

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, JUNE 11, 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 9:25 a.m.

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II. INVOCATION

Commissioner Patrick Shay gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

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

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IV. ROLL CALL

The Acting Clerk called the roll.

Present: Pete Liakakis, Chairman
Dr. Priscilla D. Thomas, Vice Chairman, District 8
Dean Kicklighter, Chairman Pro Tem, District 7
Helen L. Stone, District 1
James J. Holmes, District 2
Patrick Shay, District 3
Patrick K. Farrell, District 4
Harris Odell, Jr., District 5

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

Commissioner Shay said, Mr. Chairman, I'd like to make a motion that we excuse Commissioner Gellatly, who has been in the hospital and is recuperating. We look forward to him joining us at the next meeting. Commissioner Thomas seconded the motion and it carried unanimously.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. Graduation Ceremonies for the 2010 Chatham County Youth Commission.

Chairman Liakakis said, we have this morning the graduation ceremony for the 2010 Chatham County Youth Commission and I'll call on Van, if you'll come forth for that. Dr. Thomas can be expressed as President of the school.

Mr. Van Johnson said, or Youth Commissioner University, as they call it. Dr. Thomas, Commissioner Stone, Chairman Liakakis and Gentlemen, this morning is a time of great celebration and reflection in our County as we celebrate the accomplishments of 13 young people. Thirteen members of our community, who have persevered and who have succeeded through the Chatham County Youth Commission. It is because of the vision of Dr. Priscilla Thomas and your continued support for the Chatham County Youth Commission that we have been able to provide these types of outcomes in our County now for the last 18 years. It is because of Dr. Thomas' vision and your support that we are recognized throughout the country for exciting, engaging, empowering, exposing, and educating our young people. It is because of Dr. Thomas' vision and your support that we have learned that the Miami-Dade County Commission has now adopted the Chatham County Youth Commission as their model for their

new Youth Commission, joining Youth Commissioners we have already started in Atlanta; DeKalb County; Riverdale, Georgia; Newnan, Georgia; Prince Georges County, Maryland; Fargo, North Dakota; Gainesville, Florida, with several more to come.

It has been said that it is easier to build strong children than to fix broken lives and, as you make difficult financial decisions in the coming days due to this uncertain economy, I thank you for intentionally paying it forward and investing in these young lives, who will make a difference not only in Savannah and Chatham County, but all over the world, just as 400 of their colleagues have. What a year it's been. From lobbying in the General Assembly for raising the compulsory education age, to honoring the Mighty Eighth Air Force, from telling young people about the dangers of teen dating violence, to promoting youth activity and healthy habits, from hosting a Youth Summit and Youth Town Hall Meeting, to exposing students to the wonderful world of social work, these young people have been busy all year long, compiling hundreds of hours of community service.

I sincerely thank Mr. Abolt and Mr. Kaigler for their support, as well as the many county departments, every single county department, that constantly assisted us throughout the year. I particularly thank the leadership team behind me who unselfishly give of their time and their talents to mentor these young people: Mrs. Debra Allen, Ms. Takiyah Martin, Mrs. Marilyn Rodriguez, and our graduate advisors, Ms. ZaDonna Slay, who is now an Executive Director in her own right; Ms. Taqwan Saleem, who just graduated with her Master's Degree from Georgia Southern; Mr. John Hawkins, and Mr. Pete Nichols, who, as you know, is behind the camera. Let's give them a big round of applause, please. We also thank our public school system and our private schools who also cooperated with us throughout the year without fail. We also have a group of young people with us on this last day of public school who would like to become a part of the Chatham County Youth Commission, so they're here today, kinda checking us out, and I'd like to ask all of our applicants to please stand. Thank you.

And last, but not least, I do want to thank parents and guardians of these young people. I've referred to them sometime as walking transportation systems and ATM cards, because they have certainly stand the test. Certainly, when we put the Youth Commissioners through our program, the parents go through it with them, and they are here celebrating with us as we celebrate with them. Will all of our parents and guardians and loved ones and family members please stand?

Finally, I have been thinking for weeks of something wise, something meaningful, to say to these young people that would stick with them as they transition from high school into life. What could I say? Well, I found my answer in the most unlikely place, and I would like to share it with you at this time. So I'm asking that Tilly, Meredith, Alexis, Brittany, Shanee', Lester, Takneijah, Desmond, Kenjahte', Cindy, Korbyn, Malika, and Jazmine, just close your eyes for a moment. Nobody's going to bother you. Are your eyes closed?

"Congratulations! Today is your day. You're off to Great Places. You're off and away! You have brains in your head, you have feet in your shoes. You can steer yourself in any direction you choose. You're on your own, and you know where to go, and you are the guy or girl who decides where to go. You'll look up or down streets. Look over them with care. About some, you will say, I don't choose to go there. With your head full of brains and your shoes full of feet, you're too smart to go down any not-so-good street. And you may not find any you will want to go down, but, in that case, of course, you'll head straight out of town. It's opener there, and wide open air. Out there, things can happen, and frequently do, to people as brainy and footsy as you. And when things start to happen, don't worry, don't stew. Just go right along. You'll start happening, too.

Oh, the places that you will go. You'll be on your way up. You'll be seeing great sights. You'll join high fliers who will soar to high heights. You won't lag behind because you'll have the speed; you'll pass the whole gang and you'll soon take the lead. Wherever you fly, you'll be the best of the best. Wherever you go, you will top all the rest. Except when you don't, because sometimes you won't. I'm sorry to say so, but sadly, it's true, that bang-ups and hang-ups can happen to you. You can get all hung-up in a prickly perch, and your gang will fly on and you'll be left in a lurch. You'll come down from that lurch with an unpleasant bump, and the chances are, then, you'll be in a slump. And when you're in a slump, you're not in for much fun. Un-slumping yourself is not easily done.

You'll come to a place where the streets are not marked. Some windows are lighted, but mostly they're darked. A place you can sprain both your elbow and chin. Do you dare stay out? Do you dare come in? How much can you lose? How much can you win? And if you go in, should you turn left or right? Or right and three-quarters? Or maybe not quite? Or go around the back and sneak in from behind? Simple it's not, I'm afraid you will find, for a mind-maker-upper to make up his mind. You can get so confused that you'll start in to race down long wiggled roads at a break-necking pace and grind on for miles across weirdish wild space, headed, I fear, to a most useless place.

The Waiting Place, for people just waiting. Waiting for a train to go, for a bus to come, or a plane to go, for the mail to come, or the rain to go or the phone to ring or the snow to snow, and waiting around for a yes and no, or waiting, like me, for their hair to grow. Everyone is just waiting. Waiting for a fish to bite or waiting for wind to fly a kite or waiting around for Friday night, or waiting, perhaps, for their Uncle Jake. or a pot to boil or a better break, or a string of pearls or a pair of pants, or a wig with curlers or another chance. Everyone is just waiting.

No. That's not for you. Somehow, you'll escape all that waiting and sitting. You'll find the bright places where the Boom Bands are playing. With banner flipper-flapping, once more you'll ride high, ready for anything under the sky, because you're that kind of guy or girl. Oh, the places you'll go. There's fun to be done. There are points to be scored. There are games to be won. And the magical things you could do with that ball will make you the winning-

est winner of all. Fame. You'll be as famous as famous can be, with the whole wide world watching you win on TV. Except when they don't. Because sometimes they won't. I'm afraid that sometimes you'll play lonely games, too. Games you can't win, 'cause they'll play against you. All alone! Whether you like it or not, alone will be something you will be quite a lot. And when you're alone, there's a very good chance that you'll meet some things that will scare you right out of your pants. There are some down the road between hither and yon, that can scare you so much you won't want to go on.

But you will go on, though the weather be foul. On you will go, though your enemies prow. And on you will go though the Hakken-Kraks howl. Onward up many a frightening creek, though your arms may get sore from your sneakers that may leak. On and on you will hike. And I know you'll hike far and face up to your problems, wherever they are. You'll get mixed up, of course, as you already know. You'll get mixed up with many strange birds as you go. So be sure when you step. Step with great care and great tact and remember that Life's a Great Balancing Act. And just never forget to be dexterous and deft. And never mix up your right foot with your left. And you will succeed! Yes, you will succeed (98 and 1/4 percent guaranteed). Kid, you will move mountains! So, be your name Buxbaum, Bixby or Bray, Mordecai, Alvin, Van, Allen O'Shea, you're off to Great Places! Today is your day! Your mountain is waiting, so get on your way!"

Congratulations, and we have a copy of this wonderful book for all of you to take to college with you, and we're so, so proud of you. We would now -- Dr. Thomas, Commissioner, Chairman Liakakis, if you would, come down and join us for this great celebration. Mr. Abolt, please come on and join us. And we're going to ask as we call our young people, we are celebrating not only graduates, we're also celebrating the families, so we would love for the parents of our young stars to come down.

Tilly Isaacson is the Chairperson of the Chatham County Youth Commission. She is a three-term Youth Commissioner, she is a Legacy member, as her older sister is here with us today, as well. She graduated -- she's graduating from the Savannah Arts Academy and she will be attending the Culinary Institute of America in New York, so she can come back and help me eat a little healthier. Tilly.

Meredith Stone is a -- will be a graduate of Johnson High School. She is a third-year Youth Commissioner. She will be attending Hampton University. Please stay with your young people, please. We're giving them back to you today.

Alexis Slay is a Legacy member, a third-year Chatham County Youth Commissioner. She will be graduating from Johnson High School and she will be attending North Carolina Central University.

Brittany Bell is a one-term Youth Commissioner, she is a Legacy member. She will be graduating from Jenkins High School and she will be attending Clark Atlanta University.

Shanee' Ferguson is a two-year Youth Commissioner. She will be graduating from Jenkins High School and she will be attending, I think, the best school in the world, Savannah State University. You can get anywhere from Savannah State.

Lester Foster, as they call him, "Lotsa Flotsa Flame," he is a two-term Youth Commissioner, graduating from Groves High School. He will also be attending Savannah State University. I do not know what "Lotsa Flotsa Flame" means.

Takneijah Green is a one-term Youth Commissioner. She graduated from Bible Baptist. She will be attending Georgia Gwinnett College.

Desmond Griffieth is a three-term Youth Commissioner who graduated from Bethesda School. He will be attending Valdosta State University. And Desmond just started smiling this year. He started talking last year.

Kenjahte' Harrison is a three-term Youth Commissioner. She's graduating from Johnson High School and she will be attending my other alma mater, Georgia Southern University.

Cindy Lee is a one-term Youth Commissioner. She graduated from Calvary Day School and she will be attending the College of Charleston.

Korbyn Mingledorf is a three-term Youth Commissioner from Early College and she will be attending Savannah State University. Parents and grandparents.

Malikah Mobley is a one-term Youth Commissioner. She will be graduating from Jenkins High School and she will be attending Albany State University. Now, you can get coverage of this on our Facebook page or our Twitter pages. We are Twittering as we speak, whatever that means.

And last, but not least, Jazmine Paige, who is a two-term Youth Commissioner. She'll be graduating from Windsor Forest High School and she will be attending Gordon College in the Atlanta Metro area.

Ladies, and Gentlemen, let's give a big round of applause to the Class of 2010 of the Chatham County Youth Commissioners. You may be seated.

Commissioner Thomas said, just before the chairlady comes before you, I would like to give thanks to the Chatham County Commissioners for your untiring support through the years. This is a result of the hard work that we have done to help get these young people to this day. And I want you to know that we appreciate everything that you've done. And I would like to give some accolades to the Director, a hard-working person, who has given so much to make these young people successful. Alderman Van Johnson. No one will ever know the amount of time and energy. He has no life. He has no life. Thank you, Alderman Johnson. I'd like to thank Mr. Abolt and Staff and all of the parents, grandparents, the school system. Without each of your help, we could not be successful. And to the parents and grandparents and all of the businesses and all the people who support us, I want you to know that each and every one of these young people here today and those who have come before them, every one of them that has graduated from the Chatham County Youth Commission has gone on to the various colleges and universities, and they have excelled tremendously. We have not had one to fail, and I think that's remarkable. We are excited about that. So in conclusion, I would like to say to the graduates, as you prepare to take another step in your career, we wish for you continued success. The diplomas that you received is a very hard-earned one, and as the future unfolds, may all of your dreams come true. Stay in touch. Stay positive. And stay focused. Thank you, and God bless.

Tilly Isaacson said, good morning, Chairman Liakakis, Commission, and all guests present today. My name is Tilly Isaacson, the 2009-2010 Chatham County Youth Commission Chairperson. I'm a Legacy member, meaning I had a sibling serve on the Youth Commission. I therefore thought I knew what was coming and felt fully prepared to be a part of the well talked of organization. However, what I failed to understand is, I see CCYC as a family, and a family cannot be explained, but must be experienced. From funerals to birthdays, from tears of joy to sorrow, it has been experienced together as one family. I'd like to say I have contributed to this family, as each member has through the contribution of ourselves, is incomparable to what Youth Commission provides for you. This year alone, we have met Ruby, Big Boy, P.C. McCaylor, Senator Stupek, B.J. ..., and others. To meet these people was very nice, but the experience of Youth Commission exceeds beyond the greetings of celebrities. I joined Youth Commission as a puny tenth-grader. I wasn't sure who I was and what I stood for. Yet, this family has provided me with an identity and self-assurance. The future which stands before me was paved by taking a route through the Chatham County Youth Commission. There are so many we have to thank for providing us with the opportunity of Youth Commission. First off, it is necessary for the acknowledgment of Commissioner Dr. Priscilla D. Thomas, for whom -- without we would not be standing here today. Dr. Thomas, you're not only the founder of Chatham County's prime youth organization, but you are also the foundation of who we are and what we stand for. To find dedication such as yours to a generation such as ours is very rare and so special. We have so much respect for you and are honored to be the 18th Youth Commission graduating class under your name. Thank you for all you have done.

On top of working for the County and serving as City Alderman, Mr. Johnson is the Director of Youth Commission. However, the term director is so faint when looking into all you have done for us, Mr. Johnson. You are a father and a friend to us all. You push us to make us stronger and capable individuals, and though we may complain, we are truly grateful for your endless hours of dedication to us. I know that as we move forward, we will be unable to forget your impact on each of us and we'll always remember what you have provided. I know that Mr. Johnson alone could not run this organization and that our advisors, Mrs. Allen, Ms. Martin, and Mrs. Rodriguez, have been a tremendous support, and I am sorry if we have not told you enough how much you mean to us and thank you for your hard work in making Youth Commission run as well as it does. We have three very special advisors who are shaped from their experiences on Youth Commission and wish to provide us with the experience which they had. Ms. Slay and Ms. Saleem, thank you for being here and showing us you care. Youth Commission is a team effort and would not be the same without every one as a Youth Commissioner. A special thank you to an amazing Executive Board that supported me and always kept in mind what was best for each and every Youth Commissioner. Your dedicated contribution has been very meaningful and it has helped to make this year a success. Vice Chairman Schikowski has a true love for this organization, and I am fully aware of her ability to bring Youth Commission to a new level in the 2010-2011 term. Thank you and I wish you the best of luck.

As the graduates leave here today, we cannot be sad. A family does not split. We must remember that once a Youth Commissioner, always a Youth Commissioner. That if we choose to take the title of Youth Commissioner with us, that we must uphold by its mission. We have promised to excel, to reach our full potential and be strong leaders. Our motto is not something that was just forced upon us, arranged by adults, we chose these words and must make the choice to continue living by them. Looking around, you will see Chatham County Youth Commissioner candidates with us today. This is the future of Youth Commission and a sure sign of bright things ahead for this organization. Chatham County Youth Commission has great things to look forward to and, from this point forward, will only continue to thrive. Thank you all. Dr. Thomas, we would never be able to do without you, and Mr. Lester Foster and Mr. Desmond Griffith will now present you with a gift.

Meredith Stone said, the Beverly M. Whitehead Award is named after Chatham County's first Human Resources Director, who was instrumental in assisting Dr. Thomas and Mr. Abolt to develop the Chatham County Youth Commission. Mrs. Whitehead left us almost 12 years ago, and this award recognizes individuals and organizations who have made a positive impact on the youth of Chatham County through the Chatham County Youth Commission. This year's recipient has been a partner to the Chatham County Youth Commission for several years, through meetings and community events. This year, we took our partnership to a new level as we engaged Macy's to create a Teen Violence Prevention Program. Called "Love Shouldn't Hurt," Youth Commissioners donned red shirts and gave out stickers and Hershey's Kisses and told our classmates, "Kisses, Not Disses." It gives me great pleasure to present the 2010 Beverly M. Whitehead Award to Cheryl Branch and Safe Shelter.

Cheryl Branch said, oh, my God, thank you so much. And I have something for you. I wasn't expecting this. I just came to give them a Certificate of Appreciation. For over 10 years, Safe Shelter has partnered with the Youth Commission and it's one of the partnerships to me that's one of the most valuable ones, because at Safe Shelter, we see so much. These kids are out there in the community. They've taken the high road. You know, they've decided to do something bigger than themselves. I just write the grants, I give them the money, and they do great things with it, and I'm extraordinarily proud of them and proud of our partnership, and I hope it continues. Thank you very much.

Alexis Slay said, the Brandon Brown Youth Commissioner of the Year Award is named after a young man who we did not know, but whose impact on this information (sic) is still being felt even years after he left us. This award is presented to the Youth Commissioner who, over the last year, has exemplified the core values of the Chatham County Youth Commission: Respect, Success, Influence, Integrity, and Leadership. I ask Brandon's mother, Mrs. Sadie Brown, to join me for this presentation. And the award is presented --

Mrs. Brown said, the young people here today, the Youth Commissioners here today, may not know Brandon, but you know Brandon. You know Brandon by his peers and his friends. It's been seven years, but he's still here to give you a little enlightenment. I was sitting this morning, getting ready to go to a school and something touched me on the shoulder and said, "Mama, ain't you supposed to be giving my award away today?" So I had to hurry up and get dressed and get here. So just to let you know, that this is dear to my heart, and as I see the young people, I'm going to ask ZaDonna to come up here with us. I'm asking ZaDonna to come up here, Commissioners, because this is the young lady -- turn around here, ZaDonna -- that has been an intricate part of my life because of my son. Her mother baked cakes, she sat on my bed, she still comes around to make sure that I'm all right; so, therefore, I still have Brandon with me every day through his friends. And on that note, I would like to present this to -- this is the first time a young man -- to Mr. Lester Foster.

Chairman Liakakis said, okay, congratulations to all the graduates from the County Commission. We're really proud of you and we know that in the future, you are going through the footsteps of many of the graduates that are very successful, not only here in Chatham County, but around the country, and we can see how smart they are. Commissioner Thomas mentioned about them, you know, all going to a higher level schooling, you know, universities, colleges and all, and that's terrific. And that shows, you know, their academic success that they've had. And what we'll do right now, if the Youth Commissioners, if you'd like to leave right now, we're going to proceed on with the business, so at this particular time, we'll hold off until you can be excused, and the parents and relatives and others, who may be excused, also.

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VI. CHAIRMAN'S ITEMS

None.

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VII. COMMISSIONERS' ITEMS

1. Traffic on Highway 80 to Tybee (Commissioner Farrell).

Chairman Liakakis said, Commissioner Farrell will speak on this item.

Commissioner Farrell said, thank you, Mr. Chairman. The reason I brought this up today is, recently, over the Memorial Day Weekend, once again, we noticed that at certain times of the year everyone decides that it's a great day to go to the beach, and that's a wonderful thing and everybody should have the right and ability to visit our Atlantic Ocean whenever they see fit. However, over the past forty or fifty years, through a confluence of different forces and people and governments and economics, what we have done is, we have effectively taken a hundred foot -- a hundred miles of Georgia coastline and extremely limited the access to folks to access the Atlantic Ocean from the State of Georgia. The coast of Tybee Island is accessible to the public, that anybody in this country who wants to drive out there and park their car and get out and go to the beach. There are a few miles of Atlantic Ocean that can be accessed by the public. The next closest place is seventy miles straight down the coast to Jekyll Island, is the next place that you can publicly access the Georgia coast. So there's an enormous gap of coastline that's not being utilized by most of the public.

Now, if you own your own watercraft or you have access to some sort of watercraft, which a few of us do, then you get to visit all the beautiful coastline of the State of Georgia, which is in pristine shape and has the most outstanding maritime forest that anybody could ever want to see. But all that's off-limits, and probably will be in my lifetime, to vehicular traffic. So we concentrate all our regional visitations to the Atlantic Ocean, to the beach, to Tybee Island. And occasionally, there are -- there are days when everybody -- the weather's just right and everybody's mood is just right and everybody decides to go at the same time. Now, there's no particular plan that says, hey, everybody, let's get up and just overwhelm the public access to Tybee Island. It just kinda happens. We sorta know when it may happen. We've got a few cues from past history of when some of the probable times

are that it could be very congested. This past Memorial Day was a good example of one of those days where the weather was nice and people were in a good mood and got a little Spring Fever, ready to get out and get a little sand between their toes and a little salt water up to their knees or what-have-you. Which is all fine and good, and it creates -- but it does create a logistics nightmare for the folks that have to deal with traffic, parking, and other items, which Tybee and their City Council does a great job of handling most of that.

However, the stretch of road that gets to Tybee is basically a causeway that's ten miles long, stretches from Wilmington Island to Tybee Island. There's no alternative. When you get to the Wilmington Island, you do have alternatives on different roads and different ways to fan out to the mainland, but on this ten-stretch -- ten mile stretch of property, there's really -- what you see is what you've got, and when it gets full, it's full. There's nobody that tells you, you can't come down this road or you have to wait your turn. You know, it's a public access. So in conjunction with the traffic problems that happen occasionally, it really becomes exasperated when something additionally goes wrong and there's some sort of an accident or a medical problem, or something like this. And now, you have a real situation on your hands where you're impeding the safety of people's very life and limb at times. So what I'd like to do is ask our MPO Executive Director, Mr. Tom Thompson, to come forward and give us a very brief update on Highway 80, what -- what's been done in the past and what's being done now for any type of road improvements. So, Mr. Thompson, could you please approach the podium and give us a short update on where we are at the present and that sort of thing?

Mr. Tom Thompson said, good morning, Mr. Chairman and Commissioners. I'll be happy to try to give you an update on that information. For a long time, there has been a study underway for a four-lane out to Tybee on U.S. 80, and that study has had starts and stops and ups and downs. It's been several years since they had a public information meeting out on Tybee Island about the project, and the outcome from that was about a fifty-fifty split of public opinion, of whether to four-lane or not four-lane that project. The project was slowed for a number of -- an amount of time for environmental studies that need to be done, particularly relating to turtle crossings, and my understanding at this point is, the study is basically on hold. The MPO and the Metropolitan Planning Commission has worked with Mayor Buelterman and Diane Schleicher, of Tybee, to talk about what could be done to further improvements in this area, and something that was manageable to do in terms of size and money.

And a while back, we came to the conclusion we should focus on a couple bottlenecks, which are the Bull River -- the narrow Bull River Bridge and the narrow Lazaretto Creek Bridge. And so we undertook to secure funding to initiate a study for how those bridges should be replaced, keeping in mind that the future may involve a four-lane road, and also trying to accomplish other goals which include making connections to existing trails and provide a safe crossing for bicyclists and pedestrians on those bridges. So in the end, you would have a new or -- may not be new, but an expanded two-lane bridge with shoulders and a safe area for bicyclists and pedestrians. And that study, we just signed a notice to proceed on that about a week ago and we're in the early getting ready to go out and meet with Tybee and other folks stage of that project. So I think we've got about a fifteen-month, sixteen-month schedule on that. At the end of that, we can secure design and construction funds as they've available.

There are some things that we're also doing relating to our transit -- our transit master plan. We call it Transit Vision Plan, if you've heard that term. And one of the ideas that we floated around both were future four-laning or, in lieu of a future four-laning, possibly, and in the interim, is to have some sort of express bus service out to Tybee. Tybee's not part of the CAT service area, so we'd have to be handling some kind of contractual relationship, but it seems to me that during the peaking periods, that it makes sense to get some of the people who are just beach-bound and have light carry-on items, to jump on a bus and run out there. The disadvantage of that today would be, they'd be stuck with the same traffic, although, in theory, less traffic, because more people are on the bus. In the future, what I can see being considered is maybe something we call in the industry bus rapid transit, a facility out to Tybee and back, which could be run more frequently and provide a lot of capacity that would bypass congestion to get to and from the island, and also, to provide a commuter service for anybody who lives there and works in town. So I think maybe that wasn't as brief as you wanted, Mr. Farrell, but that pretty much exhausts my knowledge of it.

Commissioner Farrell said, okay, thank you. I just like to know kinda where we are at this point.

Chairman Liakakis said, Tom, not only Chairman of the County Commission, but also Chairman of the C.O.R.E. Committee that's comprised of all seven cities and, of course, the county, is that I have brought it up before about an evacuation route.

Mr. Thompson said, right.

Chairman Liakakis said, and Jason Buelterman, the Mayor, and also others have talked about that, because now that we're getting a high-level bridge over Skidaway Island at Diamond Causeway, because it took a tremendous amount of lobbying to get that accomplished, but we were able to increase the priority of the Tybee Road. As you remember, it was way down low, and it's moved up somewhat. But I think because of the evacuation, in case there was a hurricane or some kind of disaster, that we need to put it in that mode, the same way that we did the Skidaway Island road. The differences, of course, you can use more waterways from Tybee Island, but, still, you're going to have a lot of people on the road, and we need to have the evacuation. And, of course, what happens, too, that when there are emergencies in the medical -- you know, the ambulances that take people from Tybee to come into the hospitals or wherever, then there is a problem, because they're stuck in that traffic jam also. So we've got some survival situations there. So if you can come up with something that we can push this along in a faster mode, that you might be presenting to us at the C.O.R.E., I think would help out.

Mr. Thompson said, well, we can certainly continue to look at that. One thing I forgot to mention about what we call for shorthand, U.S. 80 Bridges Study, is that it also includes a look at where the low spots are, so that in advance of, say, a hurricane coming and the tides rise, that we have identified -- well, we would identify where the first spots that would flood are and see if there's a project that could bridge -- well, not bridge it -- fill in those spots as an interim measure in the two-lane road cheaply and inexpensively, so we get more hours before a storm to evacuate people. Of course, I would need to check with the County Engineer, but I believe they would have -- you know, shut-down inbound to Tybee and let everybody come out on the two lanes that exist in an emergency situation. And those bridges are important to that, because right now -- and this has happened -- if there's an accident or a stalled vehicle, there's no place for them to go when they're crossing those bridges, so to have a wider, you know, 10-foot shoulders or whatever the design in something to have to provide that takes away a potential bottleneck for any evacuation. But going back to your point, we need to work with you and the MPO to determine how to move the overall project, if that's the desire. Recently, I had a conversation with Mayor Buelterman about, you know, really, I think, what would trigger that is if Tybee said, "We need to do something about this," and there was one voice and some consensus on that end, that that would help, I think, give the DOT some comfort that they should go forward with their study, which would be a longer-term effort than the bridges study.

Commissioner Farrell said, thank you, Tom. At this time, I'd like to ask Mayor Jason Buelterman to come forward, and I think he would have a few comments that he would like to share with everyone.

