MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, JULY 23, 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 Liakakis called the meeting to order at 9:35 a.m.

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II. INVOCATION

Commissioner Patrick K. Farrell gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

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

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IV. ROLL CALL

Chairman Liakakis said, I call on Barbara Wright this morning for the roll call.

The Acting Clerk called the roll.

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

Also present: Russ Abolt, County Manager
Lisa Colbert, Assistant County Attorney
Barbara B Wright, Acting County Clerk

Chairman Liakakis said, I want to make a note, Patrick Shay should be here very shortly, Barbara. Make a note of that, please. I ask for a vote to excuse Commissioner Dave Gellatly. Commissioner Stone said, so move. Commissioner Thomas said, second. Chairman Liakakis said, all right, let's go on the board. Motion passes.

ACTION OF THE BOARD:

Commissioner Stone moved to excuse Commissioner David Gellatly. The motion was seconded by Commissioner Thomas and it passed unanimously. [Commissioner Shay was not present. Commissioner Gellatly was excused.]

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. PROCLAMATION FOR HELEN BRADLEY ON HER RETIREMENT FROM VICTIM WITNESS AFTER 27 YEARS OF SERVICE.

Chairman Liakakis said, Commissioner Farrell will make that presentation this morning. Helen, and anybody that you have here that you would like to come to the podium also with you, I know you've got a number of supporters and maybe family members, bring them up, also.

Commissioner Farrell said, all right, Proclamation from Chatham County Commissioners.

WHEREAS, employees that have displayed dedication and great performance for Chatham County and its citizens deserve to be recognized, bearing this in mind, we salute Helen Bradley; and

WHEREAS, Helen Pitts Bradley began her career with Chatham County as the assistant to then Director Elizabeth Stewart, on August 1, 1983, the date that marked the beginning of the Victim-Witness Program; and

WHEREAS, Helen Pitts Bradley became the Director of Chatham County's Victim-Witness Program on January 13, 1986, and has worked very hard to make this a very successful program.

WHEREAS, the Chatham County Victim-Witness Program was the first comprehensive program in the State of Georgia. Many victim witness programs have been modeled after the Chatham County Program and Helen was instrumental in assisting many other counties in getting their victim witness programs in place; and

WHEREAS, Helen has received local, state and national recognition for her tireless efforts on behalf of victim's rights.

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

HELEN PITTS BRADLEY

upon her retirement and express sincere appreciation for twenty-seven years of dedicated service to victims of crimes and their loved ones and extend best wishes for a long, happy, healthy retirement.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed this the 23rd day of July, 2010.

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Pete Liakakis, Chairman
Chatham County Commission

ATTEST: _____
Frances Q. Rasmussen, Deputy Clerk

County Manager Abolt said, thank you, and thank the District Attorney for allowing me to say this. I've known Helen for so many years, and I do want to take this occasion to tell you what a special person she is and, more importantly, what she represents as far as the administration of justice. We all can, in our mind, visualize the statue of Lady Justice that has the scale in one hand, I believe, and the sword in the other and is blind -- has a blindfold around it. In the case of Helen and Victim Witness, it has a heart, and Helen has been that heart for so many years, and I personally have experienced this on so many numerous occasions. It's Helen and all of her volunteers and her staff that reach out to people in the time of greatest needs, when they feel lost, they feel just not a victim, but they feel they have nowhere to turn. In the past, justice has been swift and fair, but justice has not had the heart that Helen has brought to it. I will miss her personally. She and her staff have done an outstanding job. They really have burnished the reputation of Chatham County state-wide. She's a wonderful employee.

Chairman Liakakis said, Helen, do you want to come up to the mike for us?

Ms. Helen Bradley said, and say something?

Chairman Liakakis said, yeah, we'd like to hear your comments.

Ms. Bradley said, well, I just appreciate those very kind remarks and, indeed, I give credit to this County Commission, because 27 years ago, there was no victim assistance program in the State of Georgia, and it was a new-fangled idea, something that people had never heard of, and this county had the vision to start this Victim Assistance program, so I'm very impressed with that. Also, there have been many improvements over the years that we can give credit to this Commission, particularly, the Chairman. And one that I think about most recently was having one of the first elder abuse prosecutors in this state. So thanks to the Commission for the support of this Victim Assistance program. At my retirement at a very early age -- I started as a child -- I'm getting a lot of credit, and there is only one thing that I want to take credit for, and that is for hiring a wonderful staff of paid and volunteers in our community who truly do the important and difficult work of helping victims and their families as they go through difficult times. So I leave knowing that that good work will continue. And I just want to recognize my staff, if they will all raise their hands really big, and not just my staff, but I will quote Mr. Abolt now, I've heard him say this many times, the professionalism of the county employees, and that is the truth. I've been here 27 years, and I'll just give an example. For 27 years, I called upon the

