

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, APRIL 9, 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, April 9, 2010.

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**II. INVOCATION**

Commissioner Helen Stone gave the Invocation.

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**III. PLEDGE OF ALLEGIANCE**

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

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**IV. ROLL CALL**

The Clerk called the roll.

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

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

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**ORDER OF BUSINESS**

Commissioner Kicklighter said, Mr. Chairman, at this time I would like to make a motion that we amend the agenda and talk about the Cohen-Anderson Gym at this time.

Chairman Liakakis said, we have a motion on the floor. Do we have a second. Commissioner Gellatly said, I'll second it. Chairman Liakakis said, let's go on the board. Chairman Liakakis and Commissioners Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioners Stone, Holmes, Shay, Farrell and Odell voted in opposition. The motion failed by a vote of five to four.

Commissioner Kicklighter said, Eric and the media, I'll let you know if I'm holding a press conference with everything then. This was going to be the abbreviated, but if we can't talk about it in public here, we'll talk about it with you.

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**ANNOUNCEMENT**

Chairman Liakakis said, anybody that was here this morning concerning the Anderson-Cohen or any legislation on the Weightlifting Center, that will not be heard this morning at the County Commission meeting.

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**EXECUTIVE SESSION**

Chairman Liakakis said, we need a request now to recess into Executive Session for litigation.

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

Chairman Liakakis said, and this is litigation that our County Attorney wants to discuss with us this morning that's very important, so let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes. This shouldn't take very long. The Board recessed at 9:35 a.m.

The Board reconvened the open meeting of the County Commission at 9:50 a.m. Chairman Liakakis said, the meeting was on litigation that we went into Executive Session.

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**CHATHAM COUNTY YOUTH COMMISSIONERS**

Chairman Liakakis said, I'd like to identify our two Chatham County Youth Commissioners that are here today. Brittany Bell, who is the Youth Commissioner for Jenkins High School, and Harry Scott, who is the Youth Commissioner for Savannah Arts Academy. We're glad to have both of you here today.

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**V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

- 1. **PROCLAMATION FOR MARY ELIZABETH "BETH" REITER ON HER RETIREMENT FROM THE METROPOLITAN PLANNING COMMISSION AFTER 24 YEARS OF SERVICE. (NOTE: TO BE DELAYED UNTIL A MEETING IN MAY.)**

Chairman Liakakis said, I call on Commissioner Patrick Shay to do the proclamation for her. Is she here?

County Manager Abolt said, no sir. She had to be out of State and we put on the agenda as a last minute note this is to be delayed until a meeting in May.

Chairman Liakakis said, so just hold off. Well —. Commissioner Shay said, she's a really great lady and it would be a good thing for her to be here when we gave her the proclamation.

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- 2. **PROCLAMATION DECLARING APRIL AS "DONATE LIFE MONTH." EILEEN CONNOR WILL BE RECEIVING.**

Chairman Liakakis said, Eileen Conner will be receiving and if she has anyone else here with her, please come forward while Commissioner Patrick Farrell does the proclamation. Please come forth to the podium.

Commissioner Farrell said, I thought I was going to get stranded at the alter too. Alright. It gives me great pleasure today to present this proclamation on behalf of the Commissioners and the Chairman.

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

**WHEREAS**, one of the most meaningful gifts that a human being can bestow upon another is the gift of life. More than 106,000 men, women, and children await life-saving or life-enhancing organ transplants, of which nearly 3,000 reside in Georgia; and

**WHEREAS**, the need for organ, eye, and tissue donation grows daily as a new patient is added to the national waiting list for an organ transplant every 11 minutes. The critical donor shortage remains a public health crisis as an average of 18 people die daily due to the lack of available organs; and

**WHEREAS**, organ, eye, and tissue donation can provide families the comfort of knowing the gift of donated organs and tissue endows another person with renewed hope for a healthy life; and

**WHEREAS**, donating life through organ, eye, and tissue donation is the ultimate act of generosity and kindness we Chatham County citizens can perform. Give the Gift of Life at [www.donatelifegeorgia.org](http://www.donatelifegeorgia.org) where 104,094 have already registered their decision. LifeLink of Georgia is the non-profit, community service organization dedicated to the recovery of high quality organs and tissues for transplantation therapy and Chatham County supports their life-saving mission.

**NOW, THEREFORE**, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim April, 2010 as:

**DONATE LIFE MONTH**

in Chatham County to honor all those who made the decision to give the gift of life, to focus attention on the extreme need for organ, eye, and tissue donation, to encourage all residents to take action and sign up on Georgia's Donor Registry at [www.donatelifegeorgia.org](http://www.donatelifegeorgia.org), to discuss the miracle of transplantation as a family, and to make a family commitment to organ, eye, and tissue donation.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 9<sup>th</sup> day of April, 2010.

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Pete Liakakis, Chairman  
Chatham County Commission

**ATTEST:**

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Sybil E. Tillman, Clerk

Commissioner Farrell said, congratulations.

Ms. Eileen Connor said, I just want to thank you so much for doing this. I had a heart transplant in June of 2006. Before transplant I was a very healthy person. Everybody in my family, four of us, were all organ donors. We never in our wildest dreams thought that any of us would be a recipient because we took care of ourselves. So it can happen to anybody at any time. There is never a day that goes by without me being so appreciative of the family through their generosity gave me an opportunity to live again. I have had a second chance.

I cannot tell you how much it changes the lives of you and the people around you. You will never know. You are sitting in this room right now. You may need an organ sometime. It is a very easy thing to do to donate your organs. We certainly know that heaven knows we need them on earth. At a time of recycling, I can't think of a

better way to donate than to donate organs so we can recycle our organs and help others. And beside me is Amy Ostrow. Her son received an organ last year. Thank you.

Chairman Liakakis said, Eileen [Connor], we thank you on your efforts for this, Donate Organ, because we can see how a lot of people's lives in this country. I've had a distant relative that was donated an organ and thankfully he continues to live now, and a number of friends. So I know that all the Commissioners were like to encourage all of our citizens to please make a donation of an organ if they would because you can save lives if you do that. Thank you, Eileen [Connor].

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**3. PROCLAMATION DECLARING APRIL 11-17, 2010, AS ANIMAL CONTROL OFFICERS' WEEK IN CHATHAM COUNTY. LT. BRENDA BOULWARE WILL BE RECEIVING.**

Chairman Liakakis said, Commissioner Helen Stone will do the proclamation.

Commissioner Stone said, thank you, Mr. Chairman. It is indeed a pleasure to present this proclamation to Lt. Boulware, who has done a lot for this community and all of our four-legged friends out at Animal Control.



**WHEREAS**, the National Animal Control Association has designated the second week of April each year as *Animal Control Appreciation Week*; and

**WHEREAS**, *Animal Control Appreciation Week* provides an opportunity for the Board of Commissioners of Chatham County and the citizens which they serve to join with others at the federal, state and local levels to recognize, thank and commend all Animal Control Officers for the dedicated service they provide; and

**WHEREAS**, the Board of Commissioners recognizes and commends the Animal Control Officers for the many dedicated and long hours of service they perform in serving this community and for fulfilling the Savannah-Chatham Metropolitan Police Department's commitment to providing the highest and most efficient level of customer service; and

**WHEREAS**, the Board of Commissioners wishes to commend each Animal Control Officer for his or her professionalism, which is in keeping with the long and distinguished tradition of the Animal Control profession.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Board of Commissioners of Chatham County does hereby officially recognize the week of April 11 – 17, 2010, as:

**CHATHAM COUNTY ANIMAL CONTROL OFFICERS' WEEK**

and asks all citizens, Public Safety, Health and Public Service personnel to join in expressing their sincere thanks, gratitude and appreciation for the many long hours of outstanding service and quality performance these dedicated individuals provide throughout the year to assure the safety and welfare of all.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed this, the 9<sup>th</sup> day of April, 2010.

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Pete Liakakis, Chairman  
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

Commissioner Stone said, Mr. Chairman, I have had some experience in the past with Animal Control, and I can tell you it is a thankless job what they have to do out there and how heartbreaking it is sometimes when these animals come in and they know that there are just not enough homes for them. But these dedicated people have a real service that they provide to this community. Thank you.

Chairman Liakakis said, Lt. Boulware, if you would come up now and talk a little bit and introduce everybody here also.

Lt. Brenda Boulware said, I certainly will. First of all, let me start with my Animal Control officers: Charles Collins. He's my Senior Animal Control Officer. He has been with us 22 years. Next to him is Rosalyn. Rosalyn Quarterman has been with us three years. Robert Miles, he's been with us seven years, and we have an officer that's not here because he had a family emergency, Officer Kevin DeRouen. His mother took ill so he's with her. And Larry Rountree, he's been with us eight years. We have a total of 47 years of cumulative Animal Control experience standing right here. Every last one of them has been nationally certified, and that is truly an accomplishment. The old adage dog catcher is out the window. They are Animal Control Officers. The shelter staff, they're often overlooked and everything. Those folks have been working under very tough circumstances and they, too, I want to say something on their behalf. That's about to change because you folks have approved a new building, which we can't wait to get into and it's going to make their jobs a whole lot easier.

Also, I have the command staff here: Major James Barnwell, Special Division Commander; Captain Larry Branson, the Assistant to James Barnwell and, of course, the Chief. This command staff is very supportive of the Animal Control Unit, and I really appreciate them very, very much. Thank you very much.

Chairman Liakakis said, Larry [Rountree], you and, of course, Barnwell, but you know what's really nice, not only have we got a good Chief now that has taken over the Metro Police Department, but the thing about it is, he always assists in all of the division and has commanded many of the police department and all, and I know that if you have a shortage or something, he's still in real good shape that he doesn't mind running after one of the pups. Okay, well, thank y'all very much. We appreciate your long service also, Brenda [Boulware] because you've done an excellent job, and yesterday I was called up with the Mayor because, as you know, they presented a proclamation from the City of Savannah for the Animal Control Unit because the Animal Control Unit not only 's not only in the Chatham County unincorporated area but the entire Savannah metropolitan area also. So we appreciate all of y'all, what you do, and thankfully within a few weeks, the brand new, the number one, the best animal control shelter in the entire country will be open here shortly. Thank you.

Lt. Boulware said, thank you.