Mayor Jason Buelterman said, thank you. Mr. Chairman and Commissioners, and, Pat, thanks so much for bringing this up. We really appreciate your support. We have been working -- I know I personally have been working on this for four and a half years, long before the CUTS and now the C.O.R.E. Committee talked to me about the safety issues relative to that road. The bottom line, as I understand it, is, we locally -- not just Tybee, but our -- the C.O.R.E. Committee and the County Commission, that we have to decide that this is a priority. I understand that Skidaway Narrows was a priority, and that got done. I understand that the Truman was a priority, and that got done. But this is a project, if you look at all the projects on the books, and Tom and I have met, talked about this recently, there are a number of them on there that, in my opinion, are convenience, are to get people from Point A to Point B a little quicker.

This is public safety, and I think that public safety should trump convenience. We've talked about this a lot at Tybee over the years. There are some people who have been opposed to this project for one reason or another, but over time, a consensus has built, that we have got to do something about this situation. About a year and a half ago, there was a wreck that involved fatalities on the Bull River Bridge. It shut down traffic on and off the island for about eight hours. What would have happened if somebody had a heart attack? You know? And that a helicopter couldn't have gotten out there? Now, the most recent statistics that we have available from 2008, the helicopter was called twelve times, it only could come four times because of weather, availability, maintenance issues, whatever. So we have an increasingly aging population on Tybee. We have a population that's growing. We have tourism that's growing.

We have folks who are -- more people are coming out from a growing area, which is Savannah, Chatham County, and Effingham and Bryan and elsewhere. And as Pat mentioned, it's the only vehicle-accessible beach for this entire area of Georgia, and it just keeps getting more and more crowded. I was at a hurricane conference a couple years ago, approached a gentleman who is a hurricane expert with NOAA. I said, "I'm the Mayor of Tybee Island," and he stopped me right there, and he said, "Oh, you're the island that has a two-lane causeway that floods at high tide, the part of the coast that is just about as prone to storm surge as New Orleans and the Gulf Coast, Mississippi and Alabama." They know about us. And we have got to prioritize it locally, and that's all there is to it.

And again, I understand there were some other projects that needed to go forward. Absolutely understand the two that have been funded recently that I know, Pete, you worked very hard on and you all worked very hard on, but this has got to be done. I want to address one other issue real quick. We would like to see this done in a way that isn't necessarily based on the plans the DOT developed fifteen years ago. Things have changed. You know, we really -- I talk to Jack Kingston a lot. He rides his bike out to Tybee a lot, and he tells me how dangerous it is to do that. We've got to figure out a way to do this in a way that's environmentally sensitive, that's up with the times, that deals with the accessibility for bicyclists and others.

Commissioner Farrell said, thank you very much, Jason. I appreciate your perspective on this. At this time, I'd like to recognize my fellow Commissioner, Pat Shay, who has some ideas on some improvements along that corridor. Mr. Shay.

Commissioner Shay said, thank you, Commissioner Farrell. I'm on the C.O.R.E. MPO. I've watched this situation as a County Commissioner since 1992, and I sense your frustration, and the frustrations of people that live on Tybee Island and on the other side of these roads and bridges. And as you well know, I'm not telling you anything, but I want to make sure that other folks understand that, you know, on a state road, they have a strategy that has been used for the last thirty years of how they go get the big dollars from the Federal Government and it flows down through the State and then from there, it may not flow down through to us, and that process takes a long time. I think Director Thompson was just saying, fifteen or sixteen months to complete the study and then the study doesn't guarantee that the revenue is there. I think we need to pursue that as aggressively as we can, because it's going to take tens of millions of dollars in order to really fix the problems that you want fixed, to build these long bridges on Bull River and Lazaretto Creek.

But in the meantime, I think we, as the local body, should also help to do some studies on what the short-term things are that we could do to help manage these situations, and try and see if there aren't suggestions that we could make to our local governments and also to, you know, Georgia DOT about how we could do some things that are not ten million dollar solutions or hundred million dollar solutions. We want to pursue those, as well, but I just have to tell you that my view is, as one member of the C.O.R.E. MPO, that the days of hundreds of millions of dollars flowing through this process may very well be over. It's all funded with highway gasoline tax, excise taxes that are nationwide. As a politician, I don't see a whole lot of courage up there in Washington to go do what it takes to replenish that fund. I think that we can help, and that part of what we need to do is look at the whole range of your issues. When you've having festivals, when you have the heavy traffic, when your resident population is really high in the summer time, when it's really low in the winter time, fold it in with CEMA, and take a look at all of these things, not just in the context of a four-lane road, which is going to take ten years at the inside. Jason, I know that the Truman Parkway, you know, it's named after Harry Truman, I think, because it was a good idea when he was President, so I think we can do more in trying to look at what we could do with local resources, too. It's not going to be as dramatic, I think, as what you'd like at the end of the day, but I don't think we should just wait for, you know, the Federal Government to rain down money on our -- on our problems here in Chatham County.

Commissioner Farrell said, are there any other Commissioners that would like to make any comments at this time? Well, I'd again like to reiterate that we need to -- it would be nice to talk about this publicly and see what different interest levels there are about making transportation improvements. I understand that the Tybee City Council spoke to this issue yesterday at their meeting, and would you like to share with us a message from the -- from the Council?

Mayor Buelterman said, sure. Yeah, we adopted a resolution in advance of your all's meeting here this morning. Before I read that, real quick, to your point, we -- Russ had some very good ideas that he shared with us about dealing with some of these concerns, and we also met with -- well, Russ' ideas are relative to the -- to the 4th of July, big events, which we're investigating. But we also could certainly use the help of the Metro Police in terms of traffic and dealing with traffic control. On Memorial Day, on Saturday, traffic was backed all the way up to where Uncle Bubba's is.

Commissioner Farrell said, well, most of the traffic problem is under the jurisdiction of the Metro Police Department, because most of the traffic that we're talking about, although the destination is Tybee, the little pinpoint on the coast of Georgia, the closest one being seventy miles away, that's the target, but to get there, you have to go through the unincorporated area of Chatham County, and incorporated areas, for that matter, and it kinda funnels all the way until you get to that Bull River Bridge, and then it becomes a little straw and you've got to move all these folks back and forth on that ten mile stretch. So, you know, we -- we've talked about it as a community and, as you know, it's not really Tybee's problem, although they catch it, because they're the destination. I think it's a community-wide situation, because when we want to go to the beach a few days out of the year, we all pick up from wherever we are, whether we're in Chatham County or Effingham or Bryan or parts beyond, and we get in our vehicles and we all head and funnel into Tybee Island to enjoy a day at the beach. And who doesn't enjoy a day at the beach? I'm sure there's very few that don't occasionally like to go out there, some more than others.

So, you know, I'd like to open up a community-wide discussion on, you know, what improvements can come and how can we safely handle the large crowds of people that come? If it was just -- if this was just Tybee's problem, just the residents' problem, what they've got out there right now would probably work. But they have no choice as to who comes to their island and visits. It is a publicly very -- I mean, there's no part on that beach that I know of that's closed to the public, so, you know, I think we all could be a part of the solution to how to move people safely back and forth, so -- I didn't mean to interrupt you, but go ahead.

Mayor Buelterman said, and I know we're taking up a lot of time, but I did want to add one -- Commissioner Farrell said, sure. Mayor Buelterman said, there's been a lot of discussion about a toll road, and I want to make clear, one of the reasons we have not -- I, at least, have not been supportive of that is because Tybee is known as being accessible. You know, anybody can come out there. You don't have to pay five bucks to pay a toll to come to the beach. We want to keep it open and accessible to everybody. And by putting a toll road up, while people do have to pay to park if they come out there and park in a public spot, that isn't all that expensive, we would really rather not pursue that option. They did not have to do a toll to Skidaway. Why should we have to do a toll to Tybee? I'll go ahead and read this resolution that we adopted last night. It says:

WHEREAS, the Mayor and City Council of the City of Tybee wish to express their strong support for funding to help improve the many safety concerns related to Highway 80 from the Bull River to the Lazaretto Creek Bridge; and

WHEREAS, the Chatham County Commission is in a position to influence funding decisions made about local transportation projects; and

WHEREAS, the City has made great efforts in recent years to secure funding for replacement of the Bull River and Lazaretto Creek bridges, as well as improvements on the existing causeway; and

WHEREAS, the primary reason justifying funding for these projects is public safety; and

WHEREAS, Highway 80 is Tybee's only access point and is often blocked due to heavy traffic volume, high tides, or vehicular accidents; and

WHEREAS, it is critically important for the purposes of emergency vehicle access and hurricane evacuation that Highway 80 remain open and accessible;

BE IT THEREFORE RESOLVED by the Mayor and City Council of the City of Tybee Island that we urge local, state, and federal officials to prioritize improvements to Highway 80 from the Bull River to the Lazaretto Creek Bridge, and also to support redesigning the existing plans that are on the books for the DOT to widen or raise this roadway and replace those bridges.

Commissioner Farrell said, thank you.

Chairman Liakakis said, Dean?

Commissioner Kicklighter said, Jason, I pretty much go every weekend out to Tybee. Mayor Buelterman said, I know you do. Commissioner Kicklighter said, yeah, and I was thinking just riding through after an accident and everything, and I know the bridge is really narrow, but as a temporary solution until the bridge is widened, I know you'd have to bring traffic down to a crawl to do it, but would it be possible to put a -- I'm looking out to the MPC here -- to put some sort of barrier in that middle lane? Because I know that's where the accidents occurs, when somebody veers over, and I would rather see them run into the, you know, cement wall in the middle of that bridge rather than run right over, you know, and hit head-on with someone. I mean, many here may know -- more of an engineer than I am, but does that make any sense to do that as a temporary fix?

Mayor Buelterman said, that was something that was discussed after that wreck happened last year. But the reality is, like you said, we're not engineers, number one, and, number two, that whole stretch from Bull River to Lazaretto Creek is not in the City of Tybee's jurisdiction. That's county.

Commissioner Kicklighter said, I didn't realize that. I was just wanting your opinion on that.

Mayor Buelterman said, I think anything that we could do to make it safer would be great, and that's one thing that we should look at.

Commissioner Kicklighter said, is that something we can ask somebody to look at, to see if that could be a temporary fix that we could actually do?

Commissioner Farrell said, well, I mean, although it's all located in the county, you have to understand that this is a State of Georgia road. Commissioner Kicklighter said, oh, yeah. Commissioner Farrell said, but I certainly think that our -- we could direct Staff to inquire with our DOT engineers to look at the feasibility of doing something to -- you know, in the short term to improve the safety.

Commissioner Kicklighter said, right, and my suggestion is not to take the responsibility off the State of Georgia, which is actually responsible for improving the road; it's just to do our part and try to help, if possible.

Chairman Liakakis said, and the money that we got actually for the Truman Parkway, we didn't get much stimulus funding, and on the second go-around, hardly any stimulus funding. Commissioner Stone and Commissioner Farrell, we lobbied in Washington with our Congress people and all and others, and did the same thing in Atlanta and all, and it took a tremendous amount of lobbying to get that money. In fact, I became friends with a number of people on the actual Board who make the decision with the Georgia Department of Transportation about projects, my friendship with a number of them, and constantly lobbied with them. And I really appreciate the hard work that Helen and Patrick did, you know, doing the things in Atlanta and, of course, in Washington and all.

But what happened on the Truman Parkway, this was money that came to us from Federal and State fuel taxes. Had nothing to do with the stimulus funding. So we were able to do that. And it was a substantial amount of money. They voted that we could use as much as \$120 million to complete the fifth phase of the Truman Parkway, but once they put it out for bid, it came back, because things had slowed down in the construction area, that a topnotch construction company bid it in for \$67 million. Of course, Russ and I, we talked to them in Atlanta with the hierarchy there about giving us the other \$53 million left for that, and we could do things, help Tybee and other projects that we had in the county, you know, in Chatham County. But we were told by the hierarchy, "Pete, it don't work like that. We're going take that \$53 million" -- as Russ can tell you -- "and distribute that to other parts of the state." And, of course, I sort of knew about that ahead of time, but just was trying to get us that money. But, thank you very much. We'll do what we can. But what I want to do at this point -- any other Commissioners? I'm going to ask Patrick to come forth now, because he wants to make for a resolution.

Commissioner Farrell said, yeah. Dr. Thomas, did you want to speak?

Commissioner Thomas said, no.

Commissioner Farrell said, okay. What I'd like to ask for Board consideration is that we consider a resolution in support of the Tybee City Council's resolution and that we go --

Commissioner Thomas said, do you put that as a --

Commissioner Farrell said, as a motion, yes. Commissioner Thomas said, all right, second.

Chairman Liakakis said, we have a motion on the floor and a second for the resolution to support the road project. Let's go on the board.

ACTION OF THE BOARD:

Motion was made by Commissioner Farrell that the Chatham County Commission adopt a resolution in support of the resolution of Tybee City Council to urge local, state, and federal officials to prioritize improvements to Highway 80 from the Bull River to the Lazaretto Creek Bridge, and also to support redesigning the existing plans that are on the books for the DOT to widen or raise this roadway and replace those bridges. The motion was seconded by Commissioner Thomas and the motion passed unanimously. [Commissioner Gellatly was absent.]

Chairman Liakakis said, thank you, Jason.

Commissioner Kicklighter said, and can we -- on that, can we ask Tom or somebody over there to take a look at the road and see if we could do something temporarily?

Chairman Liakakis said, well, that's what you mentioned a while ago, and he was going to look at something.

Commissioner Farrell said, we could ask our Staff to follow through with that. Russ?

County Manager Abolt said, yes, sir, I'd direct our focus on Tom and the -- the C.O.R.E. group, yes, sir.

Commissioner Farrell said, thank you.

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CHATHAM AREA TRANSIT AUTHORITY

The Board recessed as the County Commission at 10:30 a.m. and convened as the Chatham Area Transit Authority. Following adjournment of the Chatham Area Transit Authority, the Board reconvened at 11:12 a.m., as the County Commission.

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VIII. TABLED/RECONSIDERED ITEMS

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

*** 1. SECOND READING:**

Adopt an updated Chatham County Revenue Ordinance. At meeting of May 28, 2010, the ordinance was passed minus Article V, Section 3 (Solid Waste Operations), and minus changes to Article R (Engineering Fees).

Chairman Liakakis said, everybody was distributed a Staff Report addressing the dry trash topic and a memo explaining the discussion with the homebuilders/developers on land disturbance fees.

Mr. Abolt said, Mr. Chairman, you have to take it off the table, please.

Chairman Liakakis said, we need a motion to take it off the table.

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

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

ACTION OF THE BOARD:

Motion was made by Commissioner Holmes and seconded by Commissioner Farrell to remove from the table the adoption of Article V, Section 3 (Solid Waste Operations), and minus changes to Article R (Engineering Fees) of an updated Chatham County Revenue Ordinance. The motion passed. Commissioners Holmes, Shay, Farrell and Odell, and Chairman Liakakis voted yes. [Commissioners Stone, Kicklighter, and Thomas were not present.]

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County Manager Abolt said, Mr. Chairman, with your permission, we'll start with the additional staff work, the options, and the questions of Commissioner Farrell on point regarding your deliberation on that aspect of the Revenue Ordinance referencing the \$43 for dry trash. In the Staff Report, they alluded to, also, a legal work that, at the time, was still in the process by the County Attorney, which has been completed. So, in effect, you have about 37 pages there of information in this portion of your agenda dealing with the subject of dry trash. With your permission again, I would like to not read the Staff Report, far from it, but carry you through each of the options. And I'd really be relying on Mr. Drewry in the main to go through them, but on your Staff Report, it's Page 2 of the Staff Report, but it's referencing Item Page 3 of 37 pages. The first option is living with the current \$43 per household per year charge. If my memory serves me correctly, this was a question posed by Commissioner Farrell, and we are addressing that as best we can, given our understanding of the current workload and our capacity, which, in effect, would reduce the frequency of pickup from once a month to once every other week, and we're challenged with the same amount of material to pick up, with fewer days to pick it up, which translates into prolonged pickup and more difficulties, but let's deal with that, please, on point. Mr. Drewry. This is Option Number 1, entitled, "Living With The Current \$43 Per Household Fee."

Mr. Drewry said, good morning. Robert Drewry, Director of Public Works & Park Services. To pick up where the County Manager just left off, I've got five options that I want to quickly go through. Option 1 is living with the current \$43 per residential per year. That option alone would be very difficult to operate and very difficult to manage, because you're not doing anything to reduce the volume of trash that will be out there. So my recommendation in that option would be to totally discontinue picking up bulky items so that we have five days a week to pick up yard waste. That option would also require, because it is funding half the program, require some layoffs and idling equipment. That option also does -- another thing is reducing the ability to effectively and efficiently respond to wind storm events. As you know, when a wind storm comes, heavy debris can be thrown down onto the ground. The residents put that up at the curb and require us to come get it. Having half -- essentially half of the staff pick it up, it would be a considerable amount of time to collect that kind of debris.

Commissioner Farrell said, how much staff do you have that picks up dry trash?

Mr. Drewry said, there are thirteen staff members.

Commissioner Farrell said, thirteen? And how many trucks?

Mr. Drewry said, I've got nine trucks.

Commissioner Farrell said, so you'd typically have from one to two people in each truck to pick up?

Mr. Drewry said, the truck is manned by a county employee, who is the operator, and contract laborers. There's two contract laborers per truck.

Commissioner Kicklighter said, how many trucks?

Mr. Drewry said, nine trucks.

Commissioner Farrell said, okay, so how do you -- if you've got nine trucks, then, where -- and you've got nine drivers and you've got four other employees, what do they do?

Mr. Drewry said, they're contract laborers. Two other employees on a truck. Three total on a truck, the driver and two contract laborers.

Commissioner Farrell said, so you've got eighteen contract laborers?

Mr. Drewry said, that's correct. And I run a boom truck, which is the knuckle-boom truck, and I have an operator on that truck and a contract laborer on the ground.

Commissioner Farrell said, so you've got one and one. So that accounts for ten employees. What do the other three employees do?

Mr. Drewry said, I have an admin, supervisor and superintendent.

Commissioner Farrell said, an admin?

Mr. Drewry said, administrative assistant, excuse me.

Commissioner Farrell said, to pick up dry trash?

Mr. Drewry said, no, to manage the calls and the work orders and the workload, among other things.

Commissioner Farrell said, how many administrative assistants do you have on Public Works?

Mr. Drewry said, I've got four Administrative Assistant 1.

Commissioner Farrell said, okay, so you could probably -- I mean, it seems like a lot of administrative assistants to do the same thing over and over again every week. And what was the other two? You said administrative assistant --

Mr. Drewry said, supervisor.

Commissioner Farrell said, supervisor?

Commissioner Kicklighter said, one supervisor?

Mr. Drewry said, one supervisor and one superintendent. Actually, it's an assistant superintendent. I have a superintendent that also part-time works as other functions within Solid Waste --

Commissioner Farrell said, so you've got --

Mr. Drewry said, -- drop-off centers and such of that sort.

Commissioner Farrell said, for nine trucks, you've got an administrative assistant, a supervisor, and a superintendent to help them do what they do over and over?

Mr. Drewry said, their full time job is not managing trucks. Their full time job is managing the Solid Waste Department.

Commissioner Farrell said, okay, that's why I was just trying to get it -- since we're talking about this, you know, this dry trash pickup, I was just trying to figure out -- just seems like we've got a lot of supervision for nine truck drivers.

Mr. Drewry said, if that's all they did, but I've got twenty-three employees in Solid Waste.

Commissioner Farrell said, okay.

Mr. Drewry said, going back to Option 1, and I do want to note one item is, this option does nothing to reduce the volume of yard waste that's going to be out there. Managing this option would be very difficult. Just right off the cuff, I can tell you that, you know, we won't be on designated routes. I'm not sure, based on just strictly mathematics, if we can complete in a two-week period what we're picking up in a week today.

Chairman Liakakis said, what option is that?

Mr. Drewry said, that would be Option 1. Option 2 would be bleeding the Solid Waste Fund reserves --

County Manager Abolt said, let me introduce this, Robert, because this -- this did not come through Robert. It came through Ms. Cramer. We were looking at the audit, the budget, and there was this account that was set up in the early 1990s, and it was driven by a commitment made and authorization, I believe at the State level, to do something in recycling education and doing things to promote volume reduction at that time, in the traditional landfills, and there was \$1 a ton surcharge placed on the dumping and landfills by private companies here in Chatham County, and we've amassed, I think it's \$3.5 million. Ms. Cramer came to me and said, "Make sure that we tell the Board, even though this has never been the subject of your discussion, that that money is there." We're not being apologetic for it; it's a reserve. So we did carry it one step further and say, okay, no member of the Board said use this, we're just saying it could be an option. Not recommending this. But the option would be, to use my term, bleeding it, because it does not replenish itself quickly. And not only that, you'll notice in some of our analysis, even though the County Attorney did opine a few days later it could be done, you have a situation of a very much-needed reserve in the event of any substantial wind damage. In fact, in the historical document from the attorney in past opinions, he reminds me that a few years back when this issue was addressed as to its use, he cautioned then and, coincidentally, Mr. Drewry just came back from a conference with FEMA and CEMA about what it would take in the event that there was some storm event, to match those federal dollars and state dollars. It would require about a 15% match of total cost. It was purely the luck-of-the-draw, but given the past history of storms of great consequence, it's about \$3.5 million. We did not plan it to be that way; that's just the way it fell. But we're very cautious of and make sure we're very much motivated to give you full disclosure. This could be an option if you wish to choose it, but it does bleed our reserve, and we're concerned about that.

Commissioner Farrell said, at what rate does that money replenish itself per year?

Mr. Abolt said, I would defer -- Robert, do you know? Or Ms. Cramer?

Mr. Drewry said, I'd defer that to Ms. Cramer.

Ms. Cramer said, I'm not sure.

Mr. Abolt said, we can find out for you. For the number of years we've had it, \$3.5 million, although it sounds a lot, in one --

Commissioner Farrell said, have we ever spent any money out of that account?

Commissioner Stone said, yeah, that's what I want to know.

Mr. Drewry said, yes, sir. The Eisenhower Recycling Center is one example of money being used from that reserve.

Commissioner Stone said, and how much came out of that?

Mr. Drewry said, I don't know off the top of my head. I'm sorry.

Commissioner Stone said, I mean, because I think that might answer how -- how much we spent, how quickly it accrues.

County Attorney Hart said, you all are talking about the one thing I did not put in my opinion and I offer it as a caveat to what I said is, oddly enough, the Solid Waste Management Act does not define solid waste, okay? So that's why this opinion is somewhat contorted, to get to where you need to get as far as the use of the funds. But one thing is for sure, is, you're picking -- if you're going to take money out of that and use it for this service, you have got to maintain a fund in that so when we bleed it, we can't bleed it dry. And you've got to continue to do what is within your Solid Waste Management Ordinance. In other words, your traditional recycling and all your other things, plus it -- you have to have an educational component, because, in order to use that \$1 fund, we have to have a solid waste educational component, which we do. But we would have to always, I think, go where I think Commissioner Farrell is leading us, to try to figure out how much we need to maintain in the fund and how much does it get replenished, therefore, how much float do we have in the fund.

Commissioner Stone said, well, could there be some type of a -- using that fund to subsidize and then a little more of an additional fee so that we wouldn't deplete it --

County Manager Abolt said, you might remember we were tested in court on that. This was the issue back a few years ago. I think it was Republic that took us to court. At the time, we had pushed the fee, I think, to \$1.50 a ton and then we were challenged, unfortunately successfully, because we, quote/unquote, did not negotiate --

Commissioner Stone said, I mean, with this fee increase.

County Manager Abolt said, oh, you're talking about -- you're talking about -- I'm sorry. You're not talking about the tipping fee; you're talking about the --

Commissioner Stone said, I'm talking about using a portion of these funds, not all of them, in addition to a little bit of a fee increase.

County Manager Abolt said, so you --

Commissioner Stone said, in other words, to soften the blow --

County Manager Abolt said, permit me to understand --

Commissioner Stone said, -- or use this fund that's here.

County Manager Abolt said, then you're saying something less than \$43.

Commissioner Stone said, yes.

County Manager Abolt said, okay, we could cash flow that, if you wish.

Ms. Cramer said, we did cash flow it. On Page 3 of the Staff Report, if you did a \$15 a year increase in the fee, --

Commissioner Stone said, right.

Ms. Cramer said, -- that you could sustain that over a three-year period and it would replenish the funds back. You know, obviously, you don't want to deplete a fund, so you need to have a way to replenish it, so if you do want to look at using these reserves, I think it would be good to maybe adopt a three-year phased in fee approach so we don't have to go through this fee increase every year, and then that methodology would already be in place for you. That's under Option 2, second paragraph, Page 3.

County Manager Abolt said, okay, and then the third option --

Chairman Liakakis said, wait a minute --

Commissioner Kicklighter said, then the State of Georgia -- that's fine, go ahead.

County Manager Abolt said, then the third option would be on Page 4 of the Staff Report and that in effect would stop the service. And as you know, from a business standpoint, given the overall condition of the umbrella SSD budget, that would be my recommendation if your choice is not to adequately fund the dry trash, and we'd just say,

you know, we stop it. And there could be layoffs involved of some consequence. They've been enumerated in the Staff Report. And then you would instruct the Tax Commissioner to no longer collect the current \$43 per year. Robert?

Mr. Drewry said, thank you. I'd like to add to that particular option a couple of items that I would caution you against. As you know, there's a lot of debris out there, both yard waste and bulky. You would, by taking this option, ultimately require the residents themselves to either take it to a drop-off center, but in our experience, a lot of it would end up in the woods, it would end up in the canals. You know, who knows what else, where else it would be? And the second option to that -- second caution to that one would also be, coupling with the current hiring freeze imposed on the SSD, my ability to pick up storm debris would be drastically, drastically diminished.

Mr. Abolt said, and I would speak on this, because this is a business decision, I realize, and you might attribute my typifying it as that coldhearted, and it is, I guess, from the standpoint of the budget. But I've lived through those phones, I've lived with Commissioner Stone and Commissioner Farrell when that tornado came through here, took the steeple off the church on Montgomery Crossroads, and we got high praise, because we were able to mobilize very quickly and clean up those neighborhoods. Without this capacity, we can't do it. I'll give you just the realistic thing that will happen, and this is not a threat or not -- other than saying reality has taught us this -- without this capacity, we'll go through, we'll clean streets, and that means the folks, you know, are going to have all this stuff in their yard. They're going to wonder why the County is not picking up the stuff in their yard that they put out there. And then more importantly, that kind of -- that kind of additional, to use the term of the Department of Defense, our surge capacity to respond to this is lost, because in those situations like the tornado, in addition to dealing with what we had to do with dry trash and the boom truck, we had other resources to surge. We wouldn't have the surge anymore.

Chairman Liakakis said, Russ, then if we take the second option, the second option, and as the Finance Department has said, charge \$1.25 more a month for three years, and the other portion come out of the Solid Waste funds reserve, --

County Manager Abolt said, if you -- I'm not trying to work a solution for you, but I will respond to you, you asked the question. You could do that. I'm relying on Ms. Cramer. But Ms. Cramer is saying, I believe, and I will have her correct my language if I'm wrong, you would amend the Revenue Ordinance to go from \$43, adding \$15, and you'd commit to each year hence \$15 a year coming off the bleed. And with that understanding, and I realize that I'm only a staff, but I know you don't enjoy having this come back with each budget year, my thoughts would be, if you choose to phase in the balance of the 50%, to do so, but also do so with the understanding that once this is done and you're at 85, it's not coming back to you. In other words, you've approved a fee increase that stays over the next few years and you will not put yourself in a position to have to revisit the dry trash funding three years hence, or whatever the requirement is.