Finance Staff and the Budget Staff and HR for many, many things, and they are always not just knowledgeable, but patient and helpful, and I appreciate that. I laugh and say, the Budget folks think, she's done this 27 years, do you think she would have so many questions each year? But I continue to have questions and they continue to answer them. Also, as I've traveled across the nation doing trainings and learning about other programs, I have learned that not many programs have as great support from their law enforcement agencies as our program does. So I just want to thank all the law enforcement folks who are here, because we have an outstanding relationship with them, which helps us to help victims even better, and I very grateful for that. I wish Larry Chisolm, who I've known long before I started coloring my hair. We go way back. I wish Mr. Chisolm and all his staff the very best, because, in fact, what they do, along with law enforcement, is make our community safer. They prosecute criminals and they help victims, and that is a noble, noble cause, and I wish the staff the very, very best. And thank you for this proclamation. I appreciate it.

Chairman Liakakis said, Helen, stay up there just a minute, please. Don't leave. I want to say this. I'm quite familiar with the Victim Witness program for many, many years, and I've seen what you and your staff have done. But you've helped so many people in this community. I'm not talking about a few, but hundreds and hundreds of them, that have been victims of crime in our community, and because of you and your staff people, to be able to help them in a number of ways, psychologically and other ways, also, to let them know that people care about them and, of course, to give them, you know, give them some strength in a number of ways to help them, because that's important, because a lot of times, people that have, you know, different crimes committed against them, they feel that, you know, not only being a victim, but really, nobody else cares about it. But because we've got the first one in the State of Georgia and it has been the pilot program for some others, and the great leadership that you have shown, we really appreciate that, and thank you. I know all the victims that have been helped by this, there are hundreds and hundreds and hundreds of those over the years, they appreciate it, too. And I know a number of them are sorry to see you retire at such an early age. Thank you.

Ms. Bradley, said, thank you so much.

Larry Chisolm said, Mr. Chairman and Members of the Commission, thank you for giving us this opportunity to honor someone who's been such an important part of victim services throughout the State of Georgia for the last 27 years. It's my privilege, Helen, on behalf of the 135 members of the District Attorney's Office, which includes Victim Witness, our people at CNT, Juvenile Court, VIP, and Child Support, I'd like to take this opportunity to present to you on behalf of Chatham County and all of those employees this wonderful token of appreciation for your 27 years of dedicated service to Chatham County, and to let you know how much we will miss you collectively and how much personally I will miss you, and how much I've appreciated working with you every single day that we've worked together. So on behalf of the County, please receive this with the appreciation that is extended and the love, and please go with God speed.

Ms. Bradley said, thank you. Thank you so much.

Chairman Liakakis said, Dean?

Commissioner Kicklighter said, I just want to simply say thank you and thank you to your staff. I appreciate everything.

Ms. Bradley said, you're quite welcome.

Commissioner Kicklighter said, enjoy your retirement.

Ms. Bradley said, and one of the gifts that I've received over these many years is from many victims and their families, in learning about their resilience and faith and strength during difficult times, and that is something that I remember every day, and I am grateful for the many people in this community that I have met.

Commissioner Thomas said, Mr. Chairman?

Chairman Liakakis said, Priscilla?

Commissioner Thomas said, Helen, I just want to say personally thank you so very much for your services. I've known you for a long, long time, and we have worked together very, very well. You have done an outstanding job for this county, and you will be missed, so we hope that your retirement will prove very successful and that you will enjoy it. Thank you so much.

Ms. Bradley said, thank you.

Chairman Liakakis said, okay, we thank all of you. We appreciate you coming today and hopefully, God will bless you, Helen, for many, many years in the future, and I know that you won't sit back. You'll be volunteering, knowing you, the things that you have done. Thank you again on behalf of the Chatham County Commission and all of our citizens.

Ms. Bradley said, thank you so much.

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2. PROCLAMATION FOR CONNIE ROBERTS ON HER RETIREMENT FROM BUILDING SAFETY AND REGULATORY SERVICES.

Chairman Liakakis said, would she come forth now and anybody -- you know, if you have any family members or friends, bring them up, also. And Mr. County Manager? Commissioner Helen Stone will present the Proclamation.

Commissioner Stone said, thank you, Mr. Chairman. In looking over this Proclamation before I read it, you accomplished quite a lot, and we're all very proud of you.