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VI. CHAIRMAN'S ITEMS

1. RESOLUTION TO SUPPORT SENATOR CARTER'S EFFORTS TO STRENGTHEN NOTIFICATION REQUIREMENTS RELATED TO FLOOD PLAINS.

Chairman Liakakis said, the resolution, basically I'll read some parts of it, is:



WHEREAS, changes by the Federal Emergency Management Agency in the criteria describing floodplains have led to changes in floodplain maps that have led to restrictions on development of property in Chatham County and elsewhere in this state; and

**WHEREAS**, the Board of Commissioners of Chatham County and State Senator Earl “Buddy” Carter recognize the importance of the rights of individual property owners; and

**WHEREAS**, State Senator Earl “Buddy” Carter has introduced House Bill 169 in an effort to provide for notices to affected property owners and local governments whenever the Federal Emergency Management Agency provides formal notice under the federal Map Modernization or Risk Map programs as administered through the National Flood Insurance Program regarding any new or revised flood elevations that are proposed for any property located in the regulatory floodway or elsewhere in this state; and

**WHEREAS**, the Board of Commissioners of Chatham County and State Senator Earl “Buddy” Carter believe that improvements to the notification procedures will lead to better protection of property rights for property owners in Chatham County and other areas in Georgia.

**NOW, THEREFORE**, the Board of Commissioners of Chatham County does by this resolution extend its support for legislation to provide for notices to affected property owners and local governments whenever the Federal Emergency Management Agency provides formal notice under the Federal Map Modernization or Risk Map programs as administered through the National Flood Insurance Program regarding any new or revised flood elevations that are proposed for any property located in the regulatory floodway or elsewhere in this state programs as described above in this resolution.

**FURTHERMORE**, the Board of Commissioners directs that the Clerk of the Commission provide a copy of this resolution to each member of the Chatham County Legislative Delegation to urge each member's support for HB 169.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this, the 9<sup>th</sup> day of April, 2010.

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Pete Liakakis, Chairman  
Chatham County Commission

**ATTEST:**

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Sybil E. Tillman, Clerk

Chairman Liakakis said, and it goes on talking about this. Unfortunately, what has happened in the past, a number of months ago the Federal Emergency Management Agency, FEMA, they had changed the elevation of some properties out in Pooler and some other extended areas and people purchased property in there. They were not notified by officials at the time and there were some developers and I think one or two of the developers lost a few million dollars out there . So what this particular bill, House Bill 169, will do is to make sure that when anything comes from FEMA in the future concerning the flood plain areas, that everybody will be notified right away so those homeowners now unfortunately they have lost their ability to build out there and they’ve lost their money in addition to the developers. So what he’s doing with this particular bill is to get the State to pass that command that whoever receives that information and however it’s disseminated, that it’s done immediately in the future. And I’d like a motion on the floor to approve this resolution to be sent.

Commissioner Thomas said, so moved, Mr. Chairman. Commissioner Odell said, second.

Chairman Liakakis said, we have a motion on the floor and a second for this floodway plain. The motion carried unanimously. Chairman Liakakis said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Thomas made a motion to approve a resolution supporting legislation to provide notices to affected property owners and local governments whenever the Federal Emergency Management Agency (FEMA) provides formal notice under the Federal Map Modernization or Risk Map programs as administered through the National Flood Insurance Program regarding any new or revised flood elevations that are proposed for any property located in the regulatory floodway or elsewhere in this State. Commissioner Odell seconded the motion and it carried unanimously.

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## 2. RESOLUTION IN SUPPORT OF CURRENT INDIGENT DEFENSE PROGRAM.

County Manager Abolt said, yes sir. We discussed this. You'll remember this comes from our Legislative Representative Lee Hughes. As you all are aware, I know the Chairman's on top of it, apparently there is a move in the State Legislature to absolve itself, remove itself, divorce itself, whatever the proper term is, from any real responsibility from indigent defense. It was a number of years ago through Legislative action not just forced it on all counties, but made a commitment by that action requiring counties to create an indigent defense system or meet the same criteria for those in need of counsel. The incentives were so strong to co-op and to participate and surrender to State direction that we did on the advise of judges and others, and we did it with the clear understanding that the State would pick up the cost. Now in this particular situation, in fact it was sold with the idea that there would be no net increase to any county for this, but now in whatever is happening in Atlanta that there seems to be a forgetting of all of that, and they apparently are choosing to hoist this off on counties, which is a serious issue and hopefully will go nowhere. The problem is the State did something, sold it based on a commitment, and now that commitment is in jeopardy.

Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell asked, how many of the local legislators have called and consulted with you about the ramifications of this possible change — major change in the public defender system and the funding? County Manager Abolt said, none of them, sir. This comes from Lee Hughes and others, Michael Edwards, Commissioner Stone. This apparently, I don't want to say came out of left field, Turner's Field, but it came as a surprise.

Commissioner Farrell said, so — let me get this right. They're making some major changes in the way that indigents are funded and no one in the local delegation has consulted with the folks that have to actually implement this? County Manager Abolt said, I really am not trying to avoid the question, but I want to defer to Commissioner Stone because she's really the one that participates, as you all do, with ACCG. She's the one that called me on the way back from Atlanta saying that something is afoot. And so we found out that something was afoot — it was an athlete's foot.

Commissioner Stone said, the concerning part of this piece of legislation is it was buried within an existing bill so it wasn't obvious. When I got a — I guess it was an email about this, I immediately contacted Russ [Abolt] and contacted Public Defender Michael Edwards, who jumped on it through some of his staff — he was in trial — and they had a meeting in Atlanta with Mr. Hughes, and I've asked them to stay on top of this. The consensus of the Association of County Commissioners is that they are watching it as well. The problem is that some of the smaller counties this really doesn't have an impact on. So it is paramount that we keep an eye on this, and I believe it's — and I don't want to be quoted on this — but it might be Senate Bill 42. I can't remember, but it's buried. It's not an obvious bill and that's the concern that I had and that's why when I read the email I was extremely concerned and I let the Association of County Commissioners via a conference call know that we were passing a resolution to this effect. So I think it's something that we need to stay on top of.

Commissioner Farrell said, yeah, I find it pretty troubling that our local representatives of Chatham County would not, you know, actively seek information from the local officials and the local folks that have to deal with this problem. I certainly hope when they get home from Atlanta this weekend that they make some effort to find out the effects of the possibility if this bill were to be passed. Thank you.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, yeah. There's a confusion as to whether or not we must provide legal counsel to those who are without funds and are charged with a crime. The Supreme Court has answered it and said we must. Several years ago we were persuaded by the State Representatives that this statewide indigent defense fund was the way to go. We bought into it due to the persuasion of the judges and all concerned, and now because they have a budget deficit they are attempting to shift between \$2.5 and \$3million back to the counties. It solves their budget problem, but it creates a budget crisis for us, combined with the fact that we have caps that the Legislatures have placed on what kinds of things we can do to raise revenue. ACCG has taken lead finally on this, which is a good thing. I would also like to see the City Association, because we're the County. The vast majority of those charged come from the city, so the mayor and city council have a bigger stake in this dog's fight as we do. We are providing services to all citizens and the majority of those citizens charged are coming from the City of Savannah, but this is old-fashioned cost shifting.

Commissioner Odell said, I support the resolution and make a motion to approve. Commissioner Stone said, second.

Chairman Liakakis said, well, so that everybody fully understands this now, the taxpayers in Chatham County are going to be paying for this Public Defender's Office instead of the State of Georgia paying their portion of it. Unfortunately, it's another State-mandated program that's now going to become unfunded if they pass this in the House, you know, in the Legislature in the next seven days, and hopefully with enough lobbying and people contacting the Legislators in Atlanta, this will not occur. So — and this afternoon I'll be talking to a couple of the chairmen and relay the feelings in addition to this resolution to them about the burden that will be putting on local taxpayers in addition to the other monies that's being paid into that program.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone asked, Mr. Chairman, would you consider some dialogue, just as Commissioner Odell said, with the City of Savannah on this because this would impact them as well?

Chairman Liakakis said, what I'll do, I'll call and speak to the Mayor on it and just ask them if they will contact their lobbyist also, Jim Burgest, to help us with this also. Commissioner Stone said, thank you.

Commissioner Kicklighter said, one question. Commissioner Kicklighter said, go ahead, Dean [Kicklighter]. Commissioner Kicklighter asked, is it legal — I know we've asked this before, but is it legal on the tax bill to put a category out there that says something to the effect that Georgia state tax millage rate, break it out and assign a millage rate for every unfunded millage rate for every unfunded mandate they're passing along to the citizens? Assistant County Attorney Lisa Colbert said, I would have to take a look at that. I'm not sure. Commissioner Kicklighter asked, could you check into that because people looking like heroes and they're not heroes is kind of annoying to me. When they're just passing the burden along and —. Commissioner Farrell said, good point, Commissioner. I like that. Commissioner Kicklighter said, I would like to see that where we have the Board of Education on there, we have your City tax, we have your County unincorporated tax, we have your Board of Education tax, and now I would love to see Georgia state millage rate for all unfunded mandates broken out separately on here.

Chairman Liakakis said, on one specific item that we've got as of about a month ago, the State prisoners that are housed in the Chatham County Jail from January 2001 until a month ago, the State of Georgia owes the County taxpayers \$26,800,000 because they are not fully funding the State prisoners. What they now do is they send us \$22 a day and it costs approximately \$50 a day to house the prisoners, and it was mentioned to the County Attorney that what we could consider to do to sue the State and we would more than likely win it, but then it was brought back to our attention from Atlanta that we could more than \$26,000,000 on other State funding that we would be receiving. We would have a negative position with them if we won that because it would force them all over the State of Georgia to pay the exact amount of money that it costs to house State prisoners. Yes?

Commissioner Gellatly said, I'd also like to make a comment. You know, I'm going on 10 years as a Commissioner and for the last 10 years at some time or other we've always talked about putting something on the tax bill to explain what is happening, usually to do with the State, and it all gives us a warm fuzzy, but it never ever happens. Now what I'd recommend, what we can do for sure if legally we can or the Tax Commissioner just doesn't want to do it, we sure can have enclosed in that tax statement a letter from and on behalf of the nine Commissioners explaining and that can go in the envelope with it, and the City of Savannah you get your water bill and there's always some kind of thing in your water bill that doesn't have to do with water, and so we sure could do that. It sure wouldn't cost a nickel. It would be the same stamp being used, and I think that would be a good thing. I'd also ask for Commissioner Stone when she's involved with the County Association, and I heard again for the last 10 years that, you know, this bill or that bill, why the small counties are not interested because it's not going to impact them, well, you know, we need to work closely with our other fellow County Commissioners and it may not impact them, but maybe the next one would and it may be there would be things that would impact small counties that wouldn't impact large counties, and we need to cooperate on those various issues like that. You know, we ought to back and support a county government whether it's large or small and just do it as a matter of fact, and that's how you have a strong association.