Chairman Liakakis said, yeah, but, Russ, what I'm saying is, so that people understand it, we want to go with Option Number 2, is that what's being recommended in here, of course, \$15 a year. But we explain to people if this Board so desires, to get it balanced out and to work it with the Waste fund, is that it's only \$1.25 more a month. Is that right?

County Attorney Hart said, no, no, that is not correct, Mr. Chairman. The dollar is a tipping fee and, by state statute, we're stuck with a dollar, okay?

Chairman Liakakis said, oh, okay, on this state --

Commissioner Kicklighter said, that's \$3.58 more per month per property owner.

County Attorney Hart said, -- so there's not any way to do that, so we've got to stay with the dollar there, but you can adjust the dry trash fee however you choose, you know, raise it, lower it, do something in between, and spread it out through increase as Commissioner Stone is talking about.

Chairman Liakakis said, Helen?

Commissioner Stone said, well, the difficult thing for me -- and I've talked to a few of my constituents about this -- first of all, we definitely need the service, and I respect that and understand that, and I think that most of my constituents do, especially in light of a couple of years ago when that tornado did come through a good portion of my district. The real problem is, we've got people that are struggling right now and we're asking them to pay for a service that for years and years and years and years was -- was done for free. And so we're putting another hardship --

Commissioner Farrell said, we pay taxes for that service.

Commissioner Stone said, excuse me?

Commissioner Farrell said, we pay taxes for it.

Commissioner Stone said, I understand, but I'm saying that there was not an additional fee charged for it, so in essence, we're asking them to pay for something that they would have normally gotten as a benefit of their taxes.

So this is a hard thing for them -- for many, many people to get their arms around. I have very mixed emotions about it. I think that we pay a lot of taxes in Chatham County, and this is -- this is one of the little services that the Special Service District gets. I mean, we pay our own fire protection, we pay our own water. You know, this is not something that, you know, you want to look somebody straight in the eye and say, now you've got to pay an additional fee. I think that -- I'm going to finish -- I think that to ask residents if they could remove this debris for less than the County is doing it, I don't think that's possible. I think at the end of the day, the service is -- the money, for what you're going to get, is worth it. The problem is, this is -- we're implementing another fee at a very, very difficult time in many, many people's lives and the economy of this country. I think that's the really difficult part, because this is a service that normally we would have expected to receive. And I understand the value of it and I do not want it discontinued. I'm just going to try to find a way to find something in the middle of the road here to keep this service going, but to not put another hardship on the citizens of this county. Thank you.

Chairman Liakakis said, Dean?

Commissioner Kicklighter said, thank you, Mr. Chairman. Just for viewers' info at home and why Commissioner Stone and Farrell and myself might seem a little passionate is because basically this topic includes us. This is not Chatham County dry trash pickup. This is unincorporated area Chatham County dry trash pickup in which us three pretty represent unincorporated Chatham County, because they're housed mainly in our districts. First, I'd like to just clarify and say we don't have five options in front of us. We have three options, with Number 4 and 5 being statements. So you gave us three options with two statements in addition, so there's not five options in front of us. Weekly yard waste on Statement Number 4, not option, states that 330 tons are collected, I guess per year, I guess that is there? Per week, I mean, excuse me. That's 660,000 pounds. I was just kinda curious to what type of work we were getting, so I'll ask this. Do we have five to seven cubic yards as our standard type dump trucks, or do we hold ten to twelve cubic yards?

Mr. Drewry said, our dump trucks or trash compactor trucks?

Commissioner Kicklighter said, whatever. Trash.

Mr. Drewry said, trash compactor trucks? They have bodies in them that can have a volume up to, I think it's like thirteen cubic yards.

Commissioner Kicklighter said, okay, so it's basically the large ten-wheel type thing. Based on my research, which I've never drove a dump truck or anything, but I may do it in the future. I do a little bit of everything else, but -- I've found that the twelve cubic yard dry trash type pickups, if it'll hold twelve cubic yards, that equates from what I've found, that one cubic yard of your standard dry trash is 260 pounds. So what that broke down to was 3,120 pounds per load, and when you divide that into the 660,000 pounds, that actually comes up to 211.5 loads carried each week, 42.2 loads per day, or 10,998 loads per year. If you take that and break it down a little bit more, with the \$1,820,000 -- \$1,820,933 and you divide that by the loads of 11,862 loads, we're looking at a cost of \$153.51 per load. Now, just to have a little more fun with numbers here, I just broke it on down, 11,862 loads per year, that equals, with nine trucks, 1,318 trips per -- okay, equals 1,318 trips per year. That's 25.3 trips per week or 5.1 trips per truck per week. This is per truck, with nine trucks. So on your average day, based on this, each truck, each one of the nine trucks, picks up five loads. That's their day's work. Did I lose you, Commissioner Stone? You've got a --

Commissioner Stone said, I'm just trying to --

Commissioner Kicklighter said, all right, just forget everything I said to get to that point. But based on the number breakdown, --

Commissioner Farrell said, do you agree with that, Bob?

Commissioner Kicklighter said, -- our nine trucks, each one of them every day --

Commissioner Farrell said, five times a day?

Commissioner Kicklighter said, yeah, one truck is dumping -- picking up and dumping five loads a day, is what that breaks down to.

Commissioner Farrell said, do you concur with that?

Mr. Drewry said, I'm fully lost in numbers, so I can't --

Commissioner Stone said, I'm lost, too.

Mr. Drewry said, I will tell you, for example, yesterday we picked up the Wilmington Island's route. They worked ten hours and they packed out, I think, at least three times each, for each truck. Packed out means they filled the truck up. So just comparing densities with volumes -- and I'm not sure I can do the math --

Commissioner Kicklighter said, are they back working Wilmington Island today?

Mr. Drewry said, no, sir. They finished the route yesterday.

Commissioner Kicklighter said, okay, so see, that average --

Commissioner Farrell said, so you're saying they had a ten hour day and they did three -- three loads.

Mr. Drewry said, yesterday.

Commissioner Farrell said, yesterday.

Commissioner Kicklighter said, and they're not working picking up trash today.

Mr. Drewry said, they're picking up bulky items today.

Commissioner Kicklighter said, where at?

Mr. Drewry said, Whit --

Chairman Liakakis said, James and then Russ.

Commissioner Kicklighter said, I'm not finished by far, Mr. Chairman.

Chairman Liakakis said, oh, I thought you --

Commissioner Kicklighter said, no, sir.

Mr. Drewry said, they're probably on, I think -- this is the second Friday? If this is second Friday, they're on The Landings and Skidaway Island area.

Commissioner Kicklighter said, okay, based on the figures and everything that I've come up with, and the knowledge that not all people who are currently paying this \$43 fee actually utilize this service, I've come up with the following options. I believe I have three options here, also, and one of them is one of yours. The first option, or just one of the options, I've not put them in any order, would be no increase to the actual fee right now, but a 45 -- based on the numbers that I have -- a \$45 per use/pickup fee, when a citizen of unincorporated area utilizes the service. That's a low, low cost. We keep all the trucks, keep everything, and that way, all the citizens that's not actually utilizing the service, they're not having to pay everything. It would be a cost addition to that service, so they would phone in, set it up, the pickup, and they would pay \$45. That would cover -- because the numbers crunched up, it's running about 89 a month, where you're asking it to be 85, I believe is the total in here, currently charging 45.

County Manager Abolt said, per year.

Commissioner Kicklighter said, yeah.

County Manager Abolt said, per year.

Commissioner Kicklighter said, so that 45 per call-in, considering people would still utilize the service just like they do now, you would have your \$1.8 million. It would offset, because you have the 43 in place and then you do the service fee call-in, you would continue -- if they utilize that service -- to have it, that money.

County Manager Abolt said, I need a quick -- you're talking about \$45 a pickup?

Commissioner Kicklighter said, yes.

County Manager Abolt said, but we're -- I'm not trying to argue with you -- we're offering the entire service for a year with no per pickup charge for 85.

Commissioner Kicklighter said, yes, sir, but I'm sure you would find that the bulks of the pickups are probably done by a certain group of individuals who utilize this service, dumping things over and over and over, and the great majority of the citizens don't utilize the service.

County Manager Abolt said, here -- I'm not argumentative, I'm trying to work with you on the solution. First of all, we don't have -- I use the term bureaucracy -- we don't have a capacity to bill. I mean, we don't say, you know, we go to Russ Abolt's house in Old Town, and he calls and we picked up -- that would be -- that would be a great expense, because then you'd have the issue, okay, if I call today, I want somebody there Monday, can you get there? No. We're out, you know, on the west side somewhere. So you have that issue. And how do you keep track of it?

Commissioner Kicklighter said, we could set zones in the area where times can be picked up. Citizens could call in. They would have to either bring the money in or mail the check in before the pickup took place. It would be like any other --

County Manager Abolt said, well, let's -- I'm trying to work with you -- I want you to look, because I want to make sure you saw, we do have options. We've labeled them options and --

Commissioner Farrell said, that's Option 4.

County Manager Abolt said, -- that's Option 4 we're talking about.

Commissioner Farrell said, it's already in there.

County Manager Abolt said, let me explain. Commissioner, with permission, I think what he's reading into Option 4 --

Commissioner Kicklighter said, is this on the first page of your --

County Manager Abolt said, no, sir.

Chairman Liakakis said, it's on Page 5.

Commissioner Farrell said, it's on Page 5.

Commissioner Thomas said, five.

County Manager Abolt said, Commissioner, they're labeled, Commissioner, just like big bold letters, Option 1, 2, and 3.

Chairman Liakakis said, look under 4, under the small letter 4 right there.

Commissioner Kicklighter said, I see it.

County Manager Abolt said, if I may, let's make the transition to help the discussion. The idea would be, yes, subscription, and then that -- you'd sign up. It would -- again, it'd be difficult, but the concept, the germ of the idea is, we'd have to do an awful lot of working on this, would be -- would be that a person would say, okay, I'm willing to pay so much a year, and then when I need it, I'm going to get it. The difficulty with that is, we don't know how much the fee would be. Mr. Drewry and his staff, you know, say that 25% of the unincorporated don't use it, it might be \$380 a year. That's getting to be a tad spendy, and then you -- the Chairman and I were talking about this, and I realize that we're all sensitive to how we're viewed in the neighborhood, but I could see maybe me signing up for it or a Commissioner signing up for it and there's a big old wind storm and the neighbor down the street wants to know why the County Manager has county crews coming down to pick up his dry trash. Or the other thing that could happen, and I would not say it would, but it could happen, you'd have one neighborhood in the -- neighbor say, I'll sign up for that, and then all of his neighbors dump the stuff on his property, so there's all sorts of --

Commissioner Kicklighter said, well, this --

County Manager Abolt said, -- potential abuses.

Commissioner Kicklighter said, -- this Number 4 is not the same.

County Manager Abolt said, okay.

Commissioner Kicklighter said, so basically you keep the fee in place with the understanding that we've got to maintain the vehicles in case of emergencies, but then you have the fee per use that could be paid and that would actually offset the additional expenses. And in that --

County Manager Abolt said, anything is possible. I'm just very concerned about the bureaucracy, and I'm not demeaning -- I would never -- I don't want my words to demean the quality of our staff, because they're very good. I've watched them work. But I want to make sure we communicate to you clearly what we have out on those trucks now. We have a full time driver and then we surge that by temporary labor. So the individuals -- and I do have -- I will admit to you candidly, I have over six years of experience, when I went through college and graduate school working on the back end of a garbage truck, and that's how I paid my way through college. So I do know that there's a helper and then there's a driver. And the driver usually stays in the cab while the helper does the work. So you'd have -- you'd have to empower those day laborers to say, yes, I'm at 110 Old Town Road and we picked this up. And then that's going to have to get back some way to a billing capacity to send a bill out to me at 110 Old Town Road. So I -- there's a bureaucracy implied there that is a little bit -- I'm leery of.

Chairman Liakakis said, go ahead.

Commissioner Kicklighter said, why not, then, go -- another option, just totally eliminate the once a year fee and -- I mean, the \$85 once a year fee and just charge per use per house? And break it down.

County Manager Abolt said, could you --

Commissioner Kicklighter said, why not allow them to just call in, period?

County Manager Abolt said, that'd be --

Commissioner Kicklighter said, that option's worse than the other, because that eliminates the other --

County Manager Abolt said, yeah, but you can't put a -- we have never had that capacity.

Commissioner Kicklighter said, but it's cheaper than the 300 and something -- 380 per year estimated cost of your Option 4.

County Manager Abolt said, my concern is, again, we've never done this before, and having the capacity to respond, so if the person on Wilmington Island says -- it's Friday afternoon, there was a big wind storm last night, I want you to come pick it up, and all our resources are on the west side, and then if we can't get out there, you know, within a day or two, they're going to start calling their Commissioner as to why we didn't, and then we'd have to bill that person. It could be a real mess.

Commissioner Kicklighter said, what about a RFP out to private haulers to be the County's contracted person -- I know that's actually in your options. In looking at the -- that is one of yours. Right?

Mr. Drewry said, contracting this out? No, sir.

Commissioner Kicklighter said, okay, somebody just said it or whatever. But we could put an RFP out for a private -- private service to actually be the ones that were phoned and they could go pick up the actual debris and, that way, it would be just simply a, you know, charge per service.

Chairman Liakakis said, okay, next is James, then Helen, then Patrick.

Commissioner Holmes said, thank you, Mr. Chairman. I want us to just stay in reality. I don't think we're facing it right now. We see, but we're not facing it face on. And the reality of this whole issue came before us last year. It came before us and we didn't vote it in Number 5, because it had 85. And when we didn't vote it in, we asked to cut it to 43, and we compromised then to bring it in at 43. But facing 43, we're right back this year, facing the same issue that came before us last year. So if you face reality, we should have done it last year and we wouldn't have been here now facing the same issue. Now, I know some of us don't want to raise tax, but in reality, the way the world is going, you have to face it. I wasn't put here to make soft decisions. I wasn't put here to make always tough decisions, but I was put here to make decision, what is best for this county. And I make it based on the information that is shared with me, given to me, and when I get it, I do my study on it. I'm not doing it because my citizen don't want me to do it or I want to do it. I'm doing what is best for Chatham County Government. Now, we're talking about spending and bleeding. If you keep spending and you keep bleeding, which one would you rather stop? All of us bleed at some point. And as soon as you stop bleeding, you want to stop the bleed. But why are you letting this bleed here continuously? And if it's to continue bleeding, you're going bleed out. We know that our balance and everything needs to be in place for our safety. But do we rather bleed green or we rather bleed red? Right now, we're bleeding green, and I want to stop the bleeding of the green, and let's see if we can come up with a reality decision today. And the same option that came to us last year, it would be in our best interest to look at that very hard, and if we should get it in, maybe in the future you could probably come back and decrease it, but right now, it's reality that we're facing.

Commissioner Kicklighter said, Mr. Chairman, --

Commissioner Holmes said, and that's what I would like to look at this Board looking at. Gentlemen, Ladies, we just can't keep playing with this thing and not face the reality and the choices that we have to make. And I -- I ain't never seen us come before with five option on the board like this. And I guess that's the homework of our staff, to bring us back, to give us these options. But in reality, you -- you've got to face increasing something to continue giving your service. If the ditches overrun out there, everybody just pick up the phone and say, "My ditch is overrunning." If the trash is not being picked up, you're going pick up the phone, "Nobody picked up my debris." So pay for what you get. And that's the bottom line. Thank you, Mr. Chairman.

Chairman Liakakis said, Helen?

Commissioner Stone said, thank you, Mr. Chairman. In all due respect to my fellow Commissioner Holmes, I have the greatest admiration for you, but we're talking about a group of constituents that are not in your district. This really doesn't affect your constituents, this fee increase, and --

Commissioner Holmes said, I keep paying for certain things that I don't receive, either, in my district.

Commissioner Stone said, well, I understand, but I'm just trying to --

Commissioner Kicklighter said, it's a different project.

Commissioner Stone said, -- to make a point here. This directly affects the people in the unincorporated area, and this is why this is something that is very troublesome to me. As I stated earlier, it is important that this service

continues, especially with the bulky items pickup, because if people that own, say, apartment complexes and rental property, when people move out and they dump their contents of their home on the side of the road, if it's not picked up, it does have an impact on overall property values. There's no doubt about it, that this service is not needed. But there are a couple of things I'd like to sorta think about. One is, it was brought to my attention just yesterday by a couple that we've got landscapers in this community that are using Chatham County's tax dollars by putting the contents from their commercial business on the side of the road for Chatham County to come and pick up. That needs to stop. I don't know how much of a burden this has been to you, Mr. Drewry, and I don't -- I don't know of any way for some of your workers to designate what is debris from somebody's commercial site or what is actually their home debris. I would imagine at some point, it could be detected, but that needs to stop. That's really not fair to the citizens.

I'm real hesitant about this fee increase, because once a fee increase is implemented, it's done. I never, in the history of any of my readings about Chatham County, see a fee increase that was implemented, then to be erased. So once we do this, it's done. That \$43 is going to be there forever. The question is, is it going to be 43 or 86? It's not going away. I agree with Commissioner Farrell in that we do have some opportunities, and I'm going to use the word opportunities sorta loosely, for possibly LOST money in the future or enterprise money that could help with this, so I'm not real anxious to get into this next bump in a fee increase, because I know it will never go away, and I just -- as much as the residents know they need this service, many people are laid off right now. Many people don't have jobs. They've had water increases, fee increases. Another increase. It's just another hardship. And so I would like for us to do everything humanly possible not to implement any type of an increase, but to continue the service, looking down the road at some of these other sources of revenue that rightly belong to Chatham County, the enterprise money and the LOST money. This is monies that our citizens -- these are monies that our citizens should be receiving, and it's wrong that they're not. And, by George, these contractors that are using our Public Works as their disposal for their commercial business, that needs to stop. So I'll leave it there, but those are my concerns, is that once this fee is implemented, it would never be removed, and that is a concern that I have. Thank you.

Chairman Liakakis said, Patrick?

Commissioner Farrell said, thank you. I've given this a lot of thought, and one thing I want to state is that what we're discussing at this moment is not the problem. This is just a symptom of what I consider the problem. The SSD, financially speaking, is not on sound footing. When the citizens of Chatham County send \$4 million a year in franchise fees to other municipal governments and have no benefit of that money, that's a problem. When the citizens of the unincorporated area, the 80,000 people, do not get a per capita cut in the LOST, the local option sales tax, the -- let me count -- the fifth penny in your sales tax, to the tune of approximately \$11 million a year, which is redistributed to the municipalities within Chatham County, that, Ladies and Gentlemen, is a problem. In October of 2004, the then sitting Commission agreed to a police merger agreement that had enormous increases in the percentage of money that we would start paying for the identical police services, with no means to pay for those increases. Part of the agreement was to renegotiate after four years, and that has not been done in this police agreement to my satisfaction. We've had figures that this same service could be provided for up to \$2 million less by another organization that is highly rated in this community for the police services. I didn't make up that figure. It just happens to be out there. It also happens to be the approximate figure that we're dealing with right here today, which is about \$1.8 million. Just a coincidence.

So, to me, we have multiple layers of complications in this budget, and this is merely a symptom and not the problem. So, as we work on these other three large items to make some better direction for this funding back to the Special Service District budget where it belongs, in my opinion, we have consternations. We have very thoughtful suggestions from our Staff, such as, let's go from a tax-paid-for service to a fee service, but -- which is fine, in and of itself. I don't have a problem with that. However, it doesn't -- it doesn't reflect a balance in a reduction in the millage rate. And the reason it doesn't is because the other parts of the budget are so in balance that we don't feel like that that's the part that can be done. So fees or taxes, you know, is not really a problem, but a fee without a millage decrease, I have a little problem with that, considering the above aforementioned items. We've also heard about a rain tax, you know, to help with the drainage. Another symptom of a larger problem. You know, how do we solve the larger problem, and, again, we have that. And, of course, there's always the millage tax increase to solve the big problem. So we have all these different items going on at the same time and here we are discussing the fees for this -- this very valuable service that the citizens, on the most part, appreciate. It keeps our county cleaner. It gives a logical place for people in the unincorporated to get rid of dry trash and bulky items, and it works rather well, in my opinion. So having said all that, you know, I think the best approach -- you know, we came up with another approximately million dollars last year of new-found money by implementing this \$43 per household fee. That's a million new dollars. I would like to use the option that we continue with that particular fee for this budget year, that we use -- we do two things concurrently. We look at how we can more effectively and efficiently pick up this debris, using different techniques, and, at the same time, pursue these three major items, such as franchise fees, LOST sales tax, and the police merger agreement on the financial side of it, and try to come up with the money to fix the real problem. In the meanwhile, let's use some of the money that's accumulated in the -- let me make sure I --

Chairman Liakakis said, Solid Waste fund.

Commissioner Stone said, Solid Waste.

Commissioner Farrell said, in the Solid Waste fund for this one year as we buy twelve months' worth of time to correct the real hemorrhaging and the real problem and the real train wreck, which is not the rain tax and it's not the dry trash, it's some of these other items where, if we had our fair share, we could probably have a millage decrease and keep all the services up to snuff without a problem. So that's my view on it. Thank you.

Chairman Liakakis said, Dean? Dean and then you, Russ.

Commissioner Kicklighter said, thank you, Mr. Chairman. With all due respect to Commissioner Holmes, who wants me to face reality, here's a little reality. I ran one of the largest cities in the State of Georgia and we had a \$6 million budget. \$1.8 million is being requested to haul dry trash around, roughly one-third of what I ran an entire city for. That's reality, and that's ridiculous. Reality is the Savannah-Chatham County Metropolitan merged police department. The budget went from \$4 million to now a recommended \$14 million within a few short years, all of this time, so to subsidize crime fighting, in everyone's districts other than the three of us, who are asking you here today to not implement a fee that we don't want on our citizens. In order to make a educated decision on another fee being passed on these citizens, I really believe that we need to take a look at the entire SSD budget, which is why it really shocked me to find this discussion taking place before the budget actually took place. If you look at the budget that's been presented to us, and now with the new numbers coming in, the new numbers that the Manager presented to us proposes that we cut \$200,000 from the merged police department budget, use the last 121,000 of our savings to cover the remaining gap. And looking at that, there was actually, I guess, a question on this one thing, Russ. Does it include in that budget -- looking at it, because I see conflicting things, looking through it -- does it include 910,000 in revenues from the currently charged fee for dry trash pickup? Because I see a zero there when I look actually in the budget.

County Manager Abolt said, sir, this is a sequence that will lead you in two weeks to adopt a total budget. The dry trash is a part of the Revenue Ordinance which you're now considering. But the dry trash issue last year was taken away from the Special Service District, so when you talk about the Special Service District, it stands alone.

Commissioner Kicklighter said, right.

County Manager Abolt said, so when you talk -- and I appreciate your analytical way of approaching the budget, but let's say hypothetically one were to try to come up with a solution and say, well, let's have some sort of Special Service District participation in dry trash. Every dollar you put into dry trash would aggravate the imbalance in the SSD. That's why I came upon the fee last year as a recommendation to offload the pressure that was on the Special Service District.

Commissioner Kicklighter said, so the current budget has no revenues projected in the -- with the numbers we're looking at.

County Manager Abolt said, you haven't -- I've got to get the right terms and the price -- you have Solid Waste. In this case, it's Solid Waste that does dry trash. Dry trash needs \$890,000 to keep going at its current level.

Commissioner Kicklighter said, so that's what you're assuming in this? Okay. That was my question on that.

County Manager Abolt said, the two are not, in this case, together. We have separated them.

Commissioner Kicklighter said, okay. Taking that into consideration, that's -- that's good. I just wanted to -- I didn't want to misstate, like I actually read earlier with the dry trash fees, and I'm sorry. I was looking at the front page when I went through that.

Commissioner Thomas said, huh.

Commissioner Kicklighter said, huh, I apologize. I was wrong on stating that. Option -- the latest actually on here does not include predicted revenues that could be lost by appeals, and which would be an additional loss of revenues in the SSD budget of 527,124. It's assuming the, I believe 300 -- it's assuming 300 -- goodness gracious, I'm sorry -- \$366,500 less is what the now recommended budget does, not where the Board of Assessors has warned that we could lose up to 800 and some thousand once the appeals come through. Option 2 actually cuts the spending in SSD, but not quite enough, in my opinion, there. Like I said, it was the 200,000 from the police, 121,000 using up in the reserves. But Option 2 could very well still come up a million and something short. All right, if you take and look on Account Code 5212021 -- that's Page 316 in your budget -- we've budgeted \$474,000 for Indigent Defense. That's something that could actually shift over to M&O, because most actual -- most counties do not have a Special Service District and it would be paid county-wide. If you look at all of that under that line item, basically there are fees and everything, that's \$794,000. Although the Manager -- if you look on Page 320 -- although he suggests cutting 200,000 from the budget, it's still a budget increase of 276,412 over the 09-10 amended budget, so it looks good on paper that he's recommending a cut, but it's actually a \$276,000 increase. Really out of hand. And, yes, we need to --

Commissioner Odell said, what item?

Commissioner Kicklighter said, that's item on Page 320 in the budget. If you look on Page --

County Manager Abolt said, if I can help you here, Commissioner, you're talking ahead of me. We have not got to the agenda item yet. You're still dealing with your Revenue Ordinance. When we get to Individual Action, then we'll get into what Commissioner Kicklighter has.

Commissioner Kicklighter said, yeah, and what I'm -- what I'm saying is, we're being asked to approve a fee looking at a budget deficit type situation without getting to look in-depth into our budget. And to know whether or not we need to approve a fee, we need to know whether -- how we're going to handle the budget overall, not just taking one fee at a time. We need to look at the overall budget. If you look on Page 321, without money, eight of twelve -- that says, without money, eight of twelve work crews will have sufficient staff. That's an extra 301,000 requested that could go there, that are not being utilized now. On Page 321, automatic vehicle locator system, \$120,000 in the SSD budget is being recommended to automatically locate vehicles. Question: Do the drivers of the vehicles have cell phones? County-owned cell phones?

County Manager Abolt said, I need some help, because we're shifting gears here. We're going to --

Commissioner Kicklighter said, I know we're shifting gears, Russ. We're being asked to impose a fee, and I'm showing you what we can cut, where we don't have to increase a fee at all.

Commissioner Farrell said, then, let's just vote on the fee, and then --

Commissioner Kicklighter said, but do you know what I'm saying? This is 120,000 of 800,000 more being requested for these citizens to pay, that we can take right out of there.

County Manager Abolt said, again --

Commissioner Kicklighter said, all the way through, and I've got a total of cuts here that I believe could be shifted for \$2,535,000 out of the proposed SSD budget right now, which would more than cover those costs.

Chairman Liakakis said, Russ, --

Commissioner Kicklighter said, but that's fine. We'll handle it then. You all vote -- I've got a feeling that my Savannah counterparts will vote for our citizens living in the unincorporated areas to pay it, anyway, so let's vote, and then we'll just face the music. That's good. That's the way it goes around here.

County Manager Abolt said, here's my plea, --

Chairman Liakakis said, hey, wait a minute. Hey, Gentlemen.

Commissioner Thomas said, that is not fair.

Chairman Liakakis said, hold it. Patrick. Patrick. Patrick Farrell. I'd like for you to hear what --

Commissioner Farrell said, I'm listening.