WHEREAS, employees that have displayed dedication and great performance for Chatham County and its citizens deserve to be recognized, bearing this in mind, we salute Connie J. Roberts; and

WHEREAS, Connie J. Roberts began her career with Chatham County on July 25, 1997, as an Accountant Tech II in the Finance Department. She performed her duties with great pride and dedication, always receiving above average evaluations; and

WHEREAS, on September 14, 1998, Connie J. Roberts was hired as a Human Resources Tech II in the Human Resources and Services Department and, always striving to be at the top of her profession, she graduated from Savannah State University with a Master,s Degree in Public Administration in May 2000 and on March 15, 2004, she became the Operations Coordinator for Chatham County Department of Building Safety and Regulatory Services; and

WHEREAS, for thirteen years, she was an excellent and dedicated employee that received several commendations from the University of Georgia Carl Vinson Institute of Government, Chatham County Youth Commission as Advisor for 5 years, Leadership Savannah Graduate 2002-2004, and from Georgia Local Government Personnel Association for her outstanding performances.

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

CONNIE J. ROBERTS

upon her retirement and express sincere appreciation for over thirteen years of dedicated service to the citizens of Chatham County, six of which were served as an excellent employee of the Chatham County Department of Building Safety and Regulatory Services, and extend best wishes for a long, happy, healthy retirement.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed this the 23rd day of July, 2010.

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Pete Liakakis, Chairman
Chatham County Commission

ATTEST:

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Frances Q. Rasmussen, Deputy Clerk

County Manager Abolt said, with permission of the Chairman, Mr. Anderson is not with us today. Mr. Bascomb, the Assistant Director, is with us, but I want to preempt any comments on the side of those that have supervised and have had the good fortune of working with Connie. I've been here now 23 years, almost. One of my first hires was Beverly Whitehead, as Director of Human Resources, and Beverly taught me those many years ago how important it is to nurture employees and, more importantly, that we are family. And this lady before you, to my left, to your right, is the embodiment of, we are family. It is just not Connie who, in herself, was an outstanding contributor to this county organization, but it's also to her husband, Solomon -- Solomon, please, you and Connie come forward -- Solomon was a long-time and a very trusted employee in our fleet maintenance. He is just truly a man who is beyond being just a great employee, has also followed the calling of our Creator in providing necessary ministry and pastoral support to a variety of citizens in need. But then we have, even after Solomon and Connie from the standpoint of their workaday life are now with us, we have Solomon, Jr., who works in Building Maintenance. This is the next generation of this family, and it's a commitment made by Connie and Solomon to show that they not only, you know, walk the walk, but in effect, they talk the talk and they make it happen. They, in their life, have committed themselves to certainly God and also to public service, and I've never met a finer family than the Roberts family, and I've never net a lady nicer or finer and of more integrity than Connie Roberts. She has come to the fore in so many cases where we had problems in different departments, mostly recently, several years ago, and created the responsiveness and quality of the work of our employees in Building Safety. With Mr. Anderson's choice to hire Connie, those problems were immediately solved. She, in effect, embodies what any public servant should do in their life, and we'll miss her.

Mr. Clifford Bascomb said, good morning, Mr. Chairman, Commissioners, on behalf of Gregori Anderson, our Director, and the staff, I would like to say to Connie, we will miss you, of course. You did a wonderful job. We enjoyed having you. And I know you have a lot of traveling plans and I know a lot of exotic places you'd like to visit. Be sure and send us a postcard, let us know where you are, keep in touch, and may God continue to bless you and your family. We enjoyed you. Thank you.

Chairman Liakakis said, Connie?

Ms. Roberts said, I'd just like to say thank you to all of my family here at Chatham County and to Mr. Anderson, Mr. Bascomb, and to all of those who stood behind me and supported me in all my endeavors, and especially to

Commissioner Thomas for allowing me to be an advisor for the Chatham County Youth Commissioners and also to work with her on Summer Bonanza over the years, and it has been an honor, and she has instilled in me to do what is right, be there, and always take care of the youth. And I'd like to thank all of the Commissioners and all of you. I know a lot of you by phone calls, working in Human Resources, and I have encountered a great deal of the 1600 plus employees here. A lot of them know me by name and phone call over the years, working with the department that I have worked with over the years. I have been honored to have met and greeted so many fine people. You are my family. You will continue to be my family. As Mr. Van Johnson has always said, once a Youth Commissioner, always a Youth Commissioner. Once a Chatham County employee, always a Chatham County employee. To God be the glory.

Chairman Liakakis said, thank you, Connie, don't leave yet. I want to say this to you. Being an outstanding employee in every department that you worked for, many times, you went beyond the call of duty to get things done for the people of Chatham County, which is great to have employees like you, and we have 1600 really good employees that we have that work for the County, but your efforts and the things that you did were always above, you know, what you had to do for the citizens of Chatham County. We really appreciate that, and may God bless you in your future endeavors. Thank you.

