

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, MAY 28, 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 9:15 a.m., Friday, May 28, 2010.

=====

II. INVOCATION

Commissioner James J. Holmes gave the Invocation.

=====

III. PLEDGE OF ALLEGIANCE

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

=====

IV. ROLL CALL

The Clerk called the roll.

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

Absent: David M. Gellatly, District Six

Also present: R. E. Abolt, County Manager
 Jonathan Hart, County Attorney
 Barbara B. Wright, Acting Clerk

=====

V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

- 1. **OVERVIEW OF CERTIFIED LOCAL GOVERNMENT PROGRAM AND PLAQUE PRESENTATION BY LEIGH BURNS, PRESERVATION PLANNER AND CERTIFIED LOCAL GOVERNMENT COORDINATOR, HISTORIC PRESERVATION DIVISION, GEORGIA DNR.**

Chairman Liakakis said, do you have anybody else here with you?

Ms. Burns said, Ellen Harris is here with me.

Chairman Liakakis said, all right, if anybody else would like to come up with Leigh, stand up there while she does that, that's fine.

Leigh Burns said, good morning. My name is Leigh Burns. I'm the Preservation Planner and Certified Local Government Coordinator with Historic Preservation Division of the Georgia Department of Natural Resources. I would like to thank you, Chairman Liakakis, today for inviting me here to speak briefly about the Certified Local Government Program and to present your designation certificate. On behalf of DNR Commissioner Cliff Clark and Division Director Dave Craft, I am pleased to be here to designate the County as Georgia's 78th and most recent Certified Local Government. The Certified Local Government program is a federal program administered through the National Park Service and maintained at the state level through the Historic Preservation Division. The CLG program gives communities an opportunity to receive added technical and financial support from the Historic Preservation Division. Chatham County is one of Georgia's most historic, if not the most historic county, and maintains incomparable historic resources. It also boasts one of the nation's largest National Historic Landmark Districts. At the Historic Preservation Division we also take great pride in your individual citizens' commitment to the utilization of local, state, federal historic tax incentives to rehabilitate historic properties. I'm not sure if you're all aware, but more than 60% of our state-wide rehabilitation projects come from Chatham County, Georgia. Most of your preservation success would not be possible without the commitment and hard work of your local Historic Preservation Commission. Your Preservation Commission, chaired by Vaughnette Goode-Walker, is to be commended for the hard work towards preserving and protecting your historic resources for local landmark designations and district designations, as well as, most importantly, the local review process. I'd like to recognize all the Historic Preservation Commission members and personally thank them. I'd also like to add a big thanks to Ellen Harris, our local contact, at the Historic Preservation Division on behalf of Chatham County's historic preservation efforts. And I'd now like to present this designation certificate to you and congratulate everyone here today on this important designation. We also look forward to celebrating your many future preservation successes.

Chairman Liakakis said, thank you very much, Leigh. We really appreciate that very much. You know, this Commission is dedicated in that area. We have set up a Preservation Committee here and, of course, most people know that we have the first planned city in the entire country, that when General Oglethorpe landed here in 1733, that he set the first planned city up. And, of course, we've got some members on this Commission who really work hard in that area and one of them is Patrick Shay, who's been representing us on preservation and all, and we really appreciate that, because it's important. Because, let me tell you, we have millions of visitors who come here every year and they spend a lot of money, but they come to see our Historic District, which is the largest in the country now, so, Leigh, thank you very much again for that and we really appreciate all the people that are involved in that. Russ?

County Manager Abolt said, Mr. Chairman, Ladies and Gentlemen, I also want to underscore what the Chairman has said about what this Board put forward as far as your goals. You went to Commissioner Shay and you all agreed the first year of your term you wanted this to happen and you made it happen. I would also like the Commission to recognize Tom Compton and his staff, because they were able to pick up on your value, namely, to do what you've already done now, and implement it, and for that, I greatly appreciate it.

Chairman Liakakis said, thank you.

=====

MOTION TO ADD ITEM TO THE AGENDA

Chairman Liakakis said, we have a proclamation that we want to put on the agenda today, so I need a motion on the floor and a second to place the proclamation on the agenda for the Houston Baptist Church and Georgia Benton is outside. Commissioner Dean Kicklighter will present that and so can we have a motion?

ACTION OF THE BOARD:

Commissioner Stone made a motion to add to the agenda presentation of a proclamation for the Houston Baptist Church. The motion was seconded by Commissioner Holmes and it passed unanimously. [Commissioner Gellatly was absent.]

=====

2. PROCLAMATION FOR HOUSTON BAPTIST CHURCH.

Chairman Liakakis said, the motion passes and, Georgia [Benton], would you like to come forward? And bring any of the people with you, also, that are representing the church.

Commissioner Kicklighter said, first, I would just like to personally welcome all of you. You all do an outstanding job. You're very active. When things need to get done, I believe everyone knows they can go to you and your organization over there and things will actually happen, so we appreciate everything you do for the community. For the proclamation, it reads:

NOTE: Commissioner Kicklighter read the proclamation as follows:

The County of Chatham
 Georgia

 Proclamation

WHEREAS, Houston Baptist Church, located near Rice Hope Plantation in Port Wentworth, Chatham County, Georgia, is one of the last Savannah River Afro-American house of praise on the original Richmond Plantation; and

WHEREAS, Houston Baptist Church was organized in 1886 by the former pastor of Historic First Bryan Baptist Church, Rev. Ulysses L. Houston. The cemetery located in Houston Baptist Church’s yard contains graves of many slaves; and

WHEREAS, Rev. Ulysses L. Houston was present with other Afro-American leaders during the famous “ 40 acres and a Mule” Special Field Order No. 15 discussion with General William Sherman and Secretary of War Edwin M. Stanton at Charles Green’s mansion. He also represented Chatham County in the State of Georgia House of Representatives during Reconstruction; and

WHEREAS, restoration of Houston Baptist Church and preservation of Houston’s Cemetery will promote the preservation, history and heritage and will enhance tourism in the northern section of Chatham County and Port Wentworth, Georgia.

NOW, THEREFORE, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim, June 6, 2010 as:

HOUSTON RESTORATION DAY

and commend the North Port Wentworth Citizens Council, a 501c(3) non profit organization, for their commitment to continue in the enhancement of tourism in Port Wentworth, Chatham County, Georgia through preservation and restoration of this historic location.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 6th day of June 2010.

 Pete Liakakis, Chairman
 Chatham County Commission

ATTEST:

 Sybil E. Tillman, Clerk

Chairman Liakakis said, Georgia, would you like to say something? Come to the podium, please.

Georgia Benton said, I wish to thank the Council, the Commissioners, as well as everyone within the State of Georgia for helping us with this restoration. The northern section of Chatham County is one of the areas that is not so known for its history. But whatever happen in Savannah also happen out there. You have not only the Civil War, we have American Revolution activity out there. We also have – when Sherman came through, came from Ebenezer to Savannah, he had to come through Port Wentworth. No other choice. There was the slaves out there that broke down the bridge so that Sherman had to go through Mulberry, and when the leaders of Savannah came out to say, save Savannah, there were the slaves and the Confederates out there that slowed them down. That gave them a opportunity to think about what they needed to do in order to save Savannah, so Savannah really was saved, not so much by the leaders of Savannah, oh, no, it was saved with that battle out there at Monteith, where you have over 2,000 Confederates died. They're out there, and we're looking for them. So, hey, there's a big heritage out there. You have your plantation area, you have your rice plantation, so tell me, where's the gateway to Savannah, the front porch to Savannah? It's in Port Wentworth, Georgia.

Chairman Liakakis said, thank you very much. Priscilla?

Commissioner Thomas said, I'd just like to echo my sentiments, because I know of that history very well and all of the people that are represented up here today and others that are not here, and I want to commend Ms. Georgia Benton. She is an avid civic worker and has worked so hard over the years, and just want to say thank you, Ms. Benton, and others, for your steadfastness in making sure that history is known in that area. Thank you so very much.

ACTION OF THE BOARD:

Commissioner Stone made a motion to add to the agenda presentation of a proclamation for the Houston Baptist Church. The motion was seconded by Commissioner Holmes and it passed unanimously. [Commissioner Gellatly was absent.]

=====

CHATHAM COUNTY YOUTH COMMISSIONERS

Chairman Liakakis said, okay, I'm going to introduce our Chatham County Youth Commissioners today. When I call your name, raise your hand, please. The first will be Brittany Miller, who is representing Savannah Arts Academy, thank you; Neal Stevenson, who's the Youth Commissioner for Savannah Christian; Aigner – tell me how to pronounce your first name. Aigner Smith said, "Onyay." Chairman Liakakis said, Okay, Aigner Smith, who's the Youth Commissioner for Jenkins High School; and Bryan Smith, who is the Youth Commissioner for Jenkins High School. Thank all of you for coming this morning.

=====

VI. CHAIRMAN'S ITEMS

None.

=====

VII. COMMISSIONERS' ITEMS

None.

=====

VIII. TABLED/RECONSIDERED ITEMS

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

None.

=====

IX. ITEMS FOR INDIVIDUAL ACTION

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

1. TO HOLD A PUBLIC HEARING ON THE CHATHAM COUNTY FISCAL YEAR 2011 BUDGET AS REQUIRED BY STATE LAW.

Chairman Liakakis said, next on the agenda, we'll go to Item IX, items for individual action. The first one is to hold a public hearing on the Chatham County Fiscal Year 2011 Budget as required by state law.

Ladies and Gentlemen, this hearing is being held in compliance with state law relative to Chatham County's proposed Fiscal Year 2011 Budget. We will be discussing the total budget with all the various funds. Information packets showing the proposed budget for all funds are available at the front entrance. A list is being passed around, asking for the names and addresses of those present. The purpose of this is to document that public input was solicited for future audit purposes. We will start at the right side of the room and go row by row. If you wish to speak, please come to the podium, state your name, address, and the name of the group or organization you represent, if any. We have staff available to help pass out any written material to the Commissioners if you have any of that that you would like to pass out this morning. We would ask that you be brief and concise in your remarks, since we have a number of people that may want to speak, and we want everyone to have an equal

chance to be heard. And I'll start on the first row on my right here, and ask if we have anybody that would like to speak this morning. Come forth to the podium, please.

Tony Jordan said, good morning, Chairman and Commissioners. I'm Tony Jordan. I represent AWOL, All Walks of Life, Incorporated. We're a nonprofit organization in the community. Our mission is to promote and provide self-awareness through the use of poetry, hip-hop and lights. I'm here today because I just – for the record – I want to go on the record and say despite our economic times, I want to say thank you to the Commissioners for supporting our organization and wanted to let you know that I have a copy for everybody to receive a document. You might have received one in your e-mail this morning. Basically what we did, we provided services for kids that were coming from the Juvenile Court system. Some have pictures, some don't, but it's all the same documentation. I'm here today to let you guys know that our organization was good stewards with the investment. We met our deliverables. Deliverables are also in the attachment and outline as to the young people that we have served. Today, I have with me a parent and I also have Kesha Green, the director of our program. You can come on up, as well. What I wanted to do today is talk about the State of Georgia in 2007, the Governor Office for Children & Families funded our organization for three years. It's a three-year grant. And typically what happens is, the three-year grant help our organization develop our program, and so I'm here today for consideration, because as of May 31st, the grant period for the three-year period, our term, is up. We successfully developed our program and so my organization is here today to ask that our community continue to support our organization. The development of the program was successful and, being that it will be ending on the 31st, that brings us here today, as outlined in the letter as to what our organization may be asking for consideration in the 2011 budget. But I just wanted to talk about a few successes. We have a parent here. Her child was in two of the programs. He's currently from the Juvenile Court system. Do you want to introduce yourself and maybe tell the Commissioners about the impact?

Shawn Green said, good morning. My name is Shawn Green, and I just want to say on behalf of AWOL, they have considerably helped my son, Sershon [phonetic]. He was in – he went through some things with the court system and by him – when he entered the program, we really didn't know what it was about, but as it went on, as time passed, he has been on the honor roll for the past three years since he's been with AWOL, Mr. Jordan. He has – he is interested in the program to the fullest. Mr. Jordan has been a mentor in every aspect of my son's life, and I just appreciate AWOL and Mr. Jordan for all that he's done and all that my son has learned from the program, because there were times that we had, you know, certain – because my son is 16 now, and when he started, I think he was 14. And from that time to now, he has made a 110 degree turn, and I really know that Mr. Jordan and AWOL have really caused that to happen in his life, and I would just like to thank Mr. Jordan and AWOL and everyone that's helped the program.

Mr. Jordan said, I wanted to mention that we have various supporters. The City of Savannah supports our organization. We've received funding from the United Way. We've also received funding from the Chatham County Commission. And since your investment, we have various programs, one being theater, performing arts, film, music education, and information technology, and basically the investment helped put forth for our organization to recycle responsibly through a partnership with Good Will Industries. We recycled 15,000 pounds of e-waste. We've also put 115 computers back into the community along the corridor – in the MLK corridor and Kayton [phonetic] and Frazier Homes. In June, we will be – we will be giving away 100 computers to the residents of Kayton and Frazier Homes at the Coastal Georgia Center for nonprofits. And in closing, not to take up too much of your time, because of your investment in our organization, we just received a letter recently and that's also a part of your attachment. We received a letter from the Obama Administration as being chosen as – the award was called the Coming Up Taller Award, and AWOL was chosen as one of the top 50 art youth organizations in the country, thereby, if we are selected – and the selection happen in June – if we are selected, then our Chatham County municipality will be as top 50 municipality in the country. So I just wanted to say thank you for the time. I'm a tad bit nervous. I'm much more relaxed when I'm working with Kids. Commissioner Shay had an opportunity to come by and visit, and Mr. Holmes. I wanted to say thank you guys. I appreciate if you guys would consider us for 2011. Yes, sir.

Chairman Liakakis said, Harris?

Commissioner Odell said, good morning. Mr. Jordan said, good morning. Commissioner Odell said, you have an attorney on your board by the name of Mr. Middleton. Mr. Jordan said, yes, sir. Commissioner Odell said, he's spoken to me at least ten times about the program. I know him, and he's an extremely credible, hardworking, honest person, and he is 100% behind this program. I wanted to let you know that your Board is out there working. Mr. Jordan said, thank you. Thank you very much.

Chairman Liakakis said, thank you very much for the presentation this morning. There's no vote now. We're just having the public hearing and then you'll be notified, you know, what the budget situation will be --

Mr. Jordan said, I understand.

Chairman Liakakis said, – for funding for any of the particular programs, but we know about AWOL, about the good job that you've done. I've visited over at the Youth Futures Center on Anderson Street and have seen a number of the particular programs you have, so, thank you very much for coming this morning and doing your presentation. Mr. Jordan said, thank you very much.

Chairman Liakakis said, okay, second row. Anybody on the second row would like to – no, we're taking the right first and then we'll come over here. Anybody on the second row, come forth.

Terry Tolbert said, good morning. My name is Terry Tolbert. I'm the deputy director for the Economic Opportunity Authority for Savannah, and these are our Board members. Mr. Finney could not be here today and he had sent a letter. First, he want to – he sent a letter several months ago requesting \$100,000 for our operation. Just a little history about our organization. We were formed in 1965 with a joint resolution between the City, the County, and the Board of Public Education to deal with poverty in Chatham County. And since that time, we've operated a number of programs, including youth programs. We provide energy assistance to families. Actually, just recently, we, between November and the end of April, we saw 8500 families who needed energy assistance throughout the entire Chatham County. We operate several programs, including weatherization, energy assistance, housing counseling; we assist families who are about to lose their home; Head Start, we actually provide 899 kids with free child care services, and that includes the gamut of it. Mr. George, who is on our Board, is also on the Head Start Advisory Council. Our Board is made up of appointees by Chatham County, City of Savannah, and the people that we serve. We have 24 members on our Board. And even though we receive – most of our funding come from the Federal Government, we are a pretty large nonprofit corporation, but we also need funds to support our Head Start program, our Tom Austin House, which we provide housing for twelve homeless families. We have a SRO for homeless men on the east side of town. And last year, say, we saved probably 125 homes from going into foreclosure from negotiating mortgage – resettlement with mortgage companies and paying mortgage assistance. But even in spite of all the funds that we have, we also need money to help us continue to get funds, and so we have not been before you in many, many years to request funding for our programs. John Finney sent you a list of the services that we provided under the R funds and what we've done with them so far. For example, the weatherization assistance program, we received \$2.7 million and we've assisted over 100 families in Chatham County. We helped them reduce their energy consumption by 35%, which allows them to use that money for needs that they may need, and so on this day we're requesting, even though we're not recommended in this budget, that you consider our agency for funding. And I have some Board members, if they choose to say anything. Mr. George?

Michael George said, I'm a big proponent of the Head Start program. I'm the policy council chair for the Head Start component, which gave me a seat on the Board for EOA. I'm also on Georgia Head Start Association and Region 4, which represents the eight Southeastern states, Head Start Association Board, and I've been an advocate for Head Start. One, I'm a product of Head Start, so I know it's effective. It work. As I came out of Head Start at five years old and entered into the Chatham County public school system, I went throughout school in the gifted program, was able, coming up in a single parent home, to earn a academic scholarship to college, and I credit a lot of that to my foundation in Head Start, which works in the early childhood arena from birth to five. So I'm definitely here. I love what EOA as an agency does, but I'm advocating primarily for Head Start. I'm kinda selfish in that regard. I love what the rest of the agency is doing, though, don't get me wrong, but definitely want your consideration. The program is effective. Again, like Mr. Tolbert said, we are serving 899 families in this community right now, and Head Start's approach is not just to educating the children, but actually changing those families and helping them become self-sufficient, and that is the thing that is more important than anything, helping these families to where when they move out of the – when their children move out of Head Start, hopefully they can have improved their economic situation by the impact of the overall agency and the work that EOA is doing.

Commissioner Odell said, may I just ask you a question? Are you all receiving any funds from the Board of Education? Mr. George said, no, not to my knowledge. Mr. Tolbert said, no, we don't. Mr. George said, we get nothing from the Georgia Department of Education or anything.

Mr. Tolbert said, actually, all of our – most of our funding, the children that we serve are actually residents of Chatham County. They're Chatham County residents. We receive very little funding locally. The City of Savannah, from all of our programs, probably provide about \$100,000, and all the services that we provide our consumers are all free. We also work with families who are – we call it pay. We're payee representatives for people who have mental and physically disabilities. We serve probably 250 families to keep them off the street.

Commissioner Odell said, no, I think – I'm not finished. I believe Head Start is really crucial to laying a proper foundation so kids can be successful when they enter 1st grade. The only reason why I asked the question is, I was hopeful that the Board of Education would contribute to a worthwhile organization. This is a worthwhile organization that makes their job substantially easier, because the kids are prepared for 1st grade. One of our major, I guess, systems problems is that things are viewed in isolation and not as a system, with many of the problems being intermingled and related, and we will never solve some of the societal ills here unless we address it as a system, and this is a major, major thing that everyone in the community needs to be concerned about. Commissioner Thomas said exactly. Commissioner Odell said, pre-K, I mean, that is just essential.

Mr. Tolbert said, let me just say, we do have a good working relationship with the Board of Education and we actually have a pre-K – two pre-K classes – no, we have seven pre-K classes at our office, so we do have a -- where we don't get cash assistance, we do get in-kind support from the Board of Public Education.

Commissioner Odell said, I am hopeful. I know this program. I support this program, and the budget proposal that you received is a budget proposal. Until there's a vote, it's a proposal.

Chairman Liakakis said, Priscilla?

Commissioner Thomas said, thank you. I just want to acknowledge the fact that I am the representative from the Commission on the EOA. I want to first get that out. I also want to reemphasize the fact that Chatham County, the Board of Education, and the City of Savannah saw fit years ago, back in 1965, as Mr. Tolbert has alluded to,

because of a dire need, poverty, it has always been my feeling then and it is still my feelings today that if we can deal with these young people at the forefront, at the beginning of their years, pre-K, kindergarten, whatever, then hopefully we can make a dent and get them on the right track. Then we will not have the need to be placing them either in the jail system or other systems, because then we will be able to turn them around. I do know for a fact over the years that this program works. Mr. Finney has been before this Commission many, many times to give us a report, even though we have not participated financially. To me, it's like we birthed a child and then you gave it away, or you just abandon that child. You know, that's my feeling as far as EOA. But I do support the program wholeheartedly. I'm there every month. I was there before I became a member of the Board, and working with Mr. Finney and the people that work with these young people, so hopefully in the future, when we can, we will have a favorable outlook on the EOA.

Chairman Liakakis said, Dean?

Commissioner Kicklighter said, Mr. Chairman, I just, I guess, I just want to start out and say, you all do an excellent job. Awesome job. AWOL, you do a great job. Rape Crisis Center, you do a great job. There's hundreds of nonprofit organizations in our county that does unbelievable jobs and we could justify giving money to. But I just want to possibly snap everybody back to the realization that we're looking at a budget right now with fee increases, we're assuming a tax digest that's flat, which I don't personally believe will be the case, I think will actually come in lower than before, and, yes, sir, you all are wonderful. And Head Start is a wonderful program. And there's just many, many, many nonprofits out there right now that are doing a wonderful job and, you know, it's tough now with the economic – with the times to raise monies from individuals because, as a whole in the country, most of us are making less money than we did, you know, in the prior years. But just the realization is, you know, if by the next meeting – as far as I know, we're the only government agency anywhere that I've even heard about in the country entertaining possibly adding more and more things to a budget, when everything's getting slashed nationwide. I mean, even our own School Board now is talking -- or was talking some 30-something million dollars. The State's cutting everything, passing unfunded mandates now to the county level. Our budget, as it sits right now, with what I believe to be more revenues in there than possibly will actually be there when the tax digest comes in, I mean, we're looking at adding major fees on the citizens which, it's according to how someone wants to look at a fee, in a way. If it's put on them and they didn't want it, that's almost a tax, and I don't mean that to try to cause controversy up here, but it's just the realization is, we're probably in some – going to be in some type of financial trouble with this budget. And, you know, thanks for the good job you do. I just know that we're paving the road right now to have every wonderful nonprofit out there. I mean, the nonprofit for the blind, they do an awesome job. I mean, there's just so many out there, and if we had the money tree or money well, then, you know, that would be great, but realistically, the money tree, it's the citizens sitting at home that have lost wages, lost jobs. They're looking at higher fees right now. And when the government starts donating to nonprofits, it takes away the citizens' right to make their own individual choice to donate to a nonprofit, which they can receive a tax credit for. In a sense, it's the government telling the citizens, I'm a little smarter than you, I'm going to put your money where I want it to go. And I just think we're heading towards a cliff with all this going towards nonprofits and, you know, thank you all. You all do a great job. I'm sorry that speech came out with you all actually speaking, but after the second nonprofit coming up, you know, it just – for all the nonprofits to come, and I'll try not to say that speech over and over and over if it keeps happening, but you all do a great job and thank you all.

Chairman Liakakis said, Terry, I just want to say the Head Start is a very important program and there's many other things that the EOA contributes to the community. The weatherization program, where people, you know, to help pay for their, you know, heating, utilities, the things to help people with their finances and give them classes so that they can come on a better situation than they've had in the past, and really appreciate what the EOA -- but what we'll be doing is listening to everybody today and then we'll go from that when we have our tax digest and all. Thank you all very much for coming and thank you very much for the EOA, what they do for hundred and hundreds of people in the community.

Chairman Liakakis said, Row 3 on the right-hand side. Anybody on Row 3 for the public hearing? Row 4? Row 5? Row 6?

Ben Watson said, Mr. Chairman, I'm Ben Watson and I'm a physician here in town. I thank you for letting me say -- ask you a question here. I certainly understand as a citizen here in Chatham County the unfunded mandates that you get from the State. Burke Day is retiring, I'm running for his spot. The things that are passed down from the State many times are not necessarily fair from that standpoint. I'm certainly very sensitive to that. I guess the question I had today really was, you know, the preliminary results from the tax digest. Is that – you had alluded to that it is going to be maybe flat. Are we going to be able to keep taxes down? That's sort of a major issue here from that.

Chairman Liakakis said, well, we don't know that yet. We're waiting for the Assessors Board to give us the tax digest information. There's a possibility we'll receive that in the next few weeks, but we can't make absolute determination yet until we get that tax digest from the Assessor's office. We don't know if it's flat, it's going to be lower, or whatever the situation is. Once we get that, then we have to make, you know, our decisions on many things.

Commissioner Kicklighter said, the budget, as it sits in front of us today, assumes zero tax digest growth or loss, so it's assuming flat, but, you know, who knows.

Dr. Watson said, the state revenues have been down for 23 months in a row. They were up for the past two months prior to that, but I guess that's sort of the bottom line there when it comes to that. And that's going to be within the next month or six weeks or so, I presume.

Chairman Liakakis said, yeah, and we'll be voting on the budget probably the last Commission meeting in June. All right, thank you for coming up.

Chairman Liakakis said, Row 7, anybody on Row –. Commissioner Stone said, Mr. Chairman, I have a question. Chairman Liakakis said, Helen?

Commissioner Stone said, I have a question for Dr. Watson. You mentioned the unfunded mandates from the State. I sincerely hope that if you are successful in being elected to the State seat that when we pose some of these issues to you in the future, that you will remember what you see here today, organizations that desperately need funding to benefit this community in its entirety, and we have to make decisions now, because we have to balance our budget, and if the money's not there, we can't help these organizations. And currently, there are a great deal of monies that are owed to us by the State of Georgia and we could do so much money (sic) for the citizens of this community if the folks in Atlanta would be mindful of these unfunded and underfunded mandates that are pushed down to us, and I just want to bring that up.

