O. Not \$1.1 million; in fact, down from the \$777,000 of the past year.

Now in looking at our experiences the 31st of December of 2009, we're saying we're not going to make it, we're going to have to come up with some other plan of action that will eliminate any further subsidy by the SSD budget, so that in effect we'll hit the mark on the max of subsidy which of course now there can be fluctuation, but right now we can say with the plan coming forward, which I'll explain in a moment, we plan to hit the maximum subsidy in SSD of \$680,000 [sic]. Now how do we get there? That's what comes into the more specifics of the staff report that are contained, if you go back to page two and I like to look at graphs and it's simpler to explain there. Mr. Anderson has done a lot of things at the request of myself and he's responded to the needs of other communities, like Thunderbolt and Tybee, and he's doing inspections, he's managing some other projects we have out there. Mr. Drewry, as you know, has come forward and we're going to have some of our inspection personnel, we're going to be in the Recycling Center. But focus in on the bottom of page two. Look at Plan One, Plan Two and Plan Three, and I want to keep my marks from the standpoint of being concise on Plan Three, which is the recommendation. My tasks to Ms. Cramer and Greg — Mr. Anderson, we're going to balance it and we're going to balance it without any more SSD property tax. So what does this mean? That on the humane said and the most difficult side from the standpoint of using quality people. My plan calls for laying off seven people as of the 19th of March.

Now from the standpoint of what I was going to be remembered as your Manager is we recognize, we value and we treasure and we nurture our public employees. In the case of inspectors, particularly you'll remember it was not long ago we couldn't fill all of our vacancies. So what we've done is we've kept a cadre of good people who do inspections who are on the line. We've reached the point though of looking at the next fiscal year. We cannot maintain that level of staffing without more SSD property tax subsidy. So I chose to say, getting ready for the next fiscal year in SSD, my plan is to eliminate the positions.

Now on the human side what we're doing, as you may know, I've asked and I've met with the employees on Monday. I have a special team led by Mr. Kaigler and joined by Mr. Johnson and Mr. Campbell that are working on transition. It is my target to have all of those seven people placed elsewhere in the organization before the 19th. I mentioned in the pre-meeting with the credit of a team that I have, people like Mr. Bungard, we're even looking at placing some of them on the long term process of building the jail. But the options are there. We fully plan to take advantage of them, and I always wanted to be known as your Manager who not just cares about our people, but realize how precious it is to keep a commitment for a person to work and make a career choice in such a difficult field of inspections.

Second after that, the seven people being laid off, and they are laid off not to try to balance this year's budget, but to lessen the commitment we'd have to make in property tax beginning the first of July. Vacant positions are frozen. You're already aware of that. In fact, prior to your last meeting Mr. Anderson has frozen positions within his departments for months. We have, in effect, twelve positions total. We have five frozen positions and seven layoffs.

Now in the grand scheme of things, that's twelve people, so what? But you have to look at the percentage of positions within Mr. Anderson's budget. Effectively by my action, I have taken away 43% — 43% of his positions. That means that when it turns around, and it will turn around, we're going to begin to experience problems. I wanted to give credit to Mr. Anderson, who's very knowledgeable in what he does. He and I have talked and I've done more listening than talking. We have some pressure points and we have a core of inspectors and support staff that will be working obviously full time on the job they have, but they're going to reach a point when all of a sudden people start complaining to you and me about the time it takes to get a permit, the time it takes to have an inspection made. That will become the bellwether. That's when we're going to say, "Oop! Something good out there is happening," and we're not going to apologize for it. We're going to look at augmenting the staff by this core of people who may not have a job right now in Building and Safety, but we'll be able to transfer back in with their credentials and certification.

That is the goal. It's very important to realize though, this gets us by. This gets us by in SSD budget for the next fiscal year that is challenged in other areas, but Mr. Anderson and Ms. Cramer have done their part when it comes to the Department of Building and Safety.

The next department we'll be focusing on, and I appreciate so much the support of Mr. Tom Thomson. Next week Ms. Cramer and I begin meeting with the Director of MPC. It's not the same function as what Mr. Anderson does, but it's reflective of this work load, or as I mentioned in the premeeting, this is our seed corn. Commissioner Shay reminds me continually without the ability to permit, inspect and give CO's, our digest does not grow. We have no real expectation of large growth in the digest without re-seeding what I refer to as seed corn in restoring these positions. But we're taking these steps because there's no other options out there.

The furloughs, you've might have seen the quote in the paper, we cannot furlough our way out of this problem. We cannot furlough because even if you take all the other employees that are doing things that are non-permit related, their work load is still there. They are still doing nuisance abatement inspections, they're doing zoning inspections, they're doing all that other stuff. But we cannot expect Mr. Anderson to say that the other people somehow make up the difference, and so from the standpoint of creating efficiency in those that remain, my recommendation is to cease the furloughing of the current staff still employed and, in effect, balance out by the following procedures.

One, I did ask Mr. Anderson to cease any further work on predictable permitting. That was done at the leadership of Commissioner Shay and he brought me into it a couple of years back. We involved Tom Thomson, Al Bungard and Greg Anderson and we wanted to come up with a predictable way of telling these folks that are going to invest in Chatham County, particularly the SSD, how long it's going to take them to get a permit. From the standpoint of the here and now and again it's seed corn, but I've instructed Mr. Anderson that my recommendation would be to cease that process.

The next, in effect, we'd pick up pocket change. We're going through the sofa to see what change is behind the cushions and we're saying the security of the building. If you walk into Mr. Anderson's department right now, the first person you'll see is Colonel Vogle, who's a retired police officer who wears a blue blazer. That's part of the security of the building which we've had for a number of years. That provides security for Greg's office. It also does some ancillary work for other departments out there, but it provides a modicum of security. We're saying we're no longer going to pay for that with the Building and Safety and Regulatory fund. We're not going to pay for that any more from permit fees. We're going to have the M&O pick that up.

And the other part which is more controversial, I realize but it has to do with questions posed by Commissioner Shay a few moments ago. Indirect cost. Even when we had difficult times in the rest of the SSD budget, we looked at this special fund, this business fund. The way in which we've look at what Greg [Anderson] has done day in and day out to bring revenues in and we said, okay, that part of the budget, who's going to pay full share of these indirect costs? Now we're saying if it's fair for the rest of the SSD — I don't say that. If the policy is — I apologize. If the policy is to not fund the indirect cost of the SSD budget, then we're extrapolating that to the Department of Building and Safety. So we're saying in my recommendation to forgive the contribution of indirect cost from the Building and Safety Enterprise Fund to the M&O, and that in effect will create a tad more money than we need by the end of the year so we'll come out and we'll be balanced in the Department of Building and Safety and Regulatory Services. We'll not have to draw down any more SSD tax money of \$608,000, and we'll go into 2011 with a very, very base Building and Safety department. [Inaudible] it about \$1.1 million, and so from my standpoint and the pain that I've caused in Mr. Anderson's department and the service level is going to affect the citizens we serve redefine the base level of service in that department unless there is some movement to change and eliminate certain ordinances, like nuisance abatement and some zoning inspections. We are at the core within Building & Safety and Regulatory Services.

Chairman Liakakis said, Gregori [Anderson], thank you very much. You don't have to say anything. He covered it completely, and you would be just repeating. But we really appreciate your leadership, your direction, you know, in the inspections department. You've done a great job over the years and all, and bringing this information to the County Manager, y'all working together to have this done. One question I would like to ask you, Linda [Cramer]. On the — how much income comes in on the business license? Ms. Cramer said, we actually show that estimate on page five again, that we're projecting about \$630,000 — Business license or building permit? Chairman Liakakis said, no, nothing to do with building permits, only business license by the people, you know, they go in there and they get a business license for County operations. Ms. Cramer said, I'll pull my quarterly report. I looked in the SSD fund. We project \$1.2 million this year. Chairman Liakakis asked, \$1.2 from business licenses? Ms. Cramer said, from business licenses.

Chairman Liakakis said, okay, thank you very much. I'll tell y'all later why I asked that question. Okay, Patrick [Farrell].

Commissioner Farrell said, I've got a couple of questions on the predictable permitting contract. First of all, I just need some background information. How much money have we spent on this program to date? Mr. Anderson said, today Commissioner, we've spent about \$73,000. Commissioner Farrell said, \$73,000 — Mr. Anderson said, on an \$80,000 budget. Commissioner Farrell said, \$73,000. Okay, and how many hours of staff time was devoted to this endeavor? Mr. Anderson said, we've been doing this work about a year now. I could get you that time frame. I don't have that to hand, but we've met with our staff, MPC staff, Engineering staff over a period of months to training and how we've captured data. We've captured data in all three shops, determined where critical points have been in terms of turn around from plan review.

County Manager Abolt said, they do something that maybe in lay person terms that made more sense to me is they map out a process and then that's what again Commissioner Shay brought to my attention. It was a way of saying, okay, how do we do it now and how can we streamline it without jeopardizing life safety or other things.

Commissioner Farrell said, I understand. So we've got a pretty significant investment in time and money in this project. Mr. Anderson said, yes. Commissioner Farrell asked, how far along are we right now? Mr. Anderson said, actually we've got and made recommendations that are ready to go. Commissioner Farrell said, on a scale of one percent to a hundred percent —. Mr. Anderson said, I'd say —. Commissioner Farrell said, to meet the goal that Commissioner Shay has been shown the leadership position, I believe we had unanimous backing from the other Commissioners, on a percentage of one to a hundred percent, where are we in the process now of being able to present to where Mr. Shay had thought we should —. Mr. Anderson said, I'd say about 85 to 90%. Commissioner Farrell said, so 85 to 90%. I've got a little bit of —, we're 10% to 15% away from sealing and accomplishing this goal. I'm not real comfortable with pulling the plug right now on this project that's almost done. I mean, if we stop does the whole process freeze in time or do you start having a meltdown of procedure data, that sort of thing, or can this thing be with a snap of a finger in six months and you'll be right where you are today? Or 18 months?

Mr. Anderson said, I talked with the consultant to let her know where we were in this process and she began to identify to me and give me a progress report of where we were. And again, we have recommendations that are basically ready to go. We had one more stakeholder meeting that we had planned for the end of this month that, of course, we are going to forego, but we could pick this thing up and carry it across the goal line at any time we need to, and that would be just a matter of making the final recommendations on developing those final recommendations and presenting that plan to this body.

Commissioner Farrell said, well just speaking as one policymaker to eight others, I don't think this is the time to call a time-out on this particular program. I think this ball needs to go across the goal line so that we're better able to recapture the growth that we anticipate in the Special Service District coming out of this building recession or depression, as some may call it, in Chatham County.

Commissioner Kicklighter asked, can you tell me what — I'm sorry — what policy are you talking about? I just —. County Manager Abolt said, if I may, the godfather of it is the man who might speak right now.

Commissioner Farrell said, I'm kind of taking — carrying some of his ideas and —. Commissioner Kicklighter said, I don't know what you're talking about.

Commissioner Shay said, the idea a couple of years ago was that we would try and make it more predictable for people that were looking at investing in building things in our unincorporated area as to how much they would have to invest in order to get through the permitting process, and there are basically three portals that you can enter through the Metropolitan Planning Commission because a lot of times because our zoning code dates to 1960. There are issues and you are familiar with those. You can enter it through the building inspector's department, which will also lead you to the MPC setting issues, or you can enter it through the Engineering department because almost every time that you get involved with that, there are also significant issues that had to do with drainage and all the other issues that we've come to deal with. The problem was and still is that nobody in their right mind who is getting ready to bet \$10,000,000 on this community as opposed to the outskirts of Baltimore knows how long or how arduous that process is likely to be. And as you well know, Dean [Kicklighter], when people get ready to make real estate investments, if there's enough uncertainty, they'll keep looking.

Commissioner Kicklighter said, so that's the predictable permit contract of \$58,000 that you all are talking about.

Commissioner Farrell said, I'm not sure what the contract price is. I was just trying to get relative information right now of where we are in the process. I know we've been working on it for an awful long time and haven't carried the ball across the goal line, and I would certainly, you know, looking for economic development and recovery in this community as humanly possible and to make Chatham County the place to, you know, give a high percentage of your attention if you're willing to build something. You know, this is awful close to, if you're looking as a place to maybe stop it.