Ms. Roberts said, thank you.

Chairman Liakakis said, Priscilla?

Commissioner Thomas said, thank you. I would be remiss if I didn't say thank you. You certainly have been a wonderful supporter of the Chatham County Youth Commission as well as the Summer Bonanza program. Now that you are retiring, that means that you'll have more time to work with us. But you certainly have been a great role model, and we look forward to seeing you and hope that your retirement will be well spent.

Ms. Roberts said, thank you. Whenever you need me, just call me; if I'm available, I will come to your beck and call.

Commissioner Thomas said, I certainly will make those calls. Thank you.

Chairman Liakakis said, thank you.

Ms. Roberts said, Chairman Liakakis, I'd like to introduce my family here. This is my husband of 38 years, my son Solomon, as Mr. Abolt has already introduced. I have my sister -- two of my sisters here, my nieces, nephews, cousins, brother-in-law, and I am just grateful that they're all supportive of me, as well, and thank you again.

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3. CNT STATE CERTIFICATION PRESENTATION (GARDEN CITY POLICE CHIEF DAVID LYONS ON BEHALF OF THE GEORGIA ASSOCIATION OF CHIEFS OF POLICE).

Chairman Liakakis said, I'm glad, because we all know in this area, anybody that's familiar with law enforcement, that Chief Lyons from Garden City, he has accreditation for Garden City, which hadn't had it before, plus all the other things that he helps with in law enforcement, not only in Garden City, but our area and around the State. Thank you for bringing this to us today.

Chief David Lyons said, thank you, Mr. Chairman. Ladies and Gentlemen of the Commission, as a member of the Executive Board and on behalf of the Georgia Association of Chiefs of Police, it's my privilege to be here this morning to officially proclaim the Chatham-Savannah Counter Narcotics Team a state-certified law enforcement agency. This is something that you and the citizens of Chatham County can be very proud of, because there's a lot of work goes into this, and this officially certifies them as a professional law enforcement organization, and it's my privilege to present this to Commander Harris. And the real work in a certification effort goes to the certification manager. There's about 130 or so standards that you had to meet, policies to be written, all of those things that are required to be a certified agency. It's not easy, but it's worth it in the long run, and the guy that makes this happen is the certification manager. In this case, it was Lieutenant Dorsey Stover. It's my privilege to present him with a certificate of appreciation.

Commander Roy Harris said, thank you, Chief. I've known Chief Lyons a long time. In fact, he knew me before I knew him. I was at one time in the 298th Military Police Company. That's the U.S. Army, Mr. Abolt. Shortly after I left, Chief Lyons came in to try to clean up the mess I'd made while I was there, so down through the years, he reminded me of that. Chief Lyons will be the GACP President about three years from now, will be sworn in, hopefully here in Savannah, to that very important position in law enforcement for the State. I have a lot of members of my staff here with me, and I wanted to introduce those. If I could get my staff just to raise their hands so you can recognize them without going through. Lieutenant Mitchell, you know from his famous bow ties. We have our District Attorney, Mr. Chisolm, with us. And I also want to mention our federal partners. We have our partners from the DEA, ICE, which is Immigration & Customs Enforcement, and the FBI. Without these three agencies and ATF, a lot of what we do could not be done. As we report to you monthly, we had over 50 joint investigations last year with these partner agencies, and we certainly appreciate their help in all avenues of what we do every day, so I certainly appreciate them and the other members of the Board that we have here. Sheriff Al St. Lawrence and Sheriff Smith from Bryan County are both out-of-county at the Sheriffs Association meeting and send their regrets that they couldn't be here, but MacArthur Holmes, the Colonel, is also on the Board and here, and we have Chief Lovett from Metro PD, who is a major partner in all that we do, so I thank all of these Ladies and Gentlemen for being here this morning.

Chairman Liakakis said, what I'd like to do, of course, I'll speak about you in a minute, I would like now the Director for FBI in Savannah and Chatham County and this area to come forth, because he has been here for a while now. He took over in charge of this particular FBI office, and they do a great job. I'd like for him to speak also.

Lawrence Greene said, you catch me a little off-guard here. I'm not the Director -- that could get me in trouble --

Chairman Liakakis said, well, I understand. I just wanted to promote you this morning.

Mr. Greene said, since I've been here, I've met a host of wonderful organizations, my counterparts in the federal and on the state side, all these members who are standing here. Mr. Harris, Commander Harris has been a wonderful individual. We have coordinated our investigations well together, as we have done with all the agencies that you see here. It's been an extreme pleasure. Unfortunately, you and I have not met personally, or the rest of the Commission, and I would like to say hello to everybody. It's a wonderful town. I'm happy to be here and happy to be amongst such wonderful people.