Dr. Watson said, certainly the State of Georgia has to balance its budget just like you do and just like we do at home. Everybody has to balance their budgets. That is certainly – I'm very sensitive to that. It's a tough situation when the tax revenues are down. There's no doubt about that. But I certainly appreciate that, and that's – I mean, as a physician, that's what I do all day long, I listen to people and help us make life decisions. Certainly, in talking to Joe Buck a few weeks ago, you know, one of his major issues was communicating and listening. I certainly will do that. Commissioner Stone said, thank you. Dr. Watson said, thank you.

Chairman Liakakis said, Row 7, anybody on Row 7? All right, on my left now, we'll start, anybody for the public hearing for organizations? Row 1?

John Tatum said, yes, if I may, Mr. Chairman, and thank you, Commissioners. And to Mr. Kicklighter, I certainly did hear what you had to say. It comes as no surprise. I think we all know that. And we all know and appreciate what a difficult task you have before you in coming up with a workable budget for this county next year. My name is John Tatum. I'm here in my capacity as Vice Chairman of the Board of Union Mission. With me is Tom Coleman, a member of our Executive Committee; Skip Elow, Renae Kennedy, a member of our Board, and Lauren Milmine. Skip and Lauren are members of the staff. Let me begin by thanking you for the support you've given us in the past. You've been generous. It's been necessary, but also generous, and thank you. Thank you for that. I'm here this morning just to let you know we're still around. We have actually been able to comply with your mandate of putting together a balanced budget for our own operations. We continue to have problems with our long-term debt, that I won't go into any detail here today about, but in return for your support, the support of the community, and other Union Mission funding sources, I'd like to report to you that last year, Union Mission's health facility treated over 6,000 uninsured patients, representing 1500 new patients within that 12-month period; 1,160 people who could not otherwise afford it received treatment in this county's only full-scale dental facility which is devoted to service to the indigent and the poor and homeless. We supply alternatives to incarceration and take referrals from Recorder's Court and, by our conservative calculations, were able to save the taxpayers of this community, of this county, over a million dollars for those programs alone by diverting these people from prison. And I noticed this chart up here, which is the cost of unreimbursed expenses because of the prison system that the State is costing the County. Over 540 homeless people were housed in Union Mission's programs, so, as I said, I just wanted to appear here this morning and take advantage of this opportunity, which I'm grateful to you for giving me and giving us, and to let you know we're still out there. We're still plodding away and we're still doing this, providing this service for the poor and homeless people in this community, and hope that you'll keep us in mind as you go through this budget process.

Commissioner Farrell said, I just had one question. Recently, our United States Congress passed an enormous health care reform bill and my question to you is, do you foresee yourself not being necessary to treat the 6,000 patients in the future? And at what time do you think that that mission will be accomplished? Or will it be accomplished with the health care reform that we have recently passed at the national level?

Mr. Tatum said, well, that's an excellent question, but one that I really am not prepared to answer right now. I wish -- I wish I could. But I will certainly get back to you. I'll find out what we can find out about that.

Chairman Liakakis said, thank you very much. We know what Union Mission has done, because since Union Mission has put all the phases into many areas, homeless, people in poverty, and the people that really need medical assistance and all of that, and for the general public to know that Union Mission has saved the county taxpayers millions of dollars for the contracts that we've had with Union Mission to provide this service, because at one time, as Harris can tell you, Commissioner Odell, is that we had with one hospital alone for the emergency room operation, I think it got to be over \$10 million a year that the taxpayers had to pay, you know, to that one medical institution. But, anyway, thank you very much. We appreciate that, and I know that all the Commissioners know about the contract. Harris?

Commissioner Odell said, thank you, Mr. Chairman. Just a couple of things. Another attorney serving the community. I always feel good about that. Union Mission. When we opened the temporary houses out on -- Mr.

Tatum said, Dutchtown? Commissioner Odell said, on Middleground Road? Mr. Tatum said, yes, Middleground Road. Commissioner Odell said, right. Excellent program. We had to do substantial work – that's primarily in my district. Everyone was saying, not in my back yard, not in my back yard, not in my back yard. With Reverend Elliott, we attended community organization meeting and even went door-by-door. We've opened that. It's been a success. There have been no problems. The community has welcomed it as an important part of that community, so I really appreciate what you all have done. To answer Pat Farrell's question, the national health insurance, as you know that was passed, won't go into effect until 2012, and I'm certain that if you've not read it, then other members of your firm have read the bill, that it does not provide for increasing funding for primary care physicians, and I guess the ultimate question is, flipping back is, will we run out of a time when we need Union Mission? No, we will not. Hopefully, we'll get some subsidized funding if this thing in fact goes into effect in 2012. But it does not (a) create more physicians to provide the services that are needed, and it does not elevate people off of poverty. What it does is, it provides a funding mechanism, hopefully, and I think you all will always be needed. Our budget, each one of us has one vote. No one has two votes. We have one vote. And you vote your conscience. And we vote based upon our district. And I support your organization, have supported it, will continue to support it and I applaud any time I see fellow attorneys involved in our community, because it is our community, and I thank you personally.

Mr. Tatum said, thank you very much, Mr. Odell.

Chairman Liakakis said, Dean?

Commissioner Kicklighter said, Mr. Tatum, I just want to let you know that although, you know, I guess technically you would be a nonprofit organization, I really have never, with my votes of support for Union Mission, I've always pretty much considered you all with the contracts that we have in place, as a – you know, a definite cost savings to the taxpayers. I mean, the contracts we have in place, you can document the monies saved for the taxpayers each year and, you know, so, to not be – sound too hypocritical with the others, you can show that right on paper with like the jail diversions. And the judges actually send people to you over there. Mr. Tatum said, yes, they do. Commissioner Kicklighter and that right there, I mean, it's well documented that you're saving the actual taxpayers monies in certain areas that we have to, you know, provide, so, you know, we do appreciate everything, everything you all do.

Mr. Tatum said, thank you, Mr. Kicklighter, thank you, Mr. Chairman. Chairman Liakakis said, all right, thank you, John, appreciate you coming. You wanted to ask a question?

Youth Commissioner Aigner Smith said, my name is Aigner Smith, and my question is, does your organization work with homeless children as well as adults? Mr. Tatum said, yes, we do provide facilities for homeless families.

Chairman Liakakis said, okay, thank you. Anybody on the second row now from any other organization? Third row? Fourth row on the left-hand side here? Fifth row? Sixth row? Seventh row?

Chairman Liakakis said, now, as I mentioned earlier, we were just listening to all of the people that came to the public hearing at this particular point, and I now call – I will be calling in just a moment, but just to let people know this right now, our proposed budget for '10-'11 for the County is \$674,631,987, you know, well over a half-billion dollars there, our proposed budget is, and we'll be working on this very shortly again. And now I call the public hearing to an end.

AGENDA ITEM: IX-1
AGENDA DATE: May 28, 2010

DATE: May 21, 2010
TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Linda Cramer, Finance Director

ISSUE:
To hold a Public Hearing on the Chatham County fiscal year 2011 budget as required by State Law.

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

FACTS AND FINDINGS:

- (1) A Public Hearing was advertised on May 14, 2010 in the *Savannah Morning News* to be held at 9:30 a.m., on Friday, May 28, 2010.
- (2) Copies of the proposed budget were made available to the public in the Finance Department and the main branch of the Live Oak Public Library on the date the budget was presented to the Board, which was May 14, 2010. Copies of the proposed budget are available at all branches of the library.
- (3) On a date at least one week before adoption, Chatham County is required to hold a public meeting. The budget adoption must be advertised at least one week in advance.
- (4) The budget adoption was advertised on May 19, 2010 in the *Savannah Morning News* for Friday, June 25, 2010 budget adoption.
- (5) The budget for fiscal year 2011 covers the period July 1, 2010 through June 30, 2011.

FUNDING:

N/A

ALTERNATIVES:

- (1) Proceed with the public hearing on May 28, 2010 and adopt the FY 2011 budget on June 25, 2010.
- (2) Reschedule the hearing and adoption of the FY 2011 budget and re-advertise within limits established by State Law.

POLICY ANALYSIS:

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

Georgia Law 36-81-5. (f)

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

Georgia Law 36-81-6. (a)

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

RECOMMENDATION:

That the Board approve Alternative 1.

Prepared by: Estelle Brown

=====

2. STATE LEGISLATIVE WRAP UP.

Chairman Liakakis said, next item, the State Legislative wrap-up. Lee [Hughes]. And, Lee, we appreciate the great job you do for us, you know, in the Capitol and all, but in the essence of time, we would appreciate not listening to every bill that was presented to both State and Senate. Lee Hughes said, there were about 3,000 bills. Do you want me to knock off 1 or 200 of those? Chairman Liakakis said, yeah, would you?

Mr. Hughes said, thank you, Mr. Chairman and Commissioners. You should all have a report in your packet that goes over the larger issues, also, the bills that – the initiatives that you charged me with carrying to the Capitol on your behalf, and then also some issues that came up that were of special interest to the County. Since you're talking about the budget today, let me just tell you a little bit about the State budget. That's the only thing the Legislature has to do each year, and they approved an \$18 billion budget, which was billions of dollars less than what they had last year. Adjusted for population growth and inflation, actually, the budget they passed was the

same as a mid-1990s budget, so it was very austere times there. As of now, there have been 26 months -- in the last 26 months in the State, only one of those months has shown positive revenue growth, and it was less than one percent, so we're at over two years of negative revenue. They do still have a AAA bond rating, they do still have \$103 million as of today in the rainy-day reserve, and because of tax returns, it's possible if there was a recovery underway, it wouldn't show up in April or May, so possibly there's a recovery coming in the future. Let's hope so. And unemployment is creeping down. That will also help with income tax collection, but another thing to remember is that there was stimulus money, about \$1 billion of federal stimulus money to prop up this year's budget. That won't be there next year, so they're going to have to fix the budget without help from the federal government.

Besides cuts, the Legislature also passed a \$100 million fees bill. That's actually in your packet. I thought I'd provide that for you so that you can look at that, compared to the fees that you're considering yourself, like the dry trash pickup fee. It's a several page document and, as I say, it generated about \$100 million for the State in revenue. They also passed a provider tax, a \$175 million tax. You probably also heard that referred to as a hospital tax or a sick tax. There was also a \$7 million licensing bill. There were a lot of health care facilities that did not have to pay for their licenses to operate in Georgia, and they passed a bill to change that, and that'll raise them another \$7 million. And finally, they let lapse several tax exemptions that were on the books prior to -- prior to this year. If you look at your report, and considering the time, I don't want to go through all of these, but there were several bills passed related to transportation. The Metropolitan Planning Commission Chairman, Tom Thompson, was helpful in that effort from our behalf and supporting those efforts at the State level. Under tax policy and budget, I think it's relevant to note that this Commission passed unanimously a resolution to oppose the drastic changes that were proposed for the Public Defender System, and those were, in fact, defeated. Also, trauma care -- not this year, but in previous years, this Commission has passed resolution -- resolution, at least one, if not plural, resolutions, in favor of finding funding for trauma care. That was passed this year, with a car tag tax, \$10 car tag tax. I believe the number for that is it would raise about \$84 million a year to support the trauma network in Georgia. Of course, that's very helpful to Memorial Health, Memorial being one of, I believe it's four Level One trauma centers in the State.

Moving on to the Chatham County priorities, we had some wins and some losses. The two top issues were about franchise fees and lost revenue. The franchise fee, you're all very familiar with the inequity in that system, and it was our intent and our request of the delegation that we address that through legislation. I can tell you it was not a friendly atmosphere for that kind of initiative. In the first place, the Municipal Association is opposed to that, and there are a lot more cities than there are counties. In the second place, there are six total counties -- there are six counties in the State that have our situation with a special -- unincorporated Special Service District, as Commissioner Shay has taught me to refer to it, so 153 counties do not have it. So while they may not be opposed to it, they were not in favor of this initiative, so to get the ACCG charged up about it was an uphill task. But now --

Commissioner Farrell said, could you refresh the public's memory what this issue is, in a little bit of detail, for the folks?

Mr. Hughes said, sure. The way that that works -- and I hope Mr. Abolt will correct me if I get in a ditch on this -- there are fees collected for -- they're called franchise fees for utilities, using the right-of-way in the county, and then those fees are collected at the State level and then redistributed throughout the State to municipalities and not to counties. It's similar to the Item 2, which is about lost revenue. The Special Service District also does not qualify as a municipality does for a specific portion of those funds, so it's not fair because they pay -- I'm a resident of the Special Service District and I think you know where I'm going on this, Commissioner Farrell, I pay those franchise fees and those -- they show up on my bill, on my utility bills, but when they're redistributed, it goes to people that live in the municipalities and not to those of us that live in the Special Service District.

Commissioner Farrell said, and this is a creature of the State Legislature? Mr. Hughes said, that's correct.

Commissioner Farrell said, the genesis? Mr. Hughes said, that's my understanding, yes.

Commissioner Farrell said, so they take money out of one government area, local government area, and shift it over to another, and this is -- this is some of our existing state law. Mr. Hughes said, that's right. That's correct.

Chairman Liakakis said, and, of course, that is really unfair to the citizens in the unincorporated area of the County, because here they are paying these fees, these franchise fees, and those franchise fees are paid by the utility companies. They're not paid by the citizens there. But that money that comes in from those franchise fees would go into our County budget, you know, especially to help in the Special Service District, to balance the budget, so, I mean, it's unfair. Why do they collect money from the County, you know, and then -- the County unincorporated area -- and then give it to the cities? There's no justification in there whatsoever. And hopefully, you know, with our County Attorney and the things that we're going to be doing, that we're going to change that. It's like that only in six counties in the entire State of Georgia, where they have Special Service Districts. Only six. And that's absolutely unfair. It's just like, you know, we collect, say, money in the USA and they decide to give it to some other country. That's basically what happens there. And we need the money to balance our budget and to help those that are in the Special Service District as opposed to giving that money out, you know, to the cities.

Mr. Hughes said, in fact, the other counties, Mr. Chairman, where that is the case is Colquit, Moultrie -- where Moultrie, Georgia is; Dougherty, where Albany is; Emmanuel, where Swainsboro is; Lowndes, where Valdosta is; and Lumpkin County, where Dahlonega is. So it's not like they are particularly powerful counties with a lot of population or in the Republican doughnut or something like that, so we're kinda almost on our own on this.

Commissioner Farrell said, can I ask one follow-up question? Are there any instances – you've been up to the Capitol a lot, you spend a lot of time with the Legislature each and every year – are there any instances where this Legislature will take money collected in Georgia and transfer it over to the State of South Carolina or maybe Alabama or perhaps Florida or Tennessee, some of our neighbors, and let them help balance their budget with money collected from Georgia citizens for different things, such as utility franchise fees? Mr. Hughes said, well, I don't know the answer to that, but I suspect the answer is no. Commissioner Farrell said, okay, thank you.

Chairman Liakakis said, okay, Patrick and then Harris.

Commissioner Shay said, I wholeheartedly support the effort that we're making to try and rectify this, and our favorite remedy would be for the Georgia State Legislature to do something about it, to right this inequity, and we hope that they're willing to do that. I think there was a gentleman that stood up here earlier today and said he was running for office. I certainly hope he's aware of this, and if he serves this community, that he'll, you know, carry that message forward, because we, a lot of times, get a lot of really good advice from the Georgia State Legislature about how we should run our county and how we should finance our county. They're not at all shy about helping us to figure out how to do our jobs, and we're just suggesting that maybe it would be, you know, in fairness, nice for them to help us have the revenues that we need in order to do the things that they suggest from time to time. I do, however, want to point out that as a rate payer in the City of Savannah, that my franchise fee is about four times as high as the franchise fee in the Special Service unincorporated area, so it's not – it's an inequity, but it is not a parity.

Chairman Liakakis said, Harris?

Commissioner Odell said, the franchise fee, we made an effort to change the law. It failed. And the reason it failed is that there are so many more municipalities than the six or seven Special Service Districts. That was Plan 1. We lost. Plan 2 potentially could be for the purposes of franchise fee, all we have to do is – we can get a brave Legislator, change the definition of Special Service District to mean municipality for the franchise fee, then it doesn't disturb anybody else. What we tried to do was to change the method of distribution. That failed. My thought, Jonathan, is – and the two here – change how Special Service District is defined solely for the purposes of franchise fee. And I would guarantee you that if it's defined as a municipality and our 69,000 citizens then – then the impact to us is \$4 million, about \$4.5 million, give or take a hundred thousand here or there, which shores up our Special Service District, which is the only substantial problem that we'll have. So if we cannot out-and-out change the franchise fee law, let's change the definition so that a municipality now includes an unincorporated area designated as a Special Service District with a population greater than 50,000. That way, we don't get a whole lot of dogs in the fight because it does not impact on us, and we reap the benefit.

In the alternative, I still believe that it cannot be held constitutional for me to take money from one area and then to distribute the benefit of that money to another. The State of Georgia is having a tough time, but some of that is economic and some of that's a self-inflicted wound. Some of that is economics, some of that is, they shot themselves in the foot. This franchise fee should go to the Special Service. We lost it on the first area. Jon could give an opinion as to what it would take to change simply the definition, simply for this particular code section, that Special Service Districts are now defined as municipalities, where they have a population in excess of 50,000. We reduce the enemies who will oppose us.

In the alternative, I think, again, we look at having this litigated, not as a group, because it's very difficult to get seven people, seven counties, all to agree, even though they will reap the benefit. I think that we look at the feasibility of doing this, because financially you're talking about \$4.5 million. There's a cost benefit to determine the legality of what's being done to us, which I believe that it's not legal. Lastly, where's the outcry in that filing fees or service fees for the Sheriff, two weeks ago, were \$25. Correct, Al? They raised those to \$50. Where's the public outcry that they – for those particular people, it's kinda like dry trash. They're now paying \$50. If your neighbor cuts down your tree and you have to have the Sheriff – you cannot resolve that dispute – bring him a paper next door, which you'd be legally authorized to do, then in the olden days, two weeks ago, was \$25. In the new days, it's now \$50. Where's the human outcry about that? And some of these other fees are backdoor taxes, and what we've done is, we've attempted to solve the budget crisis by doing the easy and the unintelligent. And there is some programs that large companies have been given substantial benefit, and those benefits do not correlate to the community's benefit. Those were not viewed in the budget passed by the State, unless it's not on their web site. If they put it somewhere else, I didn't get it. Looking at their web site, you know that there were a lot of sacred cows, that there were cash in those sacred cows, but the average citizen didn't get a tax bill on your property tax, but they got a tax bill, nevertheless. If you live in this community, you got a tax bill as a result of this, and some of the sacred cows did not. But franchise fees, we can solve this baby.

Chairman Liakakis asked, Priscilla, did you want –

Commissioner Thomas said, the Youth Commissioner –

Chairman Liakakis said, I'm going to get to her. Brittany, I have to – Brittany, so that you'll know, I have to get all the Commissioners first, and then that's when we go to – you know, on a particular subject. That's when we go to the Commissioners, so you may ask any question you like right now, Brittany, to him.

Youth Commissioner Brittany Miller said, my name is Brittany Miller. What are the Special Service Districts in the County? Mr. Hughes said, I think Mr. Abolt is better able to answer that than I am.

County Manager Abolt said, the Special Service District is the second largest city in everything but name; 77,000 people live in the unincorporated area and we provide certain services to them for which they pay, and that's called a Special Service District.

Commissioner Shay said, it's basically everywhere in Chatham County that's not inside a city. Chairman Liakakis said, yeah, it's the unincorporated area of the county.

Mr. Hughes said, Mr. Chairman, if I can respond to what Commissioner Odell was saying. First of all, I like your idea very much. I don't have a vote, but I like your idea very much about redefining it, and I'll work with Jon Hart. We might even be able to maybe even do that on a local level. I'm not sure. But I like the 50,000 people, and it's six total counties, including Chatham County. It's not Chatham plus six others. It's six total counties. I want to point out that Chairman Ron Stephens made a run at this. He tried to carry our water on this. He had a very unique creative way to approach it that had to do with offsetting the tax in another way, and it was quashed -- squashed by the -- by the leadership. And moving on to number two also, about the lost revenue, that was also squashed by leadership.

And basically everything that had to do with tax policy this year was killed because of this bill that was passed with the support of the Governor, the Lieutenant Governor, and the Speaker, to create a special Tax Commission that will meet this year, and they are going to meet. They have four economists on it, they have appointees from each of the three previously mentioned individuals, and Governor Purdue is actually on it. And they will have -- they will come to the Legislature next year with a bill that will get an up-or-down vote in the House and the Senate. It can't be amended in the House or the Senate. So it is a deliberative body that will come to the Legislature, presumably in January, with what they perceive to be a finished product. I tell you all that to say that these issues, the inequity in the franchise fee issue as well as the inequity in the lost revenue for a Special Service District, in my opinion, should be considered by that Tax Commission. And with the direction of the Chairman and the County Manager I am happy to take that to that special commission and say, if you're going to do a major tax overhaul in Georgia, please look at these issues. It may not affect Gwinnett County or Columbus or Macon, but it has a very real effect in my hometown, in Chatham County, and ask them if there's a way that they can address it as part of the major tax overhaul. I mean, I think it's going to be a very significant overhaul of our tax system.

Chairman Liakakis said, okay, thank you. Wait a minute, excuse me. Patrick?

Commissioner Shay said, I thought you were sort of going down through the list, and you've done a good job of it. Mr. Hughes said, I am.

Commissioner Shay said, wait a minute, we're not done yet, are we?

Chairman Liakakis said, okay, go ahead.

Mr. Hughes said, okay, that's Number 1 and Number 2 of the Chatham County priorities. Number 3 was supporting new funding for transportation infrastructure. We talked about that earlier. That did pass. Number 4 was proposed legislation providing exemptions for storm water utility fees. This body decided not to go that route with Chatham County at this time, but nevertheless, if you do go that route at some point, you don't want state-owned properties to be exempt from it, and that did not pass this year. Number 5, revise Georgia law to allow local governments to bid out collection of sales taxes to third parties. Again, that was something that was put off, to be considered by the Tax Commission, special Tax Commission. Number 6, request higher reimbursement rate for prisoners in Chatham County Detention Center. That has been a perennial favorite to be on our legislative agenda. Hopefully, by the fax I shared with you earlier, you understand that because of the budget situation, I frankly believe we're lucky to not see a decrease in those fees in this year.

Chairman Liakakis said, well, yeah, let me comment on that. The State of Georgia, for state prisoners in the county jail now owe the citizens, taxpayers in Chatham County, \$27 million -- over \$27,200,000, that that's what they owe the citizens there, because they do not pay the full amount that it costs in our county jail for a prisoner on a daily basis. They only pay us \$22 a day, when it costs almost \$50 a day, and we have been trying for a number of years, but the Legislators just -- they just -- most of them will not do that because it says it'll cost the State too much money. That's the excuse that they give for that, but that's really unfair. It's a mandated thing that comes from the State, is that they're only going to pay us \$22 a day, when it costs the citizens in Chatham County almost \$50 a day for that. And it's been worked on, and we've talked to the ACCG, you know, with that, and they helped in a couple of instances, but we go on and on with this.

Mr. Hughes said, if you remember, Mr. Chairman, at one point, we did get them to raise it from 20 to 25 and that increase was vetoed and they knocked it back down to 20 and they've since increased it to 22.

Chairman Liakakis said, well, actually, it went to 30. We proposed to get \$10 more and they came down and then some lobbying went on and then they added \$2 to it. Helen?

Commissioner Stone said, I just would like to add something that's very disturbing to that fact, and that is that the State will not pay us what the counties are owed to house these prisoners, but they will pay private prisons the full amount, and there's something bad wrong about that, and I hope that this message is understood by the citizens of Chatham County, that we are picking up this tab, but if our jail just happened to have been privatized, it wouldn't be an issue.

Mr. Hughes said, there's actually legislation when Regina Thomas was still a State Senator to require that the State reimburse counties at the same rate that they reimbursed private prisons. Commissioner Stone said, that would have been nice.

Commissioner Farrell said, so this is the second large example of the State Legislature doing things that have an enormous economic impact on local government.

Mr. Hughes said, third, if you count franchise fees lost and then the jail reimbursement rate.

Chairman Liakakis said, Neal, you wanted to ask him a question?

Youth Commissioner Neal Stevenson said, who is being asked to pay this increase?

Mr. Hughes said, I'm not sure I understand your question.

Youth Commissioner Stevenson said, it's at like \$22 right now and we'd like to increase it. Who is being asked to supply this amount?

Mr. Hughes said, the part that is not reimbursed by the State is – through their millage rate of county residents.

Commissioner Farrell said, so why this – pats themselves on the back for a great job, what they don't tell you is, is that the money that they don't – they can't balance or won't balance, they push it down to the local level, and then the local citizens have to make up the difference. And the Chairman's been counting, going back to what, 2005? And it's up to \$27 million, where they don't want to pay the actual costs of housing their prisoners in our jail house.

Chairman Liakakis said, it's 2001. Dean?

Commissioner Kicklighter said, so basically, they look like heroes to your parents, because they didn't raise the income tax on your parents, but they pass it down to the local level, where we either look good organizations in the face, like I did earlier, and say we can't afford it, and we have to slash other programs, or we raise taxes. So every option that comes to us, largely because of the State right now, is a bad option. So, you know, it's politics at its best. They're heroes, they look great, they smile, they wave, they ride in the parades, they look good, they've never raised your taxes, but they've passed it down, and we are either going to have to raise them or we slash everything and look like a bunch of – you know, it's win-win for them and lose-lose for us.