County Manager Abolt said, if I may, answer the —. I'm sorry, go ahead. Please. Thank you. I just want to answer the question, and this is me. This is no one else. I was looking at the overall impact of laying seven people off, making a type of drastic cuts that we're making, and then we still had the same predictable permitting when someone else might argue, well what are you predicting, you have no activity. So that's the only reason. Policy-wise you could say, no we want to keep it in. Mr. Anderson has done all he can to keep on his staff those people still employed to his institutional knowledge, but it will get old. You know, after awhile you're going to lose people. I fully accept if the Board wishes to complete the contract on predictable permitting, we will do it in earnest.

Commissioner Kicklighter said, \$58,000.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I kind of want to piggyback on what Commissioner Farrell just said, and it's being involved with the MPC formerly. We've invested in this for a very good reason. When I chaired the MPC, one of

the biggest frustrations of petitioners coming forward was they never knew where this process — where they were with the process, how much longer, how much more money, how many more hoops to jump through, and I think that was the original intent of updating our zoning ordinance. This Tricentennial Plan was to give people some predictability as far as their investment in Chatham County. I share the support of it this the plug we want to pull right now, also looking at the numbers and understanding the moral impact of continuing with the project when you're having to lay off employees. That's a hard thing to balance. The only request that I would have is that if we did shelve this for right now that it can be implemented rather quickly if things start to turn around, but I'm like Commissioner Farrell, we want the bait here, and I'm going to tell you, we had some people that were very frustrated with the permitting process when I was on the MPC. So we don't want to discourage — we don't want to discourage people from investing in Chatham County. So I don't know — I understand what you're saying, but I understand what he's saying and I think it's going to be, we really need to think about this.

County Manager Abolt said, here's the pain. You've seen my preference in the context of making budget reductions of this within the Building and Safety Department, and it's your choice to say do predictable permitting and we'll do it. But next week I'm meeting with Mr. Thomson and Mr. Thomson is as much a player in this if not more so than Mr. Anderson and Mr. Bungard. Look at the financial report that Ms. Cramer gave you on fees coming into MPC. They've collected, I believe, 19%, over six months 19%. Mr. Thomson is going to with me work on that problem, but I do not want to be unmindful of the fact that in your choice to reinstate, we'll reinstate, but I'll be looking and we don't play favorites — I don't mean — everybody will be treated the same way, and if I'm taking a side to the Building and Safety Department, unfortunately I'm at the same sign in my hand when it comes to the MPC.

Commissioner Stone said, but I think the real question is are they not coming to the MPC and the permitting down because it's so difficult and people don't have a clue as to who long and how difficult the process is going to take. County Manager Abolt said, I don't think that's —. Commissioner Stone said, that's the question that I would want to know.

Chairman Liakakis said, alright. Next would be Commissioner Kicklighter, but let me say this to you. We need to make the break. No, he had asked and then you. We've got to take a break so we can come back out and do this, but go ahead Dean [Kicklighter] and then we're going to —.

Commissioner Kicklighter said, quick like. If you look at what's presented, I agree with Commissioner Farrell. I just wanted to know what we were — what program we were talking about. Commissioner Shay did a good job. Option Three actually eliminates that predictable permit contract. That's a savings of \$58,000, but Option Three also shows a surplus of \$46,540. If we choose to actually just leave that part of Option Three in there, we're only at a negative of \$11,460, and we've streamlined the process that will make things better, and hopefully encourage growth in the future. And also to close on this for staff and all too, thank you for looking out and trying to shift these employees over to other positions. I really wish we would have done that back when it first came up, and I, along with many others, I believe, suggested let's shift them at that point because now we're going to have to shift possibly in areas that we have a freeze, and —. County Manager Abolt said, well she shifted them in all areas we could. That's what I've shown you. Commissioner Kicklighter said, anyhow, \$11,000 and I think somebody ought to put it in a motion and let's vote.

Commissioner Kicklighter said, okay, Patrick [Farrell], because we're going to have to take a break after Patrick Farrell, and then you can come back out and speak all you want to.

Commissioner Farrell said, the comment that I would like to make is that we're laying off seven people today, which actually they are not even getting laid off. They're just being transferred to different departments, if I heard the —. County Manager Abolt said, if we can. Commissioner Farrell said, if you can. County Manager Abolt said, and the reality is they're gone, but [inaudible]. Commissioner Farrell said, six months from now there may be seven more people laid off or it may be we add seven more people to the staff, whichever the economy dictates. I believe that we can more quickly build up our departments if there's more permitting and more interest in building in this community. How do you get more interest and more building activity in this community? You have a predictable process which we started some number — a long time ago. Let's finish it and put that out there so when the economy turns and people are ready to reinvest and build up this community, that they have a more clear vision of what they're getting into and it stand us out ahead of other communities. So I feel like that this is a solution to continue with this and not stop this. I think it's a penny wise and dollar foolish.

Chairman Liakakis said, we're taking a short break. County Manager Abolt asked, do you want a motion to wrap this up? I mean, a motion to —.

Commissioner Farrell said, I'll make a motion that we accept Plan Three and we delete the —. Commissioner Shay said, do I get to at least talk? Commissioner Farrell said, I do not make a motion.

Chairman Liakakis said, we're taking a break now because what I stated, once we take the break that Commissioner Shay and all wanted to —. Commissioner Farrell said, I make a motion we take a lunch break. Chairman Liakakis said, we're taking a break.

Chairman Liakakis recessed the meeting of the County Commission was recessed at 12:30 p.m. The meeting was reconvened at 1:03 p.m.

Chairman Liakakis said, we are still on the proposed operational plan for the Building & Safety and Regulatory Services. The next, as I stated before, it is now Patrick Shay's comments.

Commissioner Shay said, Gregori [Anderson], if I can ask you to — Gregori, I know you run a good department over there because I interface with you as a professional and I know how professional you are, and I also know that laying people off sucks. Looking somebody in the eye and saying even though you've got two kids and a car payment and student loans, you're going to have to stop, and the reason I know it is because I've done it eight times in the last year and a half, and I can assure you they don't keep you on their Christmas card list. I didn't get Christmas cards from any of those eight people this year at Christmas time. But it's in some ways unfortunate, but you're the canary in the coal mine here. I mean, what we've been feeling in the private sector in a very big way for the last 18 months, especially anybody's that's in the construction industry, now has gone from being something that's abstract to something that's very real for you and your department, and I encourage you to hang in there and don't ever get used to it. Mr. Anderson said, yes. Commissioner Shay said, because when you get used to saying you're laid off, then we probably shouldn't be in the game. But the predictable permitting thing, I think, is one way that when the track comes back, and it's not ever going to be what it was before, but something's going to happen, some new path to development is going to happen, and if we have a predictable permitting process and we let folks know it, then maybe we'll be sooner out of the depression that we're in right now than some others. But I've just got to ask you, you know, when we provide services for Thunderbolt, don't they pay for that? Mr. Anderson said, yes. Commissioner Shay said, they do. That's a contract? Mr. Anderson said, that's correct. Commissioner Shay asked, and Tybee? Mr. Anderson said, the same. Commissioner Shay said, the same. So when we provide services to people in Tybee and Thunderbolt, they pay for it with fees. Mr. Anderson said, correct. Commissioner Shay said, okay. We just heard testimony a little bit earlier before the break that the Special Service District unincorporated area has a fund balance of millions of dollars, and the plan that is about to pass, I guess, here today is that we would backfill your budget with all money from the M&O so that those people in Tybee and Thunderbolt and the City of Savannah who are already paying for their inspections department, and they do. As Russ [Abolt] said, they subsidize it with property tax. They don't expect for their services to be paid for entirely with their permit fees. They're going to have the opportunity to then pay for it twice in Thunderbolt and Tybee, first with their contract with you and then with their M&O taxes. That's just, I guess, the way we do business here because the justification that's been given is well, you know, the whole SSD doesn't pay indirect costs so why should you have to? Why should you be singled out for your department to have to pay that cost? I'm guessing here, you probably don't care where the money comes from, you just want to make sure you've got a department to run. Mr. Anderson said, I don't. Commissioner Shay said, I understand that, but I'm lost as to what the justification is for why are we taking this from the General Fund M&O budget when the SSD budget is available, and is this then intended as a stalking horse for the budget process going forward that what we will do in the future is every time one of our funds, especially the SSD unincorporated area fund gets in financial trouble, that we'll just automatically figure out ways to forgive charges, forgive fees that were determined through some sort of empirical process in the past to be fair?

County Manager Abolt said, it's not a stalking horse. I think you have to up front, and I'm not — I hope my comment will be well received, but you'll recall that a while back staff made a recommendation for a tax increase in SSD and that was not approved, and that is your decision for which I defend and will make it my decision. But I know I've used words, and I don't want to choose the wrong words, but what we're faced with as a result of that decision, and there's nothing wrong with it, but we have found ourselves since that time using something I referred to you in your office as we're eating our own flesh. And so when we talk about indirect costs, when we talk about drainage utilities, when we talk about a dry trash fee, that's just a part of reaching our hand out and taking a bite out of it, and that's it pure and simple. So, yeah, they've got — I don't want to ever consider this to be kind of a, you know, a master clock to do certain things. We're faced with an issue, an issue which you all — not you, but the Board in the past when you looked at first of all the first iteration in the Fall a year ago, I said, hey, we're going to be at \$1.1 million out and we're going to subsidize that with SSD property tax, you all were very kind and said we understand the risk, and of course we didn't have to use that much money. But again, I have a great deal of respect for all of you and Commissioner Shay has been very frank with me about the ability of staff to always fix problems, and I take that as a high compliment. We always fix problems, and you've made it very easy to fix problems. We're fixing a problem. Is it the right fix? For this time right now, it's okay. We balance our checkbook. Is it the way to solve our problems so we won't stop putting our right hand in our mouth? Heck no.

Commissioner Shay said, the thing that I'm learning about our process, I guess I knew it all along, but I'm learning it a lot more because I'm paying a lot more attention is that if we go back and we forgive \$159,880 of revenue that was supposed to come or actually may have already come mostly to the General Fund M&O, that that's not Monopoly money. You know it has to come from somewhere, right? I mean, that means that that will not be recognized in the M&O budget. So where is this money going to come from because while we're eating flesh, I want to know which bite we're taking out of the M&O? County Manager Abolt said, what will happen at the end of the year when you receive your audit you'll see in the revenue column for the M&O in direct costs a depletion of it. It will not come in at the level that we planned and this will be a contributor to that. It's nothing like to take, that's why we're discussing it right now, but all of this is a plan and you could very easily, and only because of the heightened awareness of how much money we're putting into Mr. Anderson's department from SSD that I bring it to you now. Otherwise let's look again for a moment at page six. Another strategy would be, well, look at the history since 2006. The Manager is saying we've got \$200,000 in round numbers that we're going to, based on the plan in February, we're going to have to suck up more of SSD fund balance — I mean, SSD budget. So then when you look at it, well gee whiz, \$800,000 compared to what it was last year. It's pretty close. But because this is so

important and there's been a big old spy glass put on it, that's why I bring it to you now as opposed to here's the audit report. My goodness, look how much money we had to put in there. That's why we're here.

Commissioner Shay said, and I appreciate it because this is a serious policy debate and whatever we do today on this \$160,000 is not going to be the beginning or the end of it. County Manager Abolt said, thank you. Commissioner Shay said, but we just have to understand that when we subtract money from the M&O budget in order to backfill the SSD budget, that means that there's less money available to take care of the people that live in the M&O that don't live in the SSD. County Manager Abolt said, you're right. Commissioner Shay said, at some level that's a zero sum game. When we do this, how does that show up in the CAFR? I'm trying to learn how to read that CAFR. Is it going to show as a draw down on General Fund M&O fund balance?

Ms. Cramer said, no. You'll have a short file under the General Fund revenues where the indirect cost allocation is budgeted, but on that quarterly report we talked about earlier, on the revenues you have those IDC revenues that come in from each fund, you would not have any revenue coming in from the Building Safety fund, so you would have a shortfall in that revenue account.