Chairman Liakakis said, -- the County Manager is saying.

County Manager Abolt said, I just need to plead for some progression on this. We haven't got to the presentation that Ms. Cramer and I want to make on the status of our M&O and SSD budget, and that's very important. I want to underscore that from the very beginning, we have taken dry trash out of the SSD budget, so we're not talking about the SSD budget. If the motivation would be to somehow go into the SSD budget, which is already a problem, --

Commissioner Kicklighter said, that was my first question to you before I started all that, because it was confusing, looking at this, to whether or not you included the current \$900,000 in revenues in your revenues in your budget.

County Manager Abolt said, okay, we will follow whatever direction --

Commissioner Kicklighter said, because one printed article looks as if you do and then when you look in the budget, it looks as if you don't.

County Manager Abolt said, we will follow any direction you wish. We were coming to you in the order of the agenda. And you remember in my budget message, I had a bunch of fees, and the fees, recreation fees, land disturbing activity fees, and all that. That is only a small portion of a big old budget of 300 pages. And when that Revenue Ordinance came forward to you two weeks ago, you said fine in everything except dry trash and land disturbing. And at that time, you said come back, so we're focusing on that. When you turn a few pages, we're going to be talking about the results earlier this week, the digest growth. So my plea for all of you is, deal with revenue, either move it on later on in your agenda, but from the standpoint of making progress in the meeting, deal with the Revenue Ordinance, and then we'll come in to SSD, because they are, from the standpoint of logic of the decision, they're stand-alone issues. My opinion.

Commissioner Kicklighter said, okay, then, I would recommend that we accept the revenue as it is and not try to raise that revenue. I believe that I will be able to produce, along with others, when we deal with the budget in the future, that we have sufficient monies to operate the unincorporated areas of Chatham County without an increase in fees or taxes. That would be my recommendation. No fee increase, leave it as it is.

Chairman Liakakis said, Patrick.

Commissioner Farrell said, I'd like to make a motion that --

Commissioner Odell said, I think he just made a motion.

Commissioner Stone said, yeah.

Commissioner Farrell said, well, he made a recco --

Commissioner Kicklighter said, I'll put that in the form of a motion if you -- or, go ahead. Whatever. I don't --

Commissioner Farrell said, I'd like to make a motion that we leave the fee this year the same. To the extent that we cannot come up with savings in the other parts of the budget, which the Commissioner from the 7th District made several recommendations, to the extent that we can't balance the difference in that amount of money, that we, for this fiscal year, we use Solid Waste fund reserves to balance that part of it, in conjunction with what I said earlier, that we also look at making more efficient use of our resources at Public Works to get the job done, and that would be my motion. We can --

Chairman Liakakis said, all right, we need a second.

Commissioner Stone said, I'll second that, but I also want to stress the complaint that I've had about, to be a little more diligent about some of these commercial folks using our dry trash pickup.

Commissioner Farrell said, there's a lot of things we can do better.

County Manager Abolt said, I need time to answer. I need time to answer, please. I need clarification, Mr. Chairman. I'm asking for definitive direction, because you're about ready to adopt a budget in two weeks and that budget cannot be out of balance. We remember what your predecessors got in when they adopted a budget that was not balanced.

Commissioner Thomas said, uh-huh.

Commissioner Kicklighter said, we will balance it later, when we can talk about the budget.

County Manager Abolt said, but let me -- let me finish, please. I'm concerned that you're on the brink, not of obviously doing something as egregious as the five million, but you're not giving Staff definitive direction. I will try to read into what you said is, number one, you do not want to increase the fee and, to the extent that dollars cannot be found somewhere else, which I cannot find right now, that you're going to draw down this special fund. Now, from a budget standpoint, if that is the decision you make, then please make it unfettered by the other stuff, because, you know, when the auditors get to this, they'll have fun with us, and I will have difficulty -- Mr. Drewry and I -- what we do on the 1st of July. If the choice is not to increase the fee, realizing it's going to cost more than we have in this fund, and you choose to buy some time, if you will, to take it out of this fund, then, fiscally, you can do that, and you do that with the understanding that there's some questions on use of the fee, that there's a problem certainly if we go too deep into it, and we're bleeding the reserve. As long as you understand that, then I have done my job and Mr. Drewry and I can do our job. If this motion passes, we will continue dry trash service. Ms. Cramer, then, will use the fund we've just referenced, to pick up the difference, which, right now is estimated at \$890,000.

But I want to go back. Commissioner Holmes spoke earlier about -- on point on this, about -- I'll use an analogy that is very critical to the message I heard him say. And I use a sports analogy. If you follow professional basketball, you know LaBron James is a free agent. He's very much marketable and every NBA team in existence wants him. So we can sit here today using that analogy. Gee whiz, if we could get LaBron James, or if we could get the State to give us \$4 million in franchise fees, or if we get LOST, you know, we have ourselves something super. The problem is, and what I heard Commissioner Holmes saying, and I'm using the sports analogy, Mr. Drewry and I have to put players on the floor the 1st of July. We have to compete on the 1st of July, and we cannot have a budget that knowingly -- which I know it is not -- but is knowingly adopted with some assumption that we're going to get LaBron James. We need hard business decisions. And that right now is based on the best advice I can give you and Ms. Cramer can give you in all of our five-year forecast. We have a problem in the Special Service District. The first step was to remove this dry trash much-needed service and make it fee-driven. Now the choice before you at this point in your agenda is, how do you want to handle that fee? And we need that direction on the fee, please.

Chairman Liakakis said, you just got it.

Commissioner Farrell said, that's what I --

Chairman Liakakis said, he just got it.

Commissioner Kicklighter said, Mr. Chairman --

Chairman Liakakis said, wait a minute. He's next.

Commissioner Odell said, we can beat this horse to death. We can absolutely attempt to explain, then come back. The end results, it is what it is. This is a 2,000 year old problem, and the reason it's a 2,000 year old problem is that Russ is the Israelite and we're asking him to make bricks without straw. Russ is saying, we don't have the money. What you all are saying -- whatever you're saying. The long and short of it is, we've got a motion. I'd like to continue to listen to this and hear counterpoints and check, but I can't do that. I'm going to call for the question. We can vote it up or vote it down.

Chairman Liakakis said, all right the question has been called for.

County Attorney Hart said, was there a second to your motion?

Commissioner Farrell said, yeah, Helen seconded it.

Chairman Liakakis said, Helen seconded it. The question has been called for. Let's go on the board. Let's go on the board.

Commissioner Kicklighter said, they can cut, without losing a job, 421,000 on that one page.

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

Commissioner Kicklighter said, what's the -- okay, we're voting whether or not to do it?

Commissioner Thomas said, what are we voting on?

Chairman Liakakis said, we're going on what -- we're voting on Patrick Farrell's motion for -- to keep the fee just like it is and get the money out of the Waste fund --

Commissioner Farrell said, for this year.

Chairman Liakakis said, -- just for this year.

Commissioner Kicklighter said, if we need it.

Commissioner Farrell said, yeah, if we need it.

Commissioner Kicklighter said, we can produce cuts where we won't need it.

Chairman Liakakis said, all right, motion passes.

ACTION OF THE BOARD:

Motion was made by Commissioner Farrell to leave the dry trash pick up trash fee at \$43 for this year, and if there no other cuts can be made and if there is a shortfall, to use funds from the Solid Waste fund reserve to make up the difference for this fiscal year only. The motion was seconded by Commissioner Stone. Commissioners Stone, Farrell, and Kicklighter, and Chairman Liakakis voted yes; Commissioners Homes, Shay, and Thomas voted no. [Commissioner Gellatly was absent.]

AGENDA ITEM: VIII-1
AGENDA DATE: June 11, 2010

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Robert W. Drewry, Director of Public Works and Park Services
Linda B. Cramer, Finance Director

ISSUE: Provide the Board with options for the Curbside Dry Trash program.

Background: At the regular Board meeting on May 28, 2010, the Board tabled the proposed Solid Waste Service Fee increase in order to discuss options for the Curbside Dry Trash program at their next scheduled Board meeting.

The proposed fee increase is an opportunity to fund the Curbside Dry Trash program totally from fees in the FY 2011 budget, moving the funding away from ad valorem taxes. In Fiscal 2010 the current fee of \$43 per year per single family residential household was implemented. The current fee covers half of the service's cost. Funding for the remaining expenses was subsidized by the Special Service District (SSD) Fund and Solid Waste Fund in FY2010.

Facts and Findings:

1. The Solid Waste Management Fund is an Enterprise Fund which means the fund should be self sustaining. However, over the years the fund has been subsidized by the General Fund and Special Service District Fund.
2. The Fiscal 2010 budget proposed an \$85 annual solid waste service fee to cover the costs of the Curbside Dry Trash program. The Board adopted a \$43 fee. The SSD Fund and the Solid Waste Fund covered the funding shortfall. The Fiscal 2011 Recommended Budget seeks to restore the annual fee to \$85.
3. For Fiscal 2011, the total operating budget for providing a Curbside Dry Trash program is \$1,820,933.
4. The Curbside Dry Trash program includes weekly yard waste and a monthly bulky item collection. The curbside yard waste program yields on average approximately 330 tons per week. The bulky item collection yields approximately 113 tons per month on average. Bulky items are defined as any non-household garbage too large to fit into a standard roll cart. It includes such items as furniture, gardening items, "DIY" debris, bicycles, etc. These items are disposed into a landfill.
5. The Program utilizes compactor trucks to pick up the yard waste and bulky items. If waste is not picked up on a weekly schedule, it stays on the curb until the next collection period. Therefore, savings are not anticipated by changing from a weekly to a less frequent schedule for yard waste collections since the volume of collection is the same.
6. The following are options for Board consideration:

Option #1: "Living with the current \$43 per year per household fee":

The \$43 per year per single family residential household fee represents only half of the total operating cost of the service. Assuming the fee remained and there were no subsidies to the program, the program would only be funded at 50% level. This option would result in the following the impacts:

- Staff would have to develop a program that utilizes half the labor and equipment to pick up the same volume of yard waste from the curb.
- Curbside collection of bulky items would be discontinued.
- Staff layoffs for six (6) employees. Staff would make every effort to relocate these employees within the organization. However, shifting them to an equivalent position within Public Works (of which there are currently two vacancies) will violate the current imposed hiring freeze in the SSD Fund.
- 4 trash compactors and a pick up truck would remain idle in inventory unless the Board took action to declare them surplus for salvage.
- Unincorporated single family residents would be responsible for discarding their bulky items (items too large for their household garbage roll carts such as appliances, furniture, "DIY" debris, etc.). The Drop Off Centers would remain open for residents to haul their bulk waste to one of the centers. Some residents could choose to pay a private hauler to discard the material. Yet, others may choose to illegally dump their waste.
- An increase in unemployment insurance costs.
- Inability to effectively and efficiently respond to remove debris following a wind storm event.

Staff does not recommend this option because it does nothing to reduce the volume of yard waste left at the curb. The County would be tasked to pick up the same volume of yard waste with only half the resources. Crews pick up on average 330 tons per week of yard waste. If this service was reduced to a bi-weekly service staff could assume that there will be 660 tons of yard waste to pick up with half the labor and equipment. It is staff's opinion this could not work.

Option #2: "Bleeding" the Solid Waste Fund's reserves to fund operations (note: this option is contingent on an opinion from the County Attorney's office regarding permissible uses of restricted net assets)

The Solid Waste Management fund has a restricted net asset/reserve balance of \$3.5 million accumulated primarily from the \$1/ton surcharge on disposal fees from private landfills. Staff has requested guidance from the County Attorney's office on the permissible use of these funds. Since the 1990's, the funds have been restricted for education and recycling programs. However, it appears that State law will not allow their use for solid waste management activities which would include the Curbside Dry Trash program (this needs to be confirmed by the County Attorney's office).

When the use of reserve funds is contemplated, a corresponding policy should be developed on how the reserves would be replaced. Staff would only recommend using these reserves if the Board agrees to a corresponding replacement program. This would include a fee increase of \$15 per year for the next three years in the annual solid waste service fee (\$58 in FY2011, \$73 in FY2012 and \$88 in FY2013). This would allow the Solid Waste Fund to remain healthy enough to provide emergency response to the County's unincorporated area (see memo dated May 27, 2010 from the Director of Public Works and Park Services attached).

The Board could chose to leave the solid waste service fee at \$43 annually and bleed the fund's reserve accounts. In this case, it is projected that the reserve funds would be depleted by 2013 based on the FY2011 budget proposal and CIP plan. At that time the seated Board of Commissioners would be forced to revisit the very questions now under discussion.

Staff cautions against using reserve funds for recurring operational costs for the following reasons:

- Use of these funds without a replacement strategy violates good fiscal policy. Recurring expenses should be paid for with recurring revenues. The Commissioners should look past the quick "one year" budget fix to determine the longer-term impact of any action taken.
- Cash reserves are required by the State as a financial assurance against an environmental clean up at any one of the County's five closed landfills.
- Unless there is a plan to replace the funds used, the reserve funds will eventually be depleted, forcing hard decisions on future Board of Commissioners.
- Cash reserves are needed to fund expenses from a catastrophic event such as a hurricane (see memo dated May 27, 2010 from the Director of Public Works and Park Services).

Option #3: Stopping the service and eliminating the current \$43 fee

This option would result in the following the impact:

- Discontinuation of the weekly curbside yard waste collection service and the monthly bulky collection service effective July 1, 2010.
- Layoff of 13 full time positions that include Equipment Operators, an Administrative Assistant, and two members of the Management Staff.
- 9 trash compactor trucks, a self loading knuckle boom truck, and 2 pick up trucks would remain in inventory but idle for 12 months unless the Board took action to declare the equipment surplus for salvage.
- Unincorporated single family residents would have few options to discard both yard waste and bulky items (items too large for their household garbage roll carts such as appliances, furniture, DIY" debris, etc.) The Drop Off Centers would remain open for residents to haul their bulk waste to one of the centers. Some residents could choose for their lawn care service provider to discard the material but they will charge a fee. Yet, others may choose to illegally dump their waste.
- An increase in unemployment costs.
- The loss of labor and equipment in Solid Waste with the current hiring freeze in Public Works will significantly reduce the County's ability to respond to clean up efforts following a wind storm event.

Option #4: Offer an annual subscription based serve to the unincorporated residents eliminating the current \$43 fee

This option would allow unincorporated residents to pay an annual subscription fee for curbside dry trash collection. In developing this option, consideration should be given to the following:

- The annual fee would be totally dependent upon the number of subscriptions. The volume of dry trash would be an unknown at least until the end of the first year. For example, based on staff's calculations, if 25% of the unincorporated residents subscribed for the service, the cost (at least for the first year) to the resident could be approximately \$380 per year or \$31 per month.
- Use of the Solid Waste fund reserves would be needed to balance the operating expenses until the subscription rate could equal the actual costs of providing the service divided by the number of subscribers.
- Routine subscription service would cease in order to allow staff to cleanup of a storm related event.
- The cost per household to provide the service would be greater than the proposed Solid Waste Fee and the service would not be available to residents unless they are subscribers.

Option #5: Board adopt the \$85 per year Solid Waste fee for each single family residential household

This option would resume the Curbside Dry Trash program as it currently works, making the service available to each single family residential household in the unincorporated County.

Funding: Staff is asking the Board to consider adopting the \$85 per single family residential household Solid Waste Fee to fund the \$1.8 million Curbside Dry Trash program.

Policy Statement: Board action is required to adopt fees and direct staff on the provision of services to its residents. Adopted financial policies state that recurring expenses should be paid for with recurring revenues.

Alternatives:

1. Board approval of Option #5 in the Facts and Findings as shown.
2. Board provides staff with other direction.

Recommendations: Board approval of Alternative #1

All Districts

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

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

AGENDA ITEM: VIII-1
AGENDA DATE: June 11, 2010

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Robert W. Drewry, Director of Public Works and Park Services
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 fee 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 wording 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 the 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 on May 28, 2010.
2. Provide the Finance Department with other guidance.

RECOMMENDATION:

That the Board follow Alternative 1.

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Chairman Liakakis said, and what we're doing right now, we're recessing, because this Board made an agreement here a few months ago that when it gets to 12 Noon that we would recess, and it'll take us about fifteen to twenty minutes and we'll be back in session.

The Commission recessed at 12:15 p.m., and reconvened at 12:45 p.m.

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County Manager Abolt said, when you reconvene, we still have the second half of that tabled item on Revenue Ordinance, having to do with the land disturbing activity changes.

Chairman Liakakis said, yes. Go ahead.

County Manager Abolt said, you have to reconvene the meeting.

Chairman Liakakis said, yeah, we're reconvened now.

County Manager Abolt said, okay, Mr. Chairman, Dr. Thomas, Commissioner Stone, Gentlemen, the second half of the items on the Revenue Ordinance that were tabled had to do with what we refer to as the Land Disturbing Activity Ordinance. Again, I believe it was Commissioner Farrell who wanted to make sure that we communicated this to the Homebuilders Association. I have Mr. Bungard in the audience. We did give you a Staff Report in your agenda, which essentially says that meeting did take place. They did, in effect, understand it. They asked for some things to look over the next twelve months, which we'll do, but I'll turn to Mr. Bungard if you'd like specific questions. And Ms. Cooler.

Mr. Bungard said, I think you all know Ms. Cooler. She actually attended the meeting with the Homebuilders. The changes, they understood. Our intent here also, by the way, is that those changes be revenue neutral. Over the course of the year, we've been taking a look at certain permitting actions which did seem a little bit high for the nature. Case in point, Commissioner Farrell, was Bethesda. So we attempted to come up with a scheme where basically we'd simply reduce -- not simply -- we reduced --

County Manager Abolt said, no scheme. No scheme.

Mr. Bungard said, no scheme. We reduced the base fee for some of those activities where the -- both the plan review and the enforcement would not be quite that much, and then increased the price per acre moderately. But in the end, it -- we can't say that there's a trend in permitting, so -- but the intent is that those changes still be revenue neutral in terms of balancing the LDA budget. They requested that a minor change be made, recognizing instead of acreage, disturbed acreage, and one other small change like that.

Chairman Liakakis said, pull the other microphone up with you there, too. Thank you.

Commissioner Farrell said, so it's priced on a per -- like if it's a 20-acre site, but they're only going to disturb 13 acres, you're going to -- per acre is on the disturbed site. Is that what I'm hearing? Okay.

Mr. Bungard said, correct.

Chairman Liakakis said, okay, any other question for the engineer? Any other questions?

Commissioner Farrell said, I make a motion to pass that, with the caveat that you're going to look at the suggestion from the previous meeting with the homebuilders and developers. Commissioner Shay said, second.

Chairman Liakakis said, okay, we have a motion on the floor and a second about the engineering fees. Let's go on the board.

ACTION OF THE BOARD:

Motion made by Commissioner Farrell to approve changes to Article R (Engineering Fees) was seconded by Commissioner Shay. The motion passed unanimously. [Commissioner Kicklighter was not present. Commissioner Gellatly was absent.]

County Manager Abolt said, thank you, Ladies and Gentlemen. You've now adopted the Revenue Ordinance, upon which we can make sure that the budget is in line with your direction.

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Chairman Liakakis said, I want to mention two things quickly right now. I don't know if you had an opportunity to read the legislation that was passed that came from ACCG that was sent to all of the Commissioners, but one of those in there that stated that the lock funding will no longer be in existence shortly, and there will be another distribution formula that will be implemented, and so that's a situation that we're going to have to face, because there could be a reduction to us in our county and could be a considerable amount. If you haven't read that, you need to look at it. The other thing, I sent a note to all the Commissioners also, that the -- I requested the Executive Director and the President of the ACCG, the Association of the County Commissioners for the State of Georgia, for them to be here at our next meeting. They have agreed. The reason for that request to them is for them to support us with legislation for the franchise fees not to be distributed to the cities, but the six counties that have franchise -- you know, that have the Special Service District, that that monies be distributed to the counties where it should be. That money should not go to the cities, and there's no justification where the franchise fees should go to the cities. It's collected from the people, the taxpayers in the unincorporated area, and that's where it should be, because that would really help us in the budget in the unincorporated and the SSD district, because what happens is, that \$4 million that's going to the cities will come in and balance and give us a good status in the SSD budget.

Commissioner Farrell said, and the caveat is going to be that it only applies to counties that have an additional special millage rate just for those unincorporated areas. Is that right?

Chairman Liakakis said, right, yeah.

Commissioner Stone said, perfect.

Commissioner Farrell said, so that differentiates it from being state-wide down to approximately six counties.

Commissioner Stone said, that's good.

Chairman Liakakis said, it's just going to be the six counties, is what it is, and that's why I'm bringing them here, and they have agreed to come and be at our next County Commission meeting.

Commissioner Farrell said, that's the kind of major legislation that can do wonders for our train wreck.

Commissioner Stone said, that's right.

Chairman Liakakis said, okay, next item.

IX. ITEMS FOR *INDIVIDUAL* ACTION

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

1. **To request approval of the following budget amendments and transfers: (1) increase revenues and expenditures in the General Fund M&O \$66,930 for the Counter Narcotics Team overtime reimbursement, (2) transfer \$ 24,500 from operating line items to overtime and temporary salaries in the General Fund M&O Bridges department, (3) increase revenues and expenditures in the General Fund M&O \$50,000 for Probate Court Filing Fees.**

ACTION OF THE BOARD:

Commissioner Stone made a motion to approve the budget amendments and transfers listed above. The motion was seconded by Commissioner Thomas and the motion passed unanimously. [Commissioner Kicklighter was not present. Commissioner Gellatly was absent.]

AGENDA ITEM: IX-1
AGENDA DATE: June 11, 2010

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

ISSUE: To request approval of the following budget amendments and transfers: (1) increase revenues and expenditures in the General Fund M&O \$66,930 for the Counter Narcotics Team overtime reimbursement, (2) transfer \$24,500 from operating line items to overtime and temporary salaries in the General Fund M&O Bridges department, (3) increase revenues and expenditures in the General Fund M&O \$50,000 for Probate Court filing fees.

FACTS AND FINDINGS:

1. The Counter Narcotics Team is reimbursed by the DEA for some of its overtime expenditures. The year to date amount exceeds the budgeted revenue. The attached resolution increases revenues and expenditures \$77,930 to bring the budget in line with actual revenue received. The funds will be appropriated to offset the overtime paid to the agents.
2. The Public Works and Parks Services Director has requested a transfer within the Bridges budget to cover expenditures for overtime and temporary personnel salaries. A staff report is attached.
3. The Probate Court collects filing fees that are passed on to other agencies. The year to date collections have exceeded budget. The attached resolution increases revenues and expenditures \$50,000 to bring the budget in line with actual revenue received.

FUNDING: The budget amendments will establish funding in the General Fund M&O. Funds are available in the Bridges budget for the transfers.

ALTERNATIVES:

- (1) That the Board approve the following:

GENERAL FUND M&O

- a) increase revenues and expenditures \$66,930 for the Counter Narcotics Team overtime reimbursement,
 - b) transfer \$24,500 from operating line items to overtime and temporary salaries in the Bridges department,
 - c) increase revenues and expenditures \$50,000 for Probate Court Filing Fees.
- (2) Amend or deny that request.

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

RECOMMENDATION: That the Board approve Alternative 1.

Prepared by: Read DeHaven

AGENDA ITEM: IX-1 (attachment)
AGENDA DATE: June 11, 2010

TO: Linda Cramer, Finance Director

FROM: Robert W. Drewry, Public Works Director

Issue:

Request Board for transfer of operating funds in Bridges (Fund 1004230) to Temporary Personnel Salaries and Overtime.

Background:

During the last several months, Bridges has experienced a succession of personnel issues from an unexpected retirement and an unanticipated long-term military deployment to an extended illness that created the need to use extensive overtime and also to use temporary staffing from the HR temporary labor pool in order to provide necessary staffing for the required 24 hour operations of the bridges.

The one vacancy created by the retirement is being advertised and will be filled within the next month; however, the use of overtime and the need for temporary labor to provide the operational coverage remains. With the exception of the Superintendent and Assistant Superintendent, normal staffing levels for the Bridges Section are just sufficient to cover all shifts with no overlap for emergency or extenuating circumstances. Thus, if more than one staff member is ill or takes vacation, use of overtime is necessary.

Facts and Findings:

1. Chatham County has 24 hour operation needs for two bridges.
2. Normal staffing levels are sufficient to cover just the routine operation needs. If emergencies or unpredictable extenuating circumstances occur such as illness or vacation, the need for overtime and/or an additional temporary labor pool is needed
3. There is funding available within the operational accounts to cover the overtime and temporary salary needed to ensure proper coverage of all shifts at the bridges
4. Board approval is needed to transfer operating account funds to salary account funds.
5. The request is to transfer \$16,500 from Object Code 52.22001 Repairs and Maintenance to Object Code 51.13001 Regular Employee Overtime, and \$8,000 from the Object Code 42.22001 Repairs and Maintenance to Object Code 51.12001 Temporary Employees.

Funding:

Funding is available in Bridges to provide both the overtime and temporary personnel staffing.

Policy Statement:

The provision of 24 hour staffing at the two bridges provides a vital transportation link in the community and as such funding the appropriate staffing is critical to ensuring the necessary 24

Alternatives:

- (1) Approve the request.
- (2) Provide Staff with other direction.

Recommendation:

That the Board recommend and Adopt Alternative No. 1.
Prepared by: Virginia Lamb

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2. Budget options for the General Fund and the Special Service District Fund based on preliminary tax digest information.

Chairman Liakakis said, Russ?

County Manager Abolt said, Mr. Chairman, Dr. Thomas, Commissioner Stone, this is to get you prepared for two weeks from now, when you'll be asked to adopt the budget in final form. As you know, we now have the digest numbers in hand from Ms. Snider. Ms. Cramer and I have crafted a recommendation that will deal with the first time ever deterioration of digest numbers. And as we do this, we want to take you through both the M&O and the SSD budgets, which are the point of concern at this juncture. We've given you an awful lot of paper in the intervening days, but I would like to focus, with your permission, just on the Staff Report, which acknowledges the problems that we're having and, more importantly, how we plan to correct it. It is in typical Staff Report form as my memo to you. It's entitled "To Recommend Budget Options," as the Chairman read.

As I begin the specifics of it, I do want to thank you first for creating an atmosphere in which we have the full participation and understanding of elected officials, constitutional officers, and department heads. When the numbers came in, the Board was the first to know in my Staff Report. At the same time, we did offer copies of this to the constitutional officers, elected officials, and department heads, plus we worked with certain departments on some line item adjustments. To a department, each one of those individuals have cooperated. There have been some minor requests for adjustments, which we can make very easily, but I am very proud of this organization. I am very proud of you, because you create an atmosphere and a commitment of hope, even in difficult times, and you left those in the position of having to be the recipient of those dollars giving them, starting the 1st of July, realizing it was done with their participation in advance, and that means everything.

Now, with that as the beginning, we do have the numbers and, as you know, those numbers are down. We're down \$3.6 million beyond what I'd estimated when applied budget for M&O and \$366,500 in SSD. And as referenced a few hours ago relative to what could happen based on our conversations with Ms. Snider and others, it may very well be that this could worsen, based on appeals and the normal progression of dealing with revaluations and what-have-you in the months ahead. Those numbers and impacts would not be in hand until sometime in the fall of the year. So the strategy that we have in front of you deals with an imbalance in my spending plan for M&O of \$3.6 million and an imbalance in SSD for approximately \$367,000. And we are in balance. And we're in balance in the M&O based on a series of cuts, and they are -- I want to use the right words on this -- to make sure, without getting into specifics, unless you wish, we are cutting reoccurring expenses with two exceptions. And where we move from that is, we are dealing with discretionary choices that you can make this year and not have to make a following year.