Chairman Liakakis said, what's going to happen is here in just two weeks the County Association will be here in Savannah. They'll be here the 24<sup>th</sup>, 25<sup>th</sup>, 26<sup>th</sup> and 27<sup>th</sup> of April, and of course they'll be having their training classes and other sessions also, and what I will do in one of the sessions is to bring up what has been stated here about that particular subject. I'll be more than happy to do that because I will be welcoming them also. Helen [Stone]?

Commissioner Stone said, just to respond to Commissioner Gellatly. I don't want to leave you with the impression that they are not support this because it's not affecting smaller counties, because they are. That's what the conference call really was about. It's just that I don't think that the representatives from those smaller counties are going to be pushing this as hard in Atlanta. The Association County Commissioners is endorsing our stance on this. Don't get me wrong. That's what the phone call was about and that's why I asked for the resolution from this Board, but it's harder when, I guess, when representatives from the smaller counties, if they don't particularly have a dog in the fight and they're not talking to their State representatives, it doesn't have as big of an impact. But I can assure you that Clint Mueller and the rest of the ACCG staff, Ross King, they are fighting this as hard as they can in Atlanta on our behalf.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, the people impacted by this is about 90% of the citizens here in Georgia. If you look at the major metropolitan areas from Atlanta, Augusta, Macon, we're going to have 90% of the people in support of this. The second part of my statement is this is a very warm and fuzzy thing and we've talked about it a couple of years. It might be good if we set a timetable to get this done, and that timetable is why can't we have within the next two weeks a legal opinion as to the feasibility of our sending a — if not an addendum to the tax bill then a separate statement identifying the additional State mandates our citizens are now forced to do. So in two weeks we will have a legal opinion as to whether or not we're within our right to disclose information which they have an absolute right to have. My opinion is that they have the absolute right have that information, and our disclosing it

as a matter of law could not be illegal or just. And, secondly, that we talk to those involved, and that is Danny Powers, the Tax Commissioner, as to the mechanics of how we do this and any unforeseen cost so that we know what those costs are going to be before we have a vote on we're going to go forward with this. Armed with the fact that the law, the mechanics and the cost, I think we're in a position at that point to make a decision. You know, Dean [Kicklighter] is absolutely right. We catch all of the grief in the world as Commissioners. Everything that involves our citizens is blamed upon us. Our hands are continuously tied by the State Legislature and they cannot continue to dump this on our backs and tie our hands and then expect that no one shall know what they've done. I take — this is not a Commission action, this is a Harris Odell statement, and any Commissioner who wants to serve as a disclaimer, you have that right, but as far as I'm concerned the truth shouldn't shame anyone. It is the truth.

County Manager Abolt said, Mr. Chairman, just for a point of clarification about the action you've already taken, in the Fall tax bill, which is the final bill, and as a result of inaction on the franchise fee equity issue, you've already extracted Mr. Monahan's work and Mr. Powers to duly report to all those receiving a tax bill in the Special Service District coming up short \$4 million dollars. I am confident that probably in that same communication, I realize that the Tax Commissioner has some authority over the bill itself, but a separate mailing or something that would incorporate at the end of a legislative session I think we want to be very careful that we're not attributing something that has not been disposed of in a way that we think it might be disposed of, that after the session is over then in effect that communication that addresses franchise fees will include other things equally unfair.

Chairman Liakakis said, okay, let's go on the board. We've got to vote for the resolution. The motion carried unanimously. Chairman Liakakis said, the motion passes.

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

Commissioner Odell moved to approve a resolution urging the Legislative Delegation to vote in opposition to legislation that the public defender system be dismantled thereby shifting the burden of the indigent defense to the county governments of the State. Commissioner Stone seconded the motion and it carried unanimously.



**WHEREAS**, the Constitution of the United States of America requires that anyone accused of a crime in our country will be entitled to an attorney to defend them in a court of law regardless of their ability to afford one; and

**WHEREAS**, the Board of Commissioners of Chatham County recognizes the importance of that constitutional provision; and

**WHEREAS**, the State of Georgia created a statewide public defender system just five years ago; and

**WHEREAS**, legislative leaders are proposing that the statewide public defender system should be dismantled; and

**WHEREAS**, if that should happen the entire costs of managing and administering the constitutionally mandated public defense system will then be shifted to the county governments.

**NOW, THEREFORE**, the Board of Commissioners of Chatham County does by this resolution urge the Chatham County Legislative Delegation to oppose any efforts to dismantle the current indigent defense program that is managed by the State of Georgia.

**FURTHERMORE**, the Board of Commissioners directs that the Clerk of the Commission provide a copy of this resolution to each member of the Chatham County Legislative Delegation to urge each member's opposition to efforts to shift the burden of the indigent defense to the county governments of the State.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed this, the 9<sup>th</sup> day of April, 2010.

Pete Liakakis, Chairman  
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

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**3. PROCLAMATION DECLARING APRIL 2010 AS FAIR HOUSING MONTH IN CHATHAM COUNTY. WAYNE DAWSON WILL BE PRESENT TO ACCEPT THE PROCLAMATION.**

Chairman Liakakis said, Commissioner Harris Odell will do the proclamation.

Commissioner Odell said, on behalf of our Chairman. Commissioner Odell then read the following proclamation into the record:



**WHEREAS**, the Federal and State of Georgia Fair Housing Laws prohibit discrimination in housing based on race, color, religion, sex, disability (or handicap), familial status or national origin; and

**WHEREAS**, the month of April has been designated by the U.S. Department of Housing and Urban Development as National Fair Housing Month; and

**WHEREAS**, April 11, 2010, marked the 42<sup>nd</sup> Anniversary of the passage of Title VIII of the Civil Rights Act of 1968, the Federal Fair Housing Law; and

**WHEREAS**, the first housing discrimination court decision under the State of Georgia's Fair Housing Law was resolved in Chatham County; and

**WHEREAS**, Chatham County supports the efforts of local agencies, non-profits, the private sector and individuals in ensuring compliance with the Federal Fair Housing Law; and

**WHEREAS**, Chatham County affirms the right of all citizens to choose where they wish to live without encountering discrimination.

**NOW, THEREFORE**, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim the month of April 2010 as:

**FAIR HOUSING MONTH**

in Chatham County, Georgia, and call upon all citizens to participate in ceremonies and activities supporting the Federal Fair Housing Law.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed this, the 9<sup>th</sup> day of April, 2010.

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Pete Liakakis, Chairman  
Chatham County Commission

**ATTEST:**

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Sybil E. Tillman, Clerk

Mr. Wayne Dawson said, thank you very much for recognizing people in Fair Housing Month. As most of you know, there are certain things that are going to happen in the Spring of the year. We're going to get a lot of pollen and we're going to be before you thanking you for bringing — recognizing April as Fair Housing Month. I have with me today our Board President Mr. Terry Tolbert and Board Member Mr. Art Gunther.

Mr. Terry Tolbert said, first of all, let me thank the Chairman for this proclamation and the County Commissioners for funding us and inviting you to our annual meeting, which is going to be held at EOA Multipurpose Room at 5:30 in the evening on April 21<sup>st</sup>. The speaker will be Labor Commissioner, Mr. Thurmond. So you're welcome to come and Art Gunther is our Chairman of our Annual Conference.

Mr. Gunther said, same invitation and we stand on our model that fair housing is not an option, it's the law.

Chairman Liakakis said, well, thank you very much. We know how the Fair Housing Council has helped in Chatham County over the last several years because unfortunately we did have some of our citizens that were discriminated against, and since the Fair Housing Council has been in existence they have challenged a number of those particular areas, and I think the message has gotten out that you need to follow the federal law concerning fair housing in our community. Thank you.

Commissioner Kicklighter asked, out of curiosity, can I ask how often do you have to challenge something in this area? Mr. Tolbert said, often. Actually, there are — I actually came from a training in Atlanta with the National Community Reinvestment Coalition and a lot of the houses that are up for foreclosure when we look back at it, we can challenge them under the Fair Housing because there was discrimination in subprime and predatory loans. There are a number of houses — what we do is we send testers out. We send white and black testers out and Espanic testers, male and female, and all across this County you would be amazed of what's going on in this community, and the only way you can tell you've been discriminated against is we send testers out, and so we do that quite often. We also have — a lot of developers who are building houses that are not making certain that they are accessible for people with disabilities, so we get those quite easy, but the other ones we send people out. It's amazing in this day and time that it is still prevalent in not just in the real estate market but in the banking industry and insurance industry. So, I mean, it's still prevalent.

Commissioner Kicklighter said, that is amazing especially, like you said, this day and time and then add on top of that how bad people need to actually sell things, and you would think that the money part would stop the racism and sexism and everything else, too, on that. So, I appreciate what y'all are doing. Mr. Tolbert said, sometimes it's not just the company itself is doing it. Sometimes you have employees and ignorance by company owners is no excuse. They're just as guilty.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, thank you for all the great work that you do and the justice that you try and bring to the marketplace. One of the things that I would encourage you to pay close attention is we're in hopefully the last lap of what it's going to take to reform our zoning ordinances here in Chatham County through the Uniform Zoning Ordinance, and one of the things that I've observed is that it is quite frequently very difficult to be able to achieve higher densities in apartment rental developments in some zones because frankly they are not allowed. I don't challenge the fact that we have the right to determine where they ought to go, but what we don't have to determine is that they don't go anywhere and in our downtown area especially. I think there's a lot of land that's available and a lot of opportunity for us to be able to build more affordable housing, and I would ask that you pay attention closely to the process as the Uniform Zoning Ordinance is gradually adopted to make sure that there are plenty of opportunities especially in our urban core area for affordable housing to be developed. We can't discriminate for race, but we also can't discriminate for economic, basically for low wealth status either.