Commissioner Shay said, but at the end of the year we have to have a balanced budget, so it has to come from somewhere. Where does it come from? Ms. Cramer said, well it's still in the budget unless we go in and amend the budget, then we take it out of fund balance on the appropriation side. We haven't gotten that far with the thinking. What we're looking at going forward though for next year, I mean, I think what we're looking at right here is asking your friends and family to give you money to get through the year. You know, that's how I kind of put this. You know, general fund is your daddy and SSD is your mama, and we need some money and next year we've got to do better. So what we've kind of budgeted for next year is a pretty conservative budget. At first pass it has a substantial reduction in what we're asking the SSD to subsidize based on these staffing levels, and we're going to put those indirect cost allocations back in so we can give our daddy his money.

Commissioner Shay said, and so that we can better understand the dilemma, and listen I'm not busy, you know, I get characterized — I got my only political cartoon out of this, so I'll be careful not to use those words again, but if we don't be honest with each other and ourselves about the amount of revenue that is being used to backfill the SSD, we're not going to have a very good argument over the LOST distribution in 2012. You see, when we do all this sort of behind the curtain and we pass it into the annual budget and then, you know, it's just sort of a line item that some how or another says revenue was supposed to come out of SSD and go into the M&O, which was the whole SSD indirect charge this year over a million dollars from past years, you know, it makes it a lot harder to build a case for why we should be sharing more, which is to say, I guess, any of the LOST distribution, and at the end of the day if we as a policy board today decide, okay, what we want to do is be the daddy and make sure that our teenage son, you know, still has enough allowance to get through the month, that's okay, but it would be really smart for us to actually budget that and show it so that at some point in the future you're able to point to it and say that's what we have to do in order to prop this government up while we're waiting for some fairer distribution of things like franchise fees and LOST. That was my only point. I'm sorry I broke a pencil to get to this point, but I mean, we have to start keeping track of this because the outstanding majority of my constituents live in the City of Savannah and Thunderbolt. I have a significant number that also live in the unincorporated area, so I'm not insensitive to this, but if Thunderbolt came to us and said, you know what, we're having a tough budget year this year, a really tough budget year this year — and they did and they raised taxes against, you know, their political best instincts — if they came to us and we said, okay, well yes, let's take some of that M&O money that was collected in Thunderbolt and give it back to them. What if we forgave all of the charges that they are being charged for doing the permit maintenance in Thunderbolt? This was not suggested to me by anybody in Thunderbolt. Those people are way too proud to ask for it. I'm just using it as an argument. We need to understand that if we're going to do it for one, then we may need to be prepared to do it for all. Thank you.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. Commissioner Shay, as I did before on the issue of people switching monies around and all, I agree, and all the wrongs does not make a right, and what we have here though is if we look at it like a family loaning money, the unincorporated side of the family has been giving money out to them [inaudible] family as well as the cities and their families for quite some time, and we do have that with one example when the cities, and they're pretty good at it now. They'll annex all the land and leave the unincorporated area residents paying to maintain the roads. They've got really good at that, and that should be a state law change where they have to get the roads too, but those unincorporated residents are still scraping roads and paying to repave them or whatever, and that's really unfair there. You mentioned paying franchise fees. The unincorporated area residents, second largest city in the County if you will, they're paying those fees and those fees go directly to all of the cities. So again they're giving their money away to family. Helping out in the name of help for another family — the city —, I believe everybody knew there would be a larger cost, but it would be at the greater interest of the community when a previous body voted to merge the police department, virtually doubling the cost of police services, but not doubling the services or amount of patrol people patrolling the unincorporated areas. So again, in a sense the unincorporated residents gave money to abandon [inaudible] one of the cities.

Also, you hit on this, the unincorporated area, unincorporated family, they can't receive SPLOST monies directly allocated to them. They can't receive LOST monies which would offset the operating budget because of State laws, and it's — you're right. I mean, I can't argue that it's flawed all the way around and continuously making it worse is not a great thing, but until we can get them all on line like they should be, I think the hat trick game has to

work unfortunately. Until we can split it all out fair like it should be and, you know, that's — I don't know what to say. It's a sad shame, but it is messed up but what choice do we have at this point?

Commissioner Shay asked when we renegotiate, we need to do that. Commissioner Kicklighter said, we need to do it at that point. Commissioner Shay said, this Commission or a previous Commission signed on to the LOST distribution last time around and they signed onto that police merger agreement. So we're stuck with fulfilling those obligations that wasn't big daddy Georgia or Federal Government to tell us we had to. We, not these Commissioners, but we signed onto those agreements and if we're at least transparent about this, and we don't it with [inaudible], then I think we'll be in a better position to make the argument in 2012.

Commissioner Kicklighter said, I agree with we should straighten it out.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, okay, just a couple of other comments I would like to bring forward and one is that I happen to live in the SSD, but I still pay M&O taxes which benefit the people throughout the County. The dollars from the M&O, the dollars from the — the people that live in the Special Service District constitute a huge portion of property taxes. You've got some very valuable property, a lot of waterfront property that's in the Special Service District and the M&O taxes come from that too. And I will say that I agree with Dean [Kicklighter] that the Special Service District everyone receives some of the services that are funded by the Special Service District. So I agree. I mean, how clearly we define this, we need to work on it, but for the moment I think we've got to shore up the budget. We owe it to the citizens to pass a balanced budget, but I think the good thing of the conversation that is going on here today is that we recognize the problems within the existing structure, and I think going forward that we all need to be mindful of ways we can work on that and make it as fair as possible. But I don't care how you shake the bag, it's not going to be a perfect sit for everybody that lives in the M&O to get what they should get and that only, and everybody that lives in the Special Service District can get that and that only either. It's give and take. So I think the formula is certainly something we need to look at down the road, but for right now I think that — I agree with what was said earlier that this predictable permitting is probably something that needs to stay in place for when the economy does turn around, and I'm basing that on my days with the MPC and watching frustrated developers come in and then leave because they couldn't make all this work. But I do believe that the proposal for number three that the staff has put together is probably the best proposal that we can come up with at this time. Thank you.

Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell said, thank you. The indirect costs and other centers that Commissioner Shay points out are accurate; however, if one were to take a broad view of the entire budget process and the revenue streams, I believe that the Special Service District pays in excess of their fair share at the end of the day under the grand total. And I say that because as function of population, the Special Service District gets nowhere near their fair share in the LOST sales tax pool, just penny collection. The Special Service District paid out well over \$3,000,000 in the last year and higher sums in past years in franchise fees that they have absolutely — with no benefit from. In the SPLOST, the total benefits to the Special Service District in this current SPLOST were well below what would be anticipated for their population level just for their specific, you know, when you break it out city by city and using SSD on population. And also, as Dean [Kicklighter] would say, the Metro agreement which we all want the best safety, but it has taken a traditional third of the SSD budget and brought it up to 50% of the budget. That's an enormous amount of money on a yearly basis on recurring expense. So I think on the whole where there's some small gaps that are being plugged here and there with M&O money, I think on the whole it is my personal opinion that the SSD pays out on balance substantially more, if you look at the whole entire economic pie, than what they're receiving. That's just — I wanted to put that out there.

Chairman Liakakis said, a comment. Franchise fees were mentioned a moment ago and I have been lobbying our local legislators. I talked to some from around the State also concerning that, and Ron Stephens, he is sponsoring a bill to go in so that those franchise fees stay with the people who pay for it. The unincorporated citizens pay for the franchise fees and it's over \$4,000,000 a year, but what happens with that money, it goes to the city and you tell me how that's justified —. Commissioner Shay said, cities. Cities, not city. Chairman Liakakis said, cities. Commissioner Shay said, correct. It doesn't go all to the City of Savannah, it goes to all the cities. Chairman Liakakis said, yeah. Well, I thought I said that, but anyway it doesn't matter. But anyway the situation is hopefully that we can get others around the State to join up with us so that that money that the Georgia Power Company and the Atlanta Gas Company collect from the unincorporated citizens will come into the County because certainly that's going to help the budget, and especially the SSD budget that needs that money for that. So you can thank him, and several of the other local legislators also told me that they will come on board and sponsor that.

Commissioner Kicklighter said, Mr. Chairman, with a definite hope that Mr. Abolt and his staff will be able to find the employees positions within Chatham County, I regretfully make a motion that awe approve Option Three but amend Option Three to not remove the — I mean, the name of the contracting [inaudible]. Commissioner Farrell said, the predictable permitting program, to finish that to conclusion. I'll second that.

Chairman Liakakis said, okay, we have a motion and a second on that motion. Let's go on the board. Chairman Liakakis and Commissioners Stone, Farrell, Gellatly and Kicklighter voted in favor of the motion. Commissioners

Holmes, Shay and Thomas voted in opposition. The motion carried by a vote of five to three. [NOTE: Commissioner Odell was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve Alternative Plan Three for the funding of the Building Safety department through the FY2009-2010 to include the reduction of staff by seven positions, realignment of funding based on the function analysis, projected quarterly expenditures based on the historic data, the elimination of the department wide furlough, reassignment of maintenance and utility costs to the Building Maintenance & Operations department, and forgiveness of four quarters of general fund indirect cost allocations; however, Plan Three is amended so that the contract with the Orion Group for Predictable Permitting for \$58,3;76 will continue to conclusion. Commissioner Farrell seconded the motion. Chairman Liakakis, Commissioners Stone, Farrell, Gellatly and Kicklighter voted in favor of the motion. Commissioners Holmes, Shay and Thomas voted in opposition. The motion carried by a vote of five to three. [NOTE: Commissioner Odell was not present.]

AGENDA ITEM: IX-3

AGENDA DATE: February 12, 2010

TO: BOARD OF COMMISSIONERS

THRU: R. E. ABOLT, COUNTY MANAGER

FROM: LINDA CRAMER, FINANCE DIRECTOR
GREGORI S. ANDERSON, DIRECTOR BUILDING SAFETY AND REGULATORY SERVICES

ISSUE

Proposed Operation Plan for the Building Safety and Regulatory Services fund for the Balance of FY 2009-2010.

BACKGROUND

The adopted FY 2009-2010 Departmental Budget included several actions to redirect and lower operation cost, through a monthly furlough, maintenance of (5) vacancies, and increases to revenues from service delivery to neighboring jurisdictions, and CIP and SPLOST project management.

FACTS AND FINDINGS

1. Due to the construction/development downturn over the past four years, the Building Safety and Regulatory Services Enterprise fund (fund570) has been subsidized. During FY 2009-2010 the fund realized a subsidy of \$678,047 from the Special Service District. (Attachment A).
2. The adopted FY 2009-2010 Departmental Budget included some cost saving measures. Staffing costs were redirected to activities not customarily included within the Department. These activities have been reimbursing the fund for time spent on specific projects, e.g. Recycling Center. A departmental (one day per month) furlough program was implemented for all staff members. In addition to limiting staffing cost by a furlough program, five vacant positions remain unfilled.

Departmental revenue has been augmented by the increase in inspections and plan review services to the City of Tybee, and maintaining service deliveries to the Town of Thunderbolt and Vernonburg. The management of County CIP and SPLOST projects by field construction staff members has also been a source of additional revenue to this Department. Staff is continuing to review county projects to determine where project management expertise maybe needed.

Staff is also reviewing several county projects to "charge" permit fees, thereby possibly enhancing the Fund's revenue position. The fund charged County projects for permit fees of \$41,774 in the second quarter. The dollar impact of the additional permit fees is currently unclear.

3. In spite of the cost reductions and revenue generating attempts, fund 570 is projected to be out of balance before the end of the fiscal year due to the continued downturn in the building permit revenue and construction activity. In response, three options are being proposed to enable the completion of the Departmental fiscal year. All three funding plans include a reduction in staff by seven personnel effective March 19, 2010. The seven positions represent the maximum reduction that can be made while allowing the department to continue to provide the minimum functions mandated by State Statute and County Ordinances. The staff reduction will impact 43% of the positions in the fund.

In an attempt to identify staff functions for the activities conducted in fund 570, a staff impact analysis was conducted (Attachment B). The analysis quantifies the level of staff activity for each statutory function contained in the fund. Clarity is provided for the funding source for each activity that will be impacted by the staff reduction. Plan 1 and Plan 2 require an additional subsidy from the Special Service District, at varying levels.