Chairman Liakakis said, thank you very much, would you give Barbara your name right there so she could put it in the record? And I'd like the DEA that's in charge, the Federal DEA, because I have gone to some meetings and have spoke to him and, let me tell you, I'd like for him to tell you something, how he feels about this CNT, because he's been in a number of other locations where they have similar type of drug squads and those kind of things, but he gave me some information, what he thought about the Chatham County CNT. I'd like for him to speak.

Greg Cherundolo said, thank you, Mr. Chairman, Commissioners. I'd like to share what I really think of Roy, but I don't want to do that in a public forum. No. You know, ironically, this week -- we cover 43 counties. We cover from Augusta to the Florida state line, the whole Southern District of Georgia, and there are very few agencies that have a professional demeanor like CNT. Like I said, this week, I was in Augusta, and their -- they were inquiring about how CNT is set up, and they actually called down here, because they're similarly situated population-wise, crime-wise, everything else, and they kinda look at that as a model, and when they call around to try to enhance their narcotics agencies, or their divisions within the Sheriff's Department or the police departments, CNT is used as the model of that, and it really is a great model. Over the years, we've arrested hundreds of people. I've been here for three years, and we've convicted every one of those. We haven't had anybody that hasn't been convicted of a crime that we've accused them of, so with that, I just want to thank them. It's a professional organization. It's a huge undertaking for the County to have a unit like that, but I think the results that you've seen just in the past couple of weeks and over the past couple of years, at least that I'm familiar with while I've been here, have been phenomenal. The organization -- we can -- we only have six agents that cover those 43 counties, so you can imagine, that's a huge undertaking for us, so without an agency like CNT, things don't get done. We need those partnerships. And the assets that they've brought back to the community to be spent in law enforcement in order to enhance their abilities has been phenomenal, too, and that's because of the hard work of the people at CNT and the partnership, not only with CNT, but with all the other agencies that participate in drug enforcement, so with that, congratulations to them. Having been a police officer before DEA agent, I recognize what the certification means, and it puts you in a different tier as a professional organization within the State, so congratulations to them and thank you for your support of CNT.

Chairman Liakakis said, thank you very much, because we appreciate of all of that cooperation that we have gotten from DEA, because the intelligence with the FBI, the DEA, Immigration & Customs, and the ATF. Is anybody -- we've got some individual representing the Immigration & Customs today? Would you come forth and speak to us. Give her your name right there.

Jason Gialanella said, it's a very common Italian name, Gialanella. I will spell that for you. I'll leave you with a business card. Mr. Chairman, Commissioners, good morning, my name is Jason Gialanella. I'm the Resident Agent in Charge for ICE, which is Immigration & Customs Enforcement here in Savannah, which, as Mr. Cherundolo's office, we also cover all of the Southern District of Georgia, which is 43 counties from Augusta down to the Florida line. It's a pleasure for me to be here today. I wasn't prepared, hence the lack of a suit, which makes me feel very awkward, but I would like to say that in my ten months as being the RAC here for ICE, it's been a pleasure to work with CNT. A couple of my agents work almost on a daily basis with the CNT officers, and I can tell you, coming from the Miami Field Office and from our Headquarters element, that they are a fine establishment, very professional, and when my agents come in and say, hey, we're working a case with CNT, it's refreshing. I know that it's going to get done, I know it's going to be done in a professional manner, and I would like to congratulate Mr. Harris and all of CNT for their certification and the invitation to be here today. Congratulations.

Chairman Liakakis said, thank you very much. Appreciate that. Anybody from ATF? I know some of them were tied up this morning. I didn't know whether they got here or not. But I heard the same comments that you heard about CNT. And me attending those different meetings and all, the ATF people also, you know, stated that our CNT is an outstanding organization and, of course, they give great support to our people here. So, to all of you here from all of the law enforcement agencies and all, we really appreciate what you do, because you make a difference, not only in our area, but in the other areas that you cover within the community. And also, we can see Chief Lovett there, head of our Metro Police Department, and has spoken highly of our CNT cooperation that we have, and then we've got that person that all of you send to his particular hotel, we've got MacArthur Holmes, Colonel Holmes there, who heads up our jail in our particular area. So thanks again to all of you. Russ?

County Manager Abolt said, Mr. Chairman, Members of the Commission, this is a little bit non standard, but this is a time to recognize Director Harris and all of his staff and the partnership, but I also want to recognize Chairman Liakakis. I mean, we have had a gestation period in the last few years, that have been given a rebirth, revitalization, super-charged the Counter Narcotics Team because of the selection of Director Harris, but at the same time, the leadership, the passion, the drive, the unbelievable support of Chairman Liakakis in difficult times has made this all possible. I'm only a professional administrator. I want to tell him thank you, because without that, we could have had a different thing than we have right now.