Mr. Tolbert said, there are challenges across the country where municipalities and planning commissions who set barriers for houses that are affordable. We have gotten information that would allow us to include the Justice Department to ensure where those things are happening, like in some communities where for years that water was not available to certain people in certain communities and they were sued, and so even though it is done with good intentions, it does not matter. You know, it's just wrong, so we're pursuing those things. Commissioner Shay said, thank you.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, Terry [Tolbert], just an observation. I would think that the story that we are actually in this County sending people out to make sure that the law is being complied with, I would think that would be an excellent news story that we do that because that would save you a lot of footsteps because people that are

teetering on whether they should violate the law or not, would bring them into compliance real quick. Also, when someone is charged or cited for that, I would hope that that would be a highly public event in this day and age, and I haven't read anything about that in the newspaper. I would love to — I would like to see more of that. Mr. Tolbert said, you will probably hear more about some things that we are working on when we deal with the legal issues. There are certain things we can't talk about because of ongoing investigations and it's not a — Commissioner Gellatly said, I'm not talking about ongoing investigations, but I think just the pure stats that this is still a problem in Chatham County in this day and age, and I think that — you'll notice the Police Department sometimes gives public notice as to where they are going to be running radar. Well, in those areas people are very slow that day. Well, I would think that the same strategy would work in what you're doing. You know, I'm just throwing that out. You know, what do I know. Mr. Tolbert said, you know a lot.

Commissioner Gellatly said, the last thing I wanted to point out is that I want to point out that Terry Tolbert has the very good fortune of being married to Major Julie Tolbert, who is a Deputy Chief of the Metropolitan Police Department, someone that's very near and dear to me, and someone that has kept Terry Tolbert straight and proper over the years. Mr. Tolbert said, thank you, Chief.

Chairman Liakakis said, yeah, because she carries those handcuffs. Okay, thank y'all very much.

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**VII. COMMISSIONERS' ITEMS**

None.

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**CHATHAM AREA TRANSIT AUTHORITY**

Upon motion made by Commissioner Odell, seconded by Commissioner Thomas and unanimously approved, the Board recessed as the County Commission at 10:40 a.m., and convened as the Chatham Area Transit Authority.

Following adjournment of the Chatham Area Transit Authority, the Board reconvened at 11:35 a.m., as the County Commission.

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**VIII. TABLED/RECONSIDERED ITEMS**

<p>Unless action is contemplated at today's meeting, staff report and file material has not been duplicated in your agenda packet. The files are available from the Clerk. Those on which staff is requesting action are indicated by asterisk (*).</p>
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None.

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**IX. ITEMS FOR INDIVIDUAL ACTION**

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

1. **REQUEST BOARD APPROVAL OF THE FOLLOWING BUDGET AMENDMENTS AND TRANSFERS: (1) GENERAL FUND M&O A) INCREASE REIMBURSABLE REVENUE - CITY OF SAVANNAH \$281,257, B) INCREASE COUNTER NARCOTICS TEAM DEPARTMENT BUDGET \$125,000, C) INCREASE ANIMAL CONTROL DEPARTMENT BUDGET \$35,000, D) DECREASE TRANSFER OUT TO E911 FUND \$27,500, E) DECREASE MARINE PATROL DEPARTMENT BUDGET \$17,500, AND F) INCREASE TRANSFER OUT TO CIP FUND \$166,257, (2) SPECIAL SERVICE DISTRICT A)**

**INCREASE REIMBURSABLE REVENUE - CITY OF SAVANNAH \$357,561, AND B) INCREASE TRANSFER OUT TO CIP FUND \$357,561, (3) E911 FUND A) DECREASE TRANSFER IN FROM GENERAL FUND \$27,500 AND B) DECREASE PAYMENTS TO CITY OF SAVANNAH EXPENDITURE \$27,500, (4) CIP FUND A) INCREASE TRANSFER IN FROM GENERAL FUND \$166,257, B) INCREASE TRANSFER IN FROM SSD FUND \$357,561, C) INCREASE SCMPD FLEET PROJECT BUDGETS FOR CNT \$166,257 AND FOR SSD POLICE \$357,561, (5) SALES TAX II FUND, TRANSFER \$350,000 FROM THE HUTCHINSON ISLAND WATER AND SEWER PROJECT TO THE MAY STREET YMCA PROJECT AND (5) SALES TAX IV FUND A) TRANSFER \$300,000 FROM OPEN SPACE AND GREENWAYS TO TRUMAN TRAIL II, AND B) TRANSFER FUNDS AMONG ROAD AND DRAINAGE PROJECTS AS OUTLINED IN THE ATTACHED MEMORANDUM.**

Chairman Liakakis said, I need a motion on the floor to approve these individual actions.

Commissioner Gellatly said, motion. Commissioner Holmes said, second. Commissioner Odell said, second.

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

**ACTION OF THE BOARD:**

Commissioner # moved that the Board approve the following budget amendments and transfers: (1) General Fund M&O a) increase Reimbursable Revenue - City of Savannah \$281,257, b) increase Counter Narcotics Team department budget \$125,000, c) increase Animal Control department budget \$35,000, d) decrease Transfer out to E911 Fund \$27,500, e) decrease Marine Patrol department budget \$17,500, and f) increase transfer out to CIP Fund \$166,257, (2) Special Service District a) increase Reimbursable Revenue - City of Savannah \$357,561, and b) increase Transfer out to CIP Fund \$357,561, (3) E911 Fund a) decrease Transfer in from General Fund \$27,500 and b) decrease payments to City of Savannah expenditure \$27,500, (4) CIP Fund a) increase Transfer in from General Fund \$166,257, b) increase Transfer in from SSD Fund \$357,561, c) increase SCMPD Fleet project budgets for CNT \$166,257 and for SSD Police \$357,561, (5) Sales Tax II Fund, transfer \$350,000 from the Hutchinson Island Water and Sewer Project to the May Street YMCA Project and (5) Sales Tax IV Fund a) transfer \$300,000 from Open Space and Greenways to Truman Trail II, and b) transfer funds among road and drainage projects as outlined in the attached memorandum. Commissioners Holmes and Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

**AGENDA ITEM: IX-1**  
**AGENDA DATE: April 9, 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) General Fund M&O a) increase Reimbursable Revenue – City of Savannah \$281,257, b) increase Counter Narcotics Team department budget \$125,000, c) increase Animal Control department budget \$35,000, d) decrease Transfer out to E911 Fund \$27,500, e) decrease Marine Patrol department budget \$17,500, and f) increase transfer out to CIP Fund \$166,257, (2) Special Service District a) increase Reimbursable Revenue – City of Savannah \$357,561, and b) increase Transfer out to CIP Fund \$357,561, (3) E911 Fund a) decrease Transfer in from General Fund \$27,500 and b) decrease payments to City of Savannah expenditure \$27,500, (4) CIP Fund a) increase Transfer in from General Fund \$166,257, b) increase Transfer in from SSD Fund \$357,561, c) increase SCMPD Fleet project budgets for CNT \$166,257 and for SSD Police \$357,561, (5) Sales Tax II Fund, transfer \$350,000 from the Hutchinson Island Water and Sewer Project to the May Street YMCA Project and (5) Sales Tax IV Fund a) transfer \$300,000 from Open Space and Greenways to Truman Trail II, and b) transfer funds among road and drainage projects as outlined in the attached memorandum.

**FACTS AND FINDINGS:**

1. The budget transfers related to the General Fund M&O and SSD SCMPD Fleet replacement utilize vehicle replacement funds received in fiscal 2010 for upcoming fleet replacements required under the intergovernmental agreement. The transfers will provide the remainder of calendar 2010 funding for SSD Police vehicles. The transfers will also provide partial funding for SCMPD General Fund fleet requirements for fiscal

2011. The City's preliminary 2009 reconciliation indicates a funding need in CNT and Animal Control that has also been addressed through the transfers as shown. Resolutions are attached.

2. The Assistant County Manager has requested a \$350,000 transfer from the Hutchinson Island Water and Sewer Project to May Street YMCA Project in the Sales Tax II Fund. A staff report is attached.

3. The Assistant County Manger has requested a \$300,000 transfer from 2003-2008 SPLOST Open Space and Greenways to Truman Trail II. Correspondence is attached.

4. The Assistant County Engineer has requested transfers among road and drainage projects in the Sales Tax IV fund. Detail is provided in the attached memorandum.

**FUNDING:** Funds are available for the transfers and amendments detailed in the attachments. Funds are available in the Hutchinson Island Water and Sewer Project and Sales Tax IV Fund for the transfers.

**ALTERNATIVES:**

(1) That the Board approve the following:

**GENERAL FUND M&O**

- a) increase revenues by \$281,257 for reimbursements
- b) increase expenditures \$125,000 for Counter Narcotics Team budget
- c) increase expenditures \$35,000 for Animal Control budget
- d) decrease expenditures \$27,500 for transfer out to E911 Fund
- e) decrease expenditures \$17,500 for Marine Patrol budget
- f) increase expenditures \$166,257 for transfer out to CIP Fund

**SPECIAL SERVICE DISTRICT**

- a) increase revenues \$357,561 for reimbursements
- b) increase expenditures \$357,561 for transfers out to CIP

**E911 FUND**

- a) decrease revenues by \$27,500 transfer in from General Fund
- b) decrease expenditures by \$27,500 for payments to City of Savannah

**CIP FUND**

Increase revenues \$523,818 for transfer in from General Fund (\$166,257), transfer in from Special Service District (\$357,561) and increase project budgets for: SCMPD Fleet for CNT (\$166,257) and SSD Fleet Police (\$357,561).

**SALES TAX II FUND**

Transfer \$350,000 from Hutchinson Island Water and Sewer Project to the May Street YMCA Project.

**SALES TAX IV FUND**

- a) transfer \$300,000 from Open Space and Greenways to Truman Trail II Project
- b) transfer funds among projects as outlined in the attached memorandum dated December 9, 2009.

(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: Estelle Brown

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**X. ACTION CALENDAR**

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

Chairman Liakakis said, we have Items 1 through 6 and under 6 we have Items A through I. Are there any items here that any Commissioner would like to hold out so once we vote for all of the items. Helen [Stone]?

Commissioner Stone said, thank you, Mr. Chairman. I'd like to Item 5 held until the petition is complete. Commissioner Thomas asked, until what? Commissioner Stone said, Number 5, the request for the liquor license. The application was not complete.

Chairman Liakakis asked, any other items. Commissioner Odell said, I make a motion to approve the balance of the Action Calendar. Commissioner Thomas said, second.