4. While developing Plan Options, Finance has developed a preliminary fiscal 2011 budget of \$1,110,000 for the fund based on the cost reductions under Plan 3, except for the General Fund indirect cost allocation. The 2011 budget will limit costs and activities of the fund to building permit related activities. Zoning and compliance activities will be included in the SSD Fund- Building Safety department.

FUND

Under Plans 1 and 2, additional funding would be required from the Special Service District Fund in the amount of \$203,855 and \$123,920 respectively. Under Plan 2 and 3, the General Fund would absorb a forgiveness of the indirect cost allocation (IDC) in the amount of \$79,940 and \$159,880 respectively.

ALTERNATIVES

The chart below summarizes the three plans for the Building Safety and Regulatory Services Fund for the balance of FY 2009-2010:

BSRS FUND PLAN SUMMARY		
PLAN ONE	PLAN TWO	PLAN THREE
Staff lay-offs (7) Vacant positions frozen Staff furloughs (1 day/mo)	Staff lay-offs (7) Vacant positions frozen Staff furloughs (1 day/mo) IDC - 2 quarters - forgiven	Staff lay-offs (7) Vacant positions frozen Furlough removed (1 day/mo) Predictable permit contract cancelled
SSD Funding Required: (\$203,855)	SSD Funding Required: (\$123,925)	Building & Security costs re-assigned to Building Maint. Dept. IDC - 4 quarters - forgiven SSD Funding Required: None

Plan 1:

Represents the funding of the Department through the FY 2009-2010 and includes the reduction of staff by seven positions, realignment of funding based on the function analysis, projected quarterly expenditure based on historical data and continuation of the Department wide furlough. \$203,855 additional funding is required (Attachment C), or

Plan 2:

Represents the funding of the Department through the FY 2009-2010 and includes the reduction of staff by seven positions, realignment of funding based on the function analysis, projected quarterly expenditures based on historical data, the continuation of the Department wide furlough, and forgiveness of two quarters of General fund indirect cost allocations. \$123,920 additional funding is required (Attachment D), or

Plan 3:

Represents the funding of the Department through the FY 2009-2010 and includes the reduction of staff by seven positions, realignment of funding based on the function analysis, projected quarterly expenditures based on the historic data, the elimination of the Department wide furlough, reassignment of maintenance and utility costs to the Building Maintenance & Operations department, and the cancellation of the contract with the Orion Group for Predictable Permitting, for \$58,376 and forgiveness of four quarters of general fund indirect cost allocations. Fund 570 will operate with a revenue surplus of \$46,540 by the close of fiscal year 2010 . (Attachment E).

POLICY ANALYSIS

In spite of the different approaches to reduce cost and augment revenue, the severity of the construction downturn has caused a monumental impact of the Building Safety and Regulatory Service fund. The revenue shortfall within Fund 570 (Enterprise Fund) is so great that a lay-off of the entire staff therein and discontinuance of the service would not make up the difference at this point in the fiscal period.

Many Governmental functions are suffering on the same or greater levels due to the downturn. This is a cycle and the upward trend is coming, but the time frame for the economic turnaround is unknown. Many Jurisdictions, such as the City of Savannah, have chosen to continue to

subsidize the Building Department and avoid the lay-off of its staff, including field inspectors. In the environment of lay-offs, once the upward trend is realized, the refilling of highly skilled positions such as certified inspectors becomes approximately a year and a half investment in time.

The positions identified for lay-offs included the primary statutory duties of the Department. Based on State Statute and Local Ordinances, a certain level of service and expertise is needed to perform the mandated duties. Identifying more than seven positions for lay-off will severely hamper this Department's ability to perform those duties. In addition, the elimination of the Department wide furlough program will improve a negative morale problem acknowledging that even though revenue and activity is down, the current workload will be performed by fewer personnel. Therefore, in light of the proposed staff reduction, the elimination of the furlough program is recommended.

RECOMMENDATION
Staff recommends adoption of Plan 3.

=====

4. TO REQUEST BOARD APPROVAL TO AMEND CHATHAM COUNTY PERSONNEL ORDINANCE AND PROCEDURES MANUAL TO PROHIBIT TEXTING IN COUNTY OWNED AND LEASED VEHICLES.

County Manager Abolt said, yeah, Mr. Chairman, I'm proud to recognize that for the second time today we have an appearance from Mr. Van Johnson.

Commissioner Kicklighter said, motion to approve. Commissioner Gellatly said, second. Commissioner Stone said, second. Chairman Liakakis said, okay.

Commissioner Stone said, [inaudible] a first reading —. County Manager Abolt said, no, not this one sir. We are amending the manual so you can do this by one motion.

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

Mr. Van Johnson said, thank you very much.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to amend the Chatham County Personnel Ordinance and Procedures Manual to prohibit texting in all County-owned and leased vehicles. Commissioners Stone Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

AGENDA ITEM: IX-4
AGENDA DATE: February 12, 2010

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

ISSUE:
To request Board approval to amend Chatham County Personnel Ordinance and Procedures Manual to prohibit texting in County owned and leased vehicles.

BACKGROUND:
In January 2009, using data from a 2003 Harvard Center for Risk Analysis¹ study, the National Safety Council estimated there were about 636,000 crashes attributable to cell phone use each year. NSC's new model estimates 28% of crashes, or 1.6 million crashes in 2008, were attributable to handheld and hands-free cell phone use and texting. This model estimates that 25% of crashes are due to cell phone use and a minimum of an additional 3% of crashes are caused by text messaging; further, the Department of Transportation says 5,870 people - 16% of all highway fatalities - died in distracted-driving crashes and 515,000 were injured in 2008.

FACTS AND FINDINGS:

1. Vehicles have long been considered to be an extension of the work site, as many employees work a majority of their work day from their vehicles. In an effort to become more productive, employees routinely manipulate cell phones, pagers and other devices, resulting in distracted driving, which can be dangerous to the employee and the general public.
2. Texting (sometimes called "text messaging" or "wireless messaging") is sending short text messages between cell phones, pagers or other handheld devices. Messages are sent through SMS (short message service). Users can also send text messages from a computer to a handheld device.
3. In October 2009, the Obama Administration implemented a distracted driving policy for Federal government employees. The City of Savannah prohibits employees from using a City-issued cellular device or a personal cellular device while operating a City vehicle or City equipment. Nineteen (19) states already prohibit texting while driving and twenty-three (23) states, including Georgia, are currently debating texting while driving legislation. Currently Georgia legislation being debated include:

House Bill 23: Prohibits drivers younger than 18 from texting or making cell phone calls while on a public road; exempts messages for emergencies and emergency personnel; two points assessed against the driver's record; 90-day suspension of license for first offense, six months for additional offenses; sponsored by Rep. Matt Ramsey, R-Peachtree City; it's the only texting bill to have passed one chamber after the House approved it last year and the Senate Public Safety Committee recommended its passage.

HB 938: Same definitions and exemptions as HB 23 but without an age restriction; two points assessed against the driver's record; 90-day suspension of license for first offense, six months for additional offenses; sponsored by Rep. Allen Peake, R-Macon.

HB 944: Prohibits use of cell phone, laptop or texting while operating a vehicle on a public road; \$300 fine; sponsored by Rep. Amos Amerson, R-Dahlonega.

Senate Bill 327: Prohibits texting while operating a vehicle on a public road; exempts cell phone calls and devices permanently attached to the vehicle; one point and \$175 fine for first offense, two points and \$500 fine for additional offenses; fines double if an accident is caused; sponsored by Sen. Steve Thompson, D-Marietta.

5. Should the State of Georgia pass legislation on this issue during the current legislative session or in the future, this policy will be amended accordingly to reflect the State law.
6. Texting while driving offenses may be difficult to investigate or enforce, in the cases of County employees using their personal cell phones, or using other phone features such as dialing, talking or email.
7. The Human Resources and Services staff, along with the County Attorney's Office have reviewed existing and contemporary policies and practices.
8. If approved, the policy will be forwarded to all County Departments, who will be expected to review this policy with their affected employees.

FUNDING:

No additional funding is required.

ALTERNATIVES:

1. Approve the amendment to the Chatham County Personnel Ordinance and Procedures Manual to prohibit texting in all County owned and leased vehicles.

- 2. Do not approve the amendment to the Chatham County Personnel Ordinance and Procedures Manual to prohibit texting in all County owned and leased vehicles.
- 3. Wait until the 2010 legislative session is completed and fashion the County ordinance in concert with the prevailing law, if any.
- 4. Provide other direction.

POLICY ANALYSIS:

Driver distraction is a significant contributor to vehicle accidents. According to the National Highway Traffic Safety Administration (NHTSA), it is involved eighty percent (80%) of crashes and sixty five percent (65%) of near crashes. The number one cause of driver distraction is cell phones. Cell phones are unique from other forms of driver distraction because they involve all three forms of distraction (visual, mechanical, and cognitive). As public safety is the number one priority of government, it is essential that trends are periodically analyzed and policies and procedures written and/or modified accordingly.

RECOMMENDATION:

That the Board adopt Alternative #1.

Attachment I

STATE OF GEORGIA)

COUNTY OF CHATHAM)

CHATHAM COUNTY PERSONNEL ORDINANCE AND PROCEDURES MANUAL
AN AMENDMENT TO THE CHATHAM COUNTY PERSONNEL ORDINANCE
AND PROCEDURES MANUAL

BE IT ORDAINED by the Chatham County Board of Commissioners are follows:

Article III - 108.2 is amended to add subsection f, which shall read as follows:

- f. Employees shall not "text" or while operating County owned or leased vehicles.

ADOPTED AND APPROVED, this 12th day of February 2010.

Pete Liakakis, Chairman
Chatham County Commission

Sybil Tillman, Clerk
Chatham County Commission

=====

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 under Action Calendar, we have Items 1 through 5 and under 5 we have Items A through N. Does any of the Commissioners have any particular item you'd like to pull from this Action Calendar? If not, I need a motion on the floor to approve.

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

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

ACTION OF THE BOARD:

Commissioner Stone moved to approve Items 1 through 5-N, both inclusive. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

=====

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

=====

1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF JANUARY 29, 2010, AS MAILED.

ACTION OF THE BOARD:

Commissioner Stone moved to approve the minutes of the regular meeting of January 29, 2010. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

=====

2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JANUARY 21, 2010, THROUGH FEBRUARY 3, 2010.

ACTION OF THE BOARD:

Commissioner Stone moved to authorize the Finance Director to pay the claims against the County for the period January 21, 2010, through February 3, 2010, in the amount of \$3,628,850. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

=====

3. TO APPROVE AMENDMENTS TO THE SECTION 115 TRUST AGREEMENT BETWEEN THE COUNTY AND THE CHATHAM COUNTY PENSION BOARD.

ACTION OF THE BOARD:

Commissioner Stone moved to approve amendments to the Section 115 Trust Agreement between the County and the Chatham County Pension Board, thereby authorizing execution of the Agreement and the related Resolution by the Chairman. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

AGENDA ITEM: X-3
AGENDA DATE: February 12, 2010

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

ISSUE: To approve amendments to the Section 115 Trust Agreement between the County and the Chatham County Pension Board.

BACKGROUND: The County currently provides other post-employment benefits ("OPEB") to eligible retirees, their spouses and dependents. In 2008 the County approved a Section 115 Trust Agreement that outlined the Pension Board's responsibilities as Trustee for assets contributed to fund OPEB costs. The Section 115 Trust was established as a vehicle through which the County could make contributions for OPEB liabilities, as invested under Georgia law, to fund payment of future OPEB benefits.

FACTS AND FINDINGS:

1. The County provides other post-employment benefits (“OPEB”) to eligible retirees, their spouses and dependents. These benefits include health insurance and life insurance.
2. The State of Georgia has authorized the establishment of tax-exempt irrevocable trusts for OPEB funding and investment. The Internal Revenue Service permits the County to establish a trust to further its governmental purposes under section 115 of the United States Internal Revenue Code.
3. The Section 115 Trust Agreement was adopted and approved by the Board of Commissioners on March 7, 2008, and subsequently forwarded to the Internal Revenue Service for approval. The I.R.S. returned a favorable determination of the tax-exempt status of the trust on July 7, 2009, but has requested that some changes be made to the original agreement. A summary of those changes and a revised agreement are attached.
4. After approved by the Board Commissioners, the Pension Board will be asked to approve the amendments at its May meeting.