The significance of that is, because of the tax increase you voted in a number of years ago, the M&O budget is not in the best of shape, but it's in very good shape to deal with the problems the community is now facing. So we're able to address and not continue a problem that would say, okay, we'll solve this based on using non-reoccurring expenditures and we'll cut those. And by doing that, obviously, if they're not -- they're non-reoccurring revenues, excuse me. If the revenues are not there a year from now, then we've got a problem. So Ms. Cramer and her staff and myself, we've come up with a plan in the M&O where you've got maximum discretion, given what we know right now about the condition of the digest. So I feel as your professional manager that you can adopt the M&O budget and not worsen a year from now the type of decisions we're going to have to make, and allow time for those departments I just complimented to come back with the reality of whatever the budget numbers are a year from now. But we are, based on a complex strategy, but a somewhat involved strategy, able to say you can find the \$3.6 million and do it in the main by using cuts in reoccurring expenditures. If you'd like, Ms. Cramer can go over that in detail.

Obviously, this is in stark comparison to the issue involving the Special Service District, and yes, it did deteriorate 366,000, and in a budget the size of the M&O, that's no big whoop in the budget that we've had, that I've used the analogy of a train wreck. That creates more than whoop; it creates a problem because we're about tapped out. We are using resources that are non-reoccurring by referring to either this past -- the current year's contingency and a little bit more of our savings, which initially amounted to about \$1.4 million and we're upping that to reflect this additional hit in revenue loss, and then, as Commissioner Kicklighter referenced, I've talked to Chief Lovett, I've asked for a reduction of \$200,000 in the SSD budget for police. Now, what does this mean? It means last year, I cut the police department budget -- my recommendation, which you approved -- cut the police department budget 600 and some thousand dollars, and that was implemented the first of the calendar year. And the adjustments were made and we did just fine. In fact, as you know, we have had returned to us 750 or more thousand dollars based on the fact that it was not spent during the past calendar year.

But in this particular year, as we entered it, Chief Lovett said in his request he would like to have 475,000 approximately in additional revenue, not restoring the 600,000, only 475, and so I said we'd do that. And my budget was balanced based on that expenditure. When the digest came in at the level it did, I cut 200,000 from the 475,000 increase. And also with the same strategy, the Chairman and I have found, I think very sensitive to our relationship with our partner in the MPD, that wouldn't go into effect until the 1st of January, because the City of Savannah, as you know, is on a calendar year, and that would allow, then, the full impact of this to be worked out by the police policy committee, of which the Chairman, the Mayor, the City Manager, and I are party. And again, \$200,000 in a \$14 million budget is not going to be of great consequence, in my opinion. That's the option. And that, obviously, you can adopt and say, okay, we get by another year.

I have taken another strategy, though, and this is to gain, I guess, focus and attention beyond this Board, because this Board is well aware of this train wreck we have in the SSD. So I said for the purpose of stanching what bleeding we have now based on the digest deterioration, I'm suggesting a .9 mil or .09 mil, nine cents per thousand of taxable value, tax increase, which would yield \$370,000 approximately, and avoid the cuts in the police department and avoid taking any more money out of our reserve. That does not solve the SSD problem, but I do it because I realize in trying to get, you know, the general public to understand how bad the problem is, I want them to realize we're at the point at which a tax increase is our only option, given this expenditure plan. That's why. And again, you can adopt both budgets and you can do so with the understanding in M&O we're okay there. Our problems are not going to be aggravated based on what we now know about revenues a year from now, because we're cutting reoccurring expenditure on SSD. Obviously, the problem worsens, and to get everybody's attention, I am saying increase the SSD tax by nine cents per thousand of taxable value. And as I mentioned yesterday when I was talking to the editorial people at the paper -- and I'm not shopping this -- this is nine cents per thousand of taxable value, and I initially just figured that'd be \$3.60 per home valued at \$100,000. Ms. Cramer corrected me this morning -- how much is it?

Ms. Cramer said, 2.52.

County Manager Abolt said, \$2.52 a year for that situation, of increasing the tax by that amount. But it only -- it yields just \$370,000. Now, and then, looking at the challenges that we're faced by the sister organization down the street, the School Board has passed a budget that will have an increase in taxes that equates to 72, 73 cents per thousand of taxable value. And I'm not criticizing it. I'm trying to put in the context of the predicament that governments locally face for a lot of reason, by and large, economic; also because of actions by the State Legislature in artificially leveling the digest. And this is the first time ever, Ladies and Gentlemen, that I've had this experience, where we've had a negative digest. No one, to my memory, has ever thought of a digest not growing. In fact, you might remember in years gone by, and your predecessors said, by golly, we'll live on the growth in the digest. But for the first time, it has not grown.

Chairman Liakakis said, Patrick?

Commissioner Shay said, every year, it seems to me at about this time, we always have hearings about adopting the millage rate, and those are related to our budget deliberations, but they're actually separate meetings. In all those years since they started making us calculate to roll back millage rate, we've always had an increased digest or, as in last year, maybe a flat digest. This year, with our decrease in the overall digest, does that not mean that if we adopt the millage roll-back rate, that it will be more than the year before? So if we did what the law asked us to do, it would actually be -- it would be encouraging us or making us disclose that if we adopt the roll-back rate, that it would actually be higher than the year before?

Ms. Cramer said, yes, that's true. You would have a higher millage rate in the general fund and the SSD if you adopt the roll-back rate, which is really a roll-up rate in a negative year. You could technically adopt this millage rate or roll-back rate without any public hearings under Georgia law, because you're adopting the roll-back rate.

Commissioner Kicklighter said, sweet.

County Attorney Hart said, and when they were doing this, they didn't contemplate that when you did the formula, it would come out to a negative number.

Commissioner Shay said, and nobody ever did, because even though we were able to increase the amount of services we were providing during the years when we had very, very robust growth, nobody, especially banks, ever thought that the value of real estate in Chatham County would decrease from year over year. I just put that out there. I mean, if we adopted the roll-back millage rate right now, we would not have to have public hearings. We would be doing exactly what the State Legislature intended for us to do when they adopted the program, and we would have -- although some more revenue -- probably a bunch of angry taxpayers, wouldn't we? Because their tax bills would go up. But I mean, I just point that out, that the time for us to be real, as Commissioner Holmes implored us today, would allow for some of this to take place.

Chairman Liakakis said, and we saw the announcement in the paper, too, that was in the favor of the County, where it said zero, zero, zero. Okay, then, we need a --

Commissioner Kicklighter said, let me ask a question. Why do we -- why do we have -- why are we doing this now instead of when the budget's here?

County Manager Abolt said, well, you're doing -- you're in the process of leading up to a vote on the 26th. Commissioner Odell mentioned at your last meeting to make sure the agenda for today's date was light so you could deal with the issue of what would be known between that meeting and today, namely, the digest. As of last Monday, or Friday the previous week, a week ago, we knew the digest numbers, so this is all relative to the digest numbers, and this is our plan for you all to use when you adopt the budget two weeks hence.

Commissioner Kicklighter said, so what are we accepting? I mean, what are -- you know what I'm saying? You presented two options, one --

County Manager Abolt said, yes, sir, let me -- this is unusual again, because the digest numbers affect directly the budget. In years gone by, when the digest was robust, to use Commissioner Shay's term, you had a wish list and, rather than taking away, you looked at adding back when you adopted the budget. Now, you're put in a position of taking away, so Staff wants to put you in -- so two weeks from today, you can adopt the budget. I'll make the plea now and I'll make it again, hopefully even stronger, in my estimation, it's imperative for you to adopt the budget in two weeks. Any time you delay, which you have never done adopting the budget before the next fiscal year starts, problems occur. We can't start the audit. And everything fiscally that we use as the bellwether for how we're progressing is delayed, and that's bad.

Commissioner Kicklighter said, so what are you recommending to us? That we approve Option 1?

County Manager Abolt said, I'm recommending --

Commissioner Kicklighter said, or Option 2?

County Manager Abolt said, I'm recommending you approve the Option 1 for the M&O, which, in effect, is the -- okay, in the -- I apologize. I don't want to get tripped up in the -- in the M&O, I'm recommending you adopt the adjustments that Ms. Cramer and I have made. In the SSD, to get the attention of the community, my recommendation is to adjust the millage nine cents per thousand of taxable value. You do have the option, if you don't agree with that, to say, no, we can get by one more year without it, but my intent in the nine cents, which is very trivial, is to fire a shot across the bow of the community to realize how bad things are getting. And some might say with tongue in cheek, and some of you follow the entertainment world, concern for the Mayan Calendar, that 2012 the world's going to come to an end? Well, I think we're following the Mayan Calendar in the SSD.

Commissioner Kicklighter said, so M&O is your -- you've stated, then, that's Option 2, make the cuts that you recommended in Option 2.

County Manager Abolt said, make the cuts in M&O.

Commissioner Kicklighter said, SSD, you're recommending Option 1, which is the increase.

County Manager Abolt said, the increase. But again, you don't have to do that; you can do the other. I think we've identified all the choices you might have so it would not preclude adoption of a budget two weeks hence.

Commissioner Kicklighter said, but whatever is done today, like if we approve Option 2 on the M&O --

Commissioner Shay said, we're not going to vote on anything today.

Commissioner Stone said, we're not voting today.

Commissioner Kicklighter said, oh, there's no vote; you just presented two options.

County Manager Abolt said, I understand the confusion. Let me explain. Remember, we talked about let's have some workshops with the Board, and so you had your one budget workshop. And then the issue was well, we really don't want a second workshop. Let's keep the agenda light for today and go through it. So this is kind of a formal workshop, but I'm giving you --

Commissioner Kicklighter said, okay, so there's no votes. You just presented us with two options to consider for the next meeting.

County Manager Abolt said, yes, sir. And you can adopt the --

Commissioner Kicklighter said, good. That makes sense. I thought that you all were seeking a vote today to incorporate one way or the other into the budget, and, to me, that would be kind of approving the budget, so that's why I was asking.

County Manager Abolt said, it's a process.

Chairman Liakakis said, Patrick Farrell.

Commissioner Farrell said, thank you. All right, this recommended budget that you're recommending today for the M&O, does this include interfund loan --

County Manager Abolt said, yes.

Commissioner Farrell said, -- proceeds in -- okay.

County Manager Abolt said, yes, sir. And I want Ms. Cramer to explain this to you, because I can see where there's going to be a point of confusion. In fact, with your permission, we want to answer all your questions, but if she could just take a moment to explain in detail the strategy in M&O, which is a little bit arcane, but it's very creative and very good. Go ahead, Linda.

Commissioner Kicklighter said, and I'll state it worked well in the past when we were in worse financial shape than we are now. It worked well to borrow from that account.

County Manager Abolt said, well, but even then, I want to explain what she's doing. I mean, this is really great.

Ms. Cramer said, well, basically in the general fund in our next fiscal year, we have debt service currently of about \$5.5 million for Fiscal 2011. When we looked -- and then subsequently, in 2012, that number drops off to \$2.7 million. So we felt like there was an opportunity there to do something recurring, so we did a little intercounty debt service financing. We had about \$20 million in cash in the CIP Fund right now. That is money that we've moved over there for projects that were waiting on, either projects to be approved or just waiting on projects to get started. So we thought, well, hey, let's borrow a little money, a little revenue, from the CIP Fund of about \$1.8 million and pay that back in the next two years, which is 2012 and 2013. That way, we get a little bit more revenue into the general fund for Fiscal 2011, which would cut, you know, how much -- how many other reductions we had to have, and we'd be adding a little bit of debt service back in 2012 and 2013, but you'd still have a substantial decrease in your debt service from the next fiscal year. I know one thing we've looked at in our long-term forecast is how that drop in the debt service could help us fund and pay for detention center operating expenses when that detention center comes on line. So I think if we -- if we applied a little bit of additional debt service in, in 2012, 2013, it won't jeopardize any of our long-term financial planning. I think it, you know, would just help us out this year. We'll pay CIP a little bit of money for use of those funds.

Commissioner Farrell said, does that -- does that include the assumption that next year is going to be better or the same or what?

Ms. Cramer said, no, actually, you know, under that scenario, even if next year is worse, we still have lower debt service next year and 2012, I'm talking -- in 2012. When we're sitting here a year from now, our budget would be lower in debt service than it is now, so it's not really -- I don't consider this recurring just because that debt service is --

Commissioner Kicklighter said, it's 450,000 savings per year. Right? 900,000 over two years?

Ms. Cramer said, well, 900 a year to the debt service in 2012 and 2013.

Commissioner Kicklighter said, so we're saving like 900 or 450,000 a year?

Ms. Cramer said, well, you're just -- you're just really deferring that debt service cost from this year and you're pushing it out two more years, so it's kinda like you're extending your loan a little bit, without having to go out into the market to do it. We're just doing it ourselves.

Commissioner Kicklighter said, so we're not paying the loan off in two years, is what --

Ms. Cramer said, yeah, it'd be paid off by 2013. It would be paid -- yeah, it is paid off in the next two years.

Commissioner Kicklighter said, so it saves a total of 900,000 over two years?

Ms. Cramer said, it gives us the cash flow option, yeah. We still have to pay it.

Commissioner Kicklighter said, okay, so 450,000 a year savings there.

Ms. Cramer said, right.

County Manager Abolt said, it's slick, plus the savings.

Commissioner Farrell said, well, I've got a couple questions. You know, we were -- at the end of this month will be the end of an era where we have increasing tax digests for -- in my estimation, for a number of years. With the state moratorium on assessment increases, with the state of the economy, with the possibility that some of our tax digest may go to the Federal Government when or if any of our banks should fail, they all come off the tax digest, we're looking at the first repercussion with this 3% tax digest fall. We've already been forewarned that it could, before the end of this next 12-month fiscal year period, it could fall another 2 to 3% possibly through appeal process, because an inordinate amount of people have appealed. Then we get into 2012 and 2013, and I don't see economic conditions changing much. If anything, they'll probably continue on this pattern, and I'm a little leery of going to the CIP that we have built up from all these good years and, you know, taking money, a little bit this year, and perhaps we might need a little next year, or maybe a little bit more six months from now. We've come into a budget before where we've coughed up significant seven-digit sums of money to pick up some shortfalls. My concern is, over a period of years that our CIP, which, according to Ms. Cramer, is at \$20 million in M&O total right now, could erode over time and different projects -- we've got over -- nearly \$100 million worth of CIP projects in our five-year plan. 20 million will fund a fifth of them; 10 million would fund 10% of them; 5 million, 5%. And I'm afraid over time that we may come to a point where, you know, we're not adding to the CIP. I don't -- does this budget add anything to the CIP this year?

Commissioner Kicklighter said, it, by law, has to be paid back, if I remember right. Right?

County Manager Abolt said, correct.

Ms. Cramer said, right. The CIP Fund is where we have tax supported capital projects, you know, that you all do that every year you go in, and those projects -- you've approved project budgets for all the projects in that fund except for about \$6 million worth of money that is just idle in the fund right now, and that is the project budget list we gave you in the recommended budget back in April. So I'd say, you know, if you're looking at the 20 million as a hard number, 14 million of that is committed to other projects, and you've got 6 million left. We're just -- we're just borrowing idle cash in this interfund loan. It doesn't have anything to do with the project budgeting, in my mind. Of course, I think different. But the \$6 million that's left in the fund, we do have -- we did give you a project list in April of projects that the CIP committee had recommended for funding, and we do have, you know, in this Staff Report kind of a deferral plan on funding some of those projects, and I think this is what Commissioner Farrell is addressing, that, you know, we -- we were saying that maybe because we have this uncertainty on some of the tax collections and we won't -- we won't have any resolution on that for several months, that we might want to defer some of those projects for a few months.

During that time period, we could either come up with a further non-recurring cost reduction plan based on what we're seeing occur, or just use that as a strategy to get through the year. I think anytime you start talking about your capital program, of course, you get concerned about deferring maintenance. I know we had this discussion five years ago about all the maintenance that had not been done in the county. You're talking about deferring critical projects. I think in the funding plan we've put forward right now, which does fund a couple of the projects immediately, it does fund some of the critical projects that were identified. So I think -- what we're trying to do is come up with a solution for that first hard cut on the digest and then as we look going forward on the uncertainty, you know, we do need to come up with maybe some more strategies, but --

County Attorney Hart said, one thing that needs to be remembered when we do these interloan funds, we look for a source of repayment before we go out and do that, and this -- this money could be paid back very easily just over the next two years as a reduction in what your debt service is going to be next year. It's going to go from five to two and something. So you --

Commissioner Farrell said, is there any scenario where, if this goes forward, that this money doesn't -- this \$6 million doesn't come back to CIP? Is there any possible scenario where it gets used and, for some reason --

County Attorney Hart said, you all spend it somewhere else.

Commissioner Farrell said, in CIP --

County Attorney Hart said, but the point is, you're borrowing --

Commissioner Farrell said, -- in CIP or we spend it somewhere else in the budget?

County Attorney Hart said, yes.

Commissioner Farrell said, which one?

County Attorney Hart said, you spend it somewhere else in the budget.

Ms. Cramer said, but you would have to approve that.

Commissioner Farrell said, so it could disappear forever.

County Attorney Hart said, but you'd have to get that approved.

County Manager Abolt said, yeah, you'd have to approve it.

Ms. Cramer said, you would approve that.

Commissioner Farrell said, well, of course, we would. But it could --

Commissioner Kicklighter said, it has to be paid back to the CIP by loan --

County Attorney Hart said, we've got to have some way to pay it back.

Commissioner Kicklighter said, and then we would have to do an entirely new process to remove it again. In other words, it -- it -- that's what made it easier before is, we have to pay the CIP back.

Ms. Cramer said, the loan -- we would come to you at the next meeting with a Staff Report on the loan and approving the loan and the repayment, so that would be a documented action by the Board. The funding for the rest of the capital budget is also going to be a documented action by the Board. I mean, that \$6 million is there. What you want to use it for, if you want to pull some money back into the general fund, that would be something you would approve.

Commissioner Farrell said, okay, that is why earlier, I had asked our County Manager to put a proposal up there that left the CIP money alone and just balance the budget with -- with other funding, because my fear -- or my concern is that as each year goes by and we have a constantly eroding revenue source, which is what I just -- I anticipate for the near future, that it becomes more and more tempting to spend CIP money on things in the general fund budget, and then it disappears. And now, you know, this money that's here right now, I don't think -- does this money have any new money for CIP? This proposed budget? New funds? New money?

County Manager Abolt said, what you had was \$6 million --

Commissioner Farrell said, right.

County Manager Abolt said, -- that was recommended. And initially, we were going to use it, as you might remember --

Commissioner Farrell said, that's in this current budget.

County Manager Abolt said yeah. Yes, sir. But the issue --

Commissioner Farrell said, and we're good stewards of it and we haven't spent any of it all year.

County Manager Abolt said, let me go -- the issue was, Commissioner Shay was the one that led the charge, by golly, we need to have a stimulus package on our own, so we initially came to you, we advanced -- remember? We advanced the determination recommendation and there is \$6 million, we want to go and march with it. But then, because we're starting to get, you know, the bad vibes from the Assessor's office, so we -- even though we want to get \$6 million out in the economy, you know, let's preserve your options, so that's what -- but let me continue on -- on a thought, because I read in detail what you told me, several have written to me several times. It goes beyond CIP. If the sensings that Commissioner Farrell has described so well bear out, then, as I've said, it's time to have, in my opinion, a special Board goal session, as opposed to waiting until January, once we know how bad it might get -- worsen, I should say, to use the word, maybe in the Fall of the year after we hear from the Board of Assessors, Board of Equalization.

Then we'd come together and allow the maximum participation and feedback from your partners, the constitutional officers and elected officials, because we could fast find ourselves back in the day when we're getting push-back from those same elected officials because they were not being considered in what their needs are. And then, if we really want to get pessimistic, we layer on the fact that we're going to have a jail under construction come the fall of the year, and we know going into it, even in the best of times, we have to plan \$6 million more just to staff it. So I guess I don't want to call it a summit, that's an exaggeration and that's dramatic, but I would say that if it continues to worsen, that sometime in the fall of the year, you would have your budget goal session. You'd involve the departments. The staff would be prepared to give all the good stuff as far as what we know about it, and then we could begin a budget process. But this is a partnership that's worked very well under your leadership.

Commissioner Farrell said, well, going back to the CIP and anticipating more difficult times in the next one to three years, how -- what would a budget look like that just totally left this money alone and we didn't borrow it or anything right now, and took -- and made some of the hard decisions to -- you know, wherever those decisions have to be made, to balance the budget without -- with leaving the CIP money intact, because one year from now or two years from now, I'm just a little concerned that -- you know, that we're going to come up and say, well, we would like to build this or do that, well, we don't have any money, and we can't -- and we don't have any CIP money, because we spent it all in the general fund and it -- you know, it's here now and it's in this budget. I just hate transferring it and, you know, --

County Manager Abolt said, I agree. At that stage -- and I'm not trying to be flip -- at that stage, that'll be the situation you all inherited, when you had policy decisions made that were ill-advised and when -- I'll give you an example, and it's a parable. The Chairman and the windows in this courthouse. That's exactly what was deferred and deferred. And all the improvements that you've made in the recreation, all that was deferred, because everything was going into, in effect, overstating our ability to pay for things that we didn't have either the money for or, more importantly, we were doing nothing to maintain what we had, and you changed that around.

Commissioner Farrell said, and going off of that past performance, you know, what would a budget look like that preserved this CIP and just balanced it on -- without using that? What would that look like? And how -- is that possible? I mean, what would the ramifications be?

County Manager Abolt said, I think we've done it, but -- I'm not trying to be -- I believe we've done it, but let Ms. Cramer explain it. I thought we'd done that, but go ahead.

Ms. Cramer said, I think our budget proposal does do that. We still have the money in the CIP. We're just loaning a little bit over, okay? But that money is the CIP's money. It's going back into the CIP Fund. As far as the projects in the CIP Fund, the \$6 million of projects, yes, those projects will not be funded right away. Will they be funded in January? Possibly. You know, if we can develop -- and I think that it's kind of a trick on this budget, because we don't have a definite digest cut reduction to 5 or 6%, you know, it becomes kind of a dilemma of how much we should cut right away, until you get more information.

Commissioner Kicklighter said, may I, Mr. Chairman, please, on this? This is to bring back an old analogy. At this point in time on the Commission with the deficit we're facing, I see it kinda like we need to repair the roof right now from leaking, rather than thinking of building on, and that money you're talking about is the build-on money, and we can borrow from it and, you know, stop the roof from leaking and pay it back in two years and then, if we're in better financial shape, we build something else. But right now, we're in an emergency and it's very much similar to being able to borrow money from Mom, which will let you save 450,000 each year and pay her back in two years, or go to the bank and borrow it and have to pay 450,000 extra. But, either way, we have to pay it back, and it's really a brilliant way to help knock a little bit of the hardship off. And, again, it's not going to solve the problem, but the budget, to me, if I'm seeing the numbers right, without the loan would look like a \$450,000 increase for the next two years that would be there, that we can take away by just simply borrowing from Mama. So that's the -- I mean, you know, I understand and I respect what you're saying, but this is your first rendezvous with hard times up here, and it is hard to look at your constituents and say, we can't build that, we can't do this. I mean, but we're -- it's sad, but we've just got to get in cut mode and cut, and that's sad, but that's where we're at.

Chairman Liakakis said, Patrick?

Commissioner Farrell said, my concern is that this isn't a typical dip, that this is something that's a trend that's going to be with us for a while. It's not -- you know, if it was just a one or two year dip and it shot back up, you know, we'd probably, you know, weather the storm and move on. But, you know, this -- with state legislation and with a lot of foreclosures and a lot of banks that are in deep trouble in this area and all over the country, and with the general slump in the economy, you know, it could be a good while before that tax digest starts to going back to where we're sitting at right now in Fiscal Year 2010, so -- and that just gives me a little concern that -- that maybe we should start making some cuts or some -- you know, cuts in the budget, without -- you know, and still -- we can defer spending the money, but just kinda leave it there. But, anyway, I've said what I need to say.

Chairman Liakakis said, Pat?

Commissioner Shay said, Commissioner Farrell, I share your concern, and the reason I share your concern is, when I look at the activity that's on the horizon, this market that's identified in terms of development permits and building permits and the activity that we would normally look at and say, well, that's a precursor to more -- what I think of as organic -- growth in the digest. Not digest growth because we revalue things. It's not there. And as a matter of fact, it's way, way off. So I'm hopeful that there'll be a day when we look at that activity and say, boy, there are a lot of developers here and industrialists here that are looking and kicking the tires on doing major expansions and moving forward. I think we have maybe a few of those on the horizon. I'm not trying to present a gloom and doom picture. One of the things that I know would help us, not next year, or even 2010 -- or 2012, is, if we were aggressively working right now with the resources that we have to develop rules and guidelines that would attract those kind of development opportunities, and I know Tom Thompson is here, and they're going through the Uniform Zoning Ordinance process, the areas that are to be preserved, whether it's Isle of Hope or Wilmington Island, where there's already as much development as the people that live there are excited about, the Uniform Zoning Ordinance, I hope, is going to do more to protect them.

But in the areas that Commissioner Holmes and Commissioner Thomas and Commissioner Odell and Commissioner Shay represent, there are substantial opportunities for us to, instead of continuing to add weed killer, to add fertilizer to these areas, so that we can get the kind of growth in the urban area that we have seen over the past decade, or two decades, in the islands and the suburbs. It is possible, and I would encourage that, as we look at those rules and how they're promulgated over the next six months to a year, that we be very mindful of the fact that we have a lot of infrastructure that's in our county that's already built, roads, water, sewer, all that kind of stuff, that is very under-performing and under-utilized, because over the years we made rules that were really great for some areas, that were restricting development, but we applied them all across the board to other areas, mainly the areas that the four urban Commissioners represent, that have caused those to, in my view, become development deserts, so --

County Manager Abolt said, if I may, this is an epiphany, Ladies and Gentlemen. I've been doing this business for forty years, and there's always been the mindset somehow, you know, digests will grow and property tax will somehow -- even though I argued against it -- create enough money to continue on. Big developments never paid their way. But that aside, the mindset was, somehow government will get by on the growth in the digest. This is -- no better word -- it's an epiphany. In our lifetime, it's changed. Like never before. We have no point of reference on this at all, so we have to obviously take our strong points, which is the hope that you give the organization and the community to do it right, but, more importantly, to realize as we look at things, like Commissioner Shay has said so well, our value system -- no pun intended -- but the way in which we look at things has changed. It has changed with that digest.

Commissioner Shay said, and if we take a little bit of what we have left -- and we have a lot of resources here, and I tend to agree with Commissioner Farrell, as well, that we haven't looked at every possible cut yet that could be made in order to reduce the cost of our annual government, but if we look at buying some fertilizer and using that to help our digest grow again in the areas that are under performing, that that may very well be a way that we can sort of dig ourselves out of this eventually. It probably won't be -- we won't get invited back to the County Commission meeting four years from now, whoever's on that Board, and say, boy, you guys sure did good. But, you know, Dean, the work that we did to build roads and do a lot of things to stimulate the growth on the west side, I think it's time now for us to start looking at the urban area and seeing if we can't do some of the same kinds of things in different ways in the urban area.