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

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve Items 1 through 6-I, except Item 5. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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

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**1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF MARCH 26, 2010, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the minutes of the regular meeting of March 26, 2010. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD MARCH 18 THROUGH MARCH 31, 2010.**

**ACTION OF THE BOARD:**

Commissioner Odell moved to authorize the Finance Director to pay the claims against the County for the period March 18, 2010, through March 31, 2010, in the amount of \$7,574,400. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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**3. REQUEST BOARD APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE GEORGIA DEPARTMENT OF TRANSPORTATION AND CHATHAM COUNTY TO IDENTIFY AND BUDGET CONSTRUCTION FUNDING FOR PROJECTS ON GULFSTREAM ROAD AND R. B. MILLER ROAD. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve a Memorandum of Understanding between the Georgia Department of Transportation and Chatham County to identify and budget construction funding for projects on Gulfstream Road and R. B. Miller Road. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

**AGENDA ITEM: X-3**  
**AGENDA DATE: April 9, 2010**

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

**ISSUE:** To approve a Memorandum of Understanding (MOU) between the Georgia Department of Transportation (GDOT) and Chatham County to identify and budget construction funding for projects on Gulfstream Road and R.B. Miller Road.

**BACKGROUND:** In March 2006, the Governor made an arrangement with Gulfstream as an incentive to bring an expansion of their business at the Savannah Airport. The GDOT constructed Product Support Road to provide access from State Route 307 to a new facility. Improving Gulfstream Road and R.B. Miller Road are proposed projects by the GDOT to follow through with the commitments.

**FACTS AND FINDINGS:**

1. The redistribution of funds within the Coastal Region (CORE) Transportation Improvement Plan (TIP) will have no impact on projects scheduled for construction by the County or the GDOT within Chatham County at this time.
2. Gulfstream Road and the portion of R.B. Miller Road that are impacted by the "projects" are temporarily designed as state routes (i.e. added to State Highway System).
3. The GDOT is responsible for design, permitting and construction activities for the "projects". The scope has not been finalized, but generally envisions widening along Gulfstream Road and improvements at the intersections with R.B. Miller Road and State Route 21.
4. The GDOT will identify and budget Federal and State funding for the remaining amount.

**ALTERNATIVES:**

1. To approve a MOU between the GDOT and Chatham County to identify and budget construction funding for projects on Gulfstream Road and R.B. Miller Road.
2. To not approve the MOU.

**FUNDING:** No County funds are required. The funding source has been identified in the CORE TIP, which will be amended accordingly.

**POLICY ANALYSIS:** The Board approves intergovernmental agreements.

**RECOMMENDATION:** For Board consideration.

District 7

**MEMORANDUM OF UNDERSTANDING**  
BETWEEN  
**THE DEPARTMENT OF TRANSPORTATION**  
AND  
**CHATHAM COUNTY**

WHEREAS, the Georgia Department of Transportation, hereinafter called the "DEPARTMENT", has primary responsibility for identifying and budgeting the

Construction funding of project number CSMLP-0008-00(276), Chatham County, hereinafter called the "PROJECT"; and

WHEREAS, Chatham County, hereinafter called the "COUNTY", has agreed to participate in the Construction funding by identifying available L230S funds for the PROJECT;

NOW THEREFORE, it is hereby agreed and understood by and between the parties to this Memorandum that:

1. The COUNTY certifies that L230S funding will be identified and budgeted in the amount of Four million-two hundred thousand dollars (\$4,200,00) for the Construction activities for the PROJECT; and that the DEPARTMENT will identify and budget Federal and State funding for the remaining amount, subject to the DEPARTMENT and Federal Highway Administration's approval.
2. The COUNTY further certifies that the above listed funds shall be made available in a timely manner so as to be available when the Construction activities are scheduled as will be designated in the construction contract's schedule of activities.

This AGREEMENT is made and entered into in FULTON COUNTY, Georgia, and shall be governed and construed under the laws of the State of Georgia. The covenants herein contained shall, except as otherwise provided, accrue to the benefit of and be binding upon the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, said parties have hereunto set their seals the day and year above first written:

DEPARTMENT OF TRANSPORTATION

CHATHAM COUNTY

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Treasurer

\_\_\_\_\_  
Witness

Signed, Sealed & Delivered

This \_\_\_\_ Day of \_\_\_\_\_, 2010

\_\_\_\_\_  
NOTARY PUBLIC

I attest that the Corporate Seal attached to this Document is in fact the seal of the Officer of this Corporation executing this Document does in fact occupy the official Indicated and is duly authorized to execute Such document on behalf of this Corporation.

ATTEST:

\_\_\_\_\_

\_\_\_\_\_  
Federal Employee Tax No.

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4. **REQUEST BOARD APPROVE THE SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT ("AGREEMENT") BETWEEN CHATHAM COUNTY AND THE GEORGIA SECRETARY OF STATE TO PROVIDE FOR SECURE DISPOSAL OF OBSOLETE OR FAILED EQUIPMENT OF THE STATEWIDE ELECTION SYSTEM.**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the Second Amendment to the Intergovernmental Agreement between Chatham County and the Georgia Secretary of State to provide for secure disposal of obsolete or failed equipment of the Statewide Election System. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

**AGENDA ITEM: X-4**  
**AGENDA DATE: April 9, 2010**

DATE: April 1, 2010  
TO: Board of Commissioners  
THRU: R.E. Abolt, County Manager  
FROM: Russell Bridges, Elections Supervisor

**ISSUE:**

To approve the Second Amendment to the Intergovernmental Agreement ("Agreement") between Chatham County and the Georgia Secretary of State to provide for secure disposal of obsolete or failed components of the statewide election system.

**BACKGROUND:**

In 2002 the Secretary of State of Georgia implemented a uniform state-wide voting system of direct recording electronic equipment and in 2005 deployed the ExpressPoll to enhance it. Since the state-wide system was introduced and enhanced, some components have been superseded by newer equipment and other items may have failed and were replaced rather than repaired. Because the current Intergovernmental Agreement, as amended, does not provide for disposal of components that are no longer used, the county must maintain such items in inventory.

**FACTS AND FINDINGS:**

1. In 2002 the State implemented a uniform state-wide voting system (the "Agreement").
2. In 2005 the State upgraded the system with ExpressPoll (the First Amendment) to the Agreement).
3. The components of the system are stored in the Elections warehouse and are maintained in accordance with terms of the current Intergovernmental Agreement, as amended.
4. Some components of the state-wide system are no longer used to conduct elections, but are still maintained in inventory.
5. The Second Amendment to the Agreement provides for secure disposal of components that are no longer used to conduct elections.
6. The attached Second Amendment to the Intergovernmental Agreement has been reviewed by the County Attorney who has found it to be appropriate.

**ALTERNATIVES:**

1. That the Board authorizes the Chairman to sign the Agreement.
2. That the Board not authorize the Chairman to sign the Agreement and provide staff with directions.

**FUNDING:**

No funding is required to implement the Second Amendment to the Intergovernmental Agreement.

**POLICY:**

Entering into the Agreement with the State of Georgia is in the best interest of the County.

**RECOMMENDATIONS:**

Approve Alternative #1.

**SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT**

THIS SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT (the "Second Amendment") is made this \_\_\_\_ day of \_\_\_\_\_ 2010 between the Secretary of State of the State of Georgia and \_\_\_\_\_ County (the "County") (Collectively, the "Parties").

WHEREAS, the Secretary of State, as authorized by the General Assembly, provided a uniform Voting System to the County for the casting and counting of electoral votes in County, State and Federal elections in the State of Georgia.

WHEREAS, the County and the Secretary of State entered into a certain Intergovernmental Agreement for the loan and use of the Voting System by the County for the November 2, 2002 General Election and each subsequent election thereafter;

WHEREAS, the Voting System and components thereof are subject to the care, maintenance and use provisions of the Intergovernmental agreement, the Georgia Election Code, and any rules and regulations promulgated thereto;

WHEREAS, the life-cycle of individual Voting Systems or components thereof are not the same;

NOW, THEREFORE, for and in consideration of the mutual promises, the public purposes, and acknowledgements and agreement contained herein, together with other good and valuable consideration, the receipt of which is hereby acknowledged, the Parties agree as follows:

**1. Scope of Agreement.**

1.1 At the time a Voting System or component thereof does not pass acceptance testing and cannot reasonably be repaired, the County shall dispose of the Voting System or component thereof in a secure manner, pursuant to the terms of this Amendment.

**2. Exception to Scope of Agreement.**

2.1 The GEMS servers are not subject to the same disposal methods as described in this Second Amendment. The County shall dispose of any GEMS server loaned to the County pursuant to the Intergovernmental Agreement are clearly marked with blue security seals or a Secretary of State decal.

2.2 If the County has acquired a back-up GEMS server and it becomes necessary to dispose of the back-up GEMS server, the County shall erase the contents of any hard drive(s) in a manner consistent with United States Department of Defense (DOD) 5220.22-M disk-sanitizing standard, or the current DOD standard for storage device erasure. Once all hard drives are erased, the County shall then dispose of the back-up GEMS server in accordance with standard county disposal procedures.

**3. Notice of Replacement.**

3.1 Before the County may dispose of a Voting System or component thereof which the Secretary of State loaned to the County pursuant to the Intergovernmental Agreement, the County shall provide notice to the Secretary of State that the County has replaced the Voting System or component thereof. The County shall format the notice in the same format as Exhibit "A" attached hereto, which may be amended by the Secretary of State.

3.2 If the original model of the Voting System or component thereof is not available, then the County shall replace the Voting System or component thereof with the currently available, certified counterpart. The Secretary of State shall notify the County of currently available, certified counterparts to the Voting System and components thereof.

3.3 Notice pursuant to Section 3.1 shall be deemed duly provided upon delivery, if delivered to the Secretary of State as follows:

Office of the Secretary of State  
Attn: Elections Division  
2 Martin Luther King Jr. Drive SE  
Suite 1104 West Tower  
Atlanta, Georgia 30334  
Email: [electionshelpdesk@sos.ga.gov](mailto:electionshelpdesk@sos.ga.gov) (Subject: VOTING SYSTEM DISPOSAL)  
Facsimile: 770-408-3885 (SUBJECT: VOTING SYSTEM DISPOSAL)

**4. Request For Disposal.**

4.1 If a Voting System does not pass acceptance testing and cannot reasonably be repaired, the County shall give notice of such circumstance to the Secretary of State. Such notice shall be provided in the same format as Exhibit "B" attached hereto, which may be amended by the Secretary of State. The Secretary of

State shall confirm the ownership of the Voting System and may, in his sole discretion, authorize disposal of the Voting System or component thereof in accordance with the terms of this Amendment.