Commissioner Farrell said, they're very good at the backdoor tax. They're masters at the backdoor tax.

Chairman Liakakis said, go ahead.

Commissioner Shay, we're making your job easier and easier here, aren't we?

Mr. Hughes said, just remember, I'm just the messenger. One other follow-up answer to Mr. Stevenson, the Youth Commissioner, the other option is to let those prisoners go if you're not paying to incarcerate them, and I don't think anybody likes that answer, so it really does put the Commissioners on the spot. Number 7 was to revise the Coastal Marshlands Protection Act to provide the same authority to local governments as is provided to the Georgia Department of Transportation with regards to maintaining road and –.

Commissioner Kicklighter said, I want to stop you. I want to stop you on that. Mr. Hughes said, yes. Commissioner Kicklighter said, or stand up, utilize the death penalty and start using it instead of letting people sit there 20 years, violent offenders, and get them off the tax rolls that way. Hey, I have no problem. I have a brother that was murdered and I have no problem with the death penalty –

Commissioner Odell said, and I have –

Commissioner Kicklighter said, – and it'll save money.

Chairman Liakakis said, well, you know, for somebody shoplifting, you can't –

Commissioner Kicklighter said, I said violent, violent offenders, not –

Chairman Liakakis said, okay, let's go on –

Commissioner Kicklighter said, I would cut off their hand if they shoplifted.

Chairman Liakakis said, – go ahead.

Mr. Hughes said, again, Number 7 is something that we've looked at for a couple of years. Our engineering department has a problem with that, when they're trying to maintain drainage projects in various areas of the county. Unfortunately, that was not pursued and we'll have to come back and add it again in a future year. Number 8 was to – bout a funding project at Savannah Tech. That was actually a joint proposal by Chatham County and the City of Savannah, or I believe it was going to be, to be supportive of Savannah Tech. They did not

get funding for the Green Innovation Center, but they did get funding a year ahead of time for their Aviation technical school. The last section of my report was bills of special interest to Chatham County that were not part of our legislative agenda. The first one, which Commissioner Shay had a particular interest in, was – provided for favorable financing for projects that included modifications resulting in the reduction of energy or water consumption or that produces energy from renewable resources. It's basically a green building tax incentive. That did pass, and I did convey to the Legislators that the County was supportive of that.

House Bill 169 was put forward by Representative Buddy Carter in 2009 and pushed through in 2010 by Senator Buddy Carter. Most of you will remember there was a time where FEMA, the Federal Emergency Management Agency, updated their floodplain maps and it was – had a devastating impact on a lot of homeowners, property owners, especially in the western part of our county, whose property values were decimated by that when it was determined they were in the new floodplains. Many of them felt that they were not suitably notified of that change and Senator Carter set out to make a change in that law. He was unable to pass it in 2009. He was able to pass it in 2010, but he – it was changed significantly. The EPD had problems with it. I will tell you that ACCG was not supportive of the legislation because of concerns of the cost to the County on those occasions, some would argue rare occasions, that they would have to participate in that notification process. At any rate, it did pass. House Bill 169 did pass and Senator Carter carried the water on that.

House Bill 1495 was sponsored by Representative Bob Bryant, and that was the annexation of Southbridge by Garden City through referenda both in Garden City and Southbridge. That was local legislation but because it was not sponsored, it was not signed by Senator Lester Jackson, it did not pass.

Commissioner Odell said, what was that, again?

Chairman Liakakis said, the annexation bill for Southbridge by Garden City. Go ahead.

Commissioner Odell said, no, he went through a little fast. I just – I think that's a good thing. We were able to --

Mr. Hughes said, you think it's a good thing I'm going fast, or you think it's a good thing, the bill?

Commissioner Odell said, both. A fast bill.

Commissioner Kicklighter said, I don't think it was a good thing that he didn't sign it, and that was my district, the Southbridge and Garden City, half of it.

Mr. Hughes said, they are still pursuing that annexation through other means. House Resolution 136, also sponsored by Representative Bob Bryant, was one of only five constitutional amendments passed this year. In the Fifties, there were created several industrial areas in the northern part of Chatham County, basically bordering or closely bordering the Savannah River. They were created as economic development tools for the industries in those areas. Garden City set out to address one of those constitutionally created industrial areas, which is currently surrounded on three sides by Garden City and one by Port Wentworth. The City of Savannah amended the bill to expand it so that it applied to all the industrial areas. With the passage of this Bill, the property owners in those industrial areas have the option through legal means to opt out of those industrial areas. There will be some financial impact on county revenue if and when some of those property owners exercise that option, because of the taxes that they are currently paying the Special Service District. If they opt out of those industrial areas and are annexed by the City of Savannah or Port Wentworth or Garden City, then they would not be paying those Special Service District taxes again.

Chairman Liakakis said, Bryan? Youth Commissioner Bryan Smith said, I'm Bryan Smith, and what is the importance of the industrial areas for Savannah and the County?

County Attorney Hart said, the industrial area was a constitutional amendment back in the Fifties that basically set aside large tracts of land along the Savannah River, such as the old Kemira Plant and Union Camp, the old Continental Can property, and basically what it did, it allowed them not to be annexed by the municipalities at that time and limited the kind of governmental regulation that could be passed in those areas, primarily to encourage businesses. At that time, large companies were concerned, gee, we'll come in and the cities will all annex us and then they'll tax us to death, so they passed that in the Fifties and it was sort of a primitive development zone that we have now. You know, we're much more sophisticated in how we did that, but it was quite effective in its day.

Mr. Hughes said, it's significant to point out that Hutchinson Island was an industrial area before, and there was a constitutional amendment passed maybe 12 years ago to give them the exact same option of basically petitioning the County to be removed from that industrial area, and they did, and they are now part of the City of Savannah. Now, that is a constitutional amendment, so whether or not the Governor signs it doesn't matter. It was passed by two-thirds of the House and two-thirds of the Senate, and now it will be on the state-wide referendum in November.

The last item I want to bring to your attention is House Bill 1082. This was an economic development initiative that was introduced to further clarify inventory and freeport tax exemptions. The apparent intention of the Bill was to make Georgia more appealing to retailers by allowing in the case of a special successful local referendum the same types of exemptions for their types of business as there is currently allowed for manufacture. Questions still remain as to the practical application of this. We don't know if it will be utilized a great deal. There is already

language in current law that allows revocation of those freeport exemptions and the revocations law did not actually change.

Chairman Liakakis said, Patrick?

Commissioner Shay said, I want to go back to House Bill 1388, which is the energy conservation bond fund that's available. As a Board of Directors up here, we try and make sound financial decisions, and Commissioner Kicklighter has highlighted some of the difficult choices that we have. The ability to finance improvements to our infrastructure in the county and be able to pay for it over a long period of time, but enjoy the savings in energy costs right now is a very attractive tool for us to be thinking hard about. I don't know off the top of my head how many buildings it is that Chatham County owns and operates, but I think it's on the order of about 50. Is that about right? About 50. So through energy conservation methods, making sure we've got the right kind of lighting fixtures, I know the Chairman has been very good about having us do those kinds of improvements, but some of the improvements are more expensive and they take a lot more money up front in order to accomplish.

When we were investigating what the impact of House Bill 1388 would be on Chatham County, what we found out was that our bond rating is so good, because we're such good fiscal responsible stewards up here, that we actually have access to being able to borrow money more economically than this Bill would provide to us. This would be a great Bill for our smaller municipalities, for example, to take advantage of, who don't have the kind of lift that we have to be able to float bonds. But I just want to point out to the Commissioners again, we have a AAA bond rating and we have plenty of bonding capacity that's available. We heard at the last meeting that we may have as much as, you know, \$5 million of available, you know, bonding capacity. That's debt service. That could raise as much as \$50 million. I'm not suggesting we spend that, but I think very strongly, we need to be looking for future budget years at ways that we can reduce future budget costs on energy considerably by borrowing a little bit of money now and spending it, because we can pay off that debt service with the savings that we get from the energy and still have a positive effect on our budget in going forward. It's a great piece of legislation. If it doesn't help us as Chatham County, because we can actually do better, that's a good thing, not a bad thing, unless we don't do it, unless we don't use this tool that's in our tool bag right now to save the taxpayers revenue that we would have to otherwise derive from property taxes on all the energy that we use in our buildings.

Mr. Hughes said, Commissioner, if I may respond to that, if you'll notice there under the transportation legislation, a lot of the changes in the law refer to being able to fund things through multi-year financing. That is, I think, in direct response to something you're talking about, which is basically energy management in a way so that you can use your savings to buy equipment. The Chatham County School Board just entered into a contract to revamp all of their HVAC equipment, lighting, et cetera, and use the savings to pay for all that often 20-year old equipment that they're replacing. And one more response to Commissioner Odell, on your fees, your discussion about the fees bill, just to remind you what I said at the outset, that raises \$100 million for the State, so that's what -- that's what kind of revenue they're generating through those fees.

Commissioner Odell said, you know, if we could just say that if -- I was in Las Vegas -- and for the newspaper, on a seminar that had nothing to do with the County; the County didn't produce a penny of the money for the seminar -- but I noticed that there's a substantial amount of building going on there. These are enormous structures. If you look at the Southern states, Georgia, South Carolina, Florida, Alabama -- not Alabama -- Tennessee, if we developed enterprise zones and said in this enterprise zone, and that we also have the lottery, which was, ooh, bad, but it solved some of our educational problems, provided a lot of scholarships, helped a lot of people become educated, we can say that in this enterprise zone, where the community has to also vote in, we could solve that \$100 million. We could eliminate -- and some Southern state is going to make this leap and go into -- develop enterprise zones and have commercial casinos, that people will come from all over and they will spend their money, and we can reduce taxes on our local citizens and our local citizens can still take the moral high ground and say that we are against it. We'll take the tax dollars, but personally, we are against it. I had mentioned this to Senator Jackson about developing enterprise zone for commercial gambling. Some Southern state's going to do it, and the first one that gets into the game is going to have substantial tax relief, and we can discontinue the nickel and diming that we do on raising the Sheriff fees, raising fees for this, raising -- and we can just say, we are moral people, we are personally against it, but if outsiders want to come here and spend their money and we reap the tax benefit, although we don't agree with gambling, we think it's a fair thing and we'll take their money.

Commissioner Kicklighter said, Mr. Chairman. Chairman Liakakis said, Dean?

Commissioner Kicklighter said, you know, that's amazing that you just honestly said that. I was sitting here. You know, like you said, people have a choice. Has anyone up there mentioned -- the reality is, we have alcohol sales six of the seven days each week. Is anyone out there bold enough to allow it to be sold on Sunday? Well, it's actually sold seven of the seven days a week, but on that Sunday, you have to be in a restaurant. We're missing the revenues. They run across the State border and, you know, if -- has that been proposed?

Mr. Hughes said, it has. There's been a discussion about opening up sales of alcohol on Sundays and that -- the Governor said he would not approve that as long as he was Governor. There's been some discussion, very brief discussion, about raising --

Commissioner Kicklighter said, how much longer is he going to be Governor?

Mr. Hughes said, not long, Commissioner Kicklighter, not long.

Commissioner Kicklighter said, coming up what, next year?

Mr. Hughes said, the alcohol tax in Georgia is one of the highest in the country, so when that discussion was started out, it was quickly set aside. There's been discussion about raising the tobacco tax, which would be at a dollar a pack, \$400 million –.

Commissioner Kicklighter said, well they're going to stop – they're going to force me to stop smoking if they keep doing that, so that's going to be a backfire on them, so they don't need to –.

Mr. Hughes said, that is their intention, and Commissioner Odell –.

Commissioner Kicklighter said, that could really backfire bad.

Mr. Hughes said, – there's also been constitutional amendments proposed about the gambling aspect, including Senator Jackson sponsoring them. It just hasn't gotten –.

Commissioner Kicklighter said, and that's my thought on the moral high road that they're taking on that, is they have Lotto and they actually allow gambling ships. You know, you can go to any coastal area, jump on a boat, travel three miles, and gamble. That's the dumbest thing I've ever heard. I mean, –.

Commissioner Odell said, we're losing money because of that stupidity.

Commissioner Kicklighter said, yeah, if we had a casino sitting on Hutchinson Island, wow, the revenues that would be here. But, you know, no, we've got to go get on a little boat and travel out three miles if somebody wants to do it.

Commissioner Shay said, I think it would be better on Bush Road, but we'll –.

Commissioner Kicklighter said, I think it'd be great. You know, the way it is now, is it's allowed on some Indian reservations, so you have a few areas, so I think designated areas in large cities, should the counties or cities want it, I think it's brilliant, and, like Commissioner Odell said, it's a choice, where some of these unfunded mandates, they're forcing – they're forcing things on the citizens. That would be a choice to spend the money, just like people choose to buy a Lotto ticket, and they're helping education in that way, so, you know.

Commissioner Thomas said, that's right.

Chairman Liakakis said, okay, thank you. We appreciate it, Lee. We know -- appreciate all the hard work you do for the County, you know, getting with the legislators and all, and we'll go on to the next item.

AGENDA ITEM: IX-2
AGENDA DATE: May 28, 2010

May 24, 2010

Memorandum

TO: Russ Abolt, County Manager
FR: Lee Hughes, Legislative Liaison
RE: Overview of 2010 Legislative Session

The 2010 legislative session was the longest in modern Georgia history. The dominant issues were the budget and transportation.

Transportation

After four years of intense debate, the General Assembly finally agreed on House Bill 277, a transportation funding bill entitled The Transportation Investment Act of 2010. The legislation provides for referenda in 12 designated regions throughout the state for authorization in 2012. In those regions where the referendum passes, an additional one-cent TSPLOST will be created for transportation improvements. Regional leaders will be involved in the project selection process and will have the ability to "opt out" of the tax should they so choose. The bill specifically excludes from the new tax the sale or use of any type of fuel used for off-road heavy-duty equipment, off-road farm or agricultural equipment, or locomotives. It also exempts all items that are exempt from the current statewide sales tax, including raw materials and machinery used in manufacturing and the sale or use of energy used in manufacturing.

Other transportation (and transit) legislation that passed includes:

HB 1135 by House Transportation Chairman Roberts and SR 821 by Senator Shafer authorize the Department of Transportation to enter into multiyear contracts subject to

certain terms and conditions; to provide that any such contract shall terminate at the close of each fiscal year and may be renewed only by positive action of the Department.

HB 1186 by House Transportation Chairman Mullis authorizes greater use of the design-build method of implementation for transportation projects.

SB 305 by Senate Transportation Chairman Mullis authorizes greater use of the design-build method of implementation for transportation projects.

SB 520 by Senate Transportation Chairman Mullis further defines the powers of the Commissioner of DOT and the divisions within the Department, so as to provide for an Intermodal Division within the Department.

HB 1393 by Representative Abdul-Salaam extends for two years the motor fuel tax exemption for county transit systems.

SB 374 by Senator Shafer allows for more circumstances under which a county can decide to abandon a county road.

Tax Policy and the Budget

The \$17.8 billion dollar 2010-2011 Budget was finally approved in early April. That is almost \$3 billion less than the 2007-2008 Budget. It was propped up and by an increase to the car tag tax and a new tax on hospitals as well as dozens of new fees and fee increases. It also includes almost \$1 billion dollars in federal stimulus money not available next year.

There were several drastic measures considered that were ultimately abandoned. Some of those, such as returning the entire cost of the public defender system to the counties, were potentially very harmful to Chatham County. There was also an ill-fated proposal to increase the state solid waste tipping fee.

Tax breaks were few and far between in 2010 and could prove even more rare in the future. In a rare show of solidarity, the Governor, the Lieutenant Governor, and the Speaker joined together to craft and push through legislation creating the new Special Council on Tax Fairness for Georgians. The council will include key elected officials, business leaders and economists and will meet through the remainder of 2010 and present recommendations to the new Governor and General Assembly in 2011. They are expected to conduct a comprehensive review of the state's tax code, much of which is still rooted in Georgia's agrarian beginnings, and suggest a significant overhaul.

Water

Aside from the state budget, water was one of the most critical issues addressed in this year's legislative session. Members acted quickly to pass the Water Stewardship Act of 2010 which was based on the recommendations of the Water Contingency Task Force and institutes measures to conserve, capture and control this precious resource. This legislation enhances the work of the Regional Water Councils and will help to ensure that the state's water needs are met long into the future. There is hope that this will help with negotiations with Alabama and Florida.

Trauma Care

The Chatham County Commission has supported efforts at funding a trauma network. This year, on November 2, Georgians will have the opportunity to vote for implementation on a \$10 vehicle tag fee that will provide funding for critically needed trauma care throughout the state. Savannah's Memorial Health Level One Trauma Center is one of only 4 in the state and stands to benefit tremendously if the new fee is implemented.

CHATHAM COUNTY PRIORITIES

1. Revise Georgia law to provide that counties with unincorporated area special service districts are entitled to a share of utility franchise fees proportional to the shares provided to local municipalities.

GMA adamantly opposed this proposal and dissuaded most of our local delegation from supporting their efforts. Representative Ron Stephens introduced legislation that approached the issue in a creative manner and would have been helpful to the County in recovering this lost revenue opportunity. House Leadership quickly squashed the bill due to opposition and because of the prevailing concern over tax policy and insufficient revenue for the state. It would be wise for the County to monitor and seek to influence the special tax commission between now and the 2011 session in an effort to address this inequity. GMA and specific municipalities, including some within Chatham County, will continue to oppose our effort. Representative Stephens deserves credit for his efforts and for his willingness to try and help us on this matter in the future.

2. Revise law to provide that unincorporated areas qualify for LOST revenue in the same manner as local municipalities qualify.

As with priority 1, this could possibly be addressed by the special tax commission.

3. Support new funding mechanisms for transportation infrastructure.

The legislature did pass a transportation funding bill with great fanfare. However, it requires passage by referendum of the voters and that vote is not until 2012. We should expect the legislature to tweak this plan in the coming years. It's also possible that there will be a court challenge to the constitutionality of the bill.

4. Oppose legislation providing exemptions from stormwater utility fees.

The coalition opposition to this matter was successful again this year in defeating efforts to exempt state entities from stormwater fees.

5. Revise Georgia law to allow local governments to bid out collection of sales taxes to third parties.

Due to the tremendous problems with the budget and the prevailing sentiment that the tax system needs a complete review and overhaul, there was no appetite for this initiative. As with priorities 1 and 2, this could possibly be addressed by the special tax commission.

6. Request higher reimbursement rate for prisoners in Chatham County Detention Center to cover the actual cost of housing inmates.

We were very fortunate that the reimbursement rate was not decreased in 2010.

7. Revise Coastal Marshlands Protection Act to provide the same authority to local governments as is provided to the Georgia Department of Transportation with regards to maintaining road and drainage projects.

Representative Day was unwilling to pursue this legislation. The coastal areas of Chatham County will have a new representative in 2011 and we should approach him to see if he will carry this for us in 2011.

8. Urge the legislature and the Governor to fully fund the Green Energy innovation Center at Savannah Technical college.

Savannah Tech was awarded bond revenue for an aviation technician school which was their top priority in 2010. There was no revenue allocated for the Green Energy Innovation Center.

Of Special Interest to Chatham County

House Bill 1388, sponsored by Representative Tim Bearden, allows for development authorities to provide favorable financing opportunities for projects that include modifications resulting in the reduction of energy or water consumption or that produces energy from renewable resources. Commissioner Shay and County staff expressed special interest in and support for this legislation, and the County lobbyist supported the efforts of those working to pass the bill. It passed and is awaiting the Governor's signature.

House Bill 169 was originally sponsored in 2009 by Buddy Carter when he was a state representative and then was pushed through this year by Senator Carter after months of negotiations with ACCG. The bill was written to address the egregious situation that resulted from the changes to the FEMA flood maps when hundreds of properties were severely downgraded by redesignation with regards to their floodplain status. Senator Carter sought to require more extensive notification of property owners and local governments. Senator Carter is disappointed with the final version of the bill and he believes that it does not protect property owners as well as it should. ACCG fixated almost exclusively on the costs that the proposed legislation would pass on to county governments and opposed the bill. The Chatham County Commission unanimously passed a resolution supporting the legislation and that was conveyed to ACCG staff, but ACCG continued to oppose the bill until significant concessions were made. The version that Governor Perdue signed into law creates a state council that will set standards for the use of geospatial data and facilitate coordination between various agencies and private companies that generate it. Volunteers on the council will work with the Environmental Protection Division and with the Georgia Technology Authority as well as with FEMA. The council will use satellite photos and other modern map-making tools to apply federal definitions for flood plains on the coast as well as across the state. Senator Carter deserves recognition and support for his efforts to address this situation.

House Bill 1495, sponsored by Representative Bob Bryant, called for referenda within Garden City and Southbridge to approve annexation of Southbridge by Garden City. Southbridge is part of the Unincorporated Special Service District and includes approximately 1100 homes and over 3000

residents. The County Commission Chairman co-authored a letter with the Mayor of Savannah. The bill passed the House, but died in the Senate due to Senator Jackson's refusal to sign it.

House Resolution 136, also sponsored by Representative Bob Bryant, was one of only five constitutional amendments passed by the Georgia General Assembly in 2010. The legislation allows for property owners within constitutionally created "industrial areas" to voluntarily remove the property from the industrial area and be annexed into a qualifying municipality (most likely Savannah, Garden City, or Port Wentworth because all of the remaining constitutionally created industrial areas in the state are in Chatham County and are near the Savannah River) by filing a certificate to that effect with the clerk of the superior court for the county in which the property is located. As a constitutional amendment it does not require approval by the Governor, but it does require passage by a statewide referendum. Expect to see this issue on the ballot in November. If the amendment passes the statewide referendum and in those cases where property owners opt out of an industrial area and then opt in to a municipality, there will be some financial impact on County revenue. That impact will have to be determined on a case-by-case basis.

House Bill 1082, was introduced to further clarify inventory and freeport tax exemptions. Current law allows for local referenda to authorize a county's governing authority to implement or revoke Freeport exemptions. The apparent intention of this bill is to make Georgia more appealing to retailers by allowing, in the case of a successful referendum, exemptions (Level 2 Freeport Exemption) for retail business that are currently already available for manufacturers (Level 1 Freeport Exemption). Questions still remain regarding the practical application of this legislation.

=====

3. TRANSMITTAL OF A CASH FLOW REPORT FOR THE SPECIAL PURPOSE LOCAL OPTIONS SALES TAX V FUND (2008-2015) BASED UPON REVISED REVENUE ESTIMATES.

Chairman Liakakis said, Linda?

Ms. Cramer said, that's basically it. I don't have a whole lot more to say about that. We are seeing like a 12% decrease in the SPLOST revenues off the original projections, so when you take those revenues down and you back out that \$109 million for the detention center, that spreads to about 15% on all the other projects.

Chairman Liakakis said, okay, thank you. Item 4, recommend Board approve –.

Commissioner Stone said, we need a motion.

Mr. Abolt said, you need a motion to approve.

Commissioner Odell said, I move to approve. Commissioner Thomas said, second.

ACTION OF THE BOARD:

Commissioner Odell made a motion to approve transmittal of a cash flow report for the Special Purpose Local Options Sales Tax V Fund (2008-2015) based upon revised revenue estimates. The motion was seconded and passed unanimously. [NOTE: Commissioner Gellatly was absent.]

AGENDA ITEM: IX-3
AGENDA DATE: May 28, 2010

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

ISSUE: To provide a cash flow report for the Special Purpose Local Option Sales Tax V Fund (2008-2015) based upon revised revenue estimates.

BACKGROUND: In September 2006 qualified voters residing within Chatham County approved the imposition of a special purpose local option sales tax to be collected from October 2008 to September 2014. Under the referendum, estimated collections were \$445,300,000. The first \$109 million collected will be used to fund expansion of the county's Detention Center. Distributions for other projects and to area municipalities will begin after the collection of \$109 million. Since it is anticipated that \$109 million will be collected by October 21010, priority project funding and revised cash flows need to be established.

FACTS AND FINDINGS:

1. After reviewing the fund-to-date revenue collections, it is noted that collections are short of initial estimates by over 11%. Total revenue collections under the referendum are being revised from \$445 million to \$392 million.
2. Chatham County should avoid optimistic funding of projects under this referendum. Therefore, the attached cash flow analysis seeks to develop a strategy whereby the shortfall is distributed pro-rata over all anticipated projects except for the Detention Center project. This reduces project budgets in the Fund by approximately 15%.
3. Project schedules shown in the Fiscal 2011 Recommended Budget reflect the funding priorities shown on the attached cash flow analysis.
4. Revenues should exceed \$109 million in October 2010, and municipality distributions will commence thereafter. Municipality distributions are based on a percentage of collections.
5. The cash flow analysis does not forecast future interest revenue earned. The fund's budget will be amended annually to include earned interest revenue and proposed use of those funds.
6. Based on actual tax revenues received, project budgets may be restored to their original level at the end of the referendum period.

FUNDING: Funding is available through the collection of special purpose local option sales tax revenues as authorized by referendum.

POLICY ANALYSIS: Capital project funding levels and their order of priority must be authorized by the Chatham County Board of Commissioners. The use of special purpose local option sales tax revenue is limited to the purposes delineated in the public referendum.

ALTERNATIVES:

- (1) Adopt the cash flow analysis shown herein and direct staff to use the SPLOST 2008-2015 Cash Flow Analysis as a blueprint for preparation of a five-year capital projects budget, or
- (2) Provide alternate direction for project budgets and funding priorities within the referendum categories.

RECOMMENDATION: Approve Alternative (1).

=====

4. RECOMMEND BOARD APPROVE REQUEST OF CLIFFORD ALTIER TO ABATE TAXES FOR TAX YEAR 2009 FOR PIN 40005-18003, 709 LOVELL AVENUE, TYBEE ISLAND.