Chairman Liakakis said, thank you all. Dean?

Commissioner Kicklighter said, Mr. Chairman, I'm trying to think of the best thing we can do to show our appreciation for the Commander and everyone else. The best thing I can think of is not making you sit around here and listen to us, so at this time, I'd like to make a motion to amend the agenda to let the Commander present his presentation, verbal presentation on --

Commissioner Odell said, second.

Chairman Liakakis said, we have a motion on the floor to amend the agenda. Instead of having Commander Harris give his report later on, so we'll save him time and all, that he'll give his report now. Let's go on the board. Chairman Liakakis said, motion passes.

ACTION OF THE BOARD:

Motion was made by Commissioner Kicklighter to amend the agenda from Item IX.3 to allow Commander Roy Harris to present the CNT verbal monthly report. The motion was seconded by Commissioner Odell and passed unanimously. [Commissioner Shay was not present. Commissioner Gellatly was excused.]

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Commissioner Kicklighter said, Commander, I'll try to do this for you one day whenever there's not like -- today, there's only a few things ahead of you, actually.

Commander Harris said, Commissioner Kicklighter, this is the second time you've done this for me. See, I don't forget these small favors.

Commissioner Kicklighter said, okay, good.

Commander Harris said, if I could get the County Manager to come forward with me, I have a little special presentation to give him. And I will say that the staff wanted to -- got together and contributed to this presentation to the County Manager for all that he's done for CNT, and this comes at no expense to the taxpayers of Chatham County. But he's out in the sun a lot and we wanted to protect his head, so we got him a little hat here. You may see on the front, there's a lightning bolt. Now, the significance of that should be apparent to most of you, as he's ridden Old Sparky, so we thought we'd give him something to commemorate that event, where he would remember it, because his memory may be fading and it may lapse a little bit, but I want him to remember that. I want to thank him and present him with his own Sparky hat.

County Manager Abolt said, he's referring to the five-second ride, what they refer to as the lightning bolt, which I also have the challenge coin in my pocket, and I still have two distinctive marks on my back, but we won't get to those right now. Thank you, Director.

Commander Harris said, I've been waiting a while to do that. Mr. Chairman, Commissioners, it's good to be with you this morning, and I do appreciate you letting me go ahead. If you look through the monthly report, as you will see, during the month of June, we were wrapping up the major investigation that both DEA and ICE referred to during their comments. You saw in the paper, those individuals were arrested. We hope to have another wave of arrests sometime in the near future, also involving this investigation. As I've told you before, any time you conduct a major month-long investigation, the real work really begins after that investigation is concluded and the arrests are made. From that point forward then, we are preparing to get everything ready for the District Attorney's Office or the United States Attorney's Office, in this case, both of them, and that is the real hard part of the job, because it requires a lot of discovery hearings, preparing very voluminous documents to release to defense attorneys and other entities, so the hard work is now ongoing. But we will continue that at the same time we continue our presence working other levels of drugs here in the county.

As you can see, we had 52 arrests in the month of June. Now, that's not counting the arrests that you're more familiar with. All of them will come this month, including -- I don't know what we'll have this month -- 20 firearms or so. We had a very large month seizing firearms. If you go back and look on Page 4, we responded to a possible methamphetamine lab located in a hotel room in Pooler. Now, meth labs can run the gamut of different sizes and where they are. Currently, you can do one in the back of a pick-up truck or a car. Hotel rooms are very popular, or you can have a mega-lab, which, fortunately, we've not run into. This is where our DEA partners really come in and help us on these clean-ups. They have a Super Fund. It's a very expensive clean-up process to mitigate this scene back where it can be released and reused. On this particular lab, this was, in fact, a lab, as you can see, and this past week, we found another working lab that was being cooked by a new method called a one-pot method. But if we go back in our stats, in 2007, we only made 8 methamphetamine cases in Chatham County. 2008, that jumped to 19. 2009, it went back to 12, which is a good thing. This year so far, we're up to 20 cases. That shows the transition of what we're dealing with in Chatham.