Chairman Liakakis said, okay, we're not voting on this, so let's go on to the next item.

Commissioner Thomas said, Mr. Chairman?

Chairman Liakakis said, yes?

Commissioner Thomas said, before you go to that, I would like to have a statement.

Chairman Liakakis said, oh, okay.

Commissioner Thomas said, I've been holding my hand up for a lot of stuff, so at this point, I do want to make a statement. In reference to everything my colleagues have said, I am in agreement with you. The other thing that I think we need to be very, very cognizant of is the fact that we need to continue to stress or work towards getting the State to take care of its share of responsibility that have been placed on the -- you know, on the backs of the citizens of Chatham County in reference to the jail, you know, housing the prisoners and other unfunded mandates. I'm hoping that we will not stop working towards those things, because it has a great impact. And a lot of times, people do not understand why we aren't able to do certain things. It's because they don't know the greater impact that we're faced with, and there are things that we, as Commissioners, are not able to do because of those things. It's not that we haven't been trying, but it's because we have not had the total cooperation in all aspects. So we need to continue to work towards that, as well.

Commissioner Kicklighter said, can I just thank Staff for -- I think what you've presented as far as cuts were the least painful cuts I've ever felt, and thank you for that. And I want to agree with Commissioner Farrell by -- I think definitely before this comes up, because of the predicted possibility of the much lower revenues, I think we need to look at all the other areas and find a lot more cuts in addition to that, to save ourselves in the long run. But I think that was off to a very good start, and thank you.

County Manager Abolt said, I appreciate it. I appreciate that very much but, again, it's a team, and that team includes elected officials and constitutional officers.

AGENDA ITEM: IX-2
AGENDA DATE: June 11, 2010

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

ISSUE: To recommend budget options for the General Fund and the Special Service District Fund based on preliminary tax digest information.

BACKGROUND: In May 2010 the Board received the Fiscal 2011 Recommended Budget. The budget assumed a flat tax digest. On June 2, 2010 the Tax Assessor's Office provided information regarding the Tax Year 2010 digest which will make budget revisions necessary. Fiscal 2011 budget adoption is scheduled on June 25, 2010.

FACTS AND FINDINGS:

1. The Fiscal 2011 Recommended Budget assumed a flat tax digest in both the General Fund M&O and the Special Service District. The total expenditure budgets for the funds were \$150,518,535 and \$27,313,214 respectively.
2. On June 2, 2010 the Tax Assessor's Office provided the following information to the Finance Department which will represent the official tax digest for Chatham County:
 - a. General Fund Property Tax Digest – An overall decline of 3.02% is anticipated in the General Fund property tax digest. The revenue equivalent decrease is \$3,605,000.
 - b. Unincorporated Area Property Tax Digest – An overall decline of 2.36% is anticipated in the Special Service District Fund property tax digest. The revenue equivalent decrease is \$366,500.
3. The Tax Assessor's Office has asserted their belief that an unusual amount of property values will be appealed. The tax digest given to Finance does not make any allowance for the appealed values. Based on their assessment of the General Fund, the Tax Assessor's Office believes that the appeals process could further reduce digest values by 2.36% to an overall value decline of 5.38% (3.02% + 2.36%). The equivalent revenue decline for the appealed property values could be \$2.8 million. In the Special Service District further value reductions of 3.4% could occur for a total overall decline of 5.76% (2.36% + 3.4%). The additional revenue equivalent decline could be \$527,124. The deadline for taxpayer appeals is July 26, 2010

which is 45 days after change-of-value notices are mailed. The outcome of these appeals may not be known until early in calendar year 2011.

4. The Fiscal 2011 Recommended Budget will need to be amended to address the budget shortfalls from the property tax digest. Options to adjust to the property tax digest include:

a. Option 1: Maintain a tax base level with the prior year tax digest by adopting the rollback millage rate

The County could choose to keep its tax revenues level with the prior year tax digest. Under State law, adoption of the rollback millage rate as calculated by the Tax Assessor's Office allows for a level amount of property tax assessments. Adoption of the rollback millage rate would balance the General Fund and Special Service District Fund budgets back to the Fiscal 2011 Recommended Budget. The County's current millage rates and rollback rates are:

Millage Rate Information		
	Current Rate	Tax Year 2010 Rollback Rate
General Fund	10.537	10.952
Special Service District	3.475	3.566

b. Option 2: Reduce tax revenues to reflect lower property values and seek organizational cost reductions

To achieve a balanced budget, a combination of internal debt service restructuring and departmental cuts is proposed:

		Amount
General Fund Digest Tax Decrease	3.02%	\$ 3,605,000
Adjustments:		
Interfund Loan Proceeds - CIP		(1,781,303)
Interest Expense - Interfund Loan		8,907
Departmental Line Item Reductions		(1,832,604)
Remaining adjustments needed		\$ -
SSD Fund Digest Tax Decrease	2.36%	\$ 366,500
Adjustments:		
SCMPD reductions January 1, 2011		(200,000)
Fund balance (2010 contingency)		(166,500)
Remaining adjustments needed		\$ -

The adjustments include:

1. General Fund: Internal debt service restructuring will require board approval of an interfund loan from the CIP Fund to the General Fund of \$1,781,303. This loan will be used to assist in FY 2011 debt service payments for the DSA 2005 Series bond issue of \$3.8 million. The loan will be repaid during FY 2012 and FY 2013. Loan repayments will increase debt service during those two fiscal periods by approximately \$900,000 per year. The current and revised debt service is shown on the chart below:

General Fund Bonds & Leases Annual Debt Service Schedule

Fiscal Year	Total Debt Service	Additional Debt Service	Total Debt Service
	Current	Interfund Loan	Revised
2011	\$ 5,424,985	\$ 8,907	\$ 5,433,892
2012	\$ 2,708,181	\$ 908,010	\$ 3,616,191
2013	\$ 2,442,191	\$ 891,106	\$ 3,333,297

2. General Fund: Departmental cuts are projected to fill in the remaining budget gap in the General Fund. Travel and training budgets will be reduced by 10%. Requested

capital items of \$565,000 will be cut. On June 25, 2010 staff will request use of 2010 contingency to set up a CIP project to fund the 2011 capital budget requests. In addition, various department line items will be reduced by over \$1.1 million.

3. Special Service District: Since the SSD Fund already has a structural deficit (the fund is drawing down reserves since its expenditures exceed revenues annually), the fund has few options to balance. The SCMPD budget will be reduced \$200,000 with the cuts effective January 1, 2011. The remaining 2010 contingency balances of \$121,960 and fund balance appropriations will make up the remaining 2011 budget gap.
4. The County is required to advertise its public hearings on the millage rate and its intent to levy property tax. To preserve Option 1, advertisements have been sent to the *Savannah Morning News* for publication on June 10, 2010 stating that there will be no increase in the taxes for the General Fund, Special Service District or Chatham Area Transit. Public hearings on the County's millage rate are scheduled for June 22, 2010 and July 9, 2010.
5. Due to the length of the appeals process, the additional revenue shortfalls that the Tax Assessor has discussed are not yet firm numbers. It is recommended that the Board defer approval on the following CIP projects until January 2011 when more information will be available. At that time the annual external audit will be complete and the appeals process further along.

CIP Projects Recommended for Deferral

Judicial Courthouse elevator modernization	\$	519,000
McCorkle Bikeway Repairs		175,000
Islands Library Branch		1,247,000
Fleet Replacement - General M&O		453,500

It is recommended that the following CIP projects be funded from fiscal 2010 General Fund contingency. This recommendation will officially be made on the June 25, 2010 agenda:

SCMPD Fleet, M&O	\$	103,743
ICS Digital Radio Equipment - year 3 - completes project		200,000
Golden Sports Complex renovations, 2nd year - continuation		115,500

As a result of these actions, there will only be two projects recommended for adoption by the Board for the fiscal 2011 CIP Fund budget on June 25, 2010:

Fleet Facility replacement, year 1	CRITICAL	\$	2,500,000
Health Department generator	CRITICAL		30,000

6. It should be noted that adoption of any of the options listed within this report will not reverse the structural deficit in the SSD Fund, where fund balance is being drawn down annually to support operating expenses.
7. It is recommended that the hiring freeze currently imposed on the SSD Fund departments be extended into fiscal 2011.

FUNDING: Funding is as stated in the Facts & Findings section.

POLICY ANALYSIS: The County is required to adopt a balanced budget under State law for its General Fund, special revenue funds, and debt service funds. Recurring expenditures should be paid for with recurring revenue.

ALTERNATIVES:

1. Adopt Option 1 as listed in Facts & Findings 4a for the Special Service District and adopt Option 2 as listed in Facts & Findings 4b for the General fund, or
2. Provide staff with other direction.

RECOMMENDATION: Staff recommends that Alternative 1 be adopted.

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Chairman Liakakis said, okay, Item 3.

3. **Information concerning the schedule for Public Hearings on the millage rate levied for ad valorem tax purposes.**

Chairman Liakakis, said, so we – June the 22nd for public hearings at 9:30 a.m. and the same date, 6 p.m.

County Manager Abolt said, yes, sir, we've already advertised the -- this is just a reminder, and also remember at that morning, at the end of that, you'll have your 10:00 special called CAT meeting --

Chairman Liakakis said, right.

County Manager Abolt said, -- to deal with budget and the Veolia contract. This is just a reminder.

AGENDA ITEM: IX-3
AGENDA DATE: June 11, 2010

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

ISSUE:
Information concerning the schedule for Public Hearings on the millage rate levied for ad valorem tax purposes.

BACKGROUND:
The Board of Commissioners adopted the Fiscal Year 2010/2011 Budget Adoption and Millage Levy Calendar at their meeting held January 25, 2010. The calendar included three public hearings to be held before the adoption of the final millage rate.

- FACTS AND FINDINGS:**
- 1) Public hearings have been scheduled for 9:30 a.m. and 6:00 p.m. on June 22, 2010. These hearings were advertised in the Savannah Morning News on June 10, 2010.
 - 2) A third public hearing is scheduled for 9:30 a.m. July 9, 2010. That hearing will be advertised in the Savannah Morning News on June 28, 2010. After the public hearing is complete, the Board can adopt the millage rate.

FUNDING:
N/A

ALTERNATIVES:
For information.

POLICY ANALYSIS:
State law requires three advertised public hearings before the adoption of any millage rate that exceeds the "rollback" rate.

RECOMMENDATION:
For information.

Prepared by: Read DeHaven

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Chairman Liakakis said, okay, Action Calendar. We have Items 1 through 4 and under 4, Items A through S. We need a –

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

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

ACTION OF THE BOARD:

Commissioner Stone made a motion to approve Items 1 through 3, both inclusive, and Items 4-A through S, both inclusive. The motion was seconded by Commissioner Thomas and passed unanimously. [Commissioners Farrell was not present. Commissioner Gellatly was absent.] Chairman Liakakis said, the motion passes.

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

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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.

1. **Approval of the minutes of the regular meeting of May 28, 2010, as mailed.**

ACTION OF THE BOARD:

Commissioner Stone made a motion to approve the minutes of the regular meeting of May 28, 2010, as mailed. The motion was seconded by Commissioner Thomas and passed unanimously. [Commissioner Farrell was not present. Commissioner Gellatly was absent.]

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2. **Claims vs. Chatham County for the period May 20 through June 2, 2010, in the amount of \$4,353,620.**

ACTION OF THE BOARD:

Commissioner Stone made a motion to approve payment of claims of \$4,353,620 for the period May 20 through June 2, 2010. The motion was seconded by Commissioner Thomas and passed unanimously. [Commissioner Farrell was not present. Commissioner Gellatly was absent.]

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3. **Request for new beer pouring license for 2010. Petitioner: Sergio S. Moreno, d/b/a El Paraiso, located at 4001 Ogeechee Road, Savannah, GA 31405.**
[District 5.]

ACTION OF THE BOARD:

Commissioner Stone made a motion to approve a new beer pouring license for 2010 for Petitioner Sergio S. Moreno, d/b/a El Paraiso, located at 4001 Ogeechee Road, Savannah, Georgia 31405. the minutes of the regular meeting of May 28, 2010, as mailed. The motion was seconded by Commissioner Thomas and passed unanimously. [Commissioner Farrell was not present. Commissioner Gellatly was absent.]

AGENDA ITEM: X-3
AGENDA DATE: June 11, 2010

TO: BOARD OF COMMISSIONERS

THROUGH: R. E. ABOLT, COUNTY MANAGER

FROM: GREGORI S. ANDERSON, DIRECTOR OF BUILDING SAFETY AND REGULATORY SERVICES
WILLIE LOVETT, CHIEF OF POLICE

ISSUE

Request for new beer pouring license for 2010, Sergio S. Moreno d/b/a El Paraiso located at 4001 Ogeechee Road, Savannah, GA 31405.

BACKGROUND

Mr. Moreno requests approval for new beer pouring license in connection with a new billiards parlor. The business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance.

FACTS AND FINDINGS

1. The application was reviewed by the Police Department for compliance of the applicant and site distance requirements and approved.
2. The returned application was reviewed by Regulatory Services. The County Fire Marshal inspected the site for compliance and approved the facility.

- 3. This application is in compliance with all requirements.
- 4. The applicant has been notified of the hearing date and time.

RECOMMENDATION

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

District 5

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

/s/
Gregori S. Anderson, CBO

/s/
Chief Willie Lovett

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4. Request Board approval to award bids as follows: (Please note that new purchase thresholds of \$10,000 or more have been enacted; however, contracts and change orders of a lesser amount still will appear.

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Mitel telephone equipment and network upgrade licenses for the Judicial Courthouse	I.C.S.	Integrated Network Solutions, Inc. (State Contract)	\$27,171	General Fund/M & O - Communications
B. Annual software maintenance agreement	I.C.S.	System Management Planning (Sole Source)	\$28,446	General Fund/M & O - I.C.S.
C. Contract for the County Parking Garage waterproofing repairs	Special Projects	Collins Construction Services, Inc. (WBE)	\$10,690	SPLOST (2008-2012) - Courthouse Construction
D. Extend on a month-to-month basis the contract to provide primary healthcare services to the indigent citizens of Chatham County	Commissioners	Curtis V. Cooper Primary Health Care, Inc.	\$362,338	General Fund/M & O - Indigent Medical/ Health Care
E. Contract to resurface streets at various locations within the County	Public Works and Park Services	R.B. Baker Construction, Inc.	\$219,039	CIP - Public Works
F. Renewal of software support agreement	Public Works and Park Services	Cartegraph Systems, Inc.	\$23,075	SSD - Public Works
G. Annual agreement for system network maintenance for the County portion of the 800MHz Smartzone Communication System	I.C.S.	Motorola Communications (Sole Source)	\$124,930	General Fund/M & O - Communications
H. 29 computers with software, keyboards, mouse and 19" monitors and three (3) 20" monitors	I.C.S.	Dell Marketing (State Contract)	\$39,920	General Fund/M & O - Superior Court Clerk
I. Four (4) Canon scanners with maintenance	I.C.S.	Dell Marketing (State Contract)	\$14,695	General Fund/M & O - Superior Court Clerk

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
J. Annual renewal on anti-spyware software	I.C.S.	Technology Integration Group (Sole Source)	\$11,000	General Fund/M & O - I.C.S.
K. Two (2) servers and 30 laptop computers	I.C.S.	Dell Marketing (State Contract)	\$58,205	General Fund/M & O - CEMA
L. Contract for remediation work at the Sharon Park and Dillon Road Landfills	Public Works and Park Services	Advanced Environmental Management, Inc.	\$26,135	Solid Waste Fund
M. Change Order No. 1 to the annual contract to provide paper and chemical supplies to recognize a manufacturer's imposed price increase	Various	Georgia Correctional Industries	Varies by item	•General Fund/M & O - Various •SSD - Various
N. Purchase and installation of an Access Control System	District Attorney	Simplex Grinnell (Sole Source)	\$15,000	General Fund/M & O - District Attorney
O. Two (2) replacement trash truck bodies	Fleet Operations	Consolidated Disposal Systems, Inc.	\$103,400	•General Fund/M & O - Recreation - \$45,000 •Solid Waste - \$58,400
P. Confirmation of the emergency repairs to plumbing at the Tybee Pier	Public Works and Park Services	Consolidated Plumbing Service	\$20,700	CIP - Recreation
Q. Renewal of revenue producing lease agreement for office space located at 408 West Broughton Street	Court Administrator	First Judicial Administrative District	\$10,716	Revenue Producing
R. Deductive Change Order No. 4 to the annual contract to provide lawn care services to terminate lawn care at the Aquatic Center	Aquatic Center	Chase Landscape	(\$1,140)	N/A
S. Confirmation of the emergency purchase of firing range software	Sheriff	Action Target (Sole Source)	\$15,530	General Fund/M & O - Sheriff

ACTION OF THE BOARD:

Commissioner Stone made a motion to award bids outlined in Item 4, A through S. The motion was seconded by Commissioner Thomas and passed unanimously. [Commissioner Farrell was not present. Commissioner Gellatly was absent.]

AGENDA ITEM: X-4 A thru S
AGENDA DATE: June 11, 2010

TO: BOARD OF COMMISSIONERS

THRU: R.E. ABOLT, COUNTY MANAGER

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

SUBJECT: AWARD OF BIDS

ITEM A

ISSUE: Request Board approval of a \$27,171 purchase of Mitel Telephone equipment and network upgrade licenses for the Judicial Courthouse, off the GSA Contract, from Integrated Network Solutions, Inc. for I.C.S.

BACKGROUND: The County’s phone equipment is used to join the phone systems at various locations thus providing four (4) digit dialing to all County extensions. Phone equipment at the Judicial Courthouse is the final phone switch that needs to be upgraded.

FACTS AND FINDINGS:

- 1. Mitel is on the State of Georgia contract and the GSA Schedule 70 Homeland Security Contract. Integrated Network Solutions, Inc. is the local distributor and local repair source.
- 2. This procurement updates all of the current equipment and software throughout the Judicial Courthouse to Voice over IP Telephones and provides Voice over IP services.
- 3. Staff believes the cost of \$27,171, off the GSA contract, to be fair and reasonable.

FUNDING: General Fund /M & O - Communications
(1001536 - 52.22001)

ALTERNATIVES:

- 1. Board approval of a \$27,171 purchase of Mitel Telephone equipment and network upgrade licenses for the Judicial Courthouse, off the GSA Contract, from Integrated Network Solutions, Inc. for I.C.S.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary equipment for the using County 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 \$28,446 sole source annual software maintenance agreement from System Management Planning (SMP) for I.C.S.

BACKGROUND: Veritas NetBackup provides unparalleled data protection for enterprise environments. Recovery of critical applications and databases requires more steps and precision. Fast recovery may require not just the data but also new servers and applications. NetBackup enables recovery of data, servers, and applications through one (1) console.

FACTS AND FINDINGS:

- 1. A single platform is used to manage, protect, and recover data across storage tiers, locations, and operating systems.
- 2. This agreement covers an advanced disk-based data protection features that include data deduplication, new virtual tape library (VTL) controls, support for third-party disk appliances, and more snapshot capabilities. Integrated data protection and recovery for virtual environments, critical applications, databases, and servers.
- 3. Essential support needs renewal of existing software licences & support for network backup system through SMP. Carasoft was the County’s vendor last year but now the County needs to go through SMP as they took over the support function. The price has increased from last

year because the County added two (2) additional backup servers that now need maintenance and support.

- 4. Staff believes the total price of \$28,446 for the maintenance agreement to be fair and reasonable.

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

ALTERNATIVES:

- 1. Board approval of a \$28,446 sole source annual software maintenance agreement from System Management Planning for I.C.S.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary software and maintenance support to provide for backups of data on the County network.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM C

ISSUE: Request Board approval to award a \$10,690 contract to Collins Construction Services, Inc. for the Chatham County Courthouse Parking Garage Waterproofing Repairs.

BACKGROUND: This project is to provide waterproofing repairs to stop infiltration of rain water through the south exterior wall of the Courthouse Parking Garage into the adjacent structure.

FACTS AND FINDINGS:

- 1. This project was properly advertised and seven (7) bids were received and opened on 27 May 2010. The bid responses are as follows:

*	Collins Construction Services, Inc. Thunderbolt, GA	10,690
*	Alloy Industrial Contractors, Inc. Savannah, GA	\$18,200
*	E & D Contracting Services, Inc.* Savannah, GA	\$20,157
	Engineered Restorations, Inc. Lawrenceville, GA	\$27,000
	Southeastern Sales Enterprises Pooler, GA	\$74,935
	Beatty Construction Atlanta, GA	\$43,150
	Restocon Corporation Tampa, FL	\$47,092

*WBE firm

- 3. Staff believes the bid from Collins Construction Services, Inc. to be fair and reasonable.

FUNDING: SPLOST (2008 - 2012) - Courthouse Construction
(3244980 - 54.13011 - 32460427)

ALTERNATIVES:

1. Board approval to award a \$10,690 contract to Collins Construction Services, Inc. for the Chatham County Courthouse Parking Garage Waterproofing Repairs.
2. Provide staff other direction.

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

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
TOM DRANE

ITEM D

ISSUE: Request Board approval to extend on a month-to-month basis, the contract with Curtis V Cooper Primary Health Care, Inc., to provide primary healthcare services to the indigent citizens of Chatham County.

BACKGROUND: On 18 November 2005, the Board approved an annual contract with automatic renewal options for four (4) additional one (1) year terms to Curtis V Cooper Primary Health Care, Inc., to provide primary healthcare services to the indigent citizens of Chatham County.

FACTS AND FINDINGS:

1. This contract is due to expire effective 30 June 2010. In order to complete the review process, staff is requesting to extend on a month-to-month basis the contract. The same terms and conditions will apply.
2. County staff in conjunction with the Health Department staff developed specifications and solicited a Request for Proposals (RFP). The RFP's were received from two (2) firms on 7 May 2010.
3. Currently, the technical proposals are under review by an evaluation committee. Once the process has been completed, staff will bring before the Board to award the contract for primary healthcare services to the indigent citizens of Chatham County.

FUNDING: General Fund/M & O - Indigent Medical/ Health Care
(1005190 - 57.30001)

ALTERNATIVE:

1. Board approval to extend on a month-to-month basis, the contract with Curtis V Cooper Primary Health Care, Inc., to provide primary healthcare services to the indigent citizens of Chatham County.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to renew contracts and amend the terms when in the best interest of the County.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM E

ISSUE: Request Board approval to award a \$219,039 contract to R. B. Baker Construction Inc., to resurface streets at various locations within the County for Public Works and Park Services.

BACKGROUND: Various roads within the Unincorporated area of Chatham County have either reached, or are at the end of their life expectancy.

FACTS AND FINDINGS:

1. Staff developed a solicitation which addressed routes that are in need of resurfacing on Wilmington Island, Lakeview Ferguson Heights, Grove Hill, Isle of Hope and Battery Point.

- 2. There are 25,384 square yards of resurfacing addressed in the solicitation and the overall length of the project is 10,203 linear feet. The routes for resurfacing include the following:

Lakeview Court - Elmhurst Avenue to Circle
 Lake Shore Court - Lake Shore Drive to Circle
 Elmhurst Avenue - Lakeview Court to Elmhurst Court
 Elmhurst Court - Elmhurst Avenue to Circle
 Beechwood Avenue - Ferguson Avenue to Elmhurst Avenue
 Cobb Road - Penn Waller Road to Palmetto Bay Cove
 Battery Way - Bryan Woods Circle (N) to Penrose Drive
 Bluff Drive - Rose Avenue to second speed bump
 Deerwood Road - Penn Waller Road to Lantern Lane
 Deerwood Road - N. Cromwell to Gazebo Lane

- 3. Routes were selected based on the Public Works and Park Services Pavement Condition Report. This report provides a rating of routes based on various factors such as rut depth, cracking, raveling of the aggregate, edge conditions, excess bituminous material on the surface, pushing of the surface, holes in the roadway and sections breaking away on the edges. In addition, staff inspected all routes to verify the condition of the roadways.
- 4. All routes with curb and gutter will be milled. Three (3) routes will receive a leveling course and all routes will receive 1-1/4 inch of 9.5mm hot asphalt surface course.
- 5. This project was properly advertised and three (3) bids were received and opened on 1 June 2010. The bid responses are as follows:

R. B. Baker Construction Inc. Garden City, GA	\$219,039
Seaboard Construction Brunswick, GA	\$221,955
Carroll & Carroll Savannah, GA	\$222,041

- 6. Staff reviewed the bid and references submitted by R. B. Baker and believes their bid to be fair and reasonable.

FUNDING: CIP - Public Works
(3504100 - 54.14001 - 35030837)

ALTERNATIVES:

- 1. Board approval to award a \$219,039 contract to R. B. Baker Construction Inc., to resurface streets at various locations within the County for Public Works and Park Services.
- 2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM F

ISSUE: Request Board approval of a \$23,075 annual renewal of the software maintenance support agreement for CALLdirector, WORKdirector, GEOdata Connect, GISdirector, PAVEMENTview, PAVEMENT viewPLUS, and STORMview from CarteGraph, Inc., of Dubuque, Iowa, for Public Works and Park Services.

BACKGROUND: Public Works and Park Services has utilized the CarteGraph WORKdirector Software System as a method of taking and tracking routine and non-routine work orders for the past nine (9) years. In addition, Public Works has captured the road infrastructure condition inventory information with PAVEMENTview during FY2009 and has recently begun the process of incorporating into the system a separate inventory of all of the drainage infrastructure assets as part of the MS-4 reporting requirements through the use of STORMview. In order for these last two (2) pieces of software to correctly function and interface with existing SAGIS software, Public Works also

purchased GEOdata Connect and GISdirector. The functioning of STORMview, GEOdata Connect and GISdirector are imperative to meet the requirements of the County's NPDES Stormwater Permit.

FACTS AND FINDINGS:

1. Public Works and Park Services uses the CarteGraph WORKdirector Software System as a way of taking and tracking routine and non-routine work orders.
2. The CarteGraph WORKdirector/CallLink System has been in use at Public Works and Park Services for nine (9) years and contains all the day-to-day operational work activity information.
3. Additional modules are being added to the system which has increased the maintenance and support price from \$18,700 in FY 2010 to \$23,075 in FY2011. The increase in cost is due to the addition of maintenance and support for PAVEMENTview, PAVEMENTviewPLUS, STORMview, GEOdata Connect, and GISdirector. The initial year's maintenance and support was included in the original purchase price which is about to expire.
4. Maintenance and support for this entire software system is critical and becoming more so since all of the activities and information regarding the day-to-day work order operations of Public Works and Park Services are contained on this system.
5. CarteGraph is proprietary software. There are no other vendors that can provide maintenance and support for this software.

FUNDING: SSD-Public Works
(2704100 - 52.39001)

ALTERNATIVES:

1. Board approval of a \$23,075 annual renewal of the software maintenance support agreement for CALLdirector, WORKdirector, GEOdata Connect, GISdirector, PAVEMENTview, PAVEMENTviewPLUS, and STORMview from CarteGraph, Inc., of Dubuque, Iowa, for Public Works and Park Services.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of maintenance support for safeguarding critical system data.

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM G

ISSUE: Request Board approval of a \$124,930 sole source annual agreement for system network maintenance with Motorola Communications for the County portion of the 800MHz Smartzone Communication System.