Chairman Liakakis said, Russ?

County Manager Abolt said, essentially because of the condition of the applicant, his eligibility for an abatement in taxes, we're recommending you approve that abatement.

Commissioner Farrell said, so move, Commissioner Stone said, second.

ACTION OF THE BOARD:

Commissioner Farrell moved that the Board approve request of Clifford Altier to abate taxes for tax year 2009 for PIN 40005-18003, 709 Lovell Avenue, Tybee Island. Commissioner Stone seconded the motion and it passed unanimously. [NOTE: Commissioner Shay was not present; Commissioner Gellatly was absent.]

AGENDA ITEM: IX-4
AGENDA DATE: May 28, 2010

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

ISSUE:

To approve request of Clifford Altier to abate taxes for tax year 2009 for PIN 40005-18003, 709 Lovell Avenue, Tybee Island, Georgia.

BACKGROUND:

Clifford Altier is the current owner of the subject property. The property was previously owned by Clifford Altier and his father as tenants in common with right of survivorship. Mr. Altier's father,

Michael G. Altier, Sr. passed away in March, 2008. Because the Stephens-Day exemption on the property was in Michael G. Altier, Sr.'s name, when he passed, the exemption was lost.

On August 7, 2008, the Tax Assessor's Office sent Clifford Altier the application form to complete to obtain the homestead exemption for 2009. The Tax Assessor's Office received nothing back from Clifford Altier until he filed an application for homestead, Stephens Day and the school tax disability exemption on January 26, 2010. Even if Clifford Altier he had been granted the Stephens Day exemption for tax year 2009, the base-year value would have been significantly higher than the base-year value of the exemption under Michael G. Altier's homestead exemption.

The Tax Assessor's Office has reviewed Clifford Altier's income and has advised that Mr. Altier has been granted the Chatham County Special Homestead disability exemption for 2010, as well as the Stephens Day exemption. Mr. Altier has a well documented medical total disability. Mr. Altier also qualifies for the School Tax Disability Exemption. However, because Mr. Altier did not apply for any of the foregoing exemptions for tax year 2009, no such exemptions were applied to the 2009 taxes on the property.

Mr. Altier currently owes 2009 taxes in the amount of \$4,423.09, which includes interest and penalties. On February 25, 2010, Mr. Altier requested that his taxes for 2009 be reduced. A copy of Mr. Altier's correspondence is attached here to as exhibit "A".

If in 2009, Mr. Altier had applied for and been granted the 2009 exemptions he has for tax year 2010, his tax liability for 2009 would have been \$1,376.94 instead of \$4,423.09.

FACTS AND FINDINGS:

1. Clifford Altier is the current owner of the subject property. The property was previously owned by Clifford Altier and his father as tenants in common with right of survivorship.
2. Mr. Altier's father, Michael G. Altier, Sr. passed away in March, 2008. Because the Stephens-Day exemption on the property was in Michael G. Altier, Sr.'s name, when he passed, the exemption was lost.
3. On August 7, 2008, the Tax Assessor's Office sent Clifford Altier the application form to complete to obtain the homestead exemption for 2009.
4. The Tax Assessor's Office received nothing back from Clifford Altier until he filed an application for homestead, Stephens Day and the school tax disability exemption on January 26, 2010. Even if Clifford Altier he had been granted the Stephens Day exemption for tax year 2009, the base-year value would have been significantly higher than the base-year value of the exemption under Michael G. Altier's homestead exemption.
5. The Tax Assessor's Office has reviewed Clifford Altier's income and has advised that Mr. Altier has been granted the Chatham County Special Homestead disability exemption for 2010, as well as the Stephens Day exemption.
6. Mr. Altier has a well documented medical total disability. Mr. Altier also qualified for the School Tax Disability Exemption.
7. Because Mr. Altier did not apply for any of the foregoing exemptions for tax year 2009, no such exemptions were applied to the 2009 taxes on the property.
8. Mr. Altier currently owes 2009 taxes in the amount of \$4,423.09, which includes interest and penalties.
9. On February 25, 2010, Mr. Altier requested that his taxes for 2009 be reduced.
10. If in 2009, Mr. Altier had applied for and been granted the exemptions he has for tax year 2010, his tax liability for 2009 would have been \$1,376.94 instead of \$4,423.09.

FUNDING:

N/A

POLICY ANALYSIS:

Pursuant to O.C.G.A. §48-5-154:

"... and the governing authority shall have the jurisdiction and power to correct all errors in the digests, or to order abatement or cancellation of taxes erroneously assessed, and

to make other adjustments in the digests of a similar nature and to reflect the same in the account as stated.”

The Board of Commissioners may exercise its judgment and discretion and grant the abatement of taxes for tax year 2009.

ALTERNATIVES:

1. The Commission should abate taxes for tax year 2009 in the amount of \$3,046.15.
2. The Commission should not abate taxes for tax year 2009 in the amount of \$3,046.15.

RECOMMENDATION:

Alternative 1.

RJH/jr

Dear Mr. Abolt,

I am permanently disabled (quadriplegic) and lived with my father until he passed away in March of 2008. The home was willed to me. My father was 85 years old and our home here on Tybee was under the Stephens/Day Homestead Exemption. When my father passed, I called the Chatham County Tax Assessors and was told since I was permanently disabled, I would continue to receive the Stephens/Day Homestead Exemption. I wasn't told anything about come in to fill out information to qualify, and for the most part of 2008 and 2009, I was confined to bed with a pressure sore that reoccurs. When I changed the home into my name, I received a property tax bill in excess of \$3800, over \$3000 more than previous bills. I called the Tax Assessor's Office and they told me to come in and bring my driver's license or State ID and a utility bill with my name on it. They collected all of my information to make sure the next bill I received would have the Stephens/Day Homestead Exemption implemented. They told me nothing could be done with the previous bill because it occurred in 2009. My total income for one month is just over \$1100 from Medicare. I can't afford to pay \$3800 or more with added interest. I have been the only owner of the home since my father passed and I have been qualified the entire time, other than some paper work being done. I hope you can understand my situation and will be able to reduce this amount to the amount with the exemption.

Sincerely, Clifford Altier
709 Lovell Avenue
Tybee Island, GA 31328
Phone 912-433-0399
Exhibit A

=====

5. CNT MONTHLY REPORT GIVEN VERBALLY BY DIRECTOR HARRIS.

County Manager Abolt said, Mr. Chairman, I'd like to introduce officially our Director of the just certified law enforcement agency for the State of Georgia. Director Harris has had this goal and you've supported him for a long time. Dorsey Stover, a member of his staff, is just a champion when it comes to this. We sent you in your packet last night the special notification for that. I know that you want to congratulate Director Harris and the men and women of the Counter Narcotics Team. Also, he has a special intern to introduce to you, who may be related to other employees in Chatham County.

Mr. Harris said, good morning, Commissioners. Roy Harris from CNT. I have the honor this morning to introduce our second intern we've ever had at CNT, although the program's been there for several years. Kevin Moore Crouch. The reason he's only the second intern is, an intern at CNT has to pass the same background investigation that any of our special agents do, so he went through that. Unfortunately, most of the folks that applied did not make it, so I'm very glad to have Kevin here. At the expense of embarrassing him a little bit, I'll tell you a little bit about his background. He is a senior at Valdosta State University in Valdosta, Georgia, a criminal justice major, and he's got a sub-major in finance, which I think will one day make him a very attractive employee, probably for a federal law enforcement agency, since those two roles tend to go together in drug enforcement arena. In high school, he was a local high school graduate, received a Beaufort Citizenship Award, was on the honor roll, President of the Student Council, school athlete of the year, captain of the varsity basketball team, captain of the varsity golf team, and was on the varsity soccer team. He did a lot of community activities during his time there, such as the American Cancer Society, the Second Harvest of Coastal Georgia, did other type of benefits that he dedicated his time to, so, as I told you once before, he's a very outstanding young man and we're very glad to have him with us. He's getting exposed to all aspects of CNT as he's there. And Kevin has agreed this morning to answer any questions that you folks may have about the monthly report. Mr. Abolt?

County Manager Abolt said, is he any relationship to another member of the County Commission? Mr. Harris said, well, I wasn't going to embarrass him with that.

Commissioner Kicklighter said, I was just wondering why he wasn't captain of the soccer team, too. I mean, you know. Mr. Harris said, he's too tall. That was it.

County Manager Abolt said, he's in Clayton Scott's family. Mr. Harris said, Clayton Scott might be somehow related to him.

Mr. Harris said, anyway, if you look at the report, there was a couple of things that I wanted to point out back on Page 4. As you recall, during this past month, we had our two-week basic DEA school here, which we helped co-host, along with the Georgia Bureau of Investigation, and sent 12 of our new people through this particular school. It was a very successful school. Everybody was enthusiastic about it. On Item 3, back in April, we concluded a joint cocaine trafficking case along with Immigrations & Custom Enforcement, U.S. Border Patrol, and the Beaufort, S.C. drug unit, where we had cross-state trafficking on this. We had a very lengthy jury trial, which the jury quickly returned a guilty verdict on the defendant and he was sentenced to 14 years imprisonment, in federal prison, again, so he is gone from our community for that period of time.

Item 4 was a search warrant at two houses where we recovered over 850 marijuana plants. This was an indoor grow, somewhat similar to the one we captured a couple of weeks ago; however, this one was in rental houses. This individual went out and rented houses, boarded up the windows and things, as they typically tend to do, and had some portable grows in there, ones he could move around, not to be confused with the one last week, which was a permanent type installation in the home, so those are both very, very interesting. Weapons seized in both of these. This guy had a sawed-off shotgun, other weapons. He was a convicted felon, so ATF will be adopting those cases under one of their federal guidelines, and hopefully we can get some enhanced sentencing on that.

I'm sorry to say that the bill we talked about that we had interest in up at the Legislature was not mentioned. The pharmaceutical – enhanced pharmaceutical electronic monitoring bill for prescriptions did not get out of committee again this year. I think this is about three years in a row, so we will be trying to get all of the state interested people, such as GBI and others that fight this type of pharmaceutical diversion, again, to make a next push on it next year. And sometimes within the next few months, I will be coming to you folks asking again for your support on getting that done. That is one of the major problems that we deal with here in the county, primarily marijuana, cocaine, and then diverted pharmaceuticals. If you have any questions, I'll be glad to try to entertain them. Yes, sir.

Commissioner Odell said, I've got a question, and I say again, I see it so often, that you have the street-level dealers, and those are Knucklehead 1's that are easily replaced with Knucklehead 2, but it does not resolve, stop, deter, drug trafficking. Does not. Mr. Harris said, yes, sir. Commissioner Odell said, arrests can be high, but basically what happens is, you're getting Knucklehead Number 1 replaced with Knucklehead Number 2 with Knucklehead Number 3, and they are guys that, if they elected to work at Burger King, would make more money. And many of them are charged with felonies, and I think that may be a societal benefit in some way. But my concern is that the kingpins who do the large drug deals, those are not as easily replaced as Knucklehead Number 1, Knucklehead Number 2, who might make \$1,000 a week, but the guy who's making the substantial money in the drug trade, those are the cases that I think have a greater community impact, because those are the people who cannot be replaced. You could replace the lower level drug dealers with a high school computer. I mean, you want to buy something, you've got the clientele, they – it does not address, for me, at least, my concern that you impact the drug trade by impacting the kingpin and substantial drug dealer. You build your numbers by arresting knuckleheads who are hard-headed, often very stupid, often lazy, and end up spending substantial time for 3 and \$400, but that does not solve the problem. Those people are easily replaced and it does nothing. I mean, it does nothing except punish the middle-class citizens who have to pay for us to house this Knucklehead Number 1, who should have stayed in school, or Knucklehead Number 2, who should have gotten some kind of training. I'm interested in the major cases, where we have substantial people who are not that easily replaced. And I don't know about anybody up here, but I've practiced criminal law for 30 years, and I have noticed that it's recycling. You have the same area, and it's recycling with people who are not – there are many drug dealers, but if they ever have more than a couple of hundred dollars, it's amazing. I want to get to the guy that's doing \$100,000. Put a couple of them out of business and you impact – you wanted to ask me something?

County Manager Abolt said, he's got kingpins. This last news conference held by the U.S. Attorney -- Commissioner Odell said, I saw that. Mr. Abolt said, they're busting people. Commissioner Thomas said, that's great.

Chairman Liakakis said, in fact, it is reducing somewhat, because once you get the suppliers, which is the main thing, if they didn't have the supplies, then they couldn't sell it. And like the arrest where you had just recently, where they had all those huge amount of marijuana plants, but just prior to that, a week before that, you can see some of the major operators in our community were arrested, and they put out, so sometimes these guys on the street have a tough time, because some of them are not out there selling, because they don't have it from their suppliers, and if we can keep that going, to get those suppliers out, then it will reduce it in our community but, like you say, you've got one that goes to jail because he's selling, you know, a couple of packs of marijuana on the street or whatever drug it might be, but I really appreciate the work that Commander Harris is doing and all of his staff, because we've seen a big difference in our community. People don't realize that we've got over -- since 1994, that the CNT has arrested over 12,000, probably 400, people at this particular time. That's a huge amount of

people that have been arrested by the CNT, and it takes a lot of intelligence and hard work on their part. Russ, you wanted to comment?

County Manager Abolt said, I do want to and I appreciate the opportunity Commissioner Odell has given me. They are getting the kingpins. Here is the challenge in due process. So much of the work takes months and months and months, and then they're prosecuted through the Federal Government and the U.S. Attorney. By the very nature of the laws and the rules leading towards just not arrests, but also conviction, Commander Harris, in the disclosure of what they're doing, is restricted, limited by embargo, so the jury pool not be tainted by information in the media. But suffice it to say, if Members of the Board would like a specific briefing, I know he can give you this, but the kingpins are going down and Roy Harris and his troops are getting them.

Commissioner Kicklighter said, if I –.

Commissioner Odell said, Russ – let me just finish my thought, if I may, Dean.

Commissioner Kicklighter said, yeah.

Commissioner Odell said, I'm not saying that we're not – under Roy, we have made some substantial change and they've been positive. What I am saying is that I'd like to see a greater emphasis on the kingpins. I think that if you dry that source up, all the various little knuckleheads don't have supply. And I have tried several federal criminal drug cases. I am well aware of what they are doing. Roy, nothing I've said herein indicates that – I think you all are doing a good job, but I'd like to have seen – we all hold hands and sway from side to side and say that we're all in unison, but we're not. We're not all in unison, and we shouldn't all be in unison, because if we were all in unison, then eight other people wouldn't be thinking. What I am saying is, based upon my experience, I think the impact -- greater impact for the community, is on the kingpin level, and that is not taking – I represented a kid, it's been 15 years ago, who was designated as a kingpin, and what he owned as a kingpin was a bicycle that he made deliveries on and that, to me, is not a kingpin. That – that is not a kingpin. A kingpin, to me, is a guy who has a farm in Argentina and he's producing \$100,000 a month. That's a kingpin. What some knucklehead is doing, \$1,000 a month, just because he get wrote up on three or four times, is not a kingpin. I understand the problems with the federal law, and I say that since 1996, the federal statute – that's okay. Thank you.

Chairman Liakakis said, Dean?

Commissioner Kicklighter said, thank you. I think if you get it down to where a kingpin's on a bicycle, you're doing a great job. That'd be good. But I just – I understand what Commissioner Odell is saying, and I think that is your focus, but I would have to guess that in order to get affiliated with a kingpin, you have to go through the little thugs, and why not arrest some on the way to the top? And I personally think that you need to sweep it all off the streets whenever you get the chance. Take them all down and, you know, even there's – there's – if the governments in general would even start targeting more of just the little dollar buyers or whatever, then, you know, Wal-Mart can't stay in business if nobody's going there, so, you know, I think it's a combination of all of it, and, you know, there's -- so I commend you, and I also respect and understand what he's saying, but I do believe that you are focusing on kingpins, and I just don't think they fall that quick, especially if you've got to go to Argentina to get him. But, thank you very much. I appreciate the job you're doing.

Mr. Harris said, I will say that I totally agree with Commissioner Odell, and when I took this job three years ago, you very pointedly, as a Commission, told me you wanted us to focus on midlevel and major violators here. Kingpins in Savannah are somewhat different than kingpins in Atlanta and Miami, so we focus on what we call drug trafficking organizations. These cases with the DEA, with ICE, and with others, all of our assets combined – in fact, we're a much larger unit than the two of those combined here in the City of Savannah, so they rely extensively on our personnel and investigative support, but we are targeting those more major dealers that we have here. At the same time, we continually do not abandon that smaller approach, because that's what the citizens see. They see the folks on the street corner. They know they attract the violence. They attract the ride-by shootings. They're a public nuisance, and we get calls from both precincts and from our other municipalities from time to time to aid those on those cases, which is why we have different level teams at CNT. We've got the major case, that does the Title III investigations, or the long-term investigations, and we've got the TACT teams that go on more of a midlevel or nuisance approach. I think until we get to some higher plane where others can step in and take that slot, we have to provide those resources upon request to do it. Out of that, however, our mission mainly is to try to develop informants and other intelligence information because, as Commissioner Odell says, they're not going to jail. They may go to the Sheriff's jail overnight, but they're almost immediately out and the State's not going to deal with them because they're nonviolent offenders. We realize that from up front.

The main complaint I get from folks are that you arrested this guy and he's back out here on the street. We go back and we might have arrested this same person three times within a year, and they're right back out on the street. That is not anything we can do anything about. Our job is on the arrest end, and developing the best case we can. That's why I always am proud to bring to you cases like this, where a guy gets 14 years in the federal level. They serve almost all of that time, as Commissioner Odell knows. These more recent cases we were talking about, all of those folks went off on federal time. Very soon, we will be doing that again. The arrests we made recently was just the precursor to taking down several organizations that I am not at liberty to really go any further on at this point, but that will happen, I promise you.

Commissioner Odell said, may I just close my comments? Roy, I think what you all have done have been really excellent, and I know you have to start at the lower level, develop informants, and work your way up. I'm not criticizing that. And, you know, I really don't want this Commission to believe that they have to respond to everything I say, like Dean has that feeling, he said something, I've got to respond to it. You don't have to. You don't have to.

Commissioner Kicklighter said, thank you, I won't.

Commissioner Odell said, you can just sit down and if you've got an idea, you can tell your idea.

Commissioner Kicklighter said, okay.

Commissioner Odell said, but my position isn't that what you're doing isn't good. I believe that you need more people than what you have, and the reason is that you're absolutely right. The lower-level Knucklehead 1's, those are the ones who get in a shootout on the street and will kill Mom and Dad, who are leaving the First Church of Savannah. You've got to take them down. You've got to take them down. They are more violent, have a greater chance of death than working in the forests of Brazil. High death rate. But I do believe that – and Russ has assured me we are doing more and – I've been pleased with what you've done since you've been here, Roy. You are a professional, and to some of the people like Mr. Hart, who's a blueblood attorney, I'm just a people's attorney. I represent folk. Whatever folk are charged with, I represent them. That's what I do. I can't represent just big organizations. And looking at it, and being a citizen – and I don't encourage crime, I don't encourage criminality, I would like – I'm glad we got you, Roy, and I've called you more than anybody and said, this lady says on this street corner, look like they are selling, so my statement is not in opposition, it's in support, but a different idea. I had hoped that in elected office, that we could bring ideas based upon different experience and it not be attacked, but I have enough lovers already. I've got more than enough people who love me, so I'm comfortable saying what I just said.

Mr. Harris said, and I appreciate it.

Chairman Liakakis said, okay, thank you, Roy. Appreciate it.

ACTION OF THE BOARD:

Director Roy Harris gave a report on the CNT for the month of May 2010.

UNDERCOVER AGENT/CONFIDENTIAL INFORMANT BUYS	
Buys	Number
Undercover (Agent) Buys	4
Confidential Informant Buys	7

NARCOTICS INVESTIGATIONS*	
Investigations:	Number
Investigations Initiated During the month	62
Active Joint Investigations with other agencies (DEA, ATF, IRS, etc.)	8
Total Number of Investigations Cleared (Arrest, E.C., Unfounded)	17

DRUGS SEIZED			
Drug Type	Value	Approx. Weight	Approx. Total Value
Powder Cocaine	\$100 per gram*	1561.95 Grams	\$156,195.00
Crack Cocaine	\$100 per gram*	107.89 Grams	\$10,789.00
Methamphetamine	\$100 per gram**	14.10 Grams	\$1,410.00
Marijuana	\$140 per ounce*	5,435 Ounces	\$760,900.00
Heroin	\$250 per gram*	0 Grams	\$0
Ecstasy	\$25 Dosage Unit	33 D/U	\$825.00
Misc. Pills	\$5 per D/U	374 D/U	\$1,870.00
Hallucinogens	\$10.00 per gram*	0 Grams	\$0

Source: Office National Drug Control Policy

** Source: Established regional average price

***Source: IAW GBI reporting – One marijuana plant equals 2.2 lbs of processed marijuana

DRUGS PURCHASED			
Drug Type	Value	Approx. Weight	Approx. Total Value
Powder Cocaine	\$100 per gram*	7.30 Grams	\$730.00
Crack Cocaine	\$100 per gram*	4.60 Grams	\$460.00
Methamphetamine	\$100 per gram**	0 Grams	\$0
Marijuana	\$140 per ounce*	37.80 Ounces	\$5,292.00
Heroin	\$250 per gram*	0	\$0
Ecstasy	\$25 Dosage Unit	D/U	\$2,475.00
Misc. Pills	\$5 per D/U	3 D/U	\$15.00

Source: Office National Drug Control Policy

** Source: Established regional average price

***Source: IAW GBI reporting – One marijuana plant equals 2.2 lbs of processed marijuana

WEAPONS SEIZED	
Firearms (including hand guns and long guns)	15

PERSONS ARRESTED*	
Felony*	8
Felony Sales/Trafficking	29
Misdemeanor	3
Felony Non-Drug**	0
Total Arrests	40

*Felony includes Manufacturing Methamphetamine or Marijuana

**Non-drug related offenses include firearms violations, Obstruction, Simple Battery, etc.

ASSET FORFEITURES	
US Currency Seized (Initiated forfeiture proceedings)	\$12,071.00
US Currency Awarded	\$2,480.00
Motor Vehicles Seized (Initiated forfeiture proceedings)	1994 Chevrolet Camaro 1991 Cadillac Brougham 2006 Mitsubishi Raider 1967 Chevrolet SS 1987 Chevrolet Silverado 1969 Chevrolet Impala 1997 Acura Integra 2009 Toyota Corolla
Motor Vehicles Awarded	1976 Chevrolet P/U
Real Property Seized (Initiated forfeiture proceedings)	N/A
Real Property Awarded	N/A
Personal Property Seized (Initiated forfeiture proceedings)	N/A

ADOPTION CASES FROM OTHER AGENCIES		
DATE	AGENCY	OFFENSE
5/14/10	TYBEE ISLAND PD	POSSESSION MARIJUANA W/INTENT
5/14/10	PORT WENTWORTH PD	POSSESSION CONTROLLED SUBST. METH
5/14/10	SCMPD	POSSESSION CONTROLLED SUBST MORPHIN
5/15/10	SCMPD	POSSESSION CONTROLLED SUBST ECSTASY
5/15/10	SCMPD	POSSESSION CONTROLLED SUBST XANAX
5/16/10	SCMPD	POSSESSION CONTROLLED SUBST ECSTASY

DRUG COMPLAINTS INVESTIGATED		
Drug Complaints	Received	Assigned
Project Log/Official Complaints	1	1
Hot Line / Call-In Complaints	23	23
Green Sheets/ Outside Agencies	2	2
Crime Stopper Complaints	17	17

SIGNIFICANT EVENTS

1. On 05-07-2010, CNT responded to a call for assistance from the Port Wentworth Police Department in reference to a Federal Express package containing suspected methamphetamine. Agents responded and ultimately 2 suspects were arrested for Possession with the Intent to Distribute Methamphetamine (Ice). One suspect was on Federal release stemming from a previous methamphetamine conviction.
2. On 05-11-2010, CNT concluded a joint investigation with DEA and ICE by executing eight search warrants simultaneously in Savannah, Pooler, Garden City, Rincon, and Atlanta. This was made possible by obtaining manpower from Garden City PD, SCMPD, Pooler PD, CCSD, and CCSD K-9 unit. In addition to the search warrants, agents executed six Federal arrest warrants on the main targets. As a result of the search warrants, agents seized over 230 pounds of marijuana, seven firearms, approximately \$8,000 in currency, furniture, compressors, an ATV, seven vehicles, and other items. All the main targets were taken into custody without incident. This is an ongoing investigation and additional federal and state indictments are forthcoming.
3. On 05-12-2010, CNT responded to a call for assistance from SCMPD in the area of 40th and Montgomery Street in reference to a vehicle with a large amount of cocaine. Agents responded to the scene and talked with the subject who later gave written consent to search his vehicle. A search of the vehicle produced approximately 1.5 kilograms of cocaine HCL, 3.5 ounces of crack cocaine and a large sum of currency. Agents seized the cocaine and later turned over the currency to SCMPD for forfeiture proceedings. Agents arrested one subject who was on active Federal release from a previous drug conviction. The case was referred to DEA for an adoption.
4. Also during the month of May, CNT along with ICE arrested two additional subjects on Federal charges of conspiracy to distribute marijuana from a previous Title III case in 2009. One of the two subjects arrested was on Federal release from a previous gun conviction.