**5. Delivery for Disposal.**

- 5.1 Upon authorization of disposal of a Voting System or any component thereof, the County shall deliver or ship the Voting System or component thereof to the Secretary of State or his designee. The County shall include a copy of the completed Exhibit "B" with such shipment.
- 5.2 The Secretary of State shall acknowledge receipt of the Voting System or component thereof and shall return a copy fo the completed and executed Exhibit "B" to the County.

**6. Salvage and Destruction.**

- 6.1 The Secretary of State is authorized to salvage any components that are deemed salvageable and able to be used in a Voting System.
- 6.2 The Secretary of State shall arrange for the destruction of the Voting System or component thereof through the Georgia Department of Administrative Services ("DOAS") in accordance with Official Code of Georgia Annotated and any applicable rules and regulations. Upon destruction of a Voting System or component thereof, the Secretary of State shall be provided with a receipt verifying destruction. The Secretary of State shall keep such receipt with the master inventory records for the County, and shall update the master inventory records for the State to reflect the destruction of such Voting System or component thereof.

**7. Miscellaneous.**

- 7.1 Except as specifically provided in this Amendment, all terms, conditions, and respective obligations of the Intergovernmental Agreement and amendments thereto shall remain in full force and effect.

**8. Venue.**

- 8.1 Any suit between the Parties respecting or relating to this Amendment must be brought in the Superior Court of Fulton County, Georgia and the County irrevocably consents to the jurisdiction of the Superior Court of Fulton County and waives any objections it may now or later have to venue.

**9. Exhibits.**

- 9.1 The Exhibits annexed to this Amendment are hereby incorporated herein by reference.

**10. Entire Agreement.**

- 10.1 This Amendment contains the entire agreement between the Parties with regard to its subject matter and supersedes all other prior and contemporaneous agreements and understanding between the Parties. This agreement may not be amended or modified except in writing by the Secretary of State.
- 10.2 The Secretary of State has signed a master copy of this Agreement with the intent that his facsimile signature shall act as an original for this Amendment.

IN WITNESS WHEREOF, the Parties have caused their hand and seal as follows, or have otherwise indicated their acceptance of this Amendment, as provided above.

BRIAN P. KEMP  
SECRETARY OF STATE

ON BEHALF OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

\_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

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**5. REQUEST FOR NEW BEER AND WINE POURING AND SUNDAY SALES OF BEER AND WINE POURING LICENSE FOR 2010. PETITIONER: VINCENT J. ZAMBITO II, D/B/A BITO'S PIZZARIA & GRILL LOCATED AT 5975 OGEECHEE ROAD. [DISTRICT 6.]**

Chairman Liakakis said, Helen [Stone] made that request then, so we can vote on it.

Commissioner Stone said, the request that it would be continued until the application is complete, and it's for Bito's Pizzeria & Grill. Chairman Liakakis asked, do we have a second? Commissioner Thomas said, second.

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

**ACTION OF THE BOARD:**

Commissioner Stone moved to table until the application is complete the request from Vincent J. Zambito, II, d/b/a Bito's Pizzeria & Grill located at 5975 Ogeechee Road, for a new beer and wine pouring and Sunday sales of beer and wine pouring license for 2010. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

**AGENDA ITEM: X-5  
AGENDA DATE: April 9, 2010**

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

ISSUE

Request for new beer and wine pouring and Sunday sales of beer and wine pouring license for 2010, Vincent J. Zambito II d/b/a Bito's Pizzeria & Grill located at 5975 Ogeechee Road, Savannah, GA 31405.

BACKGROUND

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

FACTS AND FINDINGS

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

RECOMMENDATION

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

District 8

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

\_\_\_\_\_  
Gregori S. Anderson, CBO

\_\_\_\_\_  
Acting Chief Willie Lovett

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

<b>ITEM</b>	<b>DEPT.</b>	<b>SOURCE</b>	<b>AMOUNT</b>	<b>FUNDING</b>
A. Two (2) Dell PowerEdge Servers	I.C.S.	Dell Marketing (State Contract)	\$12,907	•CIP - I.C.S. -\$6,453.50 •General Fund/M&O - Finance - \$6,453.50
B. SQL server application and software migration	I.C.S.	Sungard Public Sector, Inc. (Sole Source)	\$16,650	•CIP - I.C.S. - \$8,325 •General Fund/M&O - Finance - \$8,325
C. Construction contract to re-roof CNT	Facilities Maintenance and Operations	Coastal Roofing Company, Inc.	\$29,444	2005 DSA Series Bonds
D. Participation Agreements with automatic renewals not to exceed five (5) years for "as needed" purchase for various items	Purchasing and Contracting	U.S. Communities Cooperative Procurement Program	Varies by vendor	•General Fund/M&O - Various •SSD - Various
E. Annual contract with automatic renewal options for four (4) additional one (1) year terms to provide electrical maintenance and repair services	Facilities Maintenance and Operations	•Godbee and Rimes Electrical Contractors, Inc. (Primary) •All Electric and Specialty Systems (Secondary)	Varies by service	•General Fund/M&O - Various •SSD - Various •CIP - Various •SPLOST - Various
F. Change Order No. 2 to the contract for renovations to the Juvenile Court Facility for additional work	Juvenile Court	Catamount Constructors, Inc.	\$4,617	CIP - Juvenile Court
G. Additional work for security system in the Courthouse Basement holding area/sallyport	Special Projects	CCC Group	\$28,274	SPLOST (2008-2014) - Courthouse Renovation
H. Confirmation of emergency purchase and installation of a 35 button duress alarm system	Facilities Maintenance and Operations	SecureTech Systems, Inc.	\$13,975	General Fund/M&O - Facilities Maintenance and Operations
I. Extend contract to a "month to month" for EAP services	Human Resources and Services	Lifestyle Management	\$9.41 per employee	General Fund/M&O - Human Resources and Services

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve Items 6-A through 6-I, both inclusive. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

**AGENDA ITEM: X-6 A thru I**  
**AGENDA DATE: April 9, 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 a \$12,907 purchase of two (2) Dell PowerEdge R510 Servers, off the State of Georgia Contract, from Dell Marketing for I.C.S.

**BACKGROUND:** These servers will replace two (2) older servers that are now in use. The current servers will be redeployed for use in another capacity. The new servers are needed for a successful migration from Informix database to Sequel database with SQL language.

**FACTS AND FINDINGS:**

- 1. State Purchasing awarded this contract through a competitive process based on requirements and specifications of the Georgia Technology Authority.
- 2. I.C.S. has determined that the migration to SQL server platform is needed for the Finance System/FMIS application to run successfully with current and future software upgrades.
- 3. Staff believes the cost of \$ 12,907 to be fair and reasonable.

**FUNDING:** CIP - I.C.S. - \$6,453.50  
(3501537 - 54.25001 - 35030108)  
General Fund/M & O - Finance - \$6,453.50  
(1001510 - 54.24001)

**ALTERNATIVES:**

- 1. Board approval of a \$12,907 purchase of two (2) Dell PowerEdge R510 Servers, off the State of Georgia Contract, from Dell Marketing for I.C.S.
- 2. Provide other direction.

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

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

I.C.S. APPROVAL \_\_\_\_\_  
LEWIS LEONARD

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

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

**ITEM B**

**ISSUE:** Request Board approval of a \$16,650 sole source purchase for SQL Server Application and Software Migration from Sungard Public Sector Inc. for I.C.S.

**BACKGROUND:** The County is converting from a Informix database server to a Sequel database server. These servers are for support for the Financial Management Information System (FMIS) and Data Manager which is used by all departments. This software application is needed for I.C.S. to complete the migration.

**FACTS AND FINDINGS:**

- 1. Sungard Public Sector of Bethlehem, PA. is the only company permitted to make changes or updates to their proprietary software.
- 2. I.C.S. has determined that the servers used for the financial application and financial database is insufficient for current and future software / application updates.
- 3. Staff believes the cost of \$16,650 to be fair and reasonable.

**FUNDING:** CIP - I.C.S. - \$8,325  
 (3501537 - 54.25001 - 35030108)  
 General Fund/M & O - Finance - \$8,325  
 (1001510 - 54.24001)

**ALTERNATIVES:**

1. Board approval of a \$16,650 sole source purchase for SQL Server Application and Software Migration from Sungard Public Sector Inc. for I.C.S.
2. Provide staff other direction.

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

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

I.C.S. APPROVAL \_\_\_\_\_  
 LEWIS LEONARD

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

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

**ITEM C**

**ISSUE:** Request Board approval to award a \$29,444 construction contract to Coastal Roofing Company, Inc., to re-roof the C.N.T. administrative building located at 71 Ross Road.

**BACKGROUND:** There are several holes in various areas of the old bitumen roof allowing rain to enter into several locations in the interior of the building. The current roof is over 20 years old.

**FACTS AND FINDINGS:**

1. The condition of the old bitumen roof is beyond economical repair. Re-roofing is necessary to protect the interior and prolong the life of the building, as well as enhance the appearance of the structure.
2. Due to the existing age of the roof, re-roofing by installing a 45 mil Firestone thermoplastic polyolefin (TPO) roofing membrane is the best and most cost effective repair.
3. This project was properly advertised and ten (10) bids were received and opened on 16 March 2010. The bid responses are as follows:

Coastal Roofing Company Port Wentworth, GA	\$29,444
Roofing Professionals, Inc. Richmond Hill, GA	\$37,400
Peach State Roofing Lawrenceville, GA	\$41,700
* ABC Maintenance Services, Inc. Savannah, GA	\$42,269
Johnson Construction, Inc. Savannah, GA	\$42,450
Membrane Systems, Inc. Atlanta, GA	\$44,031
Delta Metals, Inc. Savannah, GA	\$45,970

Ben Hill Roofing & Siding \$46,150  
Douglasville, GA

Mac Johnson Roofing \$64,790  
Newberry, FL

\*WBE Firm

- 4. Staff reviewed the references and low bid from Coastal Roofing Company, Inc. and believes their bid to be fair and reasonable.