BACKGROUND: The system network maintenance provides for the County's 50% share of the central switching equipment data center and maintenance of the County's two (2) 800 MHZ tower sites. The City of Savannah is separately responsible for the other 50% of the maintenance on the switching center and the other towers of the 800 MHZ system network.

FACTS AND FINDINGS:

1. The sole source manufacturer and service provider, Motorola Communications, provides contractual services locally through Savannah Communications, the only company technically qualified and authorized by license to maintain the communication system.
2. Over the last several years additional components have been added. Currently, the value of the entire networked communication system is more than \$15 million.
3. This maintenance agreement represents a 2% increase over last year. Staff believes this cost to be fair and reasonable.

FUNDING: General Fund/M & O – Communications
(1001536 – 52.22001)

ALTERNATIVES:

1. Board approval of a \$124,930 sole source annual agreement for system network maintenance with Motorola Communications for the County portion of the 800MHz Smartzone Communication System.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide maintenance for the County's portion of the 800 MHZ communication system, without interruption.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM H

ISSUE: Request Board approval of a \$39,920 for the purchase of 21 computers (CPU), eight (8) computers with monitors, and three (3) monitors off the State of Georgia contract, from Dell Marketing, LP for the Office of Superior Court Clerk.

BACKGROUND: These computers will replace older models that are now being used by 13 staff members and 16 are used by the public. I.C.S. recommends that older outdated computers be replaced. Items being replaced are more than five (5) years old.

FACTS AND FINDINGS:

1. Dell hardware computers are the approved standardized systems for the County. These computers will operate at quicker speeds for the Superior Court Clerk and public. The computers being replaced have exceeded their useful life and have been out of warranty for several years.
2. The systems are comprised of Dual processors, 4gb ram, 256mb video card on the standard computers, dual CD & DVD read/writer, Windows XP Pro and Windows 7 Operating System and five (5) year next business day warranties on the computers and monitors.
3. Staff believes the State of Georgia total contract price of \$39,916 is fair and reasonable.

FUNDING: General Fund/M & O - Superior Court Clerk
(1002180 - 54.25001)

ALTERNATIVES:

1. Board approval of a \$39,920 for the purchase of 21 computers, eight (8) computers with monitors, and three (3) monitors off the State of Georgia contract, from Dell Marketing, LP for the office of Superior Court Clerk.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM I

ISSUE: Request Board approval of a \$14,695 purchase of four (4) Canon Scanners with extended warranty from Dell Marketing, LP for the Office of Superior Court Clerk.

BACKGROUND: The purchase of the Canon DR-5010C scanner for Superior Court Clerk is for working with the document imaging project for Superior Court Clerk File Division. These scanners are 90 pages per minute scanners and will replace slower and older scanners now in use.

FACTS AND FINDINGS:

1. These scanners are needed in order to scan documents more quickly. This model scanner is working well for other County departments with higher volume loads.
2. This price includes three (3) years next business day on site warranty through a third party vendor, WACA, with a savings of \$3,480 direct from Canon.
3. Quotes were solicited and received from the following vendors:

Dell Marketing, LP Atlanta, GA	\$14,695
Florida Micro Delray Beach, FL	\$14,934
GHA Technologies, Inc. Phoenix, AZ	\$15,432

4. Staff believes that the total cost of \$14,695 for the purchase of four (4) scanners to be fair and reasonable.

FUNDING: General Fund/M & O - Superior Court Clerk
(1002180 - 54.25001)

ALTERNATIVES:

1. Board approval of a \$14,695 purchase of four (4) Canon Scanners with extended warranty from Dell Marketing, LP for the office of Superior Court Clerk.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM J

ISSUE: Request Board approval of \$11,000 license renewal of McAfee Virus Protection and Anti-Spyware software, support and updates for County computers from Technology Integration Group for I.C.S.

BACKGROUND: McAfee Virus Protection and Anti-Spyware enables I.C.S. to meet the challenge of enterprise security head on. These solutions provide proactive threat protection tailored to the needs of our organization. Each is managed by ePolicy Orchestrator, which streamlines our entire security process, from updating to reporting.

FACTS AND FINDINGS:

1. Today's blended threats can disrupt networks and put corporate assets at risk. Compliance requirements are forcing organizations to boost security and enforce policies more stringently.
2. McAfee Active VirusScan protects Chatham County desktops and file servers with advanced anti-virus technology. With McAfee ePolicy Orchestrator, it gives you centralized management and reporting. Active VirusScan scans client-level e-mail, FTP access, and Web connections for comprehensive anti-virus coverage.
3. McAfee AntiSpyware Enterprise uses unique on-access scanning to identify, proactively block, and safely eliminate spyware and other potentially unwanted programs.

- 4. Staff believes the total cost of \$11,000 for the McAfee Virus Protection and Anti-Spyware software to be fair and reasonable.

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

ALTERNATIVES:

- 1. Board approval of \$11,000 license renewal of McAfee Virus Protection and Anti-Spyware software, support and updates for county computers from Technology Integration Group for I.C.S.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary software support for the using departments. Virus Protection is needed for the safety of the County network.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM K

ISSUE: Request Board approval of a \$58,205 purchase of two (2) Dell PowerEdge R410 Servers and 30 Dell Latitude E6510 laptop computers, off the State of Georgia Contract, from Dell Marketing for CEMA.

BACKGROUND: Due to the age of the servers and laptops, Dell will no longer sell support agreements on this hardware. They should be replaced. These servers run the mission critical software WebEOC for the Emergency Operations Center. This software allows the EOC Staff to work in the EOC during an activation. The laptops are for the EOC Staff to use during an EOC activation to access the WebEOC software as well as produce documentation for an event.

FACTS AND FINDINGS:

- 1. State Purchasing awarded this contract through a competitive process based on requirements and specifications of the Georgia Technology Authority.
- 2. The servers are being purchased from Dell Marketing with five (5) years of on site support and mission critical four (4) hour dispatch technical support and the laptops are being purchased with three (3) years of ProSupport for IT and next business day on-site warranty.
- 3. Staff believes the cost of \$58,205 to be fair and reasonable.

FUNDING: General Fund/M & O - CEMA
(1009957 - 57.10111)

ALTERNATIVES:

- 1. Board approval of a \$58,205 purchase of two (2) Dell PowerEdge R410 Servers and 30 Dell Latitude E6510 laptop computers, off the State of Georgia Contract, from Dell Marketing for CEMA.
- 2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
READ DEHAVEN

ITEM L

ISSUE: Request Board approval of a \$26,135 purchase order to Advanced Environmental Management, Inc. (AEM) for out of scope remediation work to meet Georgia EPD requirements and modification to their current contract for landfill monitoring.

BACKGROUND: Both Sharon Park and Dillon Road Landfills have experience elevated levels of heavy metal concentrations during recent sampling events. An Arsenic Demonstration report prepared by the previous monitoring firm attempted to identify the arsenic and metal sources as being from other than landfilled waste, was submitted to Georgia EPD in 2008. Georgia EPD did not concur with the conclusions presented in that report and ordered the County to work with their new monitoring /engineering firm to develop protocols developing a sufficient scope of work addressing the arsenic and other issues identified by EPD at the two (2) landfills.

FACTS AND FINDINGS:

1. There has been a history of contamination detection at Sharon Park and Dillon during the past several years resulting in additional sampling, and a demonstration project being required by EPD.
2. EPD was not satisfied with the initial demonstration project provided by the previous engineering firm; the additional water samplings were deemed inconclusive by EPD.
3. A significant part of the issue with the contamination was due to the condition of the wells which the permanent remediation work eliminates.
4. EPD made specific recommendations to resolve the contamination issues present at Sharon Park and Dillon Landfills.
5. This plan presented by AEM provides the best available choice to resolve all known issues at Sharon Park and Dillon to the complete satisfaction of EPD.
6. AEM was requested to provide this additional out of scope remediation work based on their area of expertise and are the current holder of the landfill monitoring contract.

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

ALTERNATIVES:

1. Board approval of a \$26,135 purchase order to Advanced Environmental Management, Inc. (AEM) for out of scope remediation work to meet Georgia EPD requirements and modification to their current contract for landfill monitoring.
2. Provide staff other direction

POLICY ANALYSIS: It is consistent with Board policy to approve purchase orders necessary so contractors can meet intergovernmental requirements.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM M

ISSUE: Request Board approval of Change Order No. 1 to the annual contract with Georgia Correctional Industries, of Decatur Georgia to provide various paper and chemical supplies for various departments within Chatham County.

BACKGROUND: On 11 May 2007, the Board approved the award of an annual contract with automatic renewals options for four (4) additional one (1) year terms, to Georgia Correctional Industries.

FACTS AND FINDINGS:

1. Georgia Correctional Industries has recently provided County staff a notification of price changes associated with the manufacturer imposed price increases due to the escalating costs in energy, transportation, packaging and raw material has raised the price of various items listed below. This is the first price increase request since the contract became effective.

2. The Purchasing Staff and the Detention Center will perform a market analysis for a comparable product that cost less.
3. Staff believes Georgia Correctional Industries request for the County to contractually recognize the manufacturer price increase on the items listed below to be fair and reasonable.
4. New prices will be as follows:

Item:	Description	Old Price	New Price
4.	Shine One Floor Finish/55 gal	\$248.00	\$328.00
13.	Citrus Degreaser/ 4 -1 gal	\$10.40	\$16.00
16.	Auto Wash/ 4 - 1 ga	\$13.60	\$15.00
17.	Tile Cleaner/ 50 gal	\$12.00	\$16.00

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

ALTERNATIVES:

1. Board approval of Change Order No. 1 to the annual contract with Georgia Correctional Industries, of Decatur Georgia to provide various Paper and Chemical Supplies for Various Departments within Chatham County.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve change orders for documented material price increases when they are initiated by the manufacturer.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM N

ISSUE: Request Board approval of a Not to Exceed \$15,000 sole source purchase for an access control system from SimplexGrinnell for the Office of the District Attorney.

BACKGROUND: SimplexGrinnell has installed systems in other Chatham County Departments and the proposed system is compatible with the current existing system. This will enhance the security of the office. With the rapid increase of technology, this system can be easily upgraded to allow further features to be installed.

FACTS AND FINDINGS:

1. Currently, the District Attorney’s office does not have a card access system. The two (2) main entrance doors will be equipped with the access system as well as the two (2) employee entry doors.
2. This will increase the productivity of the two (2) receptionist, as they will no longer be required to manually open the doors to the high volume of employee traffic.
3. Staff believes the cost of \$15,000 to be fair and reasonable.

FUNDING: General Fund/M & O - District Attorney
(1002200 - 54.25001)

ALTERNATIVES:

1. Board approval of a Not to Exceed \$15,000 sole source purchase for an access control System from SimplexGrinnell for the Office of the District Attorney.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM O

ISSUE: Request Board approval of a \$103,400 purchase of two (2) New Way Brand King Cobra refuse bodies for Solid Waste and Public Works and Parks Services from Consolidated Disposal Systems, Inc., of Smyrna, GA.

BACKGROUND: On 16 October 2009, the Board previously approved the purchase of a New Way Brand King Cobra refuse body from Consolidated Disposal Systems, Inc. The vendor has agreed to honor last October pricing without increase.

FACTS AND FINDINGS:

1. The two (2) trash truck bodies are to replace ones for Solid Waste and Parks and Recreation that are worn out beyond economic repair.
2. These refuse truck bodies are required to make each unit complete.
3. Staff believes this cost of \$103,400 for two (2) refuse truck bodies to be fair and reasonable.

FUNDING: General Fund/M&O - Parks and Recreation
(1006100 - 52.25001) \$45,000
Solid Waste
(5404502 - 54.25001) \$58,400

ALTERNATIVES:

1. Request Board approval of a \$103,400 purchase of two (2) New Way Brand King Cobra refuse body for Solid Waste and Public Works and Parks Services from Consolidated Disposal Systems, Inc., of Smyrna, GA.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the equipment parts that are essential to the using department.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM P

ISSUE: Request Board confirmation of the \$20,700 emergency repairs to replace the water and sewer lines under the Tybee Pier and Pavilion from Consolidated Plumbing Services, Savannah, GA for Public Works and Park Services.

BACKGROUND: The Tybee Pier and Pavilion has developed rust in several places as a result of numerous leaks. These are the original pipes from the initial construction of the Pier.

FACTS AND FINDINGS:

1. If a permanent fix is not completed, the leaks will develop into major problems which could lead to fines by the Georgia Department of Natural Resource and the City of Tybee.
2. Staff believes the cost to be fair and reasonable.
3. Staff requested emergency approval from the Chairman so the repairs could be made in a timely manner. He concurred (see attached page 22) and directed staff to seek Board confirmation at their next scheduled meeting.

FUNDING: CIP - Recreation
(3506100 - 52.22001 - 35031317)

ALTERNATIVES:

1. Board confirmation of the \$20,700 emergency repairs to replace the water and sewer lines under the Tybee Pier and Pavilion from Consolidated Plumbing Services, Savannah, GA for Public Works and Park Services.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to confirm necessary emergency repairs to public facilities.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM Q

ISSUE: Request Board approval to extend, on a "month to month" basis, the annual revenue generating lease of approximately 517 square feet of office space in the Courthouse Annex, to the First Judicial Administrative District, a division of the Judicial Council of Georgia, at a monthly cost of \$893 or \$10,716 annually.

BACKGROUND: On 23 July 2001, the Board approved an annual revenue generating lease agreement to the First Judicial Administrative District, a division of the Judicial Council of Georgia, to rent approximately 517 sq. ft. of office space located in the Chatham County Courthouse Annex.

FACTS AND FINDINGS:

1. The First Judicial Administrative District has requested to extend their current lease, on a "month to month" basis until "Master Plan" renovations of the Courthouse Annex are completed.
2. Cost is based on a market study of similar downtown office space at a square footage rate of \$18 (\$9,307 annually), plus a prorated cost of security based on 517 square feet (\$1,409).
3. The First Judicial Administrative District has agreed to the "month to month" extension, with all prices, terms and conditions remaining the same.

FUNDING: Revenue Generating

ALTERNATIVES:

1. Board approval to extend, on a "month to month" basis, the annual revenue generating lease of approximately 517 square feet of office space in the Courthouse Annex, to the First Judicial Administrative District, a division of the Judicial Council of Georgia, at a monthly cost of \$893 or \$10,716 annually.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide essential office space at a fair market cost to state and judicial entities.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM R

ISSUE: Request Board approval of Change Order No. 4, in the deductive amount of \$720 per month, to the annual contract with Chase Landscaping, Inc. to discontinue specialized landscaping, lawn care and litter collection services for the Aquatic Center.

BACKGROUND: On 26 August 2005, the Board approved an annual lawn care and litter collection services contract for various County facilities with Chase Landscaping Inc.

FACTS AND FINDINGS:

1. The current contract for lawn care and liter collection services will expire on 26 August 2010. There are two (2) months remaining on the contract.
2. Due to budget restraints, the Aquatic Center Administrator has request that lawn care service for the Aquatic Center be terminated as of 1 July 2010. Public Works and Park Services will provide lawn care service for the Aquatic Center.
3. Contract history is as follows:

Original Contract Amount (08-26-05)	\$27,220/Year
Change Order No. 1 (04-21-06)	\$ 2,850/Year
Change Order No. 2 (04-11-08)	\$ 3,450/Year
Change Order No. 3 (02-13-09)	\$ 3,800/Year
Change Order No. 4 Deduction (pending)	<u>\$(1,440)/Year</u>
Revised Contract Amount	\$35,880/Year

FUNDING: N/A

ALTERNATIVES:

1. Board approval of Change Order No. 4, in the deductive amount of \$720 per month, to the annual contract with Chase Landscaping, Inc. to discontinue specialized landscaping, lawn care and liter collection services for the Aquatic Center.
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 S

ISSUE: Request Board confirmation of the \$15,560 emergency sole source purchase of Updated Software by Action Target from Provo UT., for the targeting system for the Sheriff's Department Firing Range.

BACKGROUND: The Sheriff's Department has an Advance Firearms Training Facility that is available for all local, state and federal law enforcement agencies. The range also provides the instruction on handgun safety and familiarization to the public. All sworn law enforcement officers are required to maintain their firearm status on a regular schedule. In the 1990's construction was undertaken to create the range. Action Target installed the automated targeting system.

FACTS AND FINDINGS:

1. The current software is outdated and no longer supported by the manufacturer.
2. The software has developed problems and the upgrade is necessary to ensure the continued use of the targeting system, without the updated software, the entire Firing Range training could come to a stand still.
3. Staff requested emergency approval from the Chairman so the Updated Software could be installed in a timely manner. He concurred (see attached page 23) and directed staff to seek Board confirmation at their next scheduled meeting.

FUNDING: Sheriff Department
(1003300 - 54.25001)

ALTERNATIVES:

1. Board confirmation of the \$15,560 emergency sole source purchase of Updated Software by Action Target from Provo UT., for the targeting system for the Sheriff's Department Firing Range.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to confirm necessary emergency purchases for the training of law enforcement.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

PREPARED BY _____
PURCHASING AGENT

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XI. FIRST READINGS

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

None.

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XII. SECOND READINGS

Note: See "Tabled Items" for Second Reading on Revenue Ordinance.

- 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).

Chairman Liakakis said, we need a motion to vote it off the table.

County Manager Abolt said, you did that. This was just a housekeeping thing. You've already done that. This is to remind – there was an item on the table that would have been on second reading. You took it off the table and you voted on it, so you've already done that.

Chairman Liakakis said, Executive Session.

County Manager Abolt said, you have to adopt your second ordinance there on soil erosion, the issuing authority, which is a housekeeping matter.

Chairman Liakakis said, okay, motion on the floor.

ACTION OF THE BOARD:

Commissioner Odell moved for approval of the amendment to 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. The motion was seconded by Commissioner Thomas and passed unanimously. [Commissioner Gellatly was absent.]

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

AGENDA ITEM: XII-1
AGENDA DATE: June 11, 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 requirement 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 adopts 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.

ARTICLE VIII

Soil Erosion and Sedimentation Control Ordinance

§24-801 Title. This ordinance will be known as “Chatham County Soil Erosion and Sedimentation Control Ordinance.”

§24-802 Definitions. The following definitions shall apply in the interpretations and enforcement of this ordinance, unless otherwise specifically stated.

1. Best Management Practices (BMPs): ~~A collection of structural practices and vegetative measures which, when properly designed, installed and maintained, will provide effective erosion and sedimentation control. The term “properly designed” means designed in accordance with the hydraulic design specifications contained in the “Manual for Erosion and Sediment Control in Georgia” specific in O.C.G.A. 12-7-6 subsection (b).~~ ***These include sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the ‘Manual for Erosion and Sediment Control in Georgia’ published by the Commission as of January 1 of the year in which the land-disturbing activity was permitted.***
2. Board: The Board of Natural Resources.
3. Buffer: The area of land immediately adjacent to the banks of state waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.

4. **Certified Personnel:** *A person who has successfully completed the appropriate certification course approved by the Georgia Soil and Water Conservation Commission.*
5. Commission: The State Soil & Water Conservation Commission.
6. Cut: A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to excavated surface. Also known as excavation.
7. Department: The **Georgia** Department of Natural Resources (**DNR**).
8. **Design Professional:** *A professional licensed by the State of Georgia in the field of: engineering, architecture, landscape architecture, forestry, geology, or land surveying; or a person that is a Certified Professional in Erosion and Sediment Control (CPESC) with a current certification by Certified Professional in Erosion and Sediment Control Inc.*
9. Director: The Director of the Environmental Protection Division of the Department of Natural Resources **or an authorized representative.**
10. District: The Coastal Soil and Water Conservation District.
11. Division: The Environmental Protection Division of the Department of Natural Resources.
12. Drainage Structure: A device composed of a virtually nonerodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for storm-water management, drainage control, or flood purposes.
13. Erosion: The process by which land surface is worn away by the action of wind, water, ice or gravity.
14. Erosion, and Sedimentation and Pollution Control Plan: ~~A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity. Also known as the "plan".~~ ***A plan required by the Erosion and Sedimentation Act, O.C.G.A. Chapter 12-7, that includes, as a minimum protections at least as stringent as the State General Permit, best management practices, and requirements in section §24-804(3) of this ordinance.***
15. Ground Elevation: The original elevation of the ground surface prior to cutting and filling.
16. Fill: A portion of land surface to which soil or other solid material has been added; the depth above the original ground **surface or an excavation.**
17. **Final Stabilization:** ***All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures and areas located outside the waste disposal limits of a landfill cell that has been certified by EPD for waste disposal, 100% of the soil surface is uniformly covered in permanent vegetation with a density of 70% or greater, or equivalent permanent stabilization measures (such as the use of rip rap, gabions, permanent mulches or geotextiles) have been used. Permanent vegetation shall consist of: planted trees, shrubs, perennial vines; a crop of perennial vegetation appropriate for the time of year and region; or a crop of annual vegetation and a seeding of target crop perennials appropriate for the region. Final stabilization applies to each phase of construction.***
18. Finished Grade: The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.
19. Grading: Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.
20. **Ground Elevation:** ***The original elevation of the ground surface prior to cutting or filling.***
21. Land-Disturbing Activity: Any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state,

including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices as described in §24-803(1)(e).

22. Larger Common Plan of Development or Sale: A contiguous area where multiple separate and distinct construction activities are occurring under one plan of development or sale. For the purposes of this paragraph, "plan" means an announcement; piece of documentation such as a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, or computer design; or physical demarcation such as boundary signs, lot stakes, or surveyor markings, indicating that construction activities may occur on a specific plot.
23. Local Issuing Authority: The governing authority of any county or municipality which is certified pursuant to subsection (a) O.C.G.A. 12-7-8.
24. Metropolitan River Protection Act (MRPA): A state law referenced as O.C.G.A. 12-55-440 *et. seq.*, which addressed environmental and developmental matters in certain metropolitan river corridors and their drainage basins.
25. Natural Ground Surface: The ground surface in its original state before any grading, excavation or filling.
26. Nephelometric Turbidity Units (NTU): Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloiddally dispersed particles are present.
27. ***NOI: A Notice of Intent form provided by the EPD for coverage under the State General Permit.***
28. ***NOT: A Notice of Termination form provided by the EPD to terminate coverage under the State General Permit.***
29. Operator: The party or parties that have: (A) operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or (B) day-t-day operational control of those activities that are necessary to ensure compliance with a storm-water pollution prevention plan for the site or other permit conditions, such as a person authorized to direct workers at a site to carry out activities required by the storm-water pollution prevention plan or to comply with other permit conditions.
30. ***Outfall: The location where storm water in a discernible, confined and discrete conveyance, leaves a facility or site or, if there is a receiving water on site, becomes a point source discharging into that receiving water.***
31. Permit: The authorization necessary to conduct a land-disturbing activity under the provisions of htis ordinance. This includes land-disturbing activity permits for clearing, grading, or development.
32. Person: Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of this State, any interstate body or any other legal entity.
33. ***Phase or Phased: Sub-parts or segments of construction projects where the sub-part or segment is constructed and stabilized prior to completing construction activities on the entire construction site.***
34. Project: The entire proposed development project regardless of the size of the area of land to be disturbed.
35. ***Properly Designed: Designed in accordance with the design requirements and specifications contained in the "Manual for Erosion and Sediment Control in Georgia" (Manual) published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted and amendments to the manual as approved by the Commission up until the date of NOI submittal.***
18. Qualified Personnel: ~~Any person who meets or exceeds the education and training requirement of O.C.G.A. 12-7-19.~~

36. Roadway Drainage Structure: A device such as a bridge, culvert, or ditch, composed of a virtually nonerodible material, such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled way consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.
37. Sediment: Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, ice, or gravity as a product of erosion.
38. Sedimentation: The process by which eroded material is transported and deposited by the action of water, wind, ice or gravity.
39. Soil and Water Conservation District Approved Plan: An erosion, ~~and~~ **and pollution** control plan approved in writing by the Coastal Soil and Water Conservation District.
40. Stabilization: The process of establishing an enduring soil cover or vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.
41. State General Permit: The National Pollutant Discharge Elimination System general permit or permits for storm-water runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251, eq. seq., and subsection (f) of Code Section 12-5-30.
42. State Waters: Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.
43. Structural Erosion and Sedimentation Control Practices: Practices for the stabilization of erodible or sediment-producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sediment control practices are rip-rap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures, sediment traps and land grading, etc. Such practices can be found in the publication *Manual for Erosion and Sediment Control in Georgia*.
44. Vegetative Erosion and Sedimentation Control Measures: Measures for the stabilization of erodible or sediment-producing area by covering the soil with:
- a. Permanent seeding, sprigging or planting, producing long-term vegetative cover; or
 - b. Temporary seeding, producing short-term vegetative cover; or
 - c. Sodding, covering areas with a turf or perennial sod-forming grass. Such measures can be found in the publication *Manual for Erosion and Sediment Control In Georgia*.
45. Watercourse: Any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or flood water.
46. Wetlands: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

§24-803 Exemptions

1. This ordinance shall apply to any land-disturbing activity undertaken by any person on any land except for the following:

- a. Surface mining, as the same is defined in O.C.G.A. 12-4-72 "Mineral Resources and Caves Act";
- b. Granite quarrying and land clearing for such quarrying;
- c. Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences and other related activities which result in minor soil erosion;
- d. the construction of single-family residences, when such construction disturbs less than one acre and is not a part of a larger common plan of development or sale with a planned disturbance of equal to or greater than one acre and not otherwise exempted under this paragraph; provided, however, that construction of any such residence shall conform to the minimum requirements as set forth in §24-804 of this ordinance and this paragraph. The minimum requirements of §24-804 of this ordinance and the buffer zones provided by this section shall be enforced by Chatham County.
- e. Agricultural operations as defined in O.C.G.A. 1-3-3, "definitions", to include raising, harvesting or storing of products of the field or orchard; feeding, breeding or managing livestock or poultry; producing or storing feed for use in the production of livestock, including but not limited to cattle, calves, swine, hogs, goats, sheep, and rabbits or for use in the production of poultry, including but not limited to chickens, hens, and turkeys; producing plants, trees, fowl, or animals; the production of aqua culture, horticultural, dairy, livestock, poultry, eggs and apiarian products; farm buildings and farm ponds.
- f. Forestry land management practices, including harvesting; provided however that when such exemption for forestry practices is claimed no other land disturbing activities, except for normal forest management practices, shall be allowed on the entire property upon which the forestry practices were conducted for a period of three years after completion of such forestry practices.
- g. Any project carried out under the technical supervision of the Natural Resources Conservation Service of the United States Department of Agriculture;
- h. Any project involving less than one acre of disturbed land; provided, however, that this exemption shall not apply to any land-disturbing activity within a larger common plan of development or sale with a planned disturbance of equal to or greater than one acre of within 200 feet of the bank of any state waters, and for purposes of this paragraph, "State Waters" excludes channels and drainage ways which have water in them only during and immediately after rainfall events and intermittent streams which do not have water in them year-round; provided, however, that any person responsible for a project which involves less than one acre, which involves land-disturbing activity, and which is within 200 feet of any such excluded channel or drainage way, must prevent sediment from moving beyond the boundaries of the property on which such project is located and provided, further, that nothing contained herein shall prevent Chatham County from regulating any such project which is not specifically exempted by paragraphs a. thru i. of this section;
- i. Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Department of Transportation, the Georgia Highway Authority, or the Georgia Tollway Authority; or any road construction or maintenance project, or both, undertaken by any county or municipality; provided, however, that construction or maintenance projects of Department of Transportation or State Tollway Authority which disturb one or more contiguous acres of land shall be subject to provisions of Code Section 12-7-7.1; and; except where the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case a copy of a notice of intent under the state general permit shall be submitted to Chatham County, Chatham County shall enforce compliance with the minimum requirements set forth in O.C.G.A. 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders;
- j. Any land-disturbing activities conducted by any electrical membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power; except where an electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. 36-18-1, or any agency or instrumentality of the United States engaged in the

generation, transmission, or distribution of power is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case Chatham County shall enforce compliance with the minimum requirements set forth in O.C.G.A. 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders; and

- k. Any public water system reservoir.