**DRUG INVESTIGATIONS
HOURS WORKED BY ZONE**

SCMPD – All Precincts	TOTAL 2,558
<hr/>	
Municipalities	TOTAL 332
<hr/>	
Administrative Hours	800
Case Administration	412
Pharmaceutical Diversions	240
Central Intelligence	240
Out of County (Task Force Operations, etc.)	76
Assistance Rendered to Outside Agencies	102
Training	119
Court Hours	36
	TOTAL 2,025
<hr/>	
Total Hours Worked	4,915

=====

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, the Action Calendar, we have Items 1 through 6 and under Item 6, we have Items A through Q. Are there any particular items that the Commissioners would like to hold out or need a motion on the floor to approve all items on the Action Calendar?

Commissioner Farrell said, motion to approve all. Commissioner Thomas second, second. Chairman Liakakis said, I have a motion on the floor and a second. Let's go on the board.

Commissioner Stone said, may I just ask one question just for information?

Chairman Liakakis said, all right, hold up your vote for just a minute.

Commissioner Stone said, this will just take one second. For the Animal Control facility, we're purchasing the computers from the City of Savannah. What's the rationale? I mean, I didn't know they sold computers.

Mr. Abolt said, I'd defer to Mr. Monahan, but in fact, we're buying them collectively with the City of Savannah.

Commissioner Stone said okay, that makes a little more sense. I didn't understand when it said the source was the City of Savannah, so I was just curious. It looked like we were buying computers from the City of Savannah for the Animal Control Shelter.

Mr. Monahan said, we would actually – the County would be reimbursing the City of Savannah, because the City of Savannah will be operating and maintaining the systems. My preference would have been for the City to use City equipment as opposed to using the County stuff.

Commissioner Stone said, okay, that was all. Thank you.

Chairman Liakakis said, okay, let's go on the board.

ACTION OF THE BOARD:

Commissioner Farrell moved to approve Items 1 through 6-Q, both respectively. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was absent.]

=====

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

=====

1. APPROVAL OF THE MINUTES OF THE MINUTES OF THE REGULAR MEETING OF MAY 14, 2010, AS MAILED.

ACTION OF THE BOARD:

Commissioner Farrell moved approval of the minutes of the regular meeting of May 14, 2010, as mailed. The motion was seconded by Commissioner Thomas and it passed unanimously. [NOTE: Commissioner Gellatly was absent.]

=====

2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD MAY 6 THROUGH MAY 19, 2010.

ACTION OF THE BOARD:

Commissioner Farrell moved payment of claims versus Chatham County for the period May 6 through May 19, 2010, in the amount of \$6,813,124. Commissioner Thomas seconded the motion and it passed unanimously. [NOTE: Commissioner Gellatly was absent.]

=====

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

ACTION OF THE BOARD:

Commissioner Farrell moved approval of an annual resolution to reaffirm the necessity of the "E-911," wireless enhanced "E-911," and Voice-over Internet Protocol (VoIP) service "E-911" charges. The motion was seconded by Commissioner Thomas and the motion passed unanimously. [NOTE: Commissioner Gellatly was absent.]

AGENDA ITEM: X-3
AGENDA DATE: May 28, 2010

DATE: May 21, 2010
TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Linda Cramer, Finance Director

ISSUE:

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

BACKGROUND:

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

FACTS & FINDINGS:

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

FUNDING: Not applicable.

ALTERNATIVES:

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

POLICY ANALYSIS:

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

RECOMMENDATION:

That the Board approve Alternative 1.

Prepared by: Read DeHaven

=====

4. REQUEST BOARD APPROVAL TO REVISE THE COUNTY'S FINANCIAL POLICIES TO INCORPORATE REVISIONS TO FUND BALANCE CATEGORIES AS FOUND IN GASB STATEMENT 54 FUND BALANCE REPORTING AND GOVERNMENTAL FUND TYPE DEFINITIONS.

ACTION OF THE BOARD:

Commissioner Farrell moved Board approval to revise the County's financial policies to incorporate revisions to fund balance categories as found in GASB Statement 54 *Fund Balance Reporting and Governmental Fund Type Definitions*. The motion was seconded by Commissioner Thomas and it passed unanimously. [NOTE: Commissioner Gellatly was absent.]

AGENDA ITEM: X-4
AGENDA DATE: May 28, 2010

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

ISSUE: To revise the County's financial policies to incorporate revisions to fund balance categories as found in GASB Statement 54 *Fund Balance Reporting and Governmental Fund Type Definitions*.

BACKGROUND: In March 2009 the Governmental Accounting Standards Board issued Statement 54 *Fund Balance Reporting and Governmental Fund Type Definitions*. After reviewing the statement, it appears that the County needs to revise its fund balance categories and update its financial policies. For the County, the Statement should be implemented in fiscal 2011.

FACTS AND FINDINGS:

1. As a result of the GASB Statement 54, Finance began a review of the County's financial policies for compliance with the statement. In addition, the revised GFOA Best Practice was considered during policy revisions. The Best Practice states that the Board should adopt a formal policy for minimum of two month's regular operating expenditures or revenues as an appropriate level of Unrestricted Fund Balance in the General Fund. Therefore, the County's fund balance policy has been revised for a target fund balance level of two month's reserve with a minimum of one month's reserve.
2. For the SSD Fund, it is recommended that the Board have a two month reserve in the Unrestricted Fund Balance.
3. Encumbrances which are currently shown as Reserved Fund Balance, will now be shown as Assigned Fund Balance (Unrestricted).
4. Debt service levels are now capped at 7% of fund expenditures.
5. The financial policies have been updated with these and other notional changes. A copy of the revised policies is included.

FUNDING: N/A

POLICY ANALYSIS: Implementation of GASB 54 will ensure the County's compliance with generally accepted accounting principles as required under State law.

ALTERNATIVES:

- 1. Approve the modifications to the County’s fund balance categories and financial policies, or
- 2. Provide staff with other direction.

RECOMMENDATION:

Adoption of Alternative 1 is recommended.

=====

**5. REQUEST BOARD AUTHORIZE EXECUTION OF A QUIT CLAIM DEED TO THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR THE RIGHT OF WAY PARCELS THAT WERE ACQUIRED IN THE COUNTY’S NAME BY DEED OR CONDEMNATION FOR THE WHITEFIELD AVENUE WIDENING PROJECT, STP00-00MS-00(005).
[DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Farrell moved the Board to authorize execution of a Quit Claim deed to the Georgia Department of Transportation for the right of way parcels that were acquired in the County’s name by deed or condemnation for the Whitefield Avenue Widening Project, STP00-00MS-00(005). The motion was seconded by Commissioner Thomas and it passed unanimously. [NOTE: Commissioner Gellatly was absent.]

**AGENDA ITEM: X-5
AGENDA DATE: May 28, 2010**

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE: To authorize execution of a Quit Claim deed to the Georgia Department of Transportation (GDOT) for the right of way parcels that were acquired in the County’s name by deed or condemnation for the Whitefield Avenue Widening Project, STP00-00MS-00(005).

BACKGROUND: The widening project is currently scheduled for construction contract letting by the GDOT in fiscal year 2011. The project widens Whitefield Avenue from Hayners Creek to just east of Ferguson Avenue. Right of way acquisition is complete and the final right of way certification process has commenced.

FACTS AND FINDINGS:

- 1. The Contract for Acquisition of Right of Way between GDOT and the County was approved by the Board and executed on May 22, 2009. It specifies that all parcels acquired by condemnation be filed by the County in the County’s name and subsequently conveyed to GDOT prior to right of way certification since Whitefield Avenue is a State Route (SR 204 Spur). This provision also applies to parcels that were acquired as “early acquisitions” in the County’s name prior to the execution of the right of way acquisition contract. The contract specifies that the County must certify to the GDOT by June 30, 2010, that all of the required right of way and easements for the entire project are titled in GDOT, the GDOT has legal possession of the right of way and easements, all displacees have relocated off the project, all structures have been removed, and the project corridor is cleared and ready for construction.
- 2. Execution of the Quit claim deed will allow the County to comply with the provisions of the contract and complete the right of way certification process. After the right of way certification process is complete, the County will be able to request GDOT reimbursement of right of way costs in an amount not to exceed \$7.3 million.

ALTERNATIVES:

- 1. To authorize execution of a Quit claim deed to the Georgia Department of Transportation (GDOT) for the right of way parcels that were acquired in the County’s name by deed or condemnation for the Whitefield Avenue Widening Project, STP00-00MS-00(005).

2. To not authorize the Quit Claim deed.

POLICY ANALYSIS: The Board must approve quit claim actions.

RECOMMENDATION: To approve Alternative No. 1.

District 1

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

QUITCLAIM DEED

THIS INDENTURE made this 28th day of May, 2010, between CHATHAM COUNTY, GEORGIA, a political subdivision of the State of Georgia, as Grantor of the GEORGIA DEPARTMENT OF TRANSPORTATION, an agency of the State of Georgia, as Grantee.

WITNESSETH:

That Grantor, for and in consideration of the sum of One dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant, release, bargain, sell and quitclaim unto Grantee, his/her/its heirs, executors, successors and other assigns, the following-described property, to-wit:

All those certain tracts or parcels of land, lying and being located in the Sixth Georgia Militia District of Chatham County, Georgia, consisting of right of way parcels, 1, 8, 17, 19, 25, 28, 29, 37, 38, 42, and 43A of the Whitefield Avenue/SR 204 SPUR Widening Project, project number STP00-00MS-00(005) and being more particularly described in the legal descriptions and plats attached hereto and made a part hereof by reference.

TO HAVE AND TO HOLD said property, together with all and singular the rights, members, hereditaments, improvements, easements, and appurtenances, thereunto belonging or in any wise appertaining (collectively the "Premises"), unto Grantee, his/her/its heirs, executors, successors and assigns, so that neither Grantor nor its heirs, successors or assigns, nor any person or persons claiming under it shall have, claim, or demand any right to the above-described property, or its appurtenances.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed by its duly authorized officers and its seal to be affixed hereto on the day and year first above written.

BOARD OF COMMISSIONERS
OF CHATHAM COUNTY,
GEORGIA

BY: /s/
Pete Liakakis, Chairman
Board of Commissioners

ATTEST: /s/
Frances Q. Rasmussen, Deputy
Clerk

[SEAL]

Signed, sealed and delivered
this 28th day of May, 2010,
in the presence of

/s/
Donna Myers

/s/
Jackie W. Roberts

Notary Public

[SEAL]

My Commission Expires January 30, 2011

PROJECT: STP00-00MS-00(005), Whitefield Avenue Widening, Chatham County
PARCEL: 1
REQ'D R/W: 0.044 acres
NAME: Chatham County (fka Paula Murano, Priscilla M. Kimery & James H. Kimery)

All that land lying and being in the Sixth Georgia Militia District of Chatham County, Georgia, being more particularly described as follows:

BEGINNING at a point located 75.13 feet left of and opposite Whitefield Avenue Widening Project Construction Centerline Station 8+89.43, said point being also located on the east existing right of way line of Whitefield Avenue; thence, S 38° 51' 48" E a distance of 16.93 feet to a point; thence, S 81° 12' 35" E a distance of 60.56 feet to a point, said point also being located on the Grantor's east property line; thence, S 29° 47' 52" W along said east property line a distance of 33.85 feet to a point located at the intersection of the said east property line and the north existing right of way line of Hendry Avenue; thence, N 74° 07' 55" W along said north right of way line a distance of 58.05 feet to a point located at the intersection of the said north existing right of way line and the said east existing right of way line; thence, N 03° 28' 47" E along said east existing right of way line a distance of 36.00 feet back said POINT OF BEGINNING. Said area described consists of 0.044 acres, is shown in yellow on plat (Dated January 16, 2008; revised February 16, 2009) attached hereto and made a part of this description and conveyed to Chatham County by deed dated November 17, 2009 and filed of record at Deed Book 357-I, Page 355.

PROJECT: STP00-00MS-00(005), Whitefield Avenue Widening, Chatham County
 PARCEL: 8
 REQ'D R/W: 0.058 acres
 NAME: Chatham County f/k/a Dennie F. McNeely, Jr.

All that land lying and being in the Sixth Georgia Militia District of Chatham County, Georgia, being more particularly described as follows:

BEGINNING at a point located 50.11 feet left of and opposite Whitefield Avenue Construction Centerline Station 16+54.69 said point being also located at the intersection of the east existing right of way line of Whitefield Avenue and the Grantor's north property line; thence, S 74° 07' 30" E along said north property line a distance of 220.11 feet to a point located at the intersection of said west existing right of way line and the Grantor's south property line; thence, S 74° 05' 25" W along said south property line a distance of 28.60 feet to a point; thence, N 03° 28' 38" E a distance of 220.14 feet to a point located on the Grantor's north property line; thence S 74° 07' 57" E along said north property line a distance of 28.82 feet back to said POINT OF BEGINNING. Said area described consists of 0.092 acres, is shown in yellow on plat (Dated January 16, 2008; revised August 20, 2009) attached hereto and made a part of this description and acquired by Chatham County through condemnation action in the Superior Court of Chatham County, docket number CV10-0052-BA.

PROJECT: STP00-00MS-00(005), Whitefield Avenue Widening, Chatham County
 PARCEL: 17
 REQ'D R/W: 0.142 acres
 NAME: Chatham County f/k/a Dennie F. McNeely, Jr.

All that land lying and being in the Sixth Georgia Militia District of Chatham County, Georgia, being more particularly described as follows:

BEGINNING at a point located 33.53 feet right of and opposite Whitefield Avenue Construction Centerline Station 9+32.73, said point being also located at the intersection of the Grantor's north property line and the west existing right of way line of Whitefield Avenue; thence, S 03° 32' 04" W along said west existing right of way line a distance of 220.11 feet to a point located at the intersection of said west existing right of way line and the Grantor's south property line; thence, S 74° 05' 25" W along said south property line a distance of 28.60 feet to a point; thence, N 03° 28' 38" E a distance of 220.14 feet to a point located on the Grantor's north property line; thence S 74° 07' 57" E along said north property line a distance of 28.82 feet back to said POINT OF BEGINNING. Said area described consists of 0.092 acres, is shown in yellow on plat (Dated January 16, 2008; revised August 20, 2009) attached hereto and made a part of this description.

AND ALSO:

EASEMENT FOR THE CONSTRUCTION & MAINTENANCE OF SLOPES

REQ'D EASMT: 487.20 square feet

BEGINNING at a point 60.58 feet right of and opposite Whitefield Avenue Construction Centerline Station 10+57.18; thence N 85° 51' 59" W a distance of 7.06 feet to a point; thence N 03° 28' 40" E a distance of 69.00 feet to a point; thence, S 85° 51' 59" E a distance of 7.06 feet to a point; thence S 03° 28' 40" W a distance of 69.00 feet back to said POINT OF BEGINNING. Said area described consists of 487.20 square feet and is shown in orange on plat (Dated January 16, 2008; revised August 20, 2009) attached hereto and made part of this

description. Said areas described above were acquired by Chatham County through condemnation action in the Superior Court of Chatham County, docket number CV10-0053-BA.

PROJECT: STP00-00MS-00(005), Whitefield Avenue Widening, Chatham County
 PARCEL: 19
 REQ'D R/W: 0.283 acres
 NAME: Chatham County, f/k/a Jackson Cash Rhodes & Amy W. Rhodes

All that land lying and being in the Sixth Georgia Militia District of Chatham County, Georgia, being more particularly described as follows:

BEGINNING at a point located 26.17 feet right of and opposite Whitefield Avenue Construction Centerline Station 13+88.92, said point being also located at the intersection of the Grantor's north property line and the west existing right of way line of Whitefield Avenue; thence, S 3° 32' 35" W along said west existing right of way line a distance of 209.02 feet to a point located at the intersection of said west existing right of way line and the Grantor's south property line; thence, N 73° 14' 20" W along said south property line a distance of 65.20 feet to a point; thence, N 06° 00' 24" E a distance of 206.24 feet to a point located on the Grantor's north property line; thence, S 74° 07' 33# E along said north property line a distance of 55.90 feet back to said POINT OF BEGINNING. Said area described consists of 0.283 acres and is shown in yellow on plat (Dated January 16, 2008; revised August 20, 2009) attached hereto and made part of this description and acquired by Chatham County through condemnation action in the Superior Court of Chatham County, docket number CV05-0544-MO.

PROJECT: STP00-00MS-00(005), Whitefield Avenue Widening, Chatham County
 PARCEL: 25
 REQ'D R/W: 0.203 acres
 NAME: Chatham County (fka Martha C. Lichetnberg)

All that land lying and being in the Sixth Georgia Militia District of Chatham County, Georgia, being more particularly described as follows:

BEGINNING at a point located 1.93 feet left of and opposite Whitefield Avenue Widening Project Construction Centerline Station 22+96.59, said point being also located at the intersection of the Grantor's north property line and the west existing right of way line of Whitefield Avenue; thence, S 03° 32' 12" W a distance of 80.00 feet along said west right of way line to a point located at the intersection of the said east right of way line and the Grantor's south property line; thence, N 86° 27' 48"W a distance of 111.90 feet along said south property line to a point; thence, N 05° 26' 60" E a distance of 80.04 feet to a point located on the said north property line; thence S 86° 27' 51" E along said north property line a distance of 109.23 feet back to said POINT OF BEGINNING. Said area described consist of 0.203 acres, is shown in yellow on plat (Dated January 16, 2008; revised December 18, 2009) attached hereto and made part of this description and conveyed to Chatham County by deed dated March 30, 2004 and filed of record at Deed Book 267-P, Page 536.

PROJECT: STP00-00MS-00(005), Whitefield Avenue Widening, Chatham County
 PARCEL: 28
 REQ'D R/W: 0.278 acres
 NAME: Chatham County (fka Lera Wynn Hodges)

All that land lying and being in the Sixth Georgia Militia District of Chatham County, Georgia, being more particularly described as follows:

BEGINNING at a point located 1.67 feet left of and opposite Whitefield Avenue Widening Project Construction Centerline Station 25+26.59, said point being also located at the intersection of the Grantor's north property line and the west existing right of way line of Whitefield Avenue; thence, S 03° 32' 12" W a distance of 110.00 feet along said west right of way line to a point located at the intersection of the said west right of way line and the Grantor's south property line; thence, N 86° 26' 41" W along said south property line a distance of 110.00 feet to a point located at the intersection of said south property line and the Grantor's west property line; thence, N 03° 32' 12" E along said west property line a distance of 109.96 feet to a point located at the intersection of said west property line and said north property line; thence S 86° 27' 48" E along said north property line a distance of 110.00 feet back to said POINT OF BEGINNING. Said area described consists of 0.278 acres, is shown in yellow on plat (Dated January 16, 2008; revised December 18, 2009) attached hereto and made part of this description and conveyed to Chatham County by deed dated August 25, 2003 and filed of record at Deed Book 257-N, Page 708.

PROJECT: STP00-00MS-00(005), Whitefield Avenue Widening, Chatham County
 PARCEL: 29
 REQ'D R/W: 0.359 acres

NAME: Chatham County (fka Marjorie S. Purvis, individually and as admin. of the estate of James A. Purvis)

All that land lying and being in the Sixth Georgia Militia District of Chatham County, Georgia, being more particularly described as follows:

BEGINNING at a point located 8.16 feet right of and opposite Whitefield Avenue Widening Project Construction Centerline Station 26+96.45, said point being also located at the intersection of the Grantor's north property line and the west existing right of way line of Whitefield Avenue; thence, S 03° 33' 24" W along said west right of way line a distance of 100.00 feet to a point, said point also being located at the intersection of the said west right of way line and the Grantor's south property line; thence, N 86° 26' 36" W along said south property line a distance of 90.11 feet to a point; thence, N 37° 50' 13" W a distance of 13.54 feet to a point; thence, N 65° 52' 19" W a distance of 82.14 feet to a point located on the Grantor's west property line; thence, N 03° 35' 09" E along said west property line a distance of 60.98 feet to a point located at the intersection of the said west property line and the said north property line; thence, S 86° 26' 41" E along said north property line a distance of 175.93 feet back to said POINT OF BEGINNING. Said area described consists of 0.359 acres, is shown in yellow on plat (Dated January 16, 2008; revised December 18, 2009) attached hereto and made a part of this description and conveyed to Chatham County by deed dated June 20, 2003 and filed of record at Deed Book 253-J, Page 487.

AND ALSO:

EASEMENT FOR THE CONSTRUCTION OF SLOPES
REQ'D EASMT: 30.52 square feet

COMMENCING at a point located 7.77 feet right of and opposite Whitefield Avenue Widening Project Construction Centerline Station 27+96.47, said point also being located at the intersection of the west existing right of way line of Whitefield Avenue and the Grantor's south property line; thence, N 86° 26' 36" W along said south property line to a point located a distance of 90.11 feet to the POINT OF BEGINNING; thence, westward along said south property line to a point located 103.90 feet right of and opposite said Construction Centerline Station 27+96.96; thence northward to a point located 106.88 feet right of and opposite said Construction Centerline Station 27+86.80; thence southward back to said POINT OF COMMENCING. Said area described consists of 30.52 square feet and is shown in green on plat (Dated January 16, 2008; revised December 18, 2009) attached hereto and made part of this description and conveyed to Chatham County by deed dated June 20, 2003 and filed of record at Deed Book 253-J, Page 487.

PROJECT: STP00-00MS-00(005), Whitefield Avenue Widening, Chatham County
PARCEL: 37
REQ'D R/W: 0.201 acres
NAME: Chatham County (fka Bradley D. Smith & Ruby M. Smith)

All that land lying and being in the Sixth Georgia Militia District of Chatham County, Georgia, being more particularly described as follows:

BEGINNING at a point located 7.30 feet right of and opposite Whitefield Avenue Widening Project Construction Centerline Station 29+86.50, said point being also located at the intersection of the Grantor's north property line and the west existing right of way line of Whitefield Avenue; thence, S 03° 33' 24" W along said west right of way line a distance of 95.00 feet to a point located at the intersection of the said west right of way line and the Grantor's south property line; thence, N 86° 26' 36" W a distance of 92.76 feet along said south property line to a point; thence, N 04° 05' 24" E a distance of 95.00 feet to a point located on the said north property line; thence, S 86° 26' 36" E along said north property line a distance of 91.88 feet back to said POINT OF BEGINNING. Said area described consists of 0.201 acres, is shown in yellow on plat (Dated January 16, 2009; revised December 18, 2009) attached hereto and made part of this description and conveyed to Chatham County by deed dated April 14, 2004 and filed of record at Deed Book 268J, Page 158.

PROJECT: STP00-00MS-00(005), Whitefield Avenue Widening, Chatham County
PARCEL: 38
REQ'D R/W: 0.260 acres
NAME: Chatham County (fka St. Luke United Methodist Church)

All that land lying and being in the Sixth Georgia Militia District of Chatham County, Georgia, being more particularly described as follows:

BEGINNING at a point located 5.21 feet right of and opposite Whitefield Avenue Widening Project Construction Centerline Station 30+81.51, said point being also located at the

intersection of the Grantor's north property line and the west existing right of way line of Whitefield Avenue; thence, S 03° 33' 24" W along said west right of way line a distance of 95.23 feet to a point located at the intersection of the said west right of way line and the Grantor's south property line; thence, S 66° 30' 57" W along said south property line a distance of 111.25 feet to a point; thence, N 04° 02' 21" E a distance of 16.27 feet to a point; thence, N 10° 37' 54" E a distance of 43.76 feet to a point; thence, N 04° 05' 26" E a distance of 86.11 feet to a point located on the said north property line; thence, S 86° 26' 36" E along said north property line a distance of 92.76 feet back to said POINT OF BEGINNING. Said area described consists of 0.260 acres, is shown in yellow on plat (Dated January 16, 2008; revised December 18, 2009) attached hereto and made part of this description and conveyed the Chatham County by deed dated July 17, 2003 and filed of record at Deed Book 255D, Page 486.

PROJECT: STP00-00MS-00(005), Whitefield Avenue Widening, Chatham County
 PARCEL: 42
 REQ'D R/W: 0.165 acres
 NAME: Chatham County (fka Charles V. Coursey)

All that land lying and being in the Sixth Georgia Militia District of Chatham County, Georgia, being more particularly described as follows:

BEGINNING at a point located 17.36 feet right of and opposite Grace Drive Construction Centerline Station 13+00.53, said point being also located at the intersection of the existing south right of way line of Grace Drive and the Grantor's east property line; thence, S 23° 27' 03" E along said east property line a distance of 145.33 feet to a point located at the intersection of the said east property line and the Grantor's south property line; thence, N 84° 36' 53" W along said south property line a distance of 43.05 feet to a point; thence, N 03° 11' 07" W a distance of 40.27 feet to a point; thence, N 40° 11' 06" W a distance of 31.56 feet to a point; thence, north westerly along a curved line an arc distance of 96.252 feet to a point; thence, north easterly along a curved line an arc distance of 28.527 feet to a point located on the said south existing right of way line; thence, N 66° 32' 57" E along said south existing right of way line a distance of 102.53 feet back to said POINT OF BEGINNING. Said area described consists of 0.165 acres, is shown in yellow on plat (Dated January 16, 2008; revised December 18, 2009) attached hereto and made part of this description and conveyed the Chatham County by deed dated September 19, 2003 and filed of record at Deed Book 259-D, Page 118.