FUNDING: N/A

POLICY ANALYSIS: The Board is being asked to make amendments to the Section 115 Trust Agreement with the Pension Board for the establishment and administration of the Trust. The Pension Board is currently authorized to invest funds with the resulting earnings used to offset other post-employment benefit obligations. This methodology is consistent with the other activities of the Pension Board relating to the County’s defined benefit plan.

ALTERNATIVES:

Approve the amended Section 115 Trust Agreement with the Chatham County Pension Board, thereby authorizing execution of the Agreement and the related Resolution by the Chairman.

1. Provide staff with other direction.

RECOMMENDATION:

Approve Alternative 1.

=====

4. REQUEST BOARD TO AMEND THE RESOLUTION TO ADD THE QUALIFYING FEES FOR THE CHAIRMAN OF THE BOARD OF EDUCATION AND MEMBERS OF THE BOARD OF EDUCATION TO BE FILLED IN THE 2010 ELECTION.

ACTION OF THE BOARD:

Commissioner Stone moved to amend the resolution to add the qualifying fees for the Chairman of the Board of Education and Members of the Board of Education to be filled in the 2010 election. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

AGENDA ITEM: X-4
AGENDA DATE: February 12, 2010

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

ISSUE:

To amend the Resolution to add the qualifying fees for the Chairman of the Board of Education and Members of the Board of Education to be filled in the 2010 election.

BACKGROUND:

O.C.G.A. § 21-2-131(a)(1) requires that the governing authority set the qualifying fees for elected county offices to be filled during an election year. The above Code section further states that the fee shall be 3% of the annual salary, if salaried. If not a salaried office, a reasonable fee not to exceed 3% of the income derived from holding of the office.

FACTS AND FINDINGS:

- 1. In keeping with the requirements of state law, attached is a resolution adding the qualifying fees for the Chairman of the Board of Education and Members of the Board of Education that sets the fee for each of the offices to be elected in 2010. The figures represent 3% of the base salary of each office.
- 2. An Attorney General's Opinion provides that the fee should exclude any additional compensation for the ex-officio position.
- 3. The current salary information was provided by the Chatham County Board of Education.

ALTERNATIVES:

- 1. Adopt the Resolution as presented.
- 2. Do not adopt the Resolution as presented.

POLICY ANALYSIS:

The Board should adopt the resolution to comply with State law.

RECOMMENDATION:

That the Board adopt Alternative 1.

/jr
enclosure



SETTING QUALIFYING FEES FOR 2010 ELECTION

WHEREAS, Section 21-2-131(a)(1) of the Georgia Election Code, as amended, requires that the governing authority of Chatham County shall fix and publish the qualifying fees for candidates seeking office in any general primary or election; and

WHEREAS, the Code requires that such fees for salaried positions shall be 3% of the current annual salary of the office, and for non-salaried positions shall be a reasonable amount not to exceed 3% of the income derived from such office by the person holding the position from the previous year.

NOW THEREFORE, BE IT ORDAINED, that the Board of Commissioners of Chatham County, Georgia, as the governing authority of Chatham County, does hereby establish the schedule of qualifying fees for the 2010 election, as follows:

Judge, Recorders Court.....	\$4,575.70
Members, Board of Elections.....	\$ 144.00
Chairman, Board of Education.....	\$ 480.00
Members, Board of Education.....	\$ 360.00

Adopted this 12th day of February, 2010.

BY: _____
Pete Liakakis, Chairman
Board of Commissioners

ATTEST: _____
Sybil E. Tillman, Clerk

SEAL

=====

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Change Order No. 1 to the contract for renovations to the Juvenile Court facility for additional carpet and window repairs	Juvenile Court	Catamount Constructors, Inc.	\$2,793	CIP - Juvenile Court
B. Ten (10) replacement computers	Engineering	Dell Marketing (State Contract)	\$19,183	CIP - Engineering
C. Software upgrade and maintenance	Engineering	ESRI, Inc. (Sole Source)	\$10,718	CIP - Engineering
D. 17 hand held mobile and portable digital radios with accessories and programming	Sheriff	Motorola (Sole Source/ State Contract)	\$98,102	General Fund/M&O - Sheriff
E. Shelving for new Records Center	Special Projects	Atlanta Bin & Shelving (State Contract)	\$303,500	SPLOST (2008-2014) - Courthouse project
F. Contract to serve as project manager for West Lake/ Lamarville reforestation project	Special Projects	Savannah Tree Foundation	\$15,000	SPLOST (2003-2008) - Open Space/ Green Space
G. Confirmation of Change Order No. 4 to the contract for Legislative Liaison services to extend the contract for one (1) year	County Commission	Hughes Public Affairs	\$42,000 plus reimburseables	General Fund/M&O - County Commission
H. Change Order No. 3 to the contract for construction management services	Special Projects	Southeast Development	\$24,000	•1999 DSA Series Bond Fund/ANG buildings •2005 DSA Series Bond Fund/Animal Shelter
I. Construction relocation cost for six (6) month lease for 408 Broughton Street	Special Projects	410 West Brought Street, LLC	\$29,094	SPLOST (2008-2014) - Courthouse project
J. Professional engineering services contract for a Value Engineering Study on Jimmy DeLoach, Phase 2 and Jimmy DeLoach/ US 80 interchange projects	Engineering	Post, Buckley, Schuh & Jernigan, Inc.	\$39,450	•SPLOST (1993-1998) - Jimmy DeLoach Phase II - \$19,725 •SPLOST (2003-2008) - Jimmy DeLoach/ US 80 interchange project
K. Construction contract for the Hardin Canal cart bridges drainage improvement project	Engineering	Alpha Construction, Inc.	\$775,157	SPLOST (1998-2003) - Hardin Canal project
L. Summary Change Order No. 1 to the contract to improve traffic safety and install a new traffic signal at the intersection of Johnny Mercer Blvd. and Bryan Woods Road for additional labor and materials	Engineering	A.D. Williams Construction Company, Inc.	\$1,100	SPLOST (2003-2008) - Unincorporated Roads, Intersection Improvements
M. Contract for the HVAC upgrade of the Chatham County Administrative – Legislative Center	Facilities Maintenance and Operations	Boaen Mechanical	\$538,296	CIP - Facilities Maintenance and Operations
N. Contract for the renovation of fields two (2) and four (4) at L. Scott Stell Community Park	Public Works and Park Services	Eastern Excavating, Co., Inc.	\$169,653	CIP - Park Services

ACTION OF THE BOARD:

Commissioner Stone moved to approve Items 5-A through 5-N, both inclusive. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM X-5 A thru N
AGENDA DATE: February 12, 2010

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

ITEM A

ISSUE: Request Board approval of Change Order No. 1, in the amount of \$2,793, to the contract with Catamount Constructors, Inc., for renovations to the Chatham County Juvenile Court Facility, for additional carpet and window repair.

BACKGROUND: On 6 November 2009, the Board approved a contract with Catamount Constructors, Inc. for renovations to the Chatham County Juvenile Court Facility.

FACTS AND FINDINGS:

1. During construction, it was determined by staff that removal and reinstallation of carpet in the panel room was left out of the original renovation plans. Staff feels that this room needs the carpet replaced. The room is approximately 490 square feet, with the cost to remove and replace the carpet at \$1,553.
2. Also during construction, it was determined that moisture has caused the need to replace the corner beading and caulking around eight (8) windows in the renovation area. This will include replacing the existing corner bead, tape and finish of the stress joints (three (3) coat system) and prime painting. The interior window seal will be removed and replaced with a NP-1 polyurethane sealant. Each window has approximately 22 linear feet of repair. The additional cost per window is \$155, for a total of \$1,240.
3. Staff believes the price from Catamount Constructors, Inc. for the additional work to be fair and reasonable.
4. Contract history:

Original contract (11-6-09)	\$ 337,467
Change Order No. 1 (pending)	<u>2,793</u>
Revised contract amount	\$ 340,260

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

ALTERNATIVES:

1. Board approve Change Order No. 1, in the amount of \$2,793, to the contract with Catamount Constructors, Inc., for renovations to the Chatham County Juvenile Court Facility, for additional carpet and window repair.
2. Provide staff other direction.

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

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM B

ISSUE: Request Board approval of a \$19,183 purchase of ten (10) replacement computers and six (6) monitors, off the State of Georgia contract, from Dell Marketing, LP for the Engineering department.

BACKGROUND: Eight (8) of these computers and two (2) monitors will replace older models now being used by staff. Two (2) computers and four (4) monitors will be used by two (2) new employees.

FACTS AND FINDINGS:

1. Dell hardware computers are the standardized system for the County. These computers will operate at quicker speeds for the Engineering staff. The computers being replaced have met their five (5) year useful life expectancy.
2. Four (4) systems comprise the standard configuration as others in use throughout the County. Six (6) systems comprise a higher configuration that Engineering staff using GIS and ESRI applications require.
3. The systems are comprised of Dual processors, 4gb ram, 256mb video card on the standard computers and 512mb on the Precision T3400 models, dual CD & DVD read/writer, Windows XP Pro and Windows 7 Operating System and five (5) year next business day warranties on the computers and monitors.
4. Staff believes the State of Georgia total contract price of \$19,183 is fair and reasonable.

FUNDING: CIP Engineering
(3501575 - 54.23001 - 35030217 - 54.23001)

ALTERNATIVES:

1. Board approval of a \$19,183 purchase of ten (10) replacement computers and six (6) monitors, off the State of Georgia contract, from Dell Marketing, LP for the Engineering department.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM C

ISSUE: Request Board approval of a \$10,718 sole source purchase for software upgrade and maintenance from Environmental Systems Research Institute, Inc., (ESRI) Inc for the Engineering Department.

BACKGROUND: This software has the capability to add, change and delete all electronic mapping information produced by the ArcView users. This software is also used to produce maps used in the appraisal process. It is used by our Engineers, our GIS Analyst and the Board of Assessors. This upgraded software is required for the Engineering department project to have an in-house ArcGIS server.

FACTS AND FINDINGS:

1. Upgrading from the Basic Enterprise to the Standard Enterprise will allow Engineering to deploy a Web App for ArcView users eliminating the need for any additional Arc View single user licenses which cost approximately \$1,500 each.
2. By upgrading from the basic Enterprise to the Standard Enterprise, there is a potential savings to the County of \$15,000 annually in maintenance costs once the ArcView single use licenses are no longer required.

- 3. The sole source provider, ESRI Inc., is the only company authorized to maintain and make proprietary changes to the software.
- 4. Staff believes this total cost of \$10,718 to be fair and reasonable.

FUNDING: CIP - Engineering
(3501575 - 57.9001 - 35030217)

ALTERNATIVES:

- 1. Board approval of a \$10,718 sole source purchase for software upgrade and maintenance from Environmental Systems Research Institute, Inc., (ESRI) Inc for the Engineering Department.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary support for applications used by staff for job productivity.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM D

ISSUE: Request Board approval of a \$98,102 sole source purchase, off the State of Georgia contract, of 17 hand held mobile and portable digital radios with accessories and programming from Motorola, Inc. for the Sheriff's Department.

BACKGROUND: The Savannah-Chatham Metro Police Department upgraded their radio system technology from analog to digital. Chatham County continues the migration towards total compatibility to the digital technology. This purchase will make the transition closer to completion.

FACTS AND FINDINGS:

- 1. Sole-source justification for the manufactured Motorola 2500 series radio will maintain compatibility with law enforcement locally and statewide. Savannah Communications, of Garden City is the local distributor and local repair source. Motorola is on the State of Georgia contract and the GSA Schedule 70 Homeland Security Contract.
- 2. Communications between the two (2) agencies is mandatory from a public safety standpoint
- 3. Staff believes the contract cost of \$98,102 for the 17 digital radios to be fair and reasonable.