§24-804 Minimum Requirements for Erosion and Sedimentation Control Using Best Management Practices

1. General Provisions. Excessive soil erosion and resulting sedimentation can take place during land-disturbing activities ***if requirements of the ordinance and the NPDES General Permit are not met.*** Therefore, plans for those land-disturbing activities which are not excluded by this ordinance shall contain provisions for application of soil erosion, ~~and~~ sedimentation ***and pollution*** control measures and practices. The provisions shall be incorporated into the erosion, ~~and~~ sedimentation ***and pollution*** control plans. Soil erosion, ~~and~~ sedimentation ***and pollution*** control measures and practices shall conform to the minimum requirements of §24-804(2) and §24-804(3) of this ordinance. The application of measures and practices shall apply to all features of the site, including street and utility installations, drainage facilities and other temporary and permanent improvements. Measures shall be installed to prevent or control erosion, and sedimentation ***and*** pollution during all stages of any land-disturbing activity ***in accordance with requirements of this ordinance and the NPDES General Permit.***
2. Minimum Requirements
 - a. Best management practices as set forth in §24-804(2) and §24-804(3) of this ordinance shall be required for all land disturbing activities. Proper design, installation, and maintenance of best management practices shall constitute a complete defense to any action by the Director or to any other allegation of noncompliance with paragraph (b) of this subsection or any substantially similar terms contained in a permit for the discharge of storm water issued pursuant to subsection (f) of Code Section 12-5-30, the Georgia Water Quality Act. As used in this subsection, the terms "proper design" and "properly designed" mean designed in accordance with the hydraulic design specifications contained in the "Manual for Erosion and Sediment Control in Georgia" specified in O.C.G.A. 12-7-6 subsection (b).
 - b. A discharge of storm water runoff from disturbed areas where best management practices have not been properly designed, installed, and maintained shall constitute a separate violation of any land-disturbing permit issued by Chatham County or of any state general permit issued by the Division pursuant to subsection (f) of Code Section 12-5-30, the Georgia Water Quality Control Act, for each day on which such discharge results in the turbidity of receiving waters being increased by more than 25 nephelometric turbidity units for waters supporting warm water fisheries. The turbidity of the receiving waters shall be measured in accordance with guidelines to be issued by the Director. This paragraph shall not apply to any land disturbance associated with the construction of single family homes which are not part of a larger common plan of development or sale unless the planned disturbance for such construction is equal to or greater than five acres.
 - c. Failure to properly design, install or maintain best management practices shall constitute a violation of any land-disturbing permit issued by Chatham County or any state general permit issued by the Division pursuant to subsection (f) of Code Section 12-5-30, the Georgia Water Quality Control Act, for each day on which such failure occurs.
 - d. The Director may require, in accordance with regulations adopted by the Board, reasonable and prudent monitoring of turbidity level of receiving waters into which discharges from land-disturbing activities occur.
3. The rules and regulations, ordinances, or resolutions adopted pursuant to this chapter for the purpose of governing land-disturbing activities shall require, as a minimum, protections as least as stringent as the state general permit best management practices, including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the *Manual for Erosion and Sediment Control* in Georgia published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, as well as the following:

- a. Stripping of vegetation, regrading and other development activities shall be conducted in a manner so as to minimize erosion;
- b. Cut-fil operations must be kept to a minimum;
- c. Development plans must conform to topography and soil type so as to create the lowest practical erosion potential;
- d. Whenever feasible, natural vegetation shall be retained, protected and supplemented;
- e. The disturbed area and the duration of exposure to erosive elements shall be kept to a practicable minimum;
- f. Disturbed soil shall be stabilized as quickly as practicable;
- g. Temporary vegetation and mulching shall be employed to protect exposed critical areas during development;
- h. Permanent vegetation and structural erosion control practices shall be installed as soon as practicable;
- i. To the extent necessary, sediment in run-off water must be trapped by the use of debris basins, sediment basins, silt traps, or similar measures until the disturbed is stabilized. As used in this paragraph, a disturbed area is stabilized when it is brought to a condition of continuous compliance with the requirements of O.C.G.A. 12-7-1 et. seq.;
- j. Adequate provisions must be provided to minimize damage from surface water to the cut face of excavations or the sloping surface of fills;
- k. Cuts and fills may not endanger adjoining property;
- l. Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners;
- m. Grading equipment must cross flowing streams by means of bridges or culverts except when such methods are not feasible, provided, in any case, that such crossings are kept to a minimum;
- n. Land-disturbing activity plans for erosion and sedimentation control shall include provisions for treatment or control of any source of sediments and adequate sedimentation control facilities to retain sediments on-site or preclude sedimentation of adjacent waters beyond the levels specified in §24-804(2)(b) of this ordinance;
- o. There is established a 25 foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except where the Director determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the Director pursuant to O.C.G.A. 12-2-8, or where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications, and are implemented; provided, however, the buffers of at least 25 feet established pursuant to part 6 of Article 5, Chapter 5 of Title 12, the Georgia Water Quality Control Act, shall remain in force unless a variance is granted by the Director as provided in this paragraph. The following requirements shall apply to any such buffer:
 - i. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and
 - ii. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more

than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) Stream crossing for water lines; or (ii) Stream crossings for sewer lines; and

- p. All residential, multi-family, and commercial structures for which a building permit is required under the County Zoning Ordinance on properties that abut the marshes of the State of Georgia shall demonstrate compliance with the marsh buffer protection requirements of the Erosion and Sedimentation Control Act (O.C.G.A. 12-7-1 *et. seq.*). Compliance shall be demonstrated by a marsh Buffer. Compliance Survey by a Land Surveyor registered in the State of Georgia confirming that the proposed construction is as shown on the approved construction plans. The survey must show at a minimum the location of the proposed structural supports (e.g. excavated footings and foundations, pilings) and the Department of Natural Resources approved marsh line, property lines nearest to the structure and the horizontal distance between the structural supports and the marsh line. The survey shall be submitted to the Department of Building Safety and Regulatory Services prior to a footing inspection. If the survey confirms compliance with the marsh buffer protection requirements, then the footing inspection may proceed.
4. Nothing contained in this chapter shall prevent Chatham County from adopting rules and regulations, ordinances, or resolutions which contain stream buffer requirements that exceed the minimum requirements in §24-804(2) and §24-804(3) of this ordinance.
5. The fact that the land disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this ordinance or the terms of the permit.

§24-805 Application/Permit Process

1. General. The property owner, developer and designated planners and engineers shall review the general development plans and detailed plans of Chatham County that affect the tract to be developed and the area surrounding it. They shall review the Zoning Ordinance, Storm Water Management Ordinance, Subdivision Regulations, Flood Damage Prevention Ordinance, this ordinance, and any other ordinances which regulate the development of land within the jurisdictional boundaries of Chatham County. ~~However, the operator is the only party who may obtain a permit.~~
2. Application Requirement
- a. No person shall conduct any land-disturbing activity within the jurisdictional boundaries of Chatham County without first obtaining a permit from the Chatham County Department of Engineering to perform such activity **and providing a copy of the Notice of Intent submitted to EPD, if applicable.**
- b. The application for a **permit shall be submitted to the Chatham County Department of Engineering** soil erosion and sedimentation control plan approval shall be submitted ~~to the District~~ and must include the applicant's Erosion, ~~and Sedimentation~~ **and Pollution** Control Plan with supporting data, as necessary. Said plans shall include, as a minimum, the date specified in §24-805(3) of this ordinance. ~~Soil Erosion, and Sedimentation~~ **and Pollution** Control Plans, **together with supporting data, must demonstrate affirmatively that the land disturbing activity proposed will be carried out in a manner that** shall conform to the provisions of §24-804(2) and §24-804(3) of this ordinance **will be met.** Applications will not be accepted by ~~the District~~ unless accompanied by two copies of the applicant's ~~Soil Erosion, and Sedimentation~~ **and Pollution** Control Plan. All applications shall contain a certification, stating that the plan preparer, or the designee thereof, visited the site prior to creation of the plan ~~or that such a visit was not required in accordance with rules and regulations established by the Board.~~
- ~~c. Two copies of the Soil Erosion and Sedimentation Control Plan shall also be submitted to Chatham County upon application for a Land Disturbing Activity Permit.~~
- C. In addition to fees required by Chatham County's Land Disturbing Activities Ordinance, fees will be assessed pursuant to paragraph (5) subsection (a) of O.C.G.A. 12-5-23, provided that such fees shall not exceed \$80.00 per acre of land disturbing activity, and these fees shall be calculated and paid by the primary permittee as defined in the state general permit for each acre of land disturbing activity included in the planned development. All applicable fees shall be paid prior to issuance of the land disturbing activities permit. Half of such fees shall be submitted to the division; except that any and all fees due from an entity which is required to give notice pursuant to paragraph (9) or (10) of O.C.G.A. 12-7-17 shall be submitted in full to the division.

- d. **All erosion, sedimentation and pollution control plans, along with required supporting data, must be submitted to the District for review and approval prior to issuance of a Land Disturbing Activities Permit.** Immediately upon receipt of an application and plan by the District, it will be reviewed and approved or disapproved concerning the adequacy of the soil erosion and sedimentation control plan. The District shall approve or disapprove a plan within 35 days of receipt. Failure of the District to act within 35 days of receipt shall be considered an approval of the pending plan. The results of the District review shall be forwarded to Chatham County. The County will not issue a land disturbing activities permit unless the ~~soil erosion and sedimentation control~~ plan has been approved by the District, and any variances required by §24-805(2) (d) (ii) have been obtained.
- e. i. If a permit applicant has had two or more violations of previous permits, this ordinance section, or the Erosion and Sedimentation Act, as amended, within three years prior to the date of filing of the application under consideration, Chatham County may deny the permit application.
- ii. Chatham County may require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, \$3,000 per acre or fraction thereof of the proposed land-disturbing activity, prior to issuing a permit. If the applicant does not comply with this ordinance or with the conditions of the permit after issuance, Chatham County may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance. These provisions shall not apply unless there is in effect an ordinance or statute specifically providing for hearing and judicial review of any determination or order of Chatham County with respect to alleged permit violations.

3. Plan Requirements

- a. Plans must be prepared to meet the minimum requirements as contained in §24-804(2) and §24-804 (3) of this ordinance, **or through the use of more stringent, alternate design criteria which conform to sound conservation and engineering practices.** Conformance with the minimum requirements may be attained through the use of design criteria in the current issue of the *Manual for Erosion and Sediment Control in Georgia*, ~~or through the use of more stringent, alternative design criteria which conform to sound conservation and engineering practices.~~ The *Manual for Erosion and Sediment Control in Georgia* is hereby incorporated by reference into this ordinance. The plan for the land-disturbing activity shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structure including roadways, constructed waterways, sediment control and storm water management facilities, local ordinances and State laws.
- b. Date Required for Site Plan: **shall include all the information required from the appropriate Erosion, Sedimentation and Pollution Control Plan Review Checklist established by the Commission as of January 1 of the year in which the land disturbing activity was permitted.**
- ~~i. Narrative or notes and other information. Notes or narrative to be located on the site plan in general notes or in sediment control notes.~~
- ~~ii. Description of existing land use at project site and description of proposed project.~~
- ~~iii. Name, address, and phone number of the property owner.~~
- ~~iv. Name and phone number of 24-hour local contact who is responsible for erosion and sedimentation controls.~~
- ~~v. Size of project, or phase under construction, in acres.~~
- ~~vi. Activity schedule showing anticipated starting and completion dates for the project. Include the statement in bold letters, that "the installation of erosion and sedimentation control measures and practices shall occur prior to and concurrent with land-disturbing activities."~~
- ~~vii. Storm water and sedimentation management systems, storage capacity, hydrologic study, and calculations, including off-site drainage areas.~~

- ~~viii. Vegetative plan for all temporary and permanent vegetative measures, including species, planting dates and seeding, fertilizer, lime, and mulching rates. The vegetative plans should show options for year-round seeding.~~
 - ~~ix. Detail drawings for all structural practices. Specifications may follow guidelines set forth in the *Manual for Erosion Sediment Control in Georgia*.~~
 - ~~x. Include the following maintenance statement: "Erosion and sedimentation control measures will be maintained at all times. If full implementation of the approved plan does not provide for effective erosion and sediment control, additional erosion and sediment control measures shall be implemented to control or treat the sediment source."~~
- c. Maps, drawings, and supportive computations shall bear the signature/seal of a registered or certified **design** professional. In engineering, architecture, landscape architecture, land surveying, or erosion and sedimentation control. After December 31, 2006, all Persons involved in land development design, review, permitting, construction, monitoring or inspection of any land disturbing activity shall meet the education and training certification requirements, **dependent on his or her level of involvement in the process**, as developed by the Commission **and in consultation with the Division and the Stakeholder Advisory Board created** pursuant to O.C.G.A. 12-7-20. The certified plans shall contain:
- ~~i. Graphic scale and north point or arrow indicating magnetic north.~~
 - ~~ii. Vicinity maps showing location of project and existing streets.~~
 - ~~iii. Boundary line survey.~~
 - ~~iv. Delineation of disturbed areas within project boundary.~~
 - ~~v. Existing and planned contours, with an interval in accordance with the following:~~

Map Scale	Ground Slope	Contour Interval, feet
1 inch = 100 ft or larger	Flat 0-2% Rolling 2-8% Steep >8%	0.5 or 1 1 or 2 2, 5, or 10

- ~~vi. Adjacent areas and features areas such as streams, lakes, landscaping, large trees, residential areas, etc. which might be affected should be indicated on the plan.~~
 - ~~vii. Proposed structures or additions to existing structures and paved areas.~~
 - ~~viii. Delineate the 25-foot horizontal buffer adjacent to state waters and the specified width in MRPA areas.~~
 - ~~ix. Location of erosion and sedimentation control measures and practices using coding symbols from the Manual, Chapter 5.~~
- ~~D. Maintenance of all soil erosion and sedimentation control practices, whether temporary or permanent, shall be at all times the responsibility of the property owner.~~

4. Permits

- a. Permits shall be used or denied as soon as practicable but in any event not later than forty-five (45) days after receipt by Chatham County of a completed application, providing variances and bonding are obtained, where necessary, **and all applicable fees paid. The permit shall include conditions under which the activity may be undertaken.**
- b. No permit shall be issued by Chatham County unless the erosion, ~~and~~ **and** sedimentation **and pollution** control plan has been approved by the District and Chatham County has affirmatively determined that the plan is in compliance with this ordinance, any variances required by §24-804(3)(o) and (p) are obtained, bonding requirements, if necessary, as per §24-805(2)(d)(ii) are met and all ordinances and rules and regulations in effect within the jurisdictional boundaries of Chatham County are met. If the permit is denied, the reason for denial shall be furnished to the applicant.

- c. **Any land disturbing activities by a local issuing authority or local school Board shall be subject to the same requirements of this ordinance, and any other ordinances relating to land development, as applied to private persons.**
- d. if the tract is to be developed in phases, then a separate permit shall be required for each phase.
- e. The permit may be suspended, revoked, or modified by Chatham County, as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in the title is not in compliance with the approved erosion and sedimentation control plan or if the holder or his successor in title is in violation of this ordinance. A holder of a permit shall notify any successor in title to him as to all or any portion of the land affected by the approved plan of the conditions contained in the permit.

§24-806 Inspection and Enforcement

1. The Chatham County Department of Engineering will periodically inspect the sites of land-disturbing activities for which permits have been issued to determine if the activities are being conducted in accordance with the plan and if the measures required in the plan are effective in controlling erosion and sedimentation. Also, Chatham County shall regulate both primary and secondary permittees as such terms are defined in the state general permit. Primary permittees shall be responsible for installation and maintenance of best management practices where the primary permittee is conducting land disturbing activities. Secondary permittees shall be responsible for installation and maintenance of best management practices where the secondary permittee is conducting land disturbing activities. **Tertiary permittees shall be responsible for installation and maintenance where the tertiary permittee is conducting land disturbing activities.** If, through inspection, it is deemed that a person engaged in land-disturbing activities, as defined herein, has failed to comply with the approved plan, with permit conditions, or with the provisions of this ordinance, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this ordinance.
2. The Chatham County Department of Engineering shall have the power to conduct such investigations as it may reasonably deem necessary to carry out duties as prescribed in this ordinance, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigation and inspecting the sites of land-disturbing activities.
3. No person shall refuse entry or access to any authorized representative or agent of Chatham County, the Commission, the District, or Division who requests entry for the purpose of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.
4. The District or the Commission or both shall **semi-annually** ~~periodically~~ review the actions of Chatham County. The District, the Commission or both may provide technical assistance to Chatham County for the purpose of improving the effectiveness of the County's erosion, ~~and~~ **and pollution** sedimentation control program. The District or the Commission shall notify the Division and request investigation by the Division if any deficient or ineffective local program is found.
5. ~~The Board, on or before December 31, 2003, shall promulgate rules and regulations setting forth the requirements and standards for certification and the procedures for decertification of a local issuing authority.~~ The Division may periodically review the actions of Chatham County. Such review may include, but shall not be limited to, review of administration and enforcement of Chatham County's ordinance and review of conformance with an agreement, if any, between the District and Chatham County. If such review indicates that Chatham County has not administered or enforced its ordinances or has not conducted the program in accordance with any agreement entered into pursuant to O.C.G.A. 12-7-7(d), the Division shall notify the governing authority of Chatham County in writing. The governing authority, so notified, shall have ~~30~~ **90** days within which to take the necessary corrective action to retain certification as an Issuing Authority. If the county does not take necessary corrective action within ~~30~~ **90** days after notification by the division, the division may revoke the certification of Chatham County as an Issuing Authority.

§24-807 Penalties and Incentives

1. Failure to Obtain a Permit for Land-disturbing Activity. If any person commences any land-disturbing activity requiring a land-disturbing permit as prescribed in this ordinance without first obtaining said permit, the person shall be subject to revocation of his business license, work

permit or other authorization for the conduct of a business and associated work activities within the jurisdictional boundaries of Chatham County.

2. Stop Work Orders

- a. For the first and second violations of the provisions of this ordinance, the Director or Chatham County shall issue a written warning to the violator. The violator shall have 5 days to correct the violation. If the violation is not corrected within 5 days, the Director or Chatham County shall issue a stop-work order requiring that land-disturbing activities be stopped until necessary corrective action or mitigation has occurred; provided, however, that if the violation presents an imminent threat to public health or waters of the state or if the land-disturbing activities are conducted without obtaining the necessary permit, the Director or Chatham County shall issue an immediate stop-work order in lieu of a warning;
- b. For a third and each subsequent violation, the Director or Chatham County shall issue an immediate stop-work order; and
- c. All stop-work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred.
- d. When a violation in the form of taking action without a permit, failure to maintain a stream buffer, or significant amounts of sediment, as determined by Chatham County or by the Director or his or her designee, have been or are being discharged into state waters and where best management practices have not been properly designed, installed, and maintained, a stop work order shall be issued by Chatham County or by the Director or his or her designee. All such stop work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred. Such stop work orders shall apply to all land disturbing activity and on the site with the exception of the installation and maintenance of temporary or permanent erosion and sediment controls.

3. Bond Forfeiture. If, through inspection, it is determined that a person engaged in land-disturbing activities has failed to comply with the approved plan, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance with the plan and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this ordinance and, in addition to other penalties, shall be deemed to have forfeited his performance bond, if required to post one under the provisions of §24-805(2)(d)(ii) Chatham County may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance.

4. Monetary Penalties

- a. Any person who violates any provision of this ordinance, or any permit condition or limitation established pursuant to this ordinance or who negligently or intentionally fails or refuses to comply with final or emergency order of the Director issued as provided in this ordinance shall be liable for a sentence of imprisonment not to exceed 60 days in jail or monetary penalty of \$2,500 per day or both. For the purpose of enforcing the provisions of this ordinance, notwithstanding any provisions in any county charter to the contrary, municipal courts shall be authorized to impose a penalty not to exceed \$2,500 for each violation. Notwithstanding any limitation of law as to penalties which can be assessed for violation of county ordinances, any magistrate court or any other court of competent jurisdiction trying cases brought as violations of this ordinance shall be authorized to impose penalties for such violations not to exceed \$2,500 for each violation. Each day during which violation or failure or refusal to comply continues shall be a separate violation.

§24-808 Education and Certification

1. ~~After December 31, 2006, all~~ Persons involved in land development design, review, permitting, construction monitoring, or inspection or any land disturbing activity shall meet the education and training certification requirements, dependent on their level of involvement with the process, as developed by the Commission in consultation with the Division and the stakeholder advisory board created pursuant to O.C.G.A. 12-7-20.
2. ***For each site on which land-disturbing activity occurs, each entity or person acting as either a primary, secondary, or tertiary permittee, as defined in the state general permit, shall have a minimum one person who is in responsible charge of erosion and sedimentation control activities on behalf of said entity or person and meets the***

applicable education or training certification requirements developed by the Commission present on site whenever land-disturbing activities are conducted on that site. A project site shall herein be defined as any land-disturbance site or multiple sites within a larger common plan of development or sale permitted by an owner or operator for compliance with the state general permit.

3. *Persons or entities involved in projects not requiring a state general permit but otherwise requiring certified personnel on site may contract with certified persons to meet the requirements of this ordinance.*
4. *If a state general permittee who has operational control of land-disturbing activities for a site has met the certification requirements of paragraph (1) of subsection (b) of O.C.G.A. 12-7-19, then any person or entity involved in land-disturbing activity at that site and operating in a subcontractor capacity for such permittee shall meet those educational requirements specified in paragraph (4) of subsection (b) of O.C.G.A. 12-7-19 and shall not be required to meet any educational requirements that exceed those specified in said paragraph.*

§24-809 Administrative Appeal/Judicial Review

1. Administrative Remedies. The suspension, revocation, modification or grant with condition of a permit by Chatham County upon finding that the holder is not in compliance with the approved erosion, ~~and sediment~~ **and pollution** control plan; or that the holder is in violation of permit conditions; or that the holder is in violation of any ordinances; shall entitle the person submitting the plan or holding the permit to a hearing before the Board of Commissioners within 21 days of receipt by the Issuing Authority or written notice of appeal.
2. Judicial Review. Any person, aggrieved by the decision or order of the Issuing Authority, after exhausting his administrative remedies, shall have the right to appeal de novo to the Superior Court of Chatham County.

§24-810 Effectivity, Validity and Liability

1. Effectivity. This ordinance shall become effective on the 25th ~~1st~~ day of **July 2010** ~~June 2004~~.
2. Validity. If any section, paragraph, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional, such decisions shall not effect the remaining portions of this ordinance.
3. Liability.
 - a. Neither the approval of a plan under the provisions of this ordinance, nor the compliance with the provisions of this ordinance shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon Chatham County or District for damage to any person or property.
 - b. The fact that a land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this ordinance of the terms of the permit.
 - c. No provisions of this ordinance shall permit any persons to violate the Georgia Erosion and Sedimentation Control Act of 1975, the Georgia Water Quality Control Act or the rules and regulations promulgated and approved thereunder or pollute any waters of the State as defined thereby.

Adopted this 25th ~~1st~~ day of ~~June, 2004~~ **July 2010**.

By: _____
Pete Liakakis, Chairman
Chatham County Commission

ATTEST: _____
Sybil Tillman
Clerk of Commission

Approved as to Form and Legality

R. Jonathan Hart, County Attorney

All Districts

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XIII. INFORMATION ITEMS

1. **Progress report on General Fund Contingency Account - M & O and the Special Service District (see attached).**
2. **List of purchasing items between \$2,500 and \$9,999 (see attached).**

AGENDA ITEM: XIII-2
AGENDA DATE: June 11, 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>
25 various size automotive tires	Fleet Operations	Pep Boys	\$3,021	General Fund/M & O - Tire Inventory
100 cases letter size copy paper	Detention Center	Paper Chemical Supply Company (WBE)	\$3,290	General Fund/M & O - Detention Center
Annual software maintenance for the card reader system	Detention Center	RISG USA, Inc. (Sole Source)	\$5,585	General Fund/M & O - Detention Center
Three (3) tasers with taser cams	Sheriff	DGG Taser, Inc. (Sole Source)	\$3,665	General Fund/M & O - Sheriff
Repairs to fencing and move gate operator to left side of opening	CNT	Randy's Fence Company	\$6,150	Confiscated Funds - CNT
Technical surveillance equipment	CNT	Sytech Corporation (Sole Source)	\$4,000	Confiscated Funds - CNT
One (1) handheld computer and training for the meter reading system	Public Works and Park Services	Delta Municipal Supply Co., Inc. (Sole Source)	\$6,800	Water and Sewer
One (1) lot of traffic sign material	Public Works and Park Services	American Traffic and Safety Materials	\$4,404	SSD - Public Works

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
Maintenance agreement on three (3) Fuelmaster fueling systems for Mosquito Control facility, County Fleet and Detention Center	Fleet Operations	Syn-Tech Systems, Inc.	\$2,756	General Fund/M & O - Fleet Operations
Repairs to International vacuum truck	Public Works and Park Services	Roberts International Trucks	\$2,729	General Fund/M & O - Fleet Operations
Audio video system for the Recycling Center	Public Works and Park Services	Savannah Systems	\$3,534	Solid Waste Restricted
Office furniture	County Attorney	VIP Printing & Office Supply (WBE) (State Contract)	\$5,118	General Fund/M & O - County Attorney
Replacement projectors and spare lamps for Courtrooms "D" and "F"	Superior Court Administrator	Stagefront Presentation Systems	\$5,376	General Fund/M & O - Court Expenditures
Professional engineering services provided for the Recycling Center	Public Works and Park Services	Thomas and Hutton Engineering	\$7,151	Solid Waste Restricted

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RECESS TO EXECUTIVE SESSION

Upon motion made by Commissioner Odell and seconded by Commissioner Thomas the Board recessed at 12:35 p.m. to go into Executive Session for the purpose of discussing personnel, litigation, land acquisition.

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Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 1:58 p.m.

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ITEMS FROM EXECUTIVE SESSION

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

ACTION OF THE BOARD:

Commissioner Shay moved to approve a motion to authorize the Vice Chairman to execute an Affidavit that the Executive Session was held in compliance with the Open Meetings Act. Commissioner Kicklighter seconded the motion and it carried unanimously. [Chairman Liakakis and Commissioner Stone were not present. Commissioner Gellatly was absent.]

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ADJOURNMENT

There being no further business to be brought before the Commissioners, the Vice Chairman declared the meeting adjourned at 2:00 p.m.

APPROVED: THIS DAY OF _____ day of JUNE, 2010.

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

BARBARA B. WRIGHT, ACTING COMMISSION CLERK