PROJECT: STP00-00MS-00(005), Whitefield Avenue Widening, Chatham County
 PARCEL: 43A
 REQ'D R/W: 0.283 acres
 NAME: Chatham County (fka Cheryl L. Woodhouse)

All that land lying and being in the Sixth Georgia Militia District of Chatham County, Georgia, being more particularly described as follows:

BEGINNING at a point located 7.95 feet left of and opposite Whitefield Avenue Widening Project Construction Centerline Station 36+28.65, said point being also located at the intersection of the Grantor's north property line and the west existing right of way line of Whitefield Avenue; thence, S 3° 31' 35" W along said west right of way line a distance of 135.97 feet to a point located at the intersection of the said west right of way line and the Grantor's south property line; thence, S 66° 23' 45" W along said south property line a distance of 93.73 feet to a point; thence, N 23° 27' 11" W a distance of 15.74 feet to a point; thence, N 02° 57' 32" E a distance of 118.05 feet to a point located on the said north property line; thence, N 66° 34' 55" E along said north property line a distance of 87.42 feet to a point; thence, N 66° 32' 26" E continuing along said north property line a distance of 15.48 feet back to said POINT OF BEGINNING. Said area described consists of 0.283 acres, is shown in yellow on plat (Dated January 16, 2008; revised December 18, 2009) attached hereto and made part of this description and conveyed the Chatham County by deed dated January 22, 1996 and filed of record at Deed Book 176X, Page 86.

=====

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.)

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. Renewal of annual software support	I.C.S.	Zortec International Corp. (Sole Source)	\$10,000	General Fund/M&O - I.C.S.
B. Annual lease agreement with option to renew for three (3) additional one (1) year term for an updated mailing system for the County Print Shop	Administrative Services	Pitney Bowes (State Contract)	\$15,876	General Fund/M&O - Administrative Services
C. Cabling for telephone equipment and computer network service for the new Records Facility	I.C.S.	Savannah Communications (State Contract)	\$40,616	SPLOST (2008-2014) - Building Renovation
D. Annual contract with option to renew for three (3) additional one (1) year term to provide cellular telephone service, computer air cards and new or replacement phone	I.C.S.	Verizon Wireless	Varies by item	<ul style="list-style-type: none"> •General Fund/M&O - Various •SSD - Various •Solid Waste •Water and Sewer
E. One (1) year professional services agreement to provide Case Management duties to the Mental Health Court	Court Administrator	Antoinette Joiner	\$15.50 per hour	Mental Health Court Grant
F. One (1) year professional services agreement to provide Case Management duties to the Mental Health Court	Court Administrator	Amanda Wilson	\$16 per hour	Mental Health Court Grant
G. Construction contract for the Henderson Canal Drainage Improvement Project	Engineering	Pine Valley Concrete Company	\$278,317	SPLOST (1998-2003) - Gateway/Henderson Drainage Improvement Project
H. Change Order No. 3 to the annual contract for canal and landfill mowing services to include an additional 2.24 miles of mowing	Public Works and Park Services	Myers and Son, Inc.	\$3,474	General Fund/M&O - Public Works
I. Confirmation of emergency repairs to four (4) hangar doors	Mosquito Control	Alloy Industrial Contractors, Inc. (WBE)	\$12,000	General Fund/M&O - Mosquito Control
J. Annual contract for the "as needed" purchase of various mosquito control chemicals	Mosquito Control	<ul style="list-style-type: none"> •Adapco, Inc. •AllPro Vector Group •Clarke Mosquito Control Products •Univar USA 	Varies by item	General Fund/M&O - Mosquito Control
K. Renewal of property and contents insurance for County owned property located on Tybee Island	Finance	Mt. Hawley Insurance Company	\$29,588	Risk Management Fund - Insurance Premiums and Surety Bonds

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
L. Communications and computer equipment for the new Animal Control Shelter	Special Projects	City of Savannah	\$20,312	•2005 DSA Bond - Animal Control Shelter •CIP - Animal Control Shelter
M. Confirmation of the emergency purchase for walk-in coolers for the new Animal Control Shelter	Special Projects	R & R Restaurant Supply	\$12,825	•2005 DSA Bond - Animal Control Shelter •CIP - Animal Control Shelter
N. Change Order No. 2 to the contract for the construction of the new Animal Control Shelter	Special Projects	Artley Construction	\$89,384	•2005 DSA Bond - Animal Control Shelter •CIP - Animal Control Shelter
O. Two (2) year professional services agreement to provide forensic social worker services	Public Defender	Barbara L. Williams	\$19.25 per hour	Byrne - Case Management - Public Defender Grant
P. Approval of the Short list of qualified prime contractors for the Detention Center Expansion Project	Special Projects	•Archer Western - Caddell •Skanska •Hunt/ Mills •Clark Construction •Hensel Phelps •M.B. Kahn	N/A	N/A
Q. Contract to provide legal services for the Detention Center Expansion Project	Special Projects	Mr. Robert James, II	Not to Exceed \$40,000	Community Outreach

ACTION OF THE BOARD:

Commissioner Farrell moved that the Board approve Item 6-A through Item 6-Q, both respectively. Commissioner Thomas seconded the motion and it passed unanimously. [NOTE: Commissioner Gellatly was absent.]

AGENDA ITEM : X-6 A thru Q
AGENDA DATE: May 28, 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 the \$10,000 renewal for System Z software support and updates from Zortec International Corp. for I.C.S.

BACKGROUND: System Z software has been in use by numerous County offices for many years. The use of the County's Judicial Information Management System (JIMS) is written in System Z format and is the application that all the Courts use.

FACTS AND FINDINGS:

- 1. System Z support has not increased over the years. It has remained \$10,000.
- 2. I.C.S. programmers, system analysts and support staff are knowledgeable in System Z application support and programming.
- 3. System Z is a legacy application system used by numerous departments and is proprietary with many custom defined features within the programming by department.
- 4. I.C.S. believes the renewal cost of this software and maintenance agreement to be fair and reasonable.

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

ALTERNATIVES:

- 1. Board approval of the \$10,000 renewal for System Z software support and updates from Zortec International Corp. for I.C.S.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary maintenance for hardware and software for the using departments.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM B

ISSUE: Request Board approval of a \$15,876 one (1) year lease with automatic renewal options for three (3) additional one (1) year terms with Pitney Bowes, off the State of Georgia contract, for SendSuite Shipping system with Connect+ 3000 Mailing Center for Administrative Services.

BACKGROUND: Administrative Services has been providing mailing services for all County departments. Pitney Bowes mailing systems have contributed to the completion of all the mailing services throughout the County. To maintain with the U.S. Postal Services guidelines, the current mailing system must be upgraded.

FACTS AND FINDINGS:

- 1. The Pitney Bowes SendSuite system will compare rates and check residential code status to prepare labels, track packages, and electronically confirm deliveries for First Class parcels, Priority Mail, and Certified mail request.
- 2. The upgrade to the SendSuite system will improve on product performance, rate change protection, and postage time and guarantees. All equipment and software updates are under full maintenance included in the lease agreement.
- 3. Staff believes the cost of \$15,876 to be fair and reasonable.

FUNDING: General Fund/M & O – Administrative Services
(1001580 – 52.23201)

ALTERNATIVES

- 1. Board approval of a \$15,876 one (1) year lease with automatic renewal options for three (3) additional one year terms with Pitney Bowes, off the State of Georgia contract, for SendSuite Shipping system with Connect+ 3000 Mailing Center for Administrative Services.

- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary equipment, hardware and software for daily operations.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM C

ISSUE: Request Board approval of a \$40,616 purchase of cabling for Motorola telephone equipment and computer network service and installation, off State of Georgia contract, from Savannah Communication for the County's new Records Facility Center in Garden City.

BACKGROUND: The new Records Center in Garden City must be tied into the County voice and data networks in order to provide services to the County departments and to the Public.

FACTS AND FINDINGS:

- 1. In order to provide data and voice bandwidth sufficient to service the building, I.C.S. requested Savannah Communications to engineer an unlicensed microwave shot from the County Courthouse to the Minus Ave tower owned by Savannah Communications. This also includes underground fiber cabling to the Records Center adjacent to the Savannah Communications site.
- 2. Staff believes the total cost of \$40,616 to be fair and reasonable.

FUNDING: SPLOST (2008 - 2014) - Building Renovation Project
(3244980 - 52.12003 - 32460427)

ALTERNATIVES:

- 1. Board approval of a \$40,616 purchase of cabling for Motorola telephone equipment and computer network service and installation, off State of Georgia contract, from Savannah Communication for the County's new Records Facility Center in Garden City.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary network equipment, hardware and software for the functionality of the network operations.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
TOM DRANE

ITEM D

ISSUE: Request Board approval to award a one (1) year contract with automatic renewal options for three (3) additional one (1) year terms, off the GTA State Contract, with Verizon Wireless of Alpharetta, GA to provide cellular telephone service, computer air cards, and new and or replacement phones to various Departments and Agencies of Chatham County.

BACKGROUND: This contract is the result of the 2009 acquisition of Alltel by Verizon Wireless. This contract is a revision of the Alltel Legacy Contract approved on 22 February 2008.

FACTS AND FINDINGS:

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
READ DEHAVEN

ITEM E

ISSUE: Request Board approval for Chatham-Savannah Mental Health Court to enter into a Professional Services Agreement with Antoinette Joiner for a one (1) year term under the terms of the Georgia Criminal Justice Coordinating Council's (CJCC) Edward Byrne Memorial Justice Assistance Grant Program (JAG) grant authorized under the American Recovery and Reinvestment Act (ARRA) of 2009 awarded to Chatham County 30 December 2009.

BACKGROUND: The CJCC awarded \$161,463 to Program #3, Specialty Courts/Case Management and Coordination Services in Three Therapeutic Courts and for Other Indigent Probationers with Special Supervisory Needs to the Eastern Circuit (Chatham County) to support government entities comprising the criminal justice system in the Eastern Circuit on 30 December 2009. On 15 January 2010, Chatham County Chairman Pete Liakakis signed the award acceptance.

FACTS AND FINDINGS:

1. After advertising through Chatham County's Human Resource and Services Department, performing reference checks and interviewing 12 applicants, Antoinette Joiner has been selected to fill the position of 30 hour case manager for the Chatham-Savannah Mental Health Court utilizing a portion of this funding. This position will provide for a better success rate among Mental Health Court clients.
2. Antoinette Joiner will function as an independent contractor providing Case Management duties to the Mental Health Court, and agrees that she is an independent contractor.
3. Antoinette Joiner will work a 30 hour work week, be paid at a rate of \$15.50 per hour for one (1) year, with the possibility of a renewal term for the balance of the grant funding.
4. Antoinette Joiner agrees she is not a County employee, and is not entitled to County benefits or privileges, and that she is not guaranteed employment beyond the term of the grant award.

FUNDING: Mental Health Court Grant
(2502100 - 52.12099 - 25024122)

ALTERNATIVES:

1. Board approval for Chatham-Savannah Mental Health Court to enter into a Professional Services Agreement with Antoinette Joiner for a one (1) year term under the terms of the Georgia Criminal Justice Coordinating Council's (CJCC) Edward Byrne Memorial Justice Assistance Grant Program (JAG) grant authorized under the American Recovery and Reinvestment Act (ARRA) of 2009 awarded to Chatham County 30 December 2009.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to award contracts for necessary services when the service can be performed at reasonable rates and is funded by grant dollars.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____

TOM DRANE

ITEM F

ISSUE: Request Board approval for Chatham-Savannah Mental Health Court to enter into a Professional Services Agreement with Amanda Wilson for a one (1) year term under the terms of the Office of Justice Programs, Bureau of Justice Assistance's, Justice and Mental Health Collaboration program two (2) year grant award accepted by Chatham County in October of 2009.

BACKGROUND: On 16 September 2009, the MHC received notice from the Bureau of Justice Assistance of this grant award. The Chatham County Chairman provided his signature on 28 September 2009, and subsequent to the Chairman's signature, the Board accepted the grant award in October, 2009. The position was originally filled by Joseph Smith, who was terminated and replaced by Amanda Wilson with a Temporary Professional Services Agreement, which is due to expire in June, 2010. This contract will keep the existing contractual vehicle to pay Miss Wilson in place.

FACTS AND FINDINGS:

1. The Chatham-Savannah Mental Health Court (MHC) identified gaps in provider system operations and submitted a grant with the Bureau of Justice Assistance, Justice and Mental Health Collaboration Program that will provide for a better success rate among Mental Health Court clients.
2. Amanda Wilson will function as an independent contractor providing Case Management duties to the Mental Health Court, and agrees that she is an independent contractor.
3. Amanda Wilson will work a 40 hour work week, be paid at a rate of \$16 per hour for one year, with a renewal term for the balance of the grant award funding.
4. Amanda Wilson agrees she is not a County employee, and is not entitled to County benefits or privileges, and that she is not guaranteed employment beyond the term of the grant award.

FUNDING: Mental Health Court Grant
2502100 - 52.11001 - 25020212

ALTERNATIVES:

1. Board approval for Chatham-Savannah Mental Health Court to enter into a Professional Services Agreement with Amanda Wilson for a one (1) year term under the terms of the Office of Justice Programs, Bureau of Justice Assistance's, Justice and Mental Health Collaboration program two (2) year grant award accepted by Chatham County in October of 2009.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to award contracts for necessary services when the service can be performed at reasonable rates and is funded by grant dollars.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
TOM DRANE

ITEM G

ISSUE: Request Board approval of a \$278,317 construction contract with Pine Valley Concrete Company for the Henderson Canal Drainage Improvement project.

BACKGROUND: The Gateway/Henderson Drainage project is a part of the Chatham County Drainage Improvement Program. Problems being addressed include the limited drainage capacity of the existing canal and several road crossings over the canal.

FACTS AND FINDINGS:

- 1. Construction of a larger culvert on the Little Neck Canal at Little Neck Road was completed in January 2010. This project replaces the culverts at Henderson Oaks Drive and the golf cart culvert near the Henderson Golf Community swimming pool. The golf cart culvert is located beneath electric transmission lines and near the community swimming pool. To construct the culverts, traffic will be detoured to allow closure of the road and cart path.
- 2. The County entered into an agreement with CGL of Savannah, Inc., operator of the golf course, allowing temporary closure of the cart path with compensation to the operator for lost revenues. The contract will make the contractor responsible for the compensation payments should the contractor take excessive time in completing the work.
- 3. The project was properly advertised and six (6) bids were received and opened 12 May 2010. The bid responses are as follows:

	Pine Valley Concrete Company Meansville, GA	\$278,317
**	E&D Contracting Services, Inc. Savannah, GA	\$349,016
	R. B. Baker Construction, Inc. Garden City, GA	\$379,600
*	Sandhill ALS Construction, Inc. Hardeeville, GA	\$407,225
	Seaboard Construction Co. Brunswick, GA	\$502,702
	L-J, Inc. Columbia, SC	\$528,785

* MBE firm
 ** WBE firm

FUNDING: SPLOST (1998 - 2003) - Drainage, Gateway/Henderson Project
 (3224250 - 54.14021 - 32280357)

ALTERNATIVES:

- 1. Board approval of a \$278,317 construction contract with Pine Valley Concrete Company for the Henderson Canal Drainage Improvement project.
- 2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
 ESTELLE BROWN

ITEM H

ISSUE: Request Board approval of Change Order No. 3, in the amount of \$1,158 per cycle, to the annual contract with Myers and Son, Inc, to include an additional 2.24 miles to the scope of services for canal and landfill mowing.

BACKGROUND: On 22 June 2007, the Board approved an annual contract for canal and landfill mowing services, with a 4% increase per fiscal year, with Myers and Son, Inc.

FACTS AND FINDINGS:

1. During the several years, additional mileage has been added increasing the total contract miles from 142.48 to 144.72. The additional mileage has been added to the canal mowing program primarily due to improvements to the canal system.
2. Myers and Son, Inc. has provided the mowing services on the increased mileage. Attached is a list of the specific areas added during the last several years.
3. The contract scope of services includes three mowing cycles per year. The cost per mile is \$517, with a total added cost per cycle for Fiscal Year 2010/2011 of \$1,158.
4. Contract history is as follows:

Original Contract Amount (06-27-07)	\$213,687/Year
Change Order No. 1 (10-05-07)	\$ 2,700/Year
Change Order No. 2 (10-05-07)	\$ 2,250/Year
Change Order No. 3 (pending)	\$ 3,474/Year
Revised Contract Amount	\$222,111/Year (with a 4% increase)

FUNDING: General Fund/M&O - Public Works
(1004100 - 52.21411)

ALTERNATIVES:

1. Board approval of Change Order No. 3, in the amount of \$1,158 per cycle, to the annual contract with Myers and Son, Inc, to include an additional 2.24 miles to the scope of services for canal and landfill mowing.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM I

ISSUE: Request Board confirmation of the \$12,000 emergency repairs to four (4) Hi-Fold doors for Mosquito Control from Alloy Industrial Contractors, Inc., a WBE firm, of Savannah, GA.

BACKGROUND: During scheduled preventive maintenance of the hangar doors on 17 May 2010, staff noted cracks in the structural framework of one (1) door.

FACTS AND FINDINGS:

1. On 18 May 2010, staff completed a thorough inspection of all four (4) hangar doors, using a man-lift capable of reaching a height of 20 feet.
2. This inspection noted significant cracks in all four (4) doors caused by torsion and stress from normal daily use.
3. The nature and extent of the cracking places additional stress on the doors and makes their immediate repair essential to avoid personal injury or property damage, and allow routing aerial operations at Mosquito Control
4. Staff requested emergency approval from the Chairman so the repairs of the four (4) hangar Hi-Fold doors could be done in a timely manner. He concurred (see attached page 23) and directed staff to seek Board confirmation at their next scheduled meeting.

FUNDING: General Fund/M&O - Mosquito Control
(1005144 - 52.22001)

ALTERNATIVES:

- 1. Request Board confirmation of the \$12,000 emergency repairs to four (4) Hi-Fold doors for Mosquito Control from Alloy Industrial Contractors, Inc., a WBE firm, of Savannah, GA.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve emergency repairs to ensure no interruption in the department’s daily operation.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM J

ISSUE: Request Board approval of annual price agreements for the purchase of various chemicals, in the forms of liquid, pellets and granules from Adapco, Inc, AllPro Vector Group, Clarke Mosquito Control Products, and Univar USA for Chatham County Mosquito Control.

BACKGROUND: These chemicals are time release growth regulators used in the mosquito control program.

FACTS AND FINDINGS:

- 1. Pricing quotations require the vendors to commit to holding firm the price for the purchase of the chemicals for a period of one (1) year.
- 2. The following vendors submitted quotes (see matrix for pricing on pages 24-27):
 - Adapco, Inc.
Sanford, FL
 - AllPro Vector Group
Bloomington, MN
 - Clarke Mosquito Control Products
Roselle, IL
 - Univar USA
Mars Hills, NC
- 3. Staff has recommended the four (4) vendors for the purchase of the various types of Altosid. The pricing offered by the four (4) vendors is the manufacturer fixed cost. Awarding to the four (4) vendors will enable staff to purchase from the vendor that would have the quickest delivery and would give staff several backup vendors for purchase.

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

ALTERNATIVES:

- 1. Request Board approval of annual price agreements for the purchase of various chemicals, in the forms of liquid, pellets and granules from Adapco, Inc, AllPro Vector Group, Clarke Mosquito Control Products, and Univar USA for Chatham County Mosquito Control.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve price agreements for essential and safe chemical products which control the mosquito population in Chatham County.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM K

ISSUE: Request Board approval of the \$29,588 renewal of property and contents insurance for County-owned property located on Tybee Island with Mt. Hawley Insurance Company for the Finance Department.

BACKGROUND: The Tybee Island Library, Pavilion, and various communication equipment located on or near the Fort Street water tower are considered higher risk than other County property due to their susceptibility to wind and wave damage. Based on the higher risk exposure, these properties are not eligible for coverage under the existing blanket property insurance policies. The Tybee Pier is currently uninsured.

FACTS AND FINDINGS:

1. Existing carrier, Arch Specialty Insurance Company declined to renew coverage. Last year’s annual premium was \$29,016.
2. One insurance carrier, Mt. Hawley Insurance Company offered coverage with terms, conditions, and premium similar to the expiring coverage. Coverage quoted does not include the Pier. The renewal premium for the period 24 May 2010 to 2011 is \$29,588. Terrorism coverage is an additional \$2,600 annually, but is not recommended.
3. Lloyds of London quoted coverage for the Pavilion, Library, and communications equipment at an annual premium similar to the expiring coverage, but restricted coverage and increased self-insured retention with regard to wind and hail. Lloyds’s base quote of \$29,048 does not include the Pier.
4. Lloyds’s optional quotation includes the Pier for an additional \$20,000 annual premium. The cost for total coverage under this option is \$49,048, which includes a self-insured retention with regard to wind and hail. Terrorism coverage is an additional \$2,600 annually, but is not recommended.
5. Wells/Fargo is requesting the County sign an acknowledgment letter recognizing that Mt. Hawley or any surplus lines carrier is not subject to the Georgia Insolvency Fund. Arch Specialty Company was also subject to this restriction.
6. Five (5) other insurance carriers declined to quote due to underwriting restrictions and/or wind exposure.

FUNDING: Risk Management Fund
(6259922 - 52.31021)

ALTERNATIVES:

1. Board approval of the \$29,588 renewal of property and contents insurance for County-owned property located on Tybee Island with Mt. Hawley Insurance Company for the Finance Department and acknowledge Mt. Hawley is not subject to the Georgia Insolvency Fund.
2. Provide staff other direction.

POLICY ANALYSIS: Total insurance values of \$2,743,310 exceed the available funds in the Reserve for Catastrophic Claims.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM L

ISSUE: Request Board approval of a \$20,312 purchase to the City of Savannah for communications and computer equipment for the Savannah-Chatham Metropolitan Animal Control Facility.

BACKGROUND: Communications and computer equipment will be needed for the new Animal Control Facility.

FACTS AND FINDINGS:

- 1. Chatham County assumes responsibility for designing, constructing and equipping the new Animal Control Facility; however, because the City of Savannah will be supporting the facility’s communications and computers as part of the Savannah-Chatham Metropolitan Police Department, the equipment must be consistent with City systems.
- 2. The City of Savannah bids its computers and communications equipment (or purchases based on state contract pricing). Based on the needs of the new facility, the City of Savannah priced equipment at a cost of \$20,312.
- 3. A purchase order will be submitted to the City of Savannah in this amount.

FUNDING: 2005 DSA Series Bond - Animal Control Facility
(3703910 - 54.13011 - 37032297)
CIP - Animal Control Facility
(3503910 - 54.13011 - 35030297)

ALTERNATIVES:

- 1. Board approve a \$20,312 purchase to the City of Savannah for a communications and computer equipment for the new Animal Control facility.
- 2. Board opt not to purchase any computer or communications equipment for the Animal Control facility project.

POLICY ANALYSIS: The *Chatham County Purchasing Ordinance and Procedures Manual* require certain procedures for the purchase of goods and materials. Staff followed these procedures in this procurement.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

BUDGET APPROVAL _____
TOM DRANE

ITEM M

ISSUE: Request Board confirmation of the \$12,825 emergency purchase of walk-in cooler from R & R Restaurant Supply for the Savannah-Chatham Metropolitan Animal Control Facility.

BACKGROUND: Chairman Pete Liakakis and Asst. County Manager Pat Monahan authorized purchase of the walk-in cooler for the Animal Control Facility. This helped to expedite the purchase for installation and testing prior to opening.

FACTS AND FINDINGS:

- 1. The Animal Control Facility’s plans include a walk-in cooler to store the euthanized bodies of dogs, cats and other animals. When a sufficient number of bodies are accumulated, they can be placed into the crematorium for incineration. This ensures that operating expenses can be held at lower cost since the crematorium should only be needed for full capacity loads—probably three (3) times a week—since it requires the same amount of energy.
- 2. The County received two (2) quotes from local vendors which are distributors for commercial walk-in coolers and which could meet the specifications of a 7'10" by 15'8" by 8' high with shelving, setup and four (4) year compressor warranty, as follows:

R&R Restaurant Supply \$12,825
Savannah, GA

Restaurant Equipment Co. \$18,000
Savannah, GA

- Because the order will require 3-4 weeks for delivery, ordering it a few days' prior to the meeting will help meet schedule requirements. Chairman Pete Liakakis and Asst. County Manager Pat Monahan authorized the purchase as an emergency (see attached page 28) and directed staff to seek confirmation at their next schedule Board meeting.

FUNDING: 2005 DSA Series Bond - Animal Control Facility
(3703910 - 54.13011 - 37032297)
CIP - Animal Control Facility
(3503910 - 54.13011 - 35030297)

ALTERNATIVES:

- Board confirm a \$12,825 emergency purchase order to R&R Restaurant Supply for a walk-in cooler for the new Animal Control facility.
- Board opt not to purchase a walk-in cooler for the Animal Control facility.

POLICY ANALYSIS: The *Chatham County Purchasing Ordinance and Procedures Manual* require certain procedures for the purchase of goods and materials. Staff followed these procedures in this procurement.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

BUDGET APPROVAL _____
TOM DRANE

ITEM N

ISSUE: Request Board approval of Change Order No. 2, in the amount of \$89,384, with Artley Company, to the contract for construction of the Animal Control facility for owner-requested changes and additional site and utility work.

BACKGROUND: At the 25 April 2009 meeting, the Board awarded a contract for construction of the Animal Control facility, in the amount of \$2,048,518 and followed by approval of a change order on 15 January 2010 for credits.

FACTS AND FINDINGS:

- The Board awarded a contract to Artley Company in the amount of \$2,048,518 for the construction of the Animal Control facility. Work continues toward a completion date in late June 2010 with grand opening 23 July 2010.
- Change Order becomes necessary because of \$62,112 in additions to the contract because of owner-requested items (expansion of utility yard, additional items in administration building) and \$27,272 for changes in site and utility work. Total change order would be \$89,384.