**FUNDING:** 2005 DSA Series Bonds  
(3703222 - 54.13011 - 37032677)

**ALTERNATIVES:**

- 1. Board approval to award a \$29,444 construction contract to Coastal Roofing Company, Inc., to re-roof the C.N.T. administrative building located at 71 Ross Road.
- 2. Provide staff other direction.

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

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

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

**ITEM D**

**ISSUE:** Request Board approval to purchase from U.S. Communities' Cooperative Procurement Program, consisting of competitively solicited contracts and authorize the Purchasing Agent to sign the various "Participation Agreements", with automatic renewals continuing for each Master Contract term, not to exceed five(5) years per each agreement.

**BACKGROUND:** The Government Purchasing Alliance (GPA) is a cooperative purchasing program which is nationally sponsored by and founded by National Association of Counties (NACo), National Institute of Governmental Purchasing (NIGP), National League of Cities (NLC), and United States Conference of Mayors (USCM). Its purpose is to have savings through aggregate purchasing power, saving time and money, freeing resources for other public priorities, programs, and services, capturing the buying power of over 8,000 public entities.

**FACTS AND FINDINGS:**

- 1. Currently, there are 29 Master Contracts. Not all of these Master Contracts would be used. These contracts were competitively solicited, meeting the County's Purchasing Ordinance requirements. Contracts are bid by a "lead" public entity allowing local governments to "piggyback", therefore, saving time and resources. The contracts enhance buying power. National market leverage means superior volume discounts thereby reducing public expenditures. The GPA contracts also eliminate some contract management costs. They are flexible, non-exclusive and have no fees.
- 2. The Participation Agreements enable local governments to use the various master contracts. They provide a legal vehicle for the County should any questions arise from other vendors about use of the program. In fact, several vendors with national recognition are represented locally. The County has been using Office Depot as one (1) of its four (4) contracted suppliers for several years. In addition to office supplies, GPA contracts for the following commodities: Carpet and flooring, electrical products, office furniture, janitorial supplies, telecommunication supplies, technology products, office machines, and park and playground equipment. Please see attached page 12 for a listing of Master Contracts and vendors.

- 3. Significant pricing discounts ranging from 10% to 74% off manufacturer's list price on leading brands. Many of the vendors have the capability of providing electronic ordering or catalog systems, which speeds the procurement process.
- 4. Staff believes the use of the GPA contracts will be a great benefit to the County not only because of pricing, but because they offer the advantage of reducing postage, advertising, bidding and other administrative costs. Cooperative purchasing agreements are authorized and encouraged by the County's Purchasing Ordinance and Procedures Manual as well as the Georgia Code.

**FUNDING:** General Fund/M & O - Various Departments  
 SSD - Various Departments

**ALTERNATIVES:**

- 1. Board approval to purchase from U.S. Communities' Cooperative Procurement Program, consisting of competitively solicited contracts and authorize the Purchasing Agent to sign the various "Participation Agreements", with automatic renewals continuing for each Master Contract term, not to exceed five (5) years per each agreement.
- 2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to approve non-exclusive agreements in order to obtain reduced pricing, speed the procurement process and reduce administrative workload.

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

BUDGET APPROVAL \_\_\_\_\_  
 READ DEHAVEN

**ITEM E**

**ISSUE:** Request Board approval to award an annual contract, with automatic renewal options for four (4) additional one (1) year terms, to Godbee & Rimes Electrical Contractors, Inc. of Pt. Wentworth, GA (Primary), and All Electric and Specialty Systems of Savannah, a WBE firm, (Secondary), to provide electrical maintenance and repair services.

**BACKGROUND:** An annual contract is required to establish fixed hourly rates for electrical repair services which cannot be handled by "in-house" maintenance personnel.

**FACTS AND FINDINGS:**

- 1. The bid was properly advertised and mailed to six (6) firms, and publically opened on 18 March 2010. The following firms listed below submitted bids. Please see attached matrix on page 13, for details of the hourly labor rates, specialized equipment rate, and the percentage mark-up on materials proposed by each firm.

Godbee & Rimes Electrical Contractors, Inc.  
 Pt. Wentworth, GA

\* All Electric & Specialty Systems  
 Savannah, GA

Oglesbee Electric Inc.  
 Eden, GA

\* D. P. Joyner Electric  
 Garden City, GA

On-Site Electric Company, Inc.  
 Savannah, GA

\*WBE

- 2. Contract specifications called for a primary and a secondary contractor. The secondary contractor is used if, for any reason, the primary contractor is unable to respond promptly to an emergency requirement.
- 3. Staff reviewed the bids and references and recommends that the contract be awarded as follows:

Primary Contractor: Godbee & Rimes Electrical Contractors, Inc.  
Pt. Wentworth, GA

Secondary Contractor: All Electric & Specialty Systems  
Savannah, GA

**FUNDING:** General Fund/M&O- Various  
SSD- Various  
CIP- Various  
SPLOST - Various

**ALTERNATIVES:**

- 1. Board approval to award an annual contract, with automatic renewal options for four (4) additional one (1) year terms, to Godbee & Rimes Electrical Contractors, Inc. of Pt. Wentworth, GA (Primary), and All Electric and Specialty Systems of Savannah, a WBE firm, (Secondary), to provide electrical maintenance and repair services.
- 2. Provide staff other direction.

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

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

BUDGET APPROVAL \_\_\_\_\_  
READ DEHAVEN

**ITEM F**

**ISSUE:** Request Board approval of Change Order 2, in the amount of \$4,617, to the contract with Catamount Constructors, Inc., for renovations to the Chatham County Juvenile Court Facility, for additional window repairs and cell door replacements.

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

**FACTS AND FINDINGS:**

- 1. During renovations, moisture damage was found around three (3) windows in the Judge’s chambers. The corner beading and caulking needs to be replaced. This will include replacing existing corner bead, tape, finish of the stress joints and prime painting. The interior window seal will be removed and replaced with a NP-1 polyurethane sealant. The additional cost is \$155 per window for a total of \$465.
- 2. The doors on the remaining two (2) holding cells are builder’s hardware doors. They need to be replaced with security hollow metal doors with half lights to match the existing frames. They will be keyed alike to be operational under the new Brink key system being established in the holding cell area. The total cost for the two (2) doors is \$4,152.
- 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 1 (2-12-10)	2,793
Change Order 2 (pending)	<u>4,617</u>
Revised contract amount	\$ 344,877

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

**ALTERNATIVES:**

1. Board approve Change Order 2, in the amount of \$4,617, to the contract with Catamount Constructors, Inc., for renovations to the Chatham County Juvenile Court Facility, for additional window repairs and cell door replacements.
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 G**

**ISSUE:** Request Board approval of a \$28,274 purchase for additional work for security equipment with the CCC Group in the Courthouse basement sallyport and holding cells.

**BACKGROUND:** The Sheriff's Office has requested additional work to expand the security equipment in the Courthouse basement.

**FACTS AND FINDINGS:**

1. The Sheriff's Office believes additional security equipment will be needed for the Courthouse basement and sallyport where inmates are transferred and held for court appearances. As part of the renovation of the basement, the holding capacity for inmates totals 190. Because of the high volume for processing, security remains a high priority.
2. CCC Group, a contractor on site, has provided a cost of \$28,274 for the additional work. Staff has reviewed the estimate and believes the cost to be fair and reasonable.

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

**ALTERNATIVES:**

1. Board approval of a \$28,274 purchase for additional work for security equipment with the CCC Group in the Courthouse basement sallyport and holding cells.
2. Provide staff other direction.

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

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

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

**ITEM H**

**ISSUE:** Request Board confirmation of the \$13,975 emergency sole source purchase and installation of a 35 button duress alarm system from SecureTech Systems, Inc., a WBE firm, for the Administrative Legislative Center at 124 Bull Street.

**BACKGROUND:** During the past 30 days, incidents locally and nationwide have revealed the urgent need to install this system.

**FACTS AND FINDINGS:**

1. This system is necessary to enhance the safety and security of the building.
2. SecureTech is the sole manufacturer and exclusive distributor of this system which must interface with the Sheriff's command center located at the Judicial Courthouse. This system must match in order to function as part of the overall security plan.
3. Staff requested emergency approval from the Chairman so the duress alarm system could be installed in a timely manner. He concurred (see attached page 14) and directed staff to seek Board confirmation at their next scheduled meeting.

**FUNDING:** General Fund/M & O - Facilities Maintenance and Operations  
(1001565 - 52.22001)

**ALTERNATIVES:**

1. Board confirmation of the \$13,975 emergency sole source purchase and installation of a 35 button duress alarm system from SecureTech Systems, Inc., a WBE firm, for the Administrative Legislative Center at 124 Bull Street.
2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to confirm an emergency procurement when it pertains to safety and security.

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

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

**ITEM I**

**ISSUE:** Request Board approval to extend on a month to month contract with Lifestyle Management Resources to provide Employee Assistance Program (EAP) services.

**BACKGROUND:** The Chatham County Employee Assistance Program (EAP) is an employee benefit program intended to help employees deal with personal problems that might adversely impact their work performance, health, and well-being. These services include assessment, short-term counseling and referral services for employees and their household members. Chatham County has offered such a program since 1990 and has offered it in-house and through selected providers. Lifestyle Management Resources has been the contractor for Chatham County's EAP services since 2000.

**FACTS AND FINDINGS:**

1. The current contract with Lifestyle Management Resources expired February 2010, and has been extended for an additional ninety (90) days while preparations are in progress to solicit a new contract for this service. Staff is requesting that the current contract be extended on a month to month basis until the solicitation process is complete.
2. There is a need for continuous, uninterrupted EAP services for County employees as they deal with personal issues that can be accessed at a moment's notice, 24 hours a day, 7 days a week.
3. There is a need for continuous, uninterrupted EAP assistance for County Departments that require Critical Incident Stress Debriefing (CISD) services and alcohol and drug rehabilitation services for their employees.

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

**ALTERNATIVES:**

1. Board approve the month to month extension with Lifestyle Management Resources to provide Employee Assistance Program (EAP) services under the terms of the current contract.

- 2. Do not approve the month to month Lifestyle Management Resources to provide Employee Assistance Program (EAP) services under the terms of the current contract.
- 3. Provide other direction.