FUNDING: General Fund M & O - Sheriff Department
(1003300 - 54.25001 - 2502707M)

ALTERNATIVES:

- 1. Board approval of a \$98,102 sole source purchase, off the State of Georgia contract, of 17 hand held mobile and portable digital radios with accessories and programming from Motorola, Inc. for the Sheriff's Department.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve purchases for necessary technology equipment for law enforcement activities.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM E

ISSUE: Request Board approval to award a \$303,500 purchase, off of the State of Georgia contract, from Atlanta Bin and Shelving for shelving for the new Records Center.

BACKGROUND: The Board approved a project for renovation of the former Kroger in Garden City for a Records Center as part of the Courthouse project. The project will consolidate all of the County's records into a central location, which will be constructed to standards to withstand a Category five (5) hurricane and storm surge. The relocation of records also allows the Courthouse project to move forward since storage of records limited use of the Courthouse basement, which was renovated for inmate holding for courts and offices for the Sheriff's Office Court Services.

FACTS AND FINDINGS:

1. Additional shelving will be needed because of the quantity of records which will be stored at the Records Center. Use of existing shelving will offset the number of new shelving; however, many records are not properly stored on individual shelving units, which will be a standard of care at the new center.
2. Atlanta Bin and Shelving provided a quote based on providing and installing the new shelving and reinstalling the existing shelving. Atlanta Bin and Shelving provides its pricing based on State of Georgia contract prices.
3. Besides the quantity of more than 3,000 linear feet, the shelving will be stacked in mezzanine areas to take advantage of the building height. This allows a more efficient use of space but requires more stability.

FUNDING: SPLOST (2008-2014) - Courthouse Project
(3244980 - 54.13011 - 32460427)

ALTERNATIVES:

1. Board approval to award a \$303,500 purchase, off of the State of Georgia contract, from Atlanta Bin and Shelving for shelving for the new Records Center.
2. Provide staff other direction.

POLICY ANALYSIS: Chatham County's Purchasing Ordinance and Procedures Manual requires Board approval for any purchases of more than \$10,000.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
TOM DRANE

ITEM F

ISSUE: Request Board approval to award a \$15,000 contract to the Savannah Tree Foundation to serve as Project Manager for the Westlake-Lamarville Reforestation project.

BACKGROUND: In February 2007, the Board approved a contract with the Savannah Tree Foundation to manage various landscape projects under a pilot program. The success of the pilot project has led to completion of the landscaping project for Mother Mathilda Beasley Park, Placentia Canal beautification project and Julie Backus Smith Memorial Garden (xeriscape).

FACTS AND FINDINGS:

1. Savannah Tree Foundation would serve as Project Manager for the Westlake-Lamarville Reforestation project. The project will plant more than 500 trees on five (5) acres of land which Chatham County acquired for flood mitigation. The five (5) acre tract connects two (2) larger County-owned parcels of 30 acres and 10 acres.
2. The specific scope of work includes creating the planting plan, ordering trees, coordinating volunteer planting days, installing irrigation and overseeing the warranty period. Total cost would be \$15,000.

3. Staff has reviewed the proposal and believes it is fair and reasonable.

FUNDING: SPLOST (2003 - 2008) - Open Space, Green Space and Greenways
(3234224 - 57.30101 - 323781000)

ALTERNATIVES:

1. Board approval to award a \$15,000 contract to the Savannah Tree Foundation to serve as Project Manager for the Westlake-Lamarville Reforestation project.
2. Provide staff other direction.

POLICY ANALYSIS: As a professional services contract, the County's Purchasing Ordinance and Procedures Manual requires Board approval. The project also meets an action item under the "Greenest County Plan" for Chatham County to plant 365 trees annually,

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM G

ISSUE: Request Board confirmation of Change Order No. 4, to extend for one (1) year, the professional services contract with Hughes Public Affairs for legislative liaison services in the amount of \$42,000, and reimbursable expenses not to exceed \$4,000, or a total expenditure of \$46,000.

BACKGROUND: The Board entered into a four (4) year agreement with Hughes Public Affairs (or its predecessor in name) for legislative liaison services. To avoid a disruption in services during the middle of the Georgia General Assembly's session, the contract would need to be extended until fall 2010 when the Board begins to develop a new set of legislative priorities.

FACTS AND FINDINGS:

1. The Board entered into a four (4) year professional services contract with Hughes Public Affairs (or its predecessor in name) to provide legislative liaison services. Under the terms of the current contract, which the Board awarded after solicitation for professional services, payment called for annual increases of \$2,000. The Board also agreed to fund reimbursable expenses for travel and entertainment. By these terms, Hughes Public Affairs in 2010 would be paid \$42,000 for services and \$4,000 in not to exceed reimbursable expenses for travel.
2. The legislative liaison devotes most of the legislative session in Atlanta to promote the priorities as promulgated by the Board. Hughes Public Affairs has successfully lobbied for appropriations to the benefit of Chatham County and, as important, represented Chatham County against unfunded mandates. Legislative alerts enables the Chairman and members of the Board to react proactively to legislation which hampers local governance or revenues,
3. Chairman Pete Liakakis agreed that it would be in Chatham County's best interests to extend the agreement for legislative services for one (1) year rather than begin a solicitation process during mid-year of the General Assembly.

FUNDING: General Fund/M&O - Board of Commissioners
(1001110 - 52.39001)

ALTERNATIVES:

1. Board confirmation of Change Order No. 4, to extend for one (1) year, the professional services contract with Hughes Public Affairs for legislative liaison services in the amount of \$42,000, and reimbursable expenses not to exceed \$4,000, or a total expenditure of \$46,000.
2. Board discontinue legislative services and direct staff to solicit for new proposals.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM H

ISSUE: Request Board approval of Change Order No. 3 to extend the contract period for the construction management services contract with Southeast Development.

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

FACTS AND FINDINGS:

1. At the 18 January 2008 meeting, the Board authorized a contract with Southeast Development to serve as a developer and manager for construction projects, and at the 25 September 2009, meeting approved Change Order No. 2 to extend the contract timetable under the original terms. The firm comes highly recommended based on previous construction management projects and knowledge about at project management, especially with an interest in LEED-certified projects (associate membership).
2. The firm has worked on several projects, including the Animal Control Shelter and planned construction of a project at the Citizens Service Center. The only remaining project remains the Animal Control Shelter, which is under construction but will not be completed until early summer 2010.
3. Staff considered use of building inspectors from the Department of Building Safety & Regulatory Services for construction management services as a means to bolster the department's revenues; however, at this point in the Animal Shelter project, it would be a conflict of interest for some inspectors to serve as the client's representative (i.e. County), while others served in a regulatory role to inspect conformance to codes.
4. The rate of compensation will continue to be \$40 per hour, not to exceed a total contract amount of \$24,000. This should be sufficient to complete the Animal Control Shelter project.

FUNDING: 1999 DSA Series Bonds/ANG Building
(3601565 - 52.11001 - 36031103)
2005 DSA Series Bonds/Animal Control Shelter
(3703910 - 52.11001 - 37032297)

ALTERNATIVES:

1. Board approval of Change Order No. 3 to extend the contract period for the construction management services contract with Southeast Development.
2. Board not enter into the contract with Southeast Development but direct staff to complete the project in-house.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
TOM DRANE

ITEM I

ISSUE: Request Board approval to extend the lease for 408 West Broughton Street by six (6) months, for a total cost of \$29,094, with 410 West Broughton Street, LLC.

BACKGROUND: As part of the Courthouse renovation, certain offices needed to be relocated on a temporary basis. Because no space remains available in the Courthouse, the Board approved an off-site location at 408 West Broughton Street, across from the Annex (Parking Garage) for a 12-month lease. Because new offices at 222 West Oglethorpe Avenue will not be available until after July 1, the lease should be continued for six (6) months.

FACTS AND FINDINGS:

1. The building at 408 West Broughton Street, owned by 410 West Broughton Street, LLC, would provide 2,700 square feet of space to house the District Court Administrator, some Sheriff's Office operations and some Board of Assessors' staffing. More importantly, during the sequence of construction, it would be available as convenient interim site as needs arise.
2. The property leases for \$4,849 a month, or \$21 SF triple net; however, the property owner previously funded tenant improvements to accommodate county offices, and the building provides a direct connection to County telephone and computer services.
3. The space will be needed through June 30, 2010. Upon completion of the renovation of 222 W. Oglethorpe Avenue, the tenant space will be relocated.

FUNDING: SPLOST (2008 - 2014) - Courthouse project
(3244980 - 54.13011 - 32460427)

ALTERNATIVES:

1. Board approval to extend the lease for 408 West Broughton Street by six (6) months, for a total cost of \$29,094, with 410 West Broughton Street, LLC.
2. Board direct staff to consider other locations not within proximity of the Courthouse as a way to lower potential rental payments.

POLICY ANALYSIS: Notwithstanding the legal authority for the Board to enter into lease agreements as a contract, a practical consideration for temporary office for Courthouse offices should be its accessibility to the Courthouse.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
TOM DRANE

ITEM J

ISSUE: Request Board approval of a \$39,450 professional engineering services contract to Post, Buckley, Schuh & Jernigan, Inc. (PBS&J) for a Value Engineering Study on Jimmy DeLoach, Phase II and Jimmy DeLoach / US 80 Interchange projects.

BACKGROUND: The Jimmy DeLoach, Phase 2 (JDP2) project is in the Coastal Region (CORE) Transportation Improvement Plan for construction in Fiscal Year 2013 and the Jimmy DeLoach / US 80 Interchange project is Fiscal Year 2014. The projects include an interchange at US 80 and extension from US 80 to I-16. The design consultants for the projects are Thomas & Hutton (JDP2) and McGee Partners (Interchange).

FACTS AND FINDINGS:

1. The Georgia Department of Transportation (GDOT) requires Value Engineering (VE) Studies on all construction projects with total combined costs of \$10 million or more. The design engineer is not allowed to evaluate the project. A consultant is identified by the GDOT that has no conflict of interest in the proposed project. PBS&J is a prequalified consultant that serves on a Task Order basis with the GDOT to perform VE studies. The cost of the study is the responsibility of the local sponsor (Chatham County).
2. When procuring design services for projects that use federal funding, qualifications based selection procedures must be used [Brooks Architect/Engineer Act enacted in 1972]. PBS&J was selected by the GDOT based on the procedures required by the Act. PBS&J will report all findings back to the GDOT for cost savings that could be implemented into the project.

- 3. In an effort to save costs for VE Studies, the GDOT has agreed to combine both projects, JDP2 and the interchange, into one project. This will preclude the need for a separate VE Study for each project.

FUNDING: SPLOST (1993 - 1998) - Jimmy DeLoach Phase II
 (3214210 - 52.12003 - 32150793) - \$19,725
 SPLOST (2003 - 2008) - Jimmy DeLoach/Interchange US 80
 (3234210 - 52.12003 - 32351033) - \$19,725

ALTERNATIVES:

- 1. Board approval of a \$39,450 professional engineering services contract to Post, Buckley, Schuh & Jernigan, Inc. (PBS&J) for a Value Engineering Study on Jimmy DeLoach, Phase II and Jimmy DeLoach / US 80 Interchange projects.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve professional engineering services contracts.

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
 CHRIS MORRIS

BUDGET APPROVAL _____
 ESTELLE BROWN

ITEM K

ISSUE: Request Board approval of a \$775,157 contract with Alpha Construction, Inc. for construction of the Hardin Canal Cart Bridges drainage improvement project.

BACKGROUND: The Hardin Canal Drainage Improvement Project includes canal widening, new road crossings, and access roads along the canal. This construction contract is for the replacement of two (2) bridges crossing over the Hardin Canal at the Southbridge Golf Course, sized and aligned to accommodate the canal widening project. Access roads needed to construct the bridges will become maintenance access roads upon completion of the work.