Original Contract amount (4/25/09)	\$2,048,518
Change Order No. 1 (1/15/10) – Credits	\$ (84,295)
Change Order No. 2 (Pending)	\$ 89,384
Revised contract amount	\$2,053,607

FUNDING: 2005 DSA Series Bond - Animal Control facility
(3703910 - 54.13011 - 37032297)
CIP - Animal Control Facility
(3503910 - 54.13011 - 35030297)

ALTERNATIVES:

- Board approve Change Order No. 2, in the amount of \$89,384, to the contract with Artley Company for the construction of the Animal Control facility.

- 2. Board not approve the change order.

POLICY ANALYSIS: Changes in contract amounts and terms requires the Board's approval in conformance with the County's Purchasing Ordinance and Procedures Manual requires Board approval.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

BUDGET APPROVAL _____
TOM DRANE

ITEM O

ISSUE: Request Board approval for Chatham County Public Defender's Office to enter into a Professional Services Agreement with Barbara L. Williams for a two (2) year term under the terms of the Georgia Criminal Justice Coordinating Council's (CJCC) Edward Byrne Memorial Justice Assistance Grant Program (JAC), ("Byrne Grant") grant authorized under the American Recovery and Reinvestment Act (ARRA) of 2009 awarded to Chatham County 30 December 2009.

BACKGROUND: The Public Defender's Office secured the funding through the Byrne Grant to hire a forensic social worker. After an exhaustive search and interview process, the Public Defender has identified Barbara L. Williams as a qualified candidate to fill the grant funded position.

FACTS AND FINDINGS:

- 1. The Public Defender's Office identified gaps in provider system operations and submitted a grant with the Bureau of Justice Assistance, Justice and Mental Health Collaboration Program that will provide for a better success rate among Mental Health Court clients.
- 2. Barbara L. Williams will function as in independent contractor providing case management and forensic social work duties to the Public Defender's Office and agrees that she is an independent contractor.
- 3. Barbara L. Williams will work a 20 hour work week and be paid at a rate of \$19.25 per hour for two (2) years.
- 4. Barbara L. Williams agrees she is not a County employee, and is not entitled to County benefits or privileges and that she is not guaranteed employment beyond the term of the grant award.

FUNDING: Public Defender's Byrne Grant
(2502100 - 52.12099 - 25024132)

ALTERNATIVES:

- 1. Board approval for Chatham County Public Defender's Office to enter into a Professional Services Agreement with Barbara L. Williams for a two (2) year term under the terms of the Georgia Criminal Justice Coordinating Council's (CJCC) Edward Byrne Memorial Justice Assistance Grant Program (JAC), ("Byrne Grant") grant authorized under the American Recovery and Reinvestment Act (ARRA) of 2009 awarded to Chatham County 30 December 2009.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to enter into a professional services contract for necessary services when the service can be performed at reasonable rates and is funded by grant dollars.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
TOM DRANE

ITEM P

ISSUE: Request Board approval of the short-listed firms for the Chatham County Detention Center Expansion Project.

BACKGROUND: Staff received responses to the Best Value contracting prequalification questionnaire for the Detention Center Expansion Project on 11 March 2010. There were a total of eight (8) firms that responded. The Evaluation Committee interviewed firms and scored the questionnaire in accordance with the approved best value scorecard.

FACTS AND FINDINGS:

- The scorecard incorporated criteria that emphasized a firm’s financial and bonding capabilities, their experience in building facilities such as large detention/jail facilities and their commitment to meaningful local and minority participation on this project. The proposed scoring detail is as follows:

Financial	(50 points=15%)
General References	(15 points=5%)
Experience	(95 points=29%)
Proposed Project Personnel	(30 points=9%)
Management Practices	(56 points=17%)
Local/Minority Participation	(85 points=26%)

The total number of possible points that can be awarded is 331. In order to be deemed responsive, a firm must achieve a minimum score of 281 points or 85%. Staff is recommending that only the firms who achieve the cut-off score will be allowed to submit a bid.

- Based on the criteria referenced above, six (6) of the eight (8) firms achieved the cut-off score. Those six (6) firms along with their local partners are listed below in alphabetical order. The pre-qualification score sheet (see attached page 29) list scores in detail for each firm based on the submitted responses.

<u>Prime</u>	<u>Location</u>	<u>Partner(s)</u>	<u>Location</u>
Archer Western & Caddell (Joint Venture)	Atlanta, GA	Pioneer Construction	Savannah, GA
Clark Construction	Tampa, FL	The Polote Corporation	Savannah, GA
Hunt & W.G. Mills (Joint Venture)	Indianapolis, IN	Brownstone Group and Sierra Design Build	Savannah, GA
Hensel Phelps Construction	Orlando, FL	J.T.Turner, Abvolt, American JMT	Savannah, GA
M.B. Kahn Construction	Columbia, SC	B & B Demolition and MJS Construction	Savannah, GA
Skanska	Atlanta, GA	Carson Construction and Vanguard	Savannah, GA

- Of the eight (8) firms that responded to our request for qualification, McKnight Construction and Bell Construction did not receive enough points to achieve the cut-off score. McKnight Construction’s lack of experience in building facilities of this size and their Local Economic impact resulted in low scores in both areas. Bell Construction had the experience but chose

not to partner with a local firm at the prime level which lowered their local economic impact score and gave them an overall lower score.

- 4. The Jail Administrator along with his staff has conducted site visits to review the facilities constructed by all of the finalist and are confident in their ability to construct the proposed Detention Center Expansion Project at the level of complexity required. Staff has verified that all the proposed finalist meet the financial bonding and insurance requirements.
- 5. Special emphasis was placed on insuring that we maximized the level of economic impact to include Minority and Women owned businesses, local small businesses and local labor utilization. Each firm was asked to give their commitment to meaningful local participation should they be awarded the detention center expansion contract. The below chart represents the information they provided.

	MBE	WBE	SBE (non- M/WB Es)	LGBE Local	Local Impact	Local Labor
Archer Western	30.0%	10.0%	15.0%	25.0%	80.0%	90.0%
Clark	24.5%	10.0%	5%	15.0%	54.5%	65.0%
Hunt	20.0%	10.0%	12.0%	24.0%	66.0%	76.0%
Hensel Phelps	20.0%	10.0%	10.0%	30.0%	70.0%	85.0%
M.B.Kahn	15.0%	10.0%	5.0%	20.0%	50.0%	65.0%
Skanska	32.0%	10.0%	13.0%	35.0%	90.0%	80.0%

***LGBE=Large Business Enterprise**

- 6. County staff and the Sheriff’s Department staff agree that we have some of the best detention center builders on the shortlist. All are experienced and qualified to handle this project. In addition, the County would be in the best position to receive competitive pricing with six (6) contractors competing for bid.
- 7. If the Board approves the recommended shortlist, staff will finalize the draft contract, specifications, and bid documents to solicit bids for the Detention Center Expansion Project.

FUNDING: No funding is required at this time

ALTERNATIVES:

- 1. Board approval of shortlist contained in Facts and Findings #2 and authorize the Purchasing staff to solicit bids from only those firms.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve staff recommended short-listed pre-qualified prime contractors for major construction projects.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM Q

ISSUE: Request Board approval of a “Not to Exceed” \$40,000 professional services contract to provide legal services for the Detention Center Expansion Project, with Mr. Robert James, II.

BACKGROUND: Mr. James, who is an attorney, was under contract through his firm, Diversiplex, to review the County’s minority participation program. In association with this contract, Mr. James assisted County staff with the Development of Best Value contracting method that was approved by the Board. Due to his knowledge and experience with the concept, County staff has been using his services in development of the current Detention Center Expansion Project.

FACTS AND FINDINGS:

1. The County Manager has requested that Mr. James provide his legal expertise to County Purchasing staff in development of the Best Value Contracting approach to the solicitation of the Detention Center Expansion Project.
2. Mr. James, through is firm Diversiplex, was instrumental in putting together the Best Value pilot project for the Courthouse expansion. His knowledge has been helpful in the formulation of the current scorecard for the Detention Center Expansion Project.
3. Mr. James has attended numerous meetings and provided a number of hours working with Purchasing staff to develop the criteria for a shortlist of firms that will be bidding on the Detention Center Expansion Project.
4. Mr. James current rate is \$250 per hour which includes all expenses associated with his work on this project. Staff is requesting the Board approve an agreement with Mr. James at the rate of \$250 per hour with a “Not to Exceed” amount of \$40,000. This should cover the work necessary to complete the bidding process and to assist staff in setting up the monitoring process required to ensure that the successful firm lives up to the commitment for local and minority participation, as outlined in the pre-qualification questionnaire.

FUNDING: General Fund/M & O - Community Outreach
(1007661 - 57.30001)

ALTERNATIVES:

1. Board approval of a “Not to Exceed” \$40,000 professional services contract to provide legal services for the Detention Center Expansion Project, with Mr. Robert James, II.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

PREPARED BY _____
PURCHASING AGENT

=====

XI. FIRST READINGS

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

1. **AMEND THE CHATHAM COUNTY SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE IN ORDER TO RETAIN “ISSUING AUTHORITY” STATUS**

**UNDER THE GEORGIA EROSION AND SEDIMENTATION CONTROL ACT OF 1975
(O.C.G.A. 12-7-1 ET SEQ).**

ACTION OF THE BOARD:

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

**AGENDA ITEM: XI-1
AGENDA DATE: May 28, 2010**

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

ISSUE: To amend the Chatham County Soil Erosion and Sedimentation Control Ordinance in order to retain "Issuing Authority" status under the Georgia Erosion and Sedimentation Control Act of 1975 (O.C.G.A. 12-7-1 et seq).

BACKGROUND: In order to retain certification as "Issuing Authority", Chatham County is required to amend the Soil Erosion and Sedimentation Control Ordinance to incorporate the requirements of the Act (O.C.G.A. 12-7-1 et seq) as amended July 1, 2009.

FACTS AND FINDINGS:

1. With the certification as Issuing Authority, the Georgia Department of Natural Resources (DNR) delegates the authority to regulate land disturbing activities. The County must adopt a revised ordinance which meets the current minimum requirements of the Act. The Georgia Environmental Protection Division (EPD) is obligated by law to decertify the County's local program if it does not comply.

2. A new requirement of the State law contained in the amended Ordinance is that the County must regulate land disturbances by the local school district. The attorney for the Savannah-Chatham County Public School System was notified and acknowledged the change in the Act.

3. All other changes are consistent with our current requirements. The State provides a model ordinance which meets the minimum requirements of the Act. The following summary of amendments is derived from the model ordinance and the Act.

- a. Incorporates requirements of the State National Pollutant Discharge Elimination System (NPDES) General Permit for storm water runoff from construction activities.
- b. No longer lists specific sediment control requirements and refers to the Coastal Soil and Water Conservation District's checklist.
- c. Regulates land disturbing activities performed by local issuing authorities and local school districts.
- d. Allows the State to make semi-annual reviews of Chatham County's performance as an Issuing Authority.
- e. Allows Chatham County 90 days [rather than 30] to improve its program if given any unfavorable review results.

4. The Act requires that the County adopt the amended ordinance by July 1, 2010.

ALTERNATIVES:

1. To adopt the amended Chatham County Soil Erosion and Sedimentation Control Ordinance.
2. To not adopt the ordinance.

FUNDING: None required.

POLICY ANALYSIS: That the Board must approve adopting County ordinances.

RECOMMENDATION: That the Board approve Alternative #1.

All Districts.

=====

XII. SECOND READINGS

1. ADOPT AN UPDATED CHATHAM COUNTY REVENUE ORDINANCE.

Chairman Liakakis said, Mr. Attorney?

County Manager Abolt said, Mr. Chairman, very briefly, this embodies all the revenue items and fee increases I put in my proposed budget for you. This would allow you to codify it within the Revenue Ordinance.

Commissioner Odell said, move for approval.

Commissioner Kicklighter said, repeat that?

Commissioner Odell said, first reading?

Commissioner Farrell said, this is the second reading, right? Now, wait a minute, is this the one where you have the Revenue Ordinance, changes to the engineering fees?

Mr. Abolt said, yes, dry trash, everything.

Commissioner Kicklighter said, dry trash?

Mr. Abolt said, everything is in this one.

Commissioner Stone said, I'm not in favor of the dry trash fee being increased.

Commissioner Kicklighter said, yeah, I'm not voting for the dry trash –

Commissioner Stone said, I'm not either.

Commissioner Kicklighter said, – fee.

Chairman Liakakis said, okay, then, we will withhold the –

Commissioner Stone said, no, we have to vote.

Mr. Abolt said, you have a motion –

Commissioner Shay said, he didn't say he was tabling it, he said he was not voting for it.

Commissioner Thomas said, right.

Chairman Liakakis said, okay. Yeah, but I mean, if you're not voting for the ordinance – the ordinance includes a lot of other things in addition to that fee.

Commissioner Stone said, right, so I'm going to vote against it. I'll have to vote against it with that –

Chairman Liakakis said, there are other ordinances that really need to be approved, so we need to –

Commissioner Kicklighter said, would someone like to split that one out separately?

Commissioner Thomas said, just separate it, just take that one and vote on that particular one separately and then move on with the others.

Chairman Liakakis said, let's –

Commissioner Kicklighter said, actually, why –

Commissioner Thomas said, we don't need to be spending a whole lot of –

Commissioner Kicklighter asked, can we table – I mean, can we table –

Commissioner Thomas said, we don't need to table anything.

Commissioner Kicklighter said, – it to see the breakdown and get it – I mean, I know the breakdown's in here.

Mr. Abolt said, it's all there.

Commissioner Thomas said, it's there.

Mr. Abolt said, if you table, you're creating problems to adopt a budget. If there are fees in there you choose not to adopt, we need to know it now, because we have one month to get the budget balanced. The intent was that there's nothing hidden here. Everything that we've talked about now for three, four weeks, is here.

Commissioner Kicklighter said, well, why don't somebody make a motion to approve the balance of that with the exception of the dry trash?

Commissioner Farrell said, I want to ask a question about this, the engineering fees. There's a base charge of 6,000 and then \$1,000 an acre currently, and they want to go to a 2,000 base with a 3,000 per acre charge, and I was just wondering – I haven't – have any of our land developers in Chatham County, have they been given any kind of heads-up in the monthly meeting that you have with the County Engineer and the Building & Safety – your all's monthly meeting that you all have with the stakeholders?

Mr. Abolt said, I don't meet with the stakeholders. I'm not aware of – I can't answer that, sir.

Commissioner Farrell said, Mr. Gregori?

Mr. Abolt said, he would not know. It would be Ms. Cooler.

Commissioner Farrell said, well, I'd like to table that until I –

Chairman Liakakis said, all right, let's do this, then. Russ, let's do this, then -- then we'll – let's go –

Commissioner Farrell said, – understand that they have a full understanding of it, because that's a pretty substantial –

Commissioner Stone said, this is a huge list.

Chairman Liakakis said, all right, you want to hold that one out, too?

(NOTE: Several Commissioners were speaking at the same time.)

The Acting Clerk said, it's very difficult to understand you all.

Chairman Liakakis said, okay, then, the fee, and then we can come back – go ahead.

County Attorney Hart said, we just need somebody – one person to talk at a time.

The Acting Clerk said, everybody is talking over everybody else.

Chairman Liakakis said, yeah, when somebody is talking, please, let's don't talk. Okay? Number one is, we talked about the fee. Let's hold the fee out. We won't vote on that in the Revenue Ordinance. And Number 2, what Patrick Farrell just brought out about the fees on the acreage and all, that item, to hold that item out, also. Any other items?

Commissioner Thomas said, what was the last one?

Chairman Liakakis said, the one that you were just talking about.

Commissioner Farrell said, this first one is the Revenue Ordinance, changes to the engineering fees for the land disturbing activities permit. In other words, if you go in and you're ready to take 100 acres of land and turn it into a nice subdivision of some description or a shopping complex, you have to pay a certain amount of money, and it looked like a pretty substantial increase. And my question is, before we vote on this, I would like to know if the major stakeholders that tend to develop properties in Chatham County, if they're aware of this and if they've had a chance to have any type of comment.

Chairman Liakakis said, and they have not, from what I understand, and so we don't need an explanation on that. And I fully understand and appreciate that, but what he's saying is that the developers are the people that have that particular thing and need to be advised on it so that they can comment and the Commission then can vote on it. So we have two things, is there – those engineering fees and the dry trash fee, to hold up on that today and adopt the rest of the ordinance. Would somebody make –

Commissioner Farrell said, I'll make that motion. Commissioner Thomas said, second.

Chairman Liakakis said, okay, any comments now on this? Any discussion?

Commissioner Holmes said, will that delay the budget?

County Manager Abolt said, parliamentary procedure-wise, you have a motion which is to adopt the ordinance. I hear you talking about not to adopt – some of you are saying you don't want to vote for some elements in the ordinance. You still have the parliamentary – and the Chairman is the expert – but you have

to deal with that. You just can't say you're not going to adopt something. You have to amend it. Right now, the motion would be to adopt the Revenue Ordinance, then you make amendments, then you vote as to whether – the wishes of five of you and what you want to do, but this is critical. I don't say critical for today, but it's certainly critical in a timely fashion so we can get your budget –

Commissioner Farrell said, I'd like to restate my motion as an amendment, to pass the Revenue Ordinance as presented, minus Article V, Section 3, with the solid waste fee, and minus the Revenue Ordinance changes to the engineering fees. I'd like to make a motion to pass all the other fee changes at this time and then we can come back and address these two issues of stand-alone Revenue Ordinances.

Commissioner Stone said, second.

Chairman Liakakis said, Patrick?

Commissioner Shay said, well, I think what we've got to do is vote on the amendment and then after we've voted on the amendment, vote on the main motion, which was to pass the balance of the ordinance, so we just need to have two votes, that's all. It gets to exactly where he's going.

Chairman Liakakis said, right. Okay, let's go on the board for the amendment.

Commissioner Kicklighter said, so this is just to amend –

Chairman Liakakis said, right. Go on the board.

Commissioner Farrell moved to amend the Revenue Ordinance by taking out Article V, Section 3, and the changes to the engineering fees. The motion was seconded by Commissioner Stone. Commissioners Holmes and Shay voted no. Commissioners Stone, Farrell, Chairman Liakakis, Commissioner Odell, Commissioner Kicklighter, and Commissioner Thomas voted yes. [NOTE: Commissioner Gellatly was absent.]

Chairman Liakakis said, motion passes.

Chairman Liakakis said, now we need a motion for the rest of the ordinance.

Commissioner Stone said, Pat made the –

Chairman Liakakis said, clear the board.

Commissioner Farrell said, I make a motion to pass the balance of the ordinance minus Article V, Section 3, and minus the Revenue Ordinance changes to engineering fees.

Commissioner Stone said, second.

Chairman Liakakis said, let's go on the board.

Commissioner Farrell moved to approve the balance of the Revenue Ordinance minus Article V, Section 3, and minus the Revenue Ordinance changes to engineering fees. The motion was seconded by Commissioner Stone. Commissioners Stone, Holmes, Shay, Farrell, Odell, and Thomas voted yes. Commissioner Kicklighter voted no. [Commissioner Gellatly was absent.]

Chairman Liakakis said, motion passes.

Mr. Abolt said, Mr. Chairman, I do need help. I can understand the communication regarding the engineering fees, but I will have to know in timely fashion your position on the dry trash. You have not denied them and you haven't approved them, and I would have to deal with some sort of phasing out of the service or getting direction from you in a timely fashion. If it involves cutting the service and I have to come back to you in another two weeks with a plan to cut, I'm left hanging. I do not know what you want to do regarding \$890,000 worth of revenue in dry trash.

Commissioner Thomas said, right.

Commissioner Kicklighter said, my recommendation is to cut the service. I don't think the citizens can handle any more fees. I don't think that many people utilize the service. I think that basically that fee increase was to subsidize and offset the high rate increases from the merger of the police departments. I think it's a total – I say cut the service, because it's just being used to subsidize the increases in that police department.

Commissioner Farrell said, are we ready to vote the dry trash fee up or down?

Chairman Liakakis said, well, if somebody wants to make – the way that we do that, if somebody wants to make a motion and second that, we can do that now or we can wait until the next meeting and let the County Manager bring that information to us, but we all know about it, and we need to move on from it. Patrick?

Commissioner Shay said, all right, well, in order to help the Manager out here, I'll make a motion that we adopt the increase in the dry trash fee from 43 to \$85 a year. Commissioner Holmes seconded the motion.

Commissioner Kicklighter said, wow.

Chairman Liakakis said, any discussion on that?

Commissioner Stone said, Mr. Chairman, I know there's a motion on the floor and a second. I would feel more comfortable if we did postpone this for two weeks. I understand the time restraints, but I'm not sure that the citizens were aware this was coming up for a vote today, and I'm concerned what the impact will be. We've been down this road before. I heard from my constituents loud and clear, that they felt like to even assess the \$43 was kind of unfair, and now to double it, and we haven't even made it, you know, through the entire year yet, and now this is – this was incorporated, I understand, into the ordinance revisions, but how many people are aware that the actual vote is being taken on this today? That's my concern.

County Manager Abolt said, just to assure you, this has been part of the budget document, it's been covered in the media. Nothing has been withheld. It is something obviously out of a \$674 million budget that's getting an awful lot of attention. We have a – the way I look at it, it's a business decision. It is a business decision. If you do not wish to continue the service, then that would be my recommendation. If you do not want the fees, then please tell me.

Commissioner Stone said, but, Russ, this is a service that has been provided for years and years and years and years at no cost, and so here we are implementing a fee for something that's already been a service to the citizens of the unincorporated area.

Mr. Abolt said, yes, ma'am, and the budget problems that we face are not new. I've been charged by you all to look at ways of balancing the budget. I'm just recommending to you, I want the service to continue. I think it's a legitimate fee. I obviously have said many times now for over a year, I do not see why property taxes should pay for this service. Why don't we pay for somebody's phone bill? Why don't we pay for somebody's water bill? This is a service that benefits people for which they should be expected to pay, but I'm – I'm not arguing against you. I'm just saying, please give me direction. If you – if you carry this on to the very end, then I am faced with a work force I'm either going to have to lay off or reduce, I'm going to have to mothball equipment. I would ask for you to give me as much advance notice as you can as to your preference.

Chairman Liakakis said, Patrick?

Commissioner Shay said, Mr. Chairman, I believe this is a second reading, so, I –

Commissioner Stone said, well, I know that, but it's not – it wasn't a stand-alone item, is what I'm trying to say.

Commissioner Shay said, I understand, and what I would say is that if this Commission makes a decision today and there is remorse over that, then either side, whoever prevails, has an opportunity to bring it back up in two weeks.

Chairman Liakakis said, well, you know, I don't know about other Commissioners. A couple of them told me that they had some concerns about the citizens and all, you know, on this dry trash fee. And, of course, since I'm in the office a good part of the day and out in the field going to multiple meetings and all, I hear more than generally a Commissioner would hear, and they were concerned about the increase in the fee, and I understand what our County Manager – because he's worked with his financial staff and everybody else, trying to balance the budget, and that's one way of balancing the budget for the Commission, for us to move forward on it. But now, let's – let's go ahead and vote one way or the other and then the County Manager – we can bring it up, something up at the next meeting. I can call a special meeting, if necessary, so that we can get this budget on the way, and let's just go ahead and vote now and –

Commissioner Farrell said, one final question.

Chairman Liakakis said, yeah.

Commissioner Odell said, and I've got one after him.

Commissioner Farrell said, voting this – if you vote negative on this particular proposal –

Commissioner Stone said, you can't bring it back.

Commissioner Farrell asked, – does this – on the \$85, does that leave it at the \$43, the way it's written?

Commissioner Stone said, yes.

County Manager Abolt said, no, it's more complex.

Commissioner Farrell said, we have a \$43 fee.

County Manager Abolt said, it's complex. Let me explain my thought process –

Commissioner Farrell said, no, I'm just asking a simple question. There's a \$43 fee. If this increase to 85 is not voted, I just wanted some clarification on what's written here, just to be perfectly – so just to be clear, that's all.

Mr. Abolt said, let me answer it.

Commissioner Kicklighter said, yeah, if it doesn't change, it'll stay the same.

Commissioner Farrell said, I just want to make sure.

Mr. Abolt said, let me share my thought – I'm going to be very specific. If you vote to the increase, then my spending plan is in balance. If you vote against it, then the spending plan is out of balance by \$890,000. Now, how would I deal with that latter vote? I still have to come back to you and say, okay, here is my plan to cut, just like you did with Building & Safety. So I would come back to you in two weeks and I would say, okay, my plan is out of balance by 890,000. My recommendation is the following. And it'd be much more specific than I'm going to summarize for you now. My recommendation, in consultation with Robert Drewry, as I had last year, if the money is not there, we cut the service. That means I have to either lay people off or move people in positions that may be vacant because of the freeze. I have to park equipment. And then I would come back and say, and, oh, by the way, there's no need for you all to collect the \$43, so you would amend the Revenue Ordinance to reduce it by \$43. When all the dust is settled, there'd be no dry trash fee in my recommendation. No dry trash service and no dry trash fee.

Commissioner Farrell said, so we could leave it the same and you could cut the service back to the amount that is funded. And that is an option, right?

Mr. Abolt said, it's not an option, it's not a workable –

Commissioner Farrell said, it's not an option?

Commissioner Thomas said, it's not a workable –

Mr. Abolt said, let me finish. It's an option at this level; it's not an option operationally, because what -- no, let me finish. The issue is, the quantity does not go away, and so you say, well, let's go by every two weeks rather than every week, and so you're still picking up the same amount of trash. You still have the same work task there. So in consultation with Mr. Drewry and myself, you park it. You cannot do the type of level of service we're doing now for half of the amount of revenue coming in. We did it last year. We used cookie jars.