In the past, I've always said that meth was not a problem here, that labs were not a major issue, but we're seeing a trend. As trends go, things change, and we're seeing more of that come about. A part of this is this one-pot method. It's far less dangerous to cook than the old method using more volatile chemicals, and it's easier to get these chemicals. Since Georgia passed the precursor laws a number of years ago, it is very hard to get the anhydrous ammonia, the blister packs, and other things that they were using in the old Nazi method and other methods of cooking meth. Now, when we find a meth lab, we have to have meth-certified agents only in that scene, and that -- there again is an area I want to thank Greg with DEA. Through transfers and promotions and other people leaving CNT, our number of certified meth people is down somewhat. It wasn't an issue last year, because we didn't run into that many meth labs. This year, it is becoming more of an issue, so he is expediting getting a couple of our people in the meth lab clean lab school in Quantico. We've also gotten out to Meridian, Mississippi, which will give us four more certified people. These are OSHA rules and regulations that we deal with when we find a meth lab, and if we violate those rules, we can be heavily fined for that, so we're very cautious in how we deal with these labs. That is a critical thing that we have to do and, again, thanking our federal partners for what they do for us on that. They're the ones that train people, and without that timely assistance, we would be in more of a hardship. Any questions on the report?

Chairman Liakakis said, no, Commander Harris. I'd like to thank you very much and your people that have worked hard in the CNT. And a lot of people in our community don't realize, since 1994, I don't have the last two months' figures, but prior to that, there were over 1,400 and some-odd individuals in the drug area that were arrested by our CNT people. That's a huge amount of people in our area. And we'd like to thank you, too, and, of course, to all the seven Chiefs within our community that participate in this CNT with their personnel, as well as those with the Metro Police Department and all. But with this accreditation, we see that it moves it even to a higher level and all, and we really appreciate everything that you're doing, because a huge amount of weapons that have been confiscated, the amount of drugs and money over the years, has really gone sky-high. Thankfully, we've got our CNT and all the federal partners participating in this, so that we can help reduce the amount of drugs. And it would be great if one day we were able to eliminate it. But once you arrest certain ones, then there are others to take their place. But thank you again on behalf of Chatham County for the things that you do and all of the participants in our program. Harris?

Commissioner Odell said, Commander Harris, is there any way you can add to your report year-to-date totals?

Commander Harris said, yes, sir, we can do that.

Commissioner Odell said, and the reason I say that is, if I look at the amount of powder cocaine purchased for the month of June, we purchased approximately $1500. Is that true?

Commander Harris said, yes, sir, $1550.

Commissioner Odell said, and for each of those, we use buy money. Is that also true?

Commander Harris said, yes, sir.

Commissioner Odell said, and do we have a standardized procedure as far as controlling the buy money and the sterilization of the process?

Commander Harris said, yes, sir. That is part of our policy and procedure. We are very cautious with the buy money. There's multiple layers of supervision involved when people use buy money or to pay informants, and the same goes when we bring drugs in. We would have not achieved this state certification without that. That is areas that they look very strongly at, how we process evidence into our property room, how it is then transferred to the GBI crime lab and returned to us for court. So procedures are in place for all of that.

Commissioner Odell said, one additional question. The fact that meth is up as far as, you know, arrests and seizures, is that greater use or we're seeing it move from other counties? Because it used to be heavy in some of the outlying counties. They did a lot of meth and there were a lot of marijuana and cocaine in Chatham County. Is that a movement of the producers to us or is there a growth in that? Or do you have an opinion?

Commander Harris said, there's a couple of answers to that. Meth has, in the past, primarily been -- if you look along racial lines -- more of a white drug. White people were using it. The second part of that would be that anhydrous ammonia is more plentiful out in rural areas where you have farms and you can steal it and easily obtain it. Thirdly, because of the smells inherent to using that type of system to produce meth in a heavily dense, populated area, neighbors would more likely smell it, report it to a fire department, police department, of something suspicious going on. So those three things factor in. This new cooking method eliminates a lot of that. You can very easily buy the stuff. You can go on the Internet and download how to actually cook it. DEA has done some tests on the cooking process and it is not nearly as volatile as the old process was, which could cause a flash fire and/or explosion. This new process is a lot safer, so I think you're seeing more people experiment with it because of that safety factor. Now, the folks that we've recently arrested all had prior arrests, some by CNT for the same thing, so we're seeing the same people that were not from Chatham, but had moved into Chatham during their process here. Beyond those three, there may be other reasons, but I'm not immediately familiar with them.

Commissioner Odell said, thank you, Roy.

Chairman Liakakis said, Commander, just one thing. People don't realize -- I know I saw a lot of pictures, and I've seen some of the victims of meth, and in that, can you describe -- you know, because it's really grotesque when you see what I've seen in the past and, of course, all of you people see on a regular basis, the results that people have by taking meth and how it distorts their figures and many terrible things that happen to them by using that.