FACTS AND FINDINGS:

- 1. The project is located in Unincorporated Chatham County within a private golf course (The Southbridge Golf Course). The project will replace two (2) existing wooden bridges used by the golf course to reach various parts of the course. The wooden bridges were determined to be not sufficiently wide to accommodate future canal widening work.
- 2. In 1995, the County awarded an engineering services contract to design improvements to the Hardin Canal. Construction drawings were prepared and applications were submitted for necessary regulatory permits. Acquisition of drainage rights of ways was also undertaken at this time. It became evident that permits for canal widening could not be obtained. It also became evident that acquisition of drainage rights of way within the limits of the golf course would depend on accommodating the potential loss of golf course revenue during construction.
- 3. Staff consulted with the permitting agencies and revised the project approach to bridge replacement projects in the near-term and postponement of the canal widening work.
- 4. Negotiation for the needed drainage rights of ways within the golf course were restarted in 2006 when the golf course owners approached the County about replacing their wooden bridges over the canal that were found to be in critical need of repairs. As a result of the owner's need for new bridges and the County's need for new wider bridges and drainage rights of way, an agreement was made between the two (2) parties. The agreement gave the County the needed drainage rights of way and the ability to construct the new bridges. The agreement included special provisions to protect the golf course owners from potential loss of revenue during construction.
- 5. The project was publically advertised and six (6) bids were received with two (2) of those bids being non-responsive. The bid responses are as follows:

Alpha Construction, Inc. Savannah, GA	\$ 775,157
* Pioneer Construction, Inc. Savannah, GA	\$ 888,084
TIC (The Industrial Company) Savannah, GA	\$ 1,150,308
L-J, Inc. Columbia, SC	\$ 1,488,162

* MBE firm

6. Staff reviewed the bids received and believes the price quoted by Alpha Construction, Inc. is a reasonable cost for the work involved and the bid is responsive to the needs of the County.
7. The construction work is to be completed within 150 days following Notice to Proceed.

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

ALTERNATIVES:

1. Board approval of a \$775,157 contract with Alpha Construction, Inc. for construction of the Hardin Canal Cart Bridges drainage improvement project.
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 L

ISSUE: Request Board approval of Summary Change Order No. 1, in the amount of \$1,100, to the construction contract with A.D. Williams Construction Company, Inc. for the Johnny Mercer Boulevard and Bryan Woods Road Intersection Improvements.

BACKGROUND: On 8 May 2009, the Board awarded a construction contract to A.D. Williams Construction Company, Inc. to improve traffic safety and install a new traffic signal at the intersection of Johnny Mercer Boulevard and Bryan Woods Road. The constructed improvements are complete and have been accepted.

FACTS AND FINDINGS:

1. This change order is to compensate the contractor for additional labor and materials not included in the original construction documents.
2. The contractor installed additional detectable brick pavers for three (3) handicap ramps to bring the site into compliance with ADA standards. In addition, the contractor relocated one (1) of the signal heads after installation to meet the Georgia Department of Transportation Standards.
3. Contract history:

Original Contract (5-8-09)	\$118,335
Change Order No. 1 (pending)	<u>\$ 1,100</u>
Revised contract amount	\$119,435

FUNDING: SPLOST (2003 - 2008) - Unincorporated Roads, Intersection Improvements
(3234220 - 52.12003 - 32355597)

ALTERNATIVES:

1. Board approval of Summary Change Order No. 1, in the amount of \$1,100, to the construction contract with A.D. Williams Construction Company, Inc. for the Johnny Mercer Boulevard and Bryan Woods Road Intersection Improvements.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM M

ISSUE: Request Board approval to award a \$538,296 contract with Boen Mechanical for the HVAC upgrade of the Chatham County Administrative Legislative Center.

BACKGROUND: The existing HVAC system consisting of 78 water source heat pump units was installed in 1992. Based on information received from the manufacturer, the average life of small units of this size, 2.5 tons, is 15 years, making most of the units in this building 18 years old. The system was installed using PVC piping that has burst several times causing heavy damage to furniture and equipment. Also during the past four (4) years, eight (8) units have been replaced due to normal wear.

FACTS AND FINDINGS:

1. The HVAC system will be upgraded by replacing all old units that were not changed out during the past five (5) years. The old cooling tower will also be replaced. Installation of all units will be accomplished using steel piping.
2. This project was properly advertised and seven (7) bids were received and opened on 2 January 2010. The bid responses are as follows:

Boen Mechanical Savannah, GA	\$538,296
Erickson Associates, Inc. Savannah, GA	\$543,250
Consolidated Mechanical Contracting Savannah, GA	\$558,800
Air Services & Refrigeration Specialities Savannah, GA	\$606,130
Presley, Inc. Snellville, GA	\$615,000
W.W. Gay Mechanical, Inc. Jacksonville, FL	\$727,729
SCM, Inc. Savannah, GA	\$853,635

3. Staff believes the bid from Boen Mechanical to be fair and reasonable.

FUNDING: CIP FM&O 07/08 - \$236,029
(3501565 - 54.13001 - 35030017)
CIP FM&O 09/10 - \$307,224
(3501565 - 54.13001 - 350312107)

ALTERNATIVES:

1. Board approval to award a \$538,296 contract to Boen Mechanical for the HVAC upgrade of the Administrative Legislative Center.

- 2. Provide staff other directions.

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

RECOMMENDATION: Staff recommend approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM N

ISSUE: Request Board approval to award a \$169,653 contract to Eastern Excavating Co., Inc. for the renovation of fields two (2) and four (4) at L. Scott Stell Community Park.

BACKGROUND: L. Scott Stell Community Park is located off Bush Road in west Chatham County. Inside the park is a four (4) field baseball complex known as the Jim Golden Complex. The Board has set aside funds to upgrade the complex. The renovation of fields one (1) and three (3) with the exception of the sports lighting was completed on time and within budget. Installation of the sports lighting should be completed by mid March.

FACTS AND FINDINGS:

- 1. This project includes the removal and installation of fencing, backstops, and dugouts for two (2) baseball fields (Field #2 and #4).
- 2. This project was properly advertised and 11 bids were received and opened 28 January 2010. The bid responses are as follows:

Eastern Excavating Co., Inc. Savannah, GA	\$169,653
Keith Ray Construction Co., Inc. Thunderbolt, GA	\$199,900
Nix Construction Co., Inc. Hilton Head, SC	\$200,567
Kerby Enterprises, Inc. Bloomingdale, GA	\$215,569
* Sandhill ALS Construction, Inc. Hardeeville, SC	\$221,100
* Pioneer Construction, Inc. Savannah, GA	\$222,115
Collins Construction Services, Inc. Savannah, GA	\$235,323
Weimar Construction Co., Inc. Savannah, GA	\$253,346
L - J, Inc. Columbia, SC	\$258,899
** E & D Contracting Services, Inc. Savannah, GA	\$259,296
ACS Partners, LLC Roswell, GA	\$259,354

* MBE firm
** WBE firm

- 3. Staff believes the bid from Eastern Excavating Co., Inc. to be fair and reasonable and well within the construction estimate.

FUNDING: CIP - Park Services
(3506100 - 52.22001 - 35030410)
CIP - Park Services
(3506100 - 54.12009 - 35031337)

ALTERNATIVES:

1. Board approval to award a \$169,653 contract to Eastern Excavating Co., Inc. for the renovation of fields two (2) and four (4) at L. Scott Stell Community Park.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

PREPARED BY _____
PURCHASING AGENT

=====

XI. FIRST READINGS

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

1. TO ADOPT A FALSE ALARM ORDINANCE IN ORDER TO FACILITATE SAVANNAH-CHATHAM METROPOLITAN POLICE DEPARTMENT’S (“SCMPD”) ENFORCEMENT ABILITY SIMILAR TO THE CITY OF SAVANNAH’S FALSE ALARM ORDINANCE.

County Manager Abolt said, Mr. Chairman, as you read them, I know it’s traditionally no comments, but we badly need some guidance on the item on First Reading having to do with the false alarm ordinance, and Mr. Hart has pointed those out. I know a general statement you wish to have it like the City of Savannah, but there’s enough intricacies in this it would be very appropriate if you just take a few moments and let Jon [Hart] carry you though that so you could give us directions. So come Second Reading, we would have in place the right language. But this is a very important decision.

Chairman Liakakis said, we could do that at our workshop, right? County Manager Abolt said, you’ll not have the staff present to go through it. We can have it go forward to the Second Reading and keep it on until you’re ready to do it. It’s really important for y’all to go through this and deliberate and give direction.

Chairman Liakakis asked, would you like to hear that and just go at the other meeting?

County Attorney Hart said, all I’m saying is before I write a final ordinance, I’ve got to know the answer to these questions.

Commissioner Farrell said, I wouldn’t mind listening to the first one. Commissioner Kicklighter said, I have to go pick my children up.

The Clerk said, you need to read those First Readings into the record.

Chairman Liakakis said, well, is it the pleasure to go ahead and hear this now or do you want to hear it at our retreat?

Commissioner Stone said, how about here.

County Manager Abolt said, I would suggest don’t do it on your retreat. It would have to be at your next meeting. I apologize. Your retreat time is very valuable. You want to focus on the budget. This is not a — this is consequential before the Second Reading, but on balance I would recommend you focus on the budget retreat, give us direction there and then do this at some other time.

County Attorney Hart said, and there's nothing we can put —.

Commissioner Thomas asked, would it take that long?

Commissioner Kicklighter said, Mr. Chairman, I don't mind. If you need me, I just have to go get my daughter is why I —.

Commissioner Thomas said, well, I have stuff to do too.

Commissioner Farrell said, let's just do it.

Chairman Liakakis said, alright. To adopt a False Alarm Ordinance in order to facilitate Savannah-Chatham Metropolitan Police Department's ("SCMPD") enforcement ability similar to the City of Savannah's False Alarm Ordinance. Jon [Hart].

County Attorney Hart said, okay. What we're trying to do is we have to amend three ordinances and repeal one to do this. We can handle that. But what I need to know is are we going to allow any kind of waivers for age, if so what age. The City of Savannah has a number of waiver provisions that are tagged certain programs that they have that we do not have those programs. So there's no way to tie it to that, and the only way I know to do it is to tie it to an age, and there's no question that people with an alarm system at some point when they get a little bit older they're not as quick to react and you have a tendency to have more alarms.

The second thing is how many false alarms do you want to give a household versus a commercial business? Do you want it to be three or four or five, and then the other one is whether you want to have the ability to forgive the fine. Now the City of Savannah's basically says that they leave it to the discretion of the police chief for the governing authority. And you may not want to give yourself discretion so you don't have to hear it all the time or you may want to give it to the police chief, which, you know —. Commissioner Gellatly asked, the City of Savannah has the police chief? County Attorney Hart said, yeah, but sometimes —.

Commissioner Kicklighter said, I want to give that Russ [Abolt]. He's not [inaudible].

County Manager Abolt said, seriously, I don't mind taking it, but let's stop and think and I'll look at that gentleman right there. You put a lot of pressure on an individual that has a lot of other stuff doing, and he/she does it for one and doesn't do it for another, you're asking a lot of the chief law enforcement officer.

County Attorney Hart said, there's been complaints, you know, about how that has been done in the past.

Commissioner Gellatly said, we'll say that we're going to have an ordinance similar to the City of Savannah, but what then you turn around and you change it a little bit and made it a little bit different. The Chief of Police is going to make those decisions. He's going to have some kind of a board to do that.

County Manager Abolt said, it's up to — it's your call. You just have to —.

Commissioner Kicklighter said, when I was the mayor of Garden City to my knowledge this worked out really good. Is anybody checking [inaudible]. It's really not that complicated. You give them X-amount and if they won't comply, they have to pay a fine and that's that.

Chairman Liakakis said, well, one thing if you do that though, Dean [Kicklighter], let me explain that to you, because it's a change in the officer that's handling it, you know, how it's going to be. It's not dissimilar to the City of Savannah. The reason why that ordinance came up, I was on City Council and I knew — and it brought to the City Council that it cost over \$600,000 in false alarm fees where officers were answering that and standing by, and once that alarm ordinance was put in place, it dropped 40% in the first couple of months and then it dropped over 50% and it still, and it dropped out considerably and it saved the City of Savannah a huge amount of money. And what the ordinance is, Jon [Hart], it's three free for the commercial and three for the residential. That's the way the City of Savannah [sic] and it ought to be left like that. Anytime it's over three false alarms —. Commissioner Farrell asked, in a year's time? Chairman Liakakis said, in a year's time —. Commissioner Farrell asked, calendar year? Chairman Liakakis said, in a calendar year. Commissioner Farrell said, that's fair to me. I'll go with that.