**POLICY ANALYSIS:** As the Employee Assistance Program (EAP) is a benefit that has been offered to Chatham County employees and their families since 1990, there is the need to ensure that the services are accessible as emergencies and other matters arise.

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

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

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

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**XI. FIRST READINGS**

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

None.

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**XII. SECOND READINGS**

- 1. THE PETITIONER TRACY OPRA, AGENT FOR THE ELIZABETH HOUSE FOR WOMEN, INC., IS REQUESTING AN AMENDMENT TO SECTIONS 2, 4.5-1 AND 4.5-2 OF THE CHATHAM COUNTY ZONING ORDINANCE TO DEFINE AND ALLOW WOMEN'S SHELTERS IN THE R-A, R-3, I-P, B-N, AND B-C ZONING CLASSIFICATIONS SUBJECT TO DEVELOPMENT STANDARDS. THE MPC RECOMMENDS APPROVAL AS OUTLINED.  
MPC FILE NO. Z-091231-00082-2  
[UNINCORPORATED AREA – ALL DISTRICTS.]  
See additional request from Director of BSRS for clarification from applicant. This will be posed during second reading to Ms. Opra.  
*Note: Item was tabled at meeting of March 26, 2010. See new report from the MPC staff.*

Chairman Liakakis said, you'll remember we had that information and they were asked to bring more information to us. Go ahead.

Commissioner Odell said, I'll make a motion to approve. Commissioner Thomas said, second.

Commissioner Stone said, wait. I have a question.

Chairman Liakakis said, alright. We have a motion on the floor and a second. Go ahead, Helen [Stone].

Commissioner Stone said, thank you, Mr. Chairman. I think I brought up at the last meeting due to the fact that this residence might house people, I think it was indicated, trying to mainstream back into the community via problems that they might have had in the future [sic], that there be some distance taken into consideration from any schools.

Mr. Jim Hansen said, Mr. Chairman and Mrs. Stone, yes, at your direction we did meet with the applicant, Ms. Opra. We are recommending, as was sent to you in the modified packet in conjunction with the Director of the Building Safety Regulatory Services Department, a change to the ordinance which includes a restriction that such facilities not be located closer than one-quarter mile, 1,320 feet, from any school as measured property line to property line in any direction. We checked with various ordinances, not only in the State of Georgia, but also

throughout the Southeast generally. Many ordinances did not in fact have that requirement. Many did. The quarter mile distance seemed to be the standard and it is felt that that is an appropriate recommendation to make.

Commissioner Stone said, okay, I'm sorry. I must have overlooked that in my packet, but I didn't see it. I appreciate that.

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

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the petition of Tracy Opra, Agent for The Elizabeth House for Women, Inc., requesting an amendment to Sections 2, 4.5-1 and 4.5-2 of the Chatham County Zoning Ordinance to define and allow women's shelters in the R-A, R-3, I-P, B-N, and B-C zoning classifications subject to development standards as outlined in the staff report. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

**AGENDA ITEM: XII-1**  
**AGENDA DATE: April 9, 2010**

**DATE:** APRIL 6, 2010  
**TO:** CHATHAM COUNTY BOARD OF COMMISSIONERS  
**THROUGH:** R. E. ABOLT, COUNTY MANAGER  
**FROM:** THOMAS L. THOMSON, EXECUTIVE DIRECTOR  
**SUBJECT:** TEXT AMENDMENT – WOMEN'S SHELTER

On March 26, 2010 the Chatham County Commission considered at first reading a text amendment request from Ms. Tracy Opra to amend the Chatham County Zoning Ordinance to allow women's shelters in the R-A, R-3, I-P, B-N, and B-C zoning districts. The Commission raised several concerns including length of stay, prohibition of certain classes of potential residents, and locational restrictions. As a result, the Commissioners requested that staff meet with Ms. Opra to clarify her request.

As directed, MPC staff met with Ms. Opra and a member of her board to discuss her request and the concerns that were raised at the Commission reading. As a result of that meeting, and in consultation with the Director of the County Building Safety and Regulatory Services Department, we recommend that the attached text amendment, as modified, be approved by the County Board of Commissioners.

Specifically, changes to the request as presented at the first reading include:

- 1) A modification to the definition of women's shelter to remove any reference to correctional facilities or substance abuse programs. There will be no restriction placed on potential residents.
- 2) A recommendation that there be no time limit placed on how long a resident may reside at a shelter facility. The shelter is intended to provide transitional housing, but a time limit for stay is unenforcable.
- 3) A recommendation that no shelter be allowed to be established within one-quarter mile (1,320 feet) of any school, as measured in any direction from property line to property line.

**RECOMMENDATION**

It is recommended that the following amendments to the Chatham County Zoning Ordinance be made (proposed additions are in bold type):

Section 2 Definitions

**Sec. 2-117 Women's Shelter**

**A facility for women which is owned or operated by a not-for-profit agency or organization to provide temporary residences, and which may provide by referral or on site a variety of social services and/or medical services designed and**

intended to assist those housed in the facility to obtain permanent housing and to care for themselves. The minor children of women housed in the facility may reside on the premises.

Section 4-5.1 Provisions Regarding Use in C-Districts and R-Districts

**20d. Women’s Shelter (to be allowed in the R-A and R-3 Districts)**

- a. The minimum lot size shall be two (2) acres.
- b. A shelter may consist of more than one building housing residents.
- c. A maximum of 50 persons (excluding supervisory personnel) shall be housed in the shelter at one time.
- d. The shelter shall provide at least 100 square feet of space in the building(s) for each occupant, including staff.
- e. Meals may be provided only for the individuals temporarily housed in the facility.
- f. One full-time resident manager shall be provided for every 25 persons housed in the facility.
- g. Such use shall not be permitted within one-quarter mile (1,320 feet), as measured in any direction from property line to property line, of another women’s shelter, or a school.
- h. A Type B buffer is required.
- i. Within the R-3 classification, the use shall be limited to districts with a density of not less than 15 units per acre.

Section 4-5.1 Provisions Regarding Use in Districts A-T, B, B-1, B-2, B-C, B-N, B-N-1, O-H, I-L, P-I-L-T, I-P, M, P-S-C, RB-1, T-B, W-1, PD-M, P-N-T, and PUD-CC

**20c. Women’s Shelter (to be allowed in the R-A and R-3 Districts)**

- a. The minimum lot size shall be two (2) acres.
- b. A shelter may consist of more than one building housing residents.
- c. A maximum of 50 persons (excluding supervisory personnel) shall be housed in the shelter at one time.
- d. The shelter shall provide at least 100 square feet of space in the building(s) for each occupant, including staff.
- e. Meals may be provided only for the individuals temporarily housed in the facility.
- f. One full-time resident manager shall be provided for every 25 persons housed in the facility.
- g. Such use shall not be permitted within one-quarter mile (1,320 feet), as measured in any direction from property line to property line, of another women’s shelter, or a school.
- h. A Type B buffer is required.

~~AGENDA ITEM: XI-1~~  
~~AGENDA DATE: March 12, 2010~~  
~~AGENDA ITEM: XII-1~~  
~~AGENDA DATE: March 26, 2010~~  
**AGENDA ITEM: XII-1**  
**AGENDA DATE: April 9, 2010**

**TO:** BOARD OF COMMISSIONERS

**THROUGH:** R. E. ABOLT, COUNTY MANAGER

**FROM:** GREGORI S. ANDERSON, DIRECTOR BUILDING SAFETY & REGULATORY SERVICES

ISSUE

Proposed Text Amendment to Provide Definitions, Development Standards and Use Approval of Women’s Shelters within the Unincorporated County.

BACKGROUND

The existing Chatham County Zoning Ordinance does not allow for transitional shelters. The proposed text amendment would require new enforcement methods to

ensure compliance to the ordinance in the filed. Such enforcement methods and procedures are based upon proper interpretation and clarity of the text.

FACTS AND FINDINGS

- 1. The definition of the shelter excludes the housing of women leaving correctional facilities or substance abuse programs, but is silent on women leaving mental institutions or receiving mental or emotional care.
- 2. The use definition limits the operation and ownership of the facility to a not-for-profit agency or organizations that provide temporary residential service. However, it does not indicate whether a state license, local license or tax certificate would be required for the use.
- 3. The development provisions for the facility limits the stay to a maximum of 180 consecutive days with no mechanism of enforcement.

FUNDING

Not Applicable

ALTERNATIVES

- 1. Approve proposed text amendment as submitted
- 2. Approve proposed text amendment as amended
- 3. Redirect to MPC staff for clarification of the language

POLICY ANALYSIS

The proposed text amendment introduces a new use within the unincorporated limits that requires a new level of enforcement procedures. In order to be effective in our enforcement, clarity in the language and its intent is needed.

RECOMMENDATION

Board Consideration

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**XIII. INFORMATION ITEMS**

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

**ACTION OF THE BOARD:**

A status report was attached as information.

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

*None for this agenda.*

**ACTION OF THE BOARD:**

There was no report for this meeting..

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**EXECUTIVE SESSION**

Upon motion being made by Commissioner Thomas and seconded by Commissioner Odell, the Board recessed at 11:44 a.m., to go into Executive Session for the purpose of discussing litigation, land acquisition and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 12:36 p.m.

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**ITEMS FROM EXECUTIVE SESSION**

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

**ACTION OF THE BOARD:**

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

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**APPOINTMENTS**

- 1. **SAVANNAH ECONOMIC DEVELOPMENT AUTHORITY**

**ACTION OF THE BOARD:**

Commissioner Farrell made a motion to appoint William W. Hubbard to serve on the Savannah Economic Development Authority to fill the vacancy created by the resignation of Bert Tenenbaum, term to expire January 7, 2014. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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- 2. **METROPOLITAN PLANNING COMMISSION**

**ACTION OF THE BOARD:**

Commissioner Farrell made a motion to reappoint Steve Lufburrow to serve on the Metropolitan Planning Commission with a term to expire December 31, 2012. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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- 3. **GEORGIA INTERNATIONAL TRADE CENTER AUTHORITY**

**ACTION OF THE BOARD:**

Commissioner Odell made a motion to reappoint Patrick Shay to the Georgia International Trade Center Authority with a term to expire May 1, 2013. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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**ADJOURNMENT**

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 12:38 p.m.

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**APPROVED:** THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010

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

\_\_\_\_\_  
SYBIL E. TILLMAN, CLERK OF COMMISSION