Chairman Liakakis said, Harris?

Commissioner Odell said, this has nothing to do with the M&O, just SSD, so those Commissioners who have no SSD, it's -- I mean, sad, but it doesn't touch our lives, basically, other than from a humanitarian standpoint. I would be interested in knowing what David wanted to do, because I know he has some in the district and I think Helen has some and Dean has some. You'd be in agreement to kill it.

Commissioner Kicklighter said, oh, absolutely. Take it out. And I think I probably have almost half of the unincorporated area.

Chairman Liakakis said, listen, I can call a special meeting or whatever, but here – we can go this way. Why don't we do this? We leave it on the table until the next meeting. Leave it on the table, if the Commission so desires, and you tell us exactly what you'll have to do about, you know, what you'll have to cut off and how it'll affect employees and different services and all, and let's do that. I'd like for the Commission to consider that, to leave it on the table to the next meeting and let him bring out so that we fully understand about what's going to happen with our services and our employees.

County Attorney Hart said, you've got a motion on the floor. Somebody will have to withdraw it.

Commissioner Odell said, we can always do a motion to table.

Mr. Hart said, or a motion to table.

Commissioner Odell said, I'll move to table it. Chairman Liakakis said, do we have a second? Commissioner Stone said, second.

Chairman Liakakis said, we have a motion on the floor and a second, until the next meeting. Let's go on the board. Chairman Liakakis and Commissioners Stone, Odell, Kicklighter, and Thomas voted in favor of the

motion to table. Commissioners Holmes, Shay and Farrell voted against the motion. The motion carried by a vote of five to three. [NOTE: Commissioner Gellatly was absent.]

Chairman Liakakis said, motion passes, so we'll go – and the next – Russ, if you'll get all of that information so that we can get onto this hurriedly. Mr. Abolt said, yes, sir.

Commissioner Odell moved to table the motion to adopt the increase in dry trash collection fee from \$43 to \$85. The motion was seconded by Commissioner Stone. Chairman Liakakis and Commissioners Stone, Odell, Kicklighter, and Thomas voted in favor of the motion to table. Commissioners Holmes, Shay and Farrell voted against the motion. The motion carried by a vote of five to three. [NOTE: Commissioner Gellatly was absent.]

ACTION OF THE BOARD:

- a. Commissioner Farrell moved to amend the Revenue Ordinance by taking out Article V, Section 3, and the changes to the engineering fees. The motion was seconded by Commissioner Stone. Commissioners Holmes and Shay voted no. Commissioners Stone, Farrell, Chairman Liakakis, Commissioner Odell, Commissioner Kicklighter, and Commissioner Thomas voted yes. [Commissioner Gellatly was absent.]
- b. Commissioner Farrell moved to approve the balance of the Revenue Ordinance minus Article V, Section 3, and minus the Revenue Ordinance changes to engineering fees. The motion was seconded by Commissioner Stone. Commissioners Stone, Holmes, Shay, Farrell, Odell, and Thomas voted yes. Commissioner Kicklighter voted no. [Commissioner Gellatly was absent.]
- c. Commissioner Odell moved to table the motion to adopt the increase in dry trash collection fee from \$43 to \$85. The motion was seconded by Commissioner Stone. Chairman Liakakis and Commissioners Stone, Odell, Kicklighter, and Thomas voted in favor of the motion to table. Commissioners Holmes, Shay and Farrell voted against the motion. The motion carried by a vote of five to three. [NOTE: Commissioner Gellatly was absent.]

~~**AGENDA ITEM: XI-1**~~
~~**AGENDA DATE: May 14, 2010**~~

AGENDA ITEM: XII-1
AGENDA DATE: May 28, 2010

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

ISSUE:
Present an updated Chatham County Revenue Ordinance for adoption by the Board of Commissioners.

BACKGROUND:
The County's fiscal 2011 budget will be adopted June 25, 2010. The Chatham County Revenue Ordinance has been updated to reflect changes in rates and fees resulting from the budget process, amendments to the Ordinance since August 2009, additional wording for the collection of hotel/motel tax and alcoholic beverage tax, and various adjustments to correct prior rates.

FACTS AND FINDINGS:

- 1. The Revenue Ordinance has been updated to reflect changes in rates and fees that will be incorporated in the County's fiscal 2011 budget. These changes include an increase in the annual solid waste fee from \$43 to \$85, a change in the application fee for the Right-Of-Way Encroachment from \$55 to \$150, a new wellhead inspection fee of \$230, changes for land disturbing activity fees and a new parking card fee of \$5 for lost or damaged parking cards. Various recreation fees have been changed or corrected.
- 2. On January 15, 2010, the Board approved an increase for the wireless telecommunications facilities filing fees and the historic review filing fees for the certificate of appropriateness. Also, the working for collection of building inspection fees was changed. These changes are reflected in the Ordinance.

3. On February 26, 2010, the Board approved a False Alarm Ordinance. This has been added to the Revenue Ordinance.
4. The Hotel/Motel Tax Article F needs to reference the County Code Chapter 7 which states that consequences of not paying the tax.
5. The Alcoholic Beverage Excise Tax Article E needs to reference the County Code Chapter 17 which states the consequences of not paying the tax.

FUNDING:

N/A

POLICY ANALYSIS:

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

ALTERNATIVES:

1. Present the Revenue Ordinance for a first reading May 14, 2010 and a second reading May 28, 2010.
2. Provide the Finance Department with other guidance.

RECOMMENDATION:

That the Board follow Alternative 1.

REVENUE ORDINANCE CHANGES**Article E. Alcoholic Beverage Excise Taxes****Section 9 Mixed Drink Excise Tax – Retailers**

As a condition of doing business within Chatham County as a mixed drink retailer, a licensee must collect and remit the tax imposed in the manner prescribed in this article. Failure to comply and pay the tax will subject the business to the enforcement of Chatham County as referenced in Chatham County Code Chapter 17.

Article F. Hotel/Motel Tax**Section 8 Collection of Unpaid Tax**

As a condition of doing business within Chatham County as a hotel/motel, a licensee must collect and remit the tax imposed in the manner prescribed in this article. Failure to comply and pay the tax will subject the business to the enforcement of Chatham County as referenced in Chatham County Code Chapter 7.

Article P. Parking Fees**Section 1**

Lost or Damaged Cards \$5.00

Article R. Engineering Fees**Section 1 Land Disturbing Activity Fees**

b. Other Than Single Family Residential Land Disturbing Activities Permit: Two thousand dollars (\$2,000) base charge, plus three thousand dollars (\$3,000) per acre or any portion thereof. (These fees were \$1,750 and \$1,000).

c. Failure to Obtain Permit – Where Land Disturbing Activities for which a permit is required are started or proceeded with prior to issuance of said permit, the fees herein specified shall be doubled. The payment of such doubled fees shall not relieve any persons from fully complying with the requirements of this code nor from any other penalties as prescribed.

f. (Remove – “Single Family Residential and Commercial & Multi-family Site”)

g. and h. (Remove – “Site”)

I. Remove - "Single Family Residential"

Article T. Inspection Fees

Wellhead Inspection Fee \$230

Article V. Solid Waste Operations

Section 3

The fee will be **\$85.00** per year per single family residential unit. For purposes of this ordinance, single-family residential means residential properties classified by the County as having only one dwelling unit per property or parcel. (from \$43.00)

Article X. Public Works

Section 1

The application fee for Rights-Of-Way Encroachment is **one hundred fifty dollars (\$150)**. (from \$55)

Appendix F. Recreation Fees

Section 1

Sports Complex Fees – Memorial Stadium

Football Charge per event	Day Games	From \$700 to \$ 850
	Night Games	From \$800 to \$ 850
Concerts Not For Profit Groups	Five hours or less	\$1,000.00
	Over five hours	\$1,350.00
Concerts For Profit Groups	Five hours or less	\$3,000.00
	Over five hours	\$5,000.00
Parking Lot Rental Charged per day		\$ 350.00
Sports -Entry Fees Youth	Basketball	Per Team \$100.00
	T-Ball	
	Soccer	\$ 10.00
	Out of town team	From \$150 to \$175 From \$0 to \$50
	All Other Sports	\$150.00
Adult Tournaments / Bowls	All Sports	\$ 350.00
	Single Elimination	\$ 125.00
	Double Elimination	\$ 200.00
	Cheerleading Bowl	\$ 50.00
Sports and Parks -Space Fees		
Vendor Space Charged Per Day		\$250.00 \$ 50.00
Park Space Charged Per Day		\$ 25.00
Amusement Equipment Space Charged/Day		
Maintenance Charged Per Day Per Field/Court		\$ 50.00
Lights Charged Per Day Per Field/Court		\$ 50.00 \$50.00
Utilities Fee Per Day		
Community Park Rentals		
Lake Mayer – Pavilion #1		
Hourly Day Rate		From \$50 to \$ 60
Hourly Night Rate		From \$60 to \$ 70
Five Hour Rate		From \$225 to \$ 250

Non Profit Fee		From \$100 to \$ 125
Lake Mayer – Pavilion #2		
Hourly Day Rate		From \$45 to \$ 50
Hourly Night Rate		From \$55 to \$ 60
Five Hour Rate		From \$175 to \$ 225
Non Profit Fee		From \$75 to \$ 100
Lake Mayer – Conference Room		
Community Meetings	Two Hours or Less Over Two Hours	NC \$25.00 Per Hour
Deposit		
All non – public events will be charged a refundable clean-up deposit of \$100.00		
Non-Public Events	Five Hours or Less Over Five Hours	From \$250 to \$275 \$50.00
Non Profit Fee	Five Hours or Less	From \$125 to \$150
Lake Mayer #2 & Conference Room	Five Hours or Less	From \$0 to \$425
Tom Triplett Park		
Triplett Pavilion #1	Hourly Day Rate Hourly Night Rate Five Hour Rate	From \$50 to \$60 From \$60 to \$70 From \$225 to \$250
Non Profit Fee	Five Hours or Less	From \$100 to \$125
Triplett Pavilion #2	Hourly Rate Five Hour Rate	\$35.00 \$150.00
Non Profit Fee	Five Hours or Less	\$50.00
Triplett Conference Room		
Community Meetings	Two Hours or Less Over Two Hours	NC \$25.00 Per Hour
Deposit		
All non – public events will be charged a refundable clean-up deposit of \$100.00		
Non-Public Events	Five Hours or Less Over Five Hours	From \$250 to \$275 \$50.00
Non Profit Fee	Five Hours or Less	From \$125 to \$150
Triplett Pavilion #1 & Conference Room	Five Hours or Less	From \$375 to \$425
Stell Park		
Stell Pavilion #1 & #2	Hourly Day Rate Hourly Night Rate Five Hour Rate	\$ 30.00 \$ 35.00 \$125.00
Non Profit Fee	Five Hours or Less	\$ 50.00
Stell Pavilion #3	Hourly Day Rate Hourly Night Rate Five Hour Rate	\$35.00 \$40.00 \$150.00
Non Profit Fee	Five Hours or Less	\$50.00
Runaway Point Park		
Runaway Pt. Pavilion #1	Hourly Rate Five Hour Rate	\$45.00 \$175.00
Non Profit Fee	Five Hours or Less	\$75.00
Runaway Pt. Pavilion #2 & #3	Hourly Day Rate Five Hour Rate	\$35.00 \$150.00
Non Profit Fee	Five Hours or Less	\$50.00
Kings Ferry (all new)		
Kings Ferry Pavilion #1	Hourly Rate Five Hour Rate	\$45.00 \$175.00

Non Profit Fee	Five Hours or Less	\$75.00
Kings Ferry Pavilion #2	Hourly Day Rate	\$35.00
	Five Hour Rate	\$150.00
Non Profit Fee	Five Hours or Less	\$50.00
Other Outside Pavilions		
	Hourly Rate	\$35.00
	Five Hour Rate	\$150.00
Non Profit Fee	Five Hours or Less	\$50.00
Other Related Facilities		
Bait Stand	Monthly	\$450.00
Tennis Courts		NC
Tybee Pier & Pavilion		
Pavilion Rental	Per Hour	\$100.00
Non Profit Fee	Five Hours or Less	\$200.00
Frank G. Murray Community Center		
Community Meetings	Two Hours or Less	NC
	Over Two Hours	\$25.00
		Per Hour
Deposit		
All non – public events will be charged a refundable clean-up deposit of \$100.00		
Non-Public Events	Five Hours or Less	From \$300 to \$325
	Over Five Hours	\$75.00
Non Profit Fee	Five Hours or Less	From \$125 to \$150
Special School/Lunch Rates (all new)		
Tybee Pier & Pavilion		
Chatham County Schools	Two Hours or Less	\$25.00
	Over Two Hours	\$25.00
		Per Hour
Outside Chatham County	Two Hours or Less	\$50.00
	Over Two Hours	\$25.00
		Per Hour
All Other Pavilions		
Chatham County Schools	Two Hours or Less	NC
	Over Two Hours	\$25.00
		Per Hour
Outside Chatham County	Two Hours or Less	\$25.00
	Over Two Hours	\$25.00
		Per Hour
Section 2 Chatham County Aquatic Center		
Daily Admission Fees		
County Residents – Senior 55+ Individual – \$180		
Senior 55+ Couple - \$360		
Non-County Residents – Child (3yrs – 12yrs) – From \$3 to \$4		
Senior (55+), College or Military – From \$4 to \$5		
Adult (13yrs – 54yrs) – From \$5 to \$6		
Annual Memberships		
Non-County Residents – Senior (55+) Individual \$240		
Senior Couple \$480		
Swimming Lessons (new programs)		
Super StarBabies (4 classes)	\$25	
LifeGuard Re-certification	\$75	
Section 3		
Weightlifting Center (section is new)		

- Daily Admission \$5
- Individual Membership – Monthly From \$10 to \$20
- Family Membership – Monthly From \$20 to \$40
- Special Needs Membership – Monthly \$10
- Exemption for Board of Education Exceptional Students

=====

XIII. INFORMATION ITEMS

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

ACTION OF THE BOARD:

A status report was attached as information.

=====

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

ACTION OF THE BOARD:

A status report was attached as information.

AGENDA ITEM: XIII-2
AGENDA DATE: May 28, 2010

List of Purchasing Items between \$2,500 and \$9,999
 That Do Not Require Board Approval

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Twenty (20) Remington shotguns with trade-in of 30 outdated weapons	Sheriff	Ed’s Public Safety	\$5,715	General Fund/M & O - Sheriff
Repair slabs at the Wilmington Island Drop Off Center	Public Works and Park Services	Savannah River Utilities (MBE)	\$2,975	Solid Waste Restricted
Destruction of records for various County departments	Administrative Services	Shredex	\$3,870	General Fund/M & O - Administrative Services
Three (3) tasers with taser cams	Sheriff	DGG Taser, Inc. (Sole Source)	\$3,665	General Fund/M & O - Sheriff
Repairs to eight (8) doors at the Aquatic Center	Aquatic Center	Savannah Architectural	\$4,749	General Fund/M & O - Aquatic Center

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Trailblazer 302 air pack welder	Fleet Operations	Praxair Distribution	\$9,272	CIP - Fleet Operations
Special designed manhole for Dean Forest Road widening (SR 307) at Hardin Canal	Engineering	McLendon Enterprises, Inc.	\$9,500	SPLOST (2003-2008) - Dean Forest Road widening (SR 307)

=====

3. ROADS AND DRAINAGE REPORTS

A status report was attached for information.

AGENDA ITEM: XIII-3 ROADS
AGENDA DATE: May 28, 2010

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: A. G. Bungard, P.E., County Engineer
ISSUE: To provide information on the status of Chatham County road projects.

BACKGROUND: The Georgia Department of Transportation (GDOT) priorities for funding projects under the State Transportation Improvement Program (STIP), the Long Range Transportation Plan (LRTP) and the American Recovery and Reinvestment Act (ARRA) are changing frequently.

FACTS AND FINDING:

1. Truman Parkway, Phase 5. On January 29, 2010 the GDOT awarded a construction contract to Balfour Beatty Infrastructure. Staging for construction started on April 15. Estimated completion December 2013.
2. Diamond Causeway. The GDOT awarded a design/build contract in 2009 to LPA/United Contracting (joint venture) to construct a two lane high level bridge over Skidaway Narrows to replace the bascule bridge. The design consultant indicates that construction should begin in August 2010.
3. Whitefield Avenue. The Final Field Plan Review is pending scheduling by the GDOT. ROW acquisition is complete (closed 81 of 81). Demolition of structures is complete. Expect to certify ROW in June 2010. The project will be ready for letting to construction in FY 2011.
4. Local Roads.
 - a. Dulany Road. On March 12, 2010 the Board approved a contract for paving. Construction is underway with a scheduled completion of December 2010.
 - b. Billings Road. Design complete. One condemnation pending.
 - c. Elmhurst Road. Beechwood Road and Ridgewood Road. Design and ROW acquisition complete on Elmhurst and Beechwood. Ridgewood being redesigned to accommodate trees and bamboo.
 - d. Wright Avenue and Fenwick Avenue/Medford Street. Under design for paving.
 - e. Wild Heron. Project to improve alignment and safety of roadway. Complete.
 - f. King George Boulevard sidewalks. New sidewalks on west side between Grove Point Road and Red Fox Drive. Expected to be complete June 2010.
 - g. Wild Heron Sidewalks. Under contract. Expect construction start in July 2010.

- h. Intersection improvements at King George Blvd and Grove Point Road. Construction plans to add turn lanes and traffic signals are complete. Right of way acquisition is complete. Utility relocation is in progress.

RECOMMENDATION: For information.

Districts All

AGENDA ITEM: XIII-3 DRAINAGE
AGENDA DATE: May 28, 2010

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

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

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

FACTS AND FINDING:

1. Pipemakers Canal. The Pipemakers Canal extends from Bloomingdale to the Savannah River (over 13 miles). The project includes canal widening, bank stabilization, sluice gates and culverts. Construction of the sluice gate structure and channel improvements from SR21 to the Savannah River (Phase 1) was completed in 2005. Phase 2A of project is to construct improvements from the terminus of Phase 1 to Dean Forest Road. This project is currently being advertised for bids. Staff will review the bids and expects to present a recommendation for award of a construction contract to the Board by July 2010. A separate project to improve efficiency and longevity of the sluice gates is also underway.
2. Hardin Canal. The Hardin Canal extends from Bloomingdale to Salt Creek near US 17 (over 12 miles). The project includes canal widening, bank stabilization, bridges and culverts. The Board awarded a construction contract on February 12, 2010 to replace golf cart bridges between I-16 and Southbridge Boulevard. Construction is underway and expected to be complete by the end of summer 2010. The SR 307/Hardin Canal Bridge Culvert project is underway. Construction of the SR 307 project is expected to take about a year with temporary closure of Dean Forest Road during the summer of 2010.
3. Conaway Branch Canal. The Conaway Canal extends from Bloomingdale at US 80 to Pipemakers Canal (about 1.6 miles). The project includes canal widening, bank stabilization and larger culverts. The Board awarded a construction contract on November 5, 2009. Temporary lane closure along Conaway Road and Hiram Road have been removed and all lanes are not open. Construction is expected to be complete by June 2010.
4. Wilmington Park Canal. The Wilmington Park Canal extends from North Cromwell Road to the Wilmington River (about 1.4 miles). The project includes canal widening, bank stabilization and culverts. Construction of new culverts with tide gates at Wilmington Island Road was completed in 2002. The project to install rip rap erosion protection at the culvert was completed in November 2009. Staff is evaluating the need for additional improvements.
5. Queensbury Drainage Improvements. The project area is south of Montgomery Cross Road and west of Ferguson Avenue and includes Tara Manor, Ennis Mobile Home Park, Lakeview and Forest City Gun Club. A preliminary design for improvements to serve Tara Manor is under review by staff. Final design of improvements to serve the mobile home park is expected to be finished by July 2010.
6. Kings Way Canal. The Kings Way Canal extends from the Kingswood Subdivision to Whitefield Avenue (about 0.7 miles). The project includes canal widening, bank stabilization and culverts. Phase 1 was completed in 2005 as a part of the construction of Truman Parkway. Phase 2 is complete. Negotiations are complete on the acquisition of drainage easements from the Gun Club and enables construction of drainage improvements along the outer perimeter of the subdivision. Construction on these improvements will begin in June 2010 and is expected to be complete in October 2010.
7. Louis Mills/Redgate Canal. The Louis Mills and Redgate Canals are tributaries to the South Springfield Canal. A contract to widen the channel and replace culverts between Garrard Avenue and the railroad was awarded by the Board on June 12, 2009. On December 18, 2009,

the Board approved Change Order No. 1 to the construction contract extending the work upstream. Construction of the project is expected to be complete by September 2010.

8. Ogeechee Farms Area. The Ogeechee Farms project includes improvements to canals and culverts. Phase 1 was completed in July 2005 (piped in about 0.2 miles of channel south of Vidalia Road and replaced a road crossing at Waynesboro Road). A project to improve several undersized culverts along Vidalia Canal south of Vidalia Road is expected to be complete in June 2010. Staff started work to design improvements at Yemassee Road and Ridgeland Road.

9. Quacco Canal. The Quacco Canal extends from the little Ogeechee River to the Regency Mobile Home Park (about 4 miles). The project includes canal widening, bank stabilization, culverts, and providing access for maintenance. A contract to construct drainage improvements including replacement of two culverts at Quacco Road and installation of a new storm sewer pipeline is underway and is expected to be complete by January 2011.

10. Norwood Drainage Outfalls. The project will improve drainage capacity and access for maintenance. Four outfalls along Norwood, between Skidaway Road and Lester Avenue, are being considered for improvements for the Norwood Place outfall. Staff is in the process of acquiring required rights-of-ways and easements for installation and maintenance of these two drainage improvement projects.

11. Henderson/Gateway. Drainage is provided by the Little Neck Canal and the Henderson Branch Canal (combined length 2 miles). Development of the subdivisions led to increased rates and volumes of storm water runoff which the canals cannot handle. Bids on a project to replace the golf cart culvert and culvert at Henderson Oaks Drive are under review by staff. Staff expects to present a recommendation for award of a construction contract to the Board by June 2010.

12. Shipyard-Beaulieu Area. The project will be accomplished in phases. The first phase was to replace the storm drain pipe at Beaulieu Avenue. Construction of the first phase was completed in January 2010. The second phase will replace an undersized storm drain pipe behind the Montgomery Baptist Church. Staff is working with the church for required easements for maintenance and access.

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

14. Skidaway Road. The project will improve roadside drainage and address vehicle safety issues along a portion of Skidaway Road near Wormsloe. Preliminary construction plans are complete and rights of way acquisitions are complete for all properties. The project was approved by the Coastal Resources Division in December 2009. Staff is currently working to secure temporary construction easements from the Georgia Department of Natural Resources.

15. LaRoche Culvert. The project includes the replacement of a drainage culvert located under LaRoche Avenue north of Lansing Avenue. The culvert replacement is in response to a deteriorating brick arch culvert with several cracks. A Professional Services Agreement contract was approved by the Board on January 29, 2010. Preliminary design work is underway.

16. Leigh-Shipyard Lane Area. The project will relieve roadside drainage issues causing nuisance flooding in the Lehigh Avenue and Shipyard Lane area. Preliminary design work is complete for improvements within the existing Lehigh Avenue right-of-way from Shipyard Road to Shore Avenue. Final design plans are expected to be complete by July 2010.

17. Laberta-Cresthill Area. The project will relieve flooding within the Cresthill Subdivision. An engineering firm evaluated the storm water drainage system and the outfall to Hayners Creek. Preliminary design work is underway to improve the piping network and the outfall.

18. Quacco Canal Drainage Extension. The project will relieve drainage issues causing street and nuisance flooding in the Willow Lakes Subdivision. Preliminary design work to extend the piping network from Quacco Trail to the existing lake within the subdivision is complete. Final design work is complete. Permits are pending.

19. Belleview Drive Drainage Improvements. The project was designed by staff to improve drainage problems involving standing water that is a primary cause of pavement degradation and public nuisance. Construction of drainage improvements including a new storm sewer and drainage inlets was completed in April 2010.

20. Wahlstrom Road. The project will address drainage and maintenance access along the portion of Wahlstrom Road north of the railroad tracks. Drainage infrastructure in the area received infrequent maintenance in the past due to extensive industrial activities in the area and lack of access. Current work is directed toward identifying ownership and responsibility of existing infrastructure and locating existing drainage easements and rights of way.

21. Romney Place Drainage Phase. Improve storm drains and road crossings on Romney Place and along Parkersburg Road. Design and acquisition of easements is complete. Construction bids for the project were received on April 29, 2008 and tabled indefinitely by the Board on May 9, 2008. In February, staff revisited the project with some of the area residents and found less opposition to the project. The project was re-advertised. A recommendation for award of a construction contract is pending approval by the Board.

RECOMMENDATION: For information.
Districts: All

=====

EXECUTIVE SESSION

Upon motion being made by Commissioner Stone and seconded by Commissioner Thomas, the Board recessed at 11:45 a.m. to go into Executive Session for the purpose of discussing litigation and personnel. [NOTE: Commissioner Gellatly was absent.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 12:08 p.m.

=====

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 Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter and Chairman Liakakis were not present. Commissioner Gellatly was absent.]

=====

ADJOURNMENT

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 12:10 p.m.

=====

APPROVED: THIS _____ DAY OF JUNE 2010

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

BARBARA WRIGHT, INTERIM CLERK OF COMMISSION