Commissioner Kicklighter asked, let me ask a question. Do you have the numbers that Savannah anticipates this would save us on police costs that they would then reduce off of what they charge us, the police in the unincorporated area? County Attorney Hart said, no. Commissioner Kicklighter said, I mean, if it saves \$600,000 in Savannah, we should save —.

Commissioner Shay said, we would have to create a department to keep track of it.

Chairman Liakakis said, number one, you can keep track and then you can make a decision on that, Dean [Kicklighter], but what really needs is that ordinance in place so that it will —. [Inaudible comments were made by several Commissioners talking at the same time.]

County Attorney Hart said, okay. I'm going to come back with the exact ordinance the City of Savannah has. There's a memo in this book that I will attach to the proposed ordinance that outlines the problems with all four. I'm going to just pick a number for the exemption because the way the City's reads it's anybody over 65 and if they meet a program which we just don't have, which is the Utility Service for Senior Citizens Discount Program, so I'm going to just tie it to 65 and let it go at there. I'm going to give them three. It's going to be \$100 fine. It's going to be as close as I could possibly make it to the City of Savannah.

County Manager Abolt said, that will underscore what Commissioner Shay just alluded to. You have to look at page 33 on the staff work and see the financial commitment in Finance to make this work. So as long as we understand that.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, whatever we adopt I hope it works because with the City of Savannah, I still have a personal problem with the auditor to a degree because when it's not your fault, you know, it's inclement weather that causes some things to go off —. Chairman Liakakis said, that's addressed. Commissioner Thomas said, and I just want to make sure that you're not being charged for something that is not your fault. Chairman Liakakis said, they have those provisions in there. In other words, if it's caused by the weather, they do not charge you for that.

Commissioner Thomas said, that was just a concern of mine because I did address that to the City as well because I've had a lot of complaints about, and the ones that complained happened because of the weather conditions not necessarily those, you know, the persons themselves.

ACTION OF THE BOARD:

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

AGENDA ITEM: XI-1
AGENDA DATE: February 12, 2010



INTER-OFFICE CORRESPONDENCE

DATE: February 11, 2010
TO: R. E. Abolt, County Manager
FROM: R. Jonathan Hart, County Attorney
SUBJECT: Revised Revenue Ordinance Regarding False Alarm Ordinance Provisions

Russ, attached is a revised staff report. We also made changes to the Revenue Ordinance related to the false alarm provisions. The changes are noted as follows:

1. Any reference to the fire department was deleted in paragraphs A and E.
2. The renewal date in paragraph B was changed from April 1st to December 31st.
3. All references to the indigent senior head of household rebate or waiver were removed and replaced with senior rebate or waiver.

Lastly, it is my understanding from Linda Cramer that this system would not be operational until at least July 1st.

RJH/jr

Enclosure

cc: Acting Chief Willie Lovett

Add new Section 10 which is adopted and shall read as follows:
"Section 10. Alarm System Service Fees.

(A) Fees Established.

Pursuant to Chatham County Code Sections 10-301 thru 10-312, the following service fees are hereby established to discourage excessive false alarms at any single location, enhance the safety of officers of the Savannah-Chatham County Metropolitan Police protect the lives and property of the citizens of Chatham County, reduce unnecessary use of public safety resources, and produce revenues to defray a portion of the costs of responses to false alarms.

(B) Alarm users registration fee.

Each alarm system business, as defined in Section 10-302(c) of the Chatham County Code must provide the Alarm System Coordinator with a listing of locations that are using an alarm system monitored by said business. This listing must be in computerized format specified by the Alarm System Coordinator. All locations on this listing will be considered registered alarm users. Each alarm system business will be responsible for supplying the Alarm System Coordinator with any changes to its list of registered alarm users. An annual registration fee of \$12.00 per residential alarm user and \$24.00 per commercial alarm user will be collected and remitted at the time of initial registration by the alarm system business and renewed by December 31st each subsequent year. Any household headed by a person age 65 or older, will receive a rebate or waiver of the annual alarm registration fee.

(C) False alarm fees for registered alarm users.

Excessive false alarms for registered alarm users are considered to be any number in excess of three (3) false alarms during the 12-month billing cycle; except in the case of a household determined to be eligible for a rebate or waiver of the annual alarm registration fee as described above in Section B, in which case the number shall be four (4) false alarms. Upon the fourth false alarm, an alarm user will be assessed and billed a fee of \$100 for the excessive alarm and notified of suspension as a registered alarm user. Notice of the false alarm will also be sent to the alarm system company advising of the false alarm fee and advising that the alarm user has been suspended from the list of registered alarm users. Alarm users suspended from the alarm registry will be considered to be unregistered alarm users for the purpose of billing false alarms.

(D) False alarm fees for unregistered alarm users.

All false alarm responses to unregistered locations will be billed to the alarm system user. The first through third false alarms at a single location within the 12-month billing cycle will be billed at a rate of \$100 per false alarm. The fourth through tenth false alarms at a single location during the same time period will be billed at \$150 per false alarm. The eleventh and all subsequent false alarms during the same time period will be billed at \$200 per false alarm.

(E) Notices, billing and payment of Fees.

A notice will be sent to the alarm user and alarm system company advising of each occurrence of a false alarm. Statements will be mailed monthly detailing the date of each false alarm and the fees due. Payment shall be made to the County within thirty (30) days of the invoice date. In the event of non-payment by a registered user, the Alarm Systems Coordinator will provide written notification to the alarm system company and the alarm system user advising that the user has been removed from the alarm system users registry, possible loss of police response for alarm calls, all false alarm fees must be paid and a statement must be provided by the alarm system company that the alarm system has been inspected and that the user has been properly trained on the use of the system. Households determined to be eligible for a rebate or waiver of the annual alarm registration fee as described above in Section B for purposes of this ordinance are considered high-risk households and will not be subject to loss of police response unless the household is determined to have had in excess of ten false alarms in a billing cycle. All fees for excessive false alarms at unregistered locations shall be billed at least monthly to the property owner. All fees for false alarm responses caused by failure of an alarm system business to notify the police in advance of performing maintenance to an alarm system will be billed to the alarm system business. All such false alarms will be billed at a rate of \$100 per false alarm at least monthly.

Section 11. Permit Required for Private Detective Agencies, Security Services and Alarm Systems Businesses; Fee Established.

Pursuant to Chatham County Code Section 10-304, all businesses engaged in or seeking to engage in a private detective business, a private security business, or an alarm system business shall make application to the Chatham County Department of Building Safety and Regulatory Services for a permit to operate said business and shall pay a permit fee of \$100 at the time of application for a Business Tax Certificate and at the time of annual renewal of the Business Tax Certificate. The application for this

permit shall be on a form provided by the Chatham County Department of Building Safety and Regulatory Services.

Adopted this _____ day of February, 2010.

CHATHAM COUNTY, GEORGIA

BY: _____
Pete Liakakis, Chairman
Board of Commissioners

ATTEST: _____
Sybil E. Tillman
Clerk of Commission

[S E A L]

=====

- 2. **THE PETITIONER MARSH POINT HOMES IS REQUESTING TO REZONE PROPERTY AT 9902 FERGUSON AVENUE FROM AN R-3-10/TC CLASSIFICATION TO AN R-A/TC CLASSIFICATION. THE MPC RECOMMENDS APPROVAL BUT THAT THE COUNTY COMMISSION PUBLIC HEARING NOT TO BE HELD UNTIL SUCH TIME THAT THE PETITIONER PRESENTS EVIDENCE OF HAVING CONDUCTED A NEIGHBOR MEETING FOR AREA RESIDENTS. MPC FILE NO. Z-091201-000810-1 (NOTE: See request from petitioner’s attorney to withdraw application.)**

County Manager Abolt said, you still have on First Reading that second item. It’s been requested to be removed by the petitioner, but I think Ms. Tillman will need you to read that into the record.

Commissioner Farrell said, it’s being removed.

County Manager Abolt said, yes sir. It’s a petition of Marsh Point Homes requesting to rezone property at 9902 Ferguson Avenue from an R-3-10/TC classification to an R-ATC classification. The MPC recommends approval but the County Commission public hearing not be held until such time that the petitioner presents evidence of having conducted a neighbor meeting for area residents. It gives the MPC file number. Big bold letters: NOTE: See request from petitioner’s attorney to withdraw application.

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

Commissioner Shay said, motion to withdraw. Commissioner Stone said, second.

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

ACTION OF THE BOARD:

Commissioner Shay moved to withdraw the petition of Marsh Point Homes at the request from its attorney. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

=====

XII. SECOND READINGS

None.

=====

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.

=====

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: February 12, 2010

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>
Three (3) Motorola mobile radios	Sheriff	Savannah Communication & Electronic	\$2,577	K-9 Grant
Provide and install six (6) microphones in the Commission Meeting Room	Commissioners	Stage Front Presentation Systems	\$3,965	General Fund/M&O - Commissioners
Bamboo plywood for cabinets at the Resource Conservation Education Center	Public Works and Park Services	Home South Architecture (Sole Source)	\$2,585	Solid Waste Restricted
Demolition/Removal of house located at 1304 Grace Drive	Engineering	Rico Strong Construction, LLC	\$3,108	SPLOST(1993-1998) - Whitefield Avenue
Two (2) 10-ton Goodman HVAC condenser units for Tag Office	Facilities Maintenance and Operations	East Coast Metal Distributors, LLC	\$6,087	General Fund/M&O - Facilities Maintenance and Operations
Labor to install two (2) 10-ton Goodman HVAC condenser units for Tag Office	Facilities Maintenance and Operations	Boaen Mechanical Contractors, Inc.	\$5,950	General Fund/M&O - Tax Commissioner
Eight (8) galvanized steel poles for scoreboard at Jim Golden Complex	Public Works and Park Services	Chatham Steel	\$6,212	General Fund/M&O - Parks and Recreation
300 tons of crush and run stone based material	Public Works and Park Services	Aggregates USA, LLC	\$6,000	SSD - Public Works
Repair of output card and processor module	Detention Center	Converteam, Inc. (Sole Source)	\$2,664	General Fund/M&O - Detention Center
One (1) used 2006 Mercury Milan for Public Defender	Fleet Operations	Fairway Lincoln-Mercury	\$9,800	CIP - Fleet Operations
420 tons of crush and run stone based material	Engineering	B & D Clearing	\$9,660	SPLOST (2003-2008) - Jail Roads

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
100 tons of type III stone for renovating the Salt Creek Boat Ramp	Public Works and Park Services	Martin Marietta Aggregates	\$4,400	CIP - Parks and Recreation
110 tons of ballfield clay for Jim Golden Complex	Public Works and Park Services	Glasscock Company, Inc.	\$3,481	CIP - Parks and Recreation

=====

EXECUTIVE SESSION

County Manager Abolt said, and one last question. You have nothing on the printed Exec agenda from staff, but I want to give Commissioner Stone an opportunity, if she wishes, to bring up what she discussed in the premeeting. If there's any discussion interest about possible land acquisition involving citizens she met with. This could be a time or later, but it's up to y'all.

Commissioner Stone said, I don't know it would be land acquisition. County Manager Abolt said, the only reason we could go into Exec Session would be on land acquisition. Commissioner Stone said, well, that is not the request of the residents. The request is to try to see what we can do to correct the drainage problem. So I don't want to call anybody into Executive Session for something that the resident does not want.

NOTE: No Executive Session was held at this meeting.

=====

ADJOURNMENT

Commissioner Kicklighter said, motion to adjourn. Commissioner Gellatly said, second.

Chairman Liakakis said, I have a motion on the floor and a second to adjourn, but before we go on the board I wish all the Commissioners and all the citizens of Chatham County a very happy Valentine's Day and may love go from everybody to everybody so that we can change things and make things better for all people. Thank you and let's go on the board. The motion carried unanimously. [NOTE: Commissioner Odell was not present.]

The Chairman declared the meeting adjourned at approximately 1:45 p.m. [NOTE: Commissioner Odell was not present.]

=====

APPROVED: THIS _____ DAY OF _____, 2010

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

SYBIL E. TILLMAN, CLERK OF COMMISSION