Commander Harris said, yes, sir, I would be glad to. And just to remind the Commissioners, we have a very good program on meth that, because we haven't had a major problem here, a lot of people are not familiar with it or called on us to do this program, but it actually has photos, slides, and a film showing the insidious dangers of meth. Meth is a very addictive drug, more so than many other types of drug we see here. And once addicted to it, there's basically not a way to get people off of it. That's the scary part. But we have these booking photos of people that, over a ten year period, you can see the progression, how they aged forty years in ten years. Their facial features did, because of the dangers this drug poses to the body, pick marks, where they've been picking at the skin because of itching, and other things associated with it. So it's a dramatic looking process. I know Dr. Thomas is wanting to use that with some of the kids this summer. I have been to these classes when you would see the young people put their heads down and didn't want to look at the photos, and I think that's a good thing to show them. It's kind of a shock treatment to remind them of what can happen to them if they use this drug only twice. They can be hooked for life. So it's a very much concern. Powder cocaine and crack cocaine -- particularly crack -- are problems, but overall, I think meth is probably a more addictive drug for us to deal with, so I've been happy in the past that we did not have more of a problem with it for that reason, plus the cost of clean-up after they've been cooking. For every pound of meth a site produces, there's four to five pounds of toxic waste that has to be eliminated. Many times, these meth cooks throw this in the back yard or pour it down the drains, which goes into our sewer system and back into our water tables, or children from next door can be there playing in the yard and get contaminated with it. On these two last arrests, we had children the age of two years old in these houses being inflicted with the fumes from this process, and they have no choice about the matter, so that is always a problem.

Commissioner Odell said, and they have reduced lung capacity. Meth is devastating. I believe that scared-to-death is a good parental tool. We have a television program. Is there any way -- and I ask the Chairman -- if we could (a) -- and let me just finish two things -- one, to put your program on our TV program and run it continuously, and, two, we have the capacity to burn off CDs of this program and to make those available to the Neighborhood Associations so if they wanted to play it, you know. I think the only way we fight something is that everybody agrees that this is bad, and meth and crack are horrible. If we could do that, could make copies, have those so that they can be rented or leased or given out to the Neighborhood Association, the schools could get them, I know you all in the DARE program used to go to school, but do we still do that with CNT?

Commander Harris said, we do occasionally. Several times a year, schools request us to come. We do the youth program every summer here in Savannah, which has hundreds of young people at it. Dr. Thomas has another program we've doing. We've been out to churches and to community Neighborhood Associations with this program. We can put it on the air with no problem, and make the tapes available. However, I would suggest that if we have an actual agent there that's familiar with how to work it, it has a higher impact, and that these young folks can ask them questions and have interaction. That is part of our mandate in our crime prevention area, so we're very glad to do that for folks. And again, with DEA, I know they have folks that do the same thing and similar programs.

Chairman Liakakis said, Russ?

County Manager Abolt said, yes, sir, thank you, Mr. Chairman. In answer to Dr. -- Commissioner Odell's question, yes.

Commissioner Odell said, it is Dr. Odell. Two doctors. Doctor/Doctor.

County Manager Abolt said, and I'm honored to be associated. I do want to remember to credit Dr. Thomas and Commissioner Holmes and Commissioner Farrell, because you might recall, I think it was four years ago, you all attended a NACo conference. Almost four years to the date. And you took a lot of heat over where the location of the conference was, but you came back with in-hand videos and really, a passionate appeal on getting out to the community. And at that time, methamphetamines had been an issue for a number of years on the West Coast, but it was migrating here, and I recall those videos. We did play them at the time. We'll play them again. But it was Commissioner Thomas, Commissioner Holmes, and Commissioner Farrell that brought that message back four years ago.

Commissioner Odell said, and that we were going to grow in meth, which we are doing.

County Manager Abolt said, it migrated. A long time ago, when I worked on the West Coast, it was very common for the reasons that the Director said from the standpoint of, you know, being out in the woods someplace. You could do things like this and not be detected. But it has migrated, unfortunately, to the East Coast, and it was the three Commissioners that attended the NACo conference that brought that back. At that time, Commander Williams took it. We had, I think at that -- also, the Georgia Bureau of Investigation, of which the Director here had some minor contributions to as Assistant Director of GBI, but that aside, they at the time printed, they had available a very authoritative and very informative video that we played repeatedly on Channel 16, and we'll do it again.

Chairman Liakakis said, okay, thank you, Commander, we really appreciate that. And again, to the federal agents and all, and the heads, we really appreciate what you're doing and continue to do in our community, because you're helping so many people. Thank you.

[NOTE: At this time, Commissioner Shay entered the meeting.]

Chatham~Savannah
Counter Narcotics Team
Monthly Report **July, 2010**

UNDERCOVER AGENT/CONFIDENTIAL INFORMANT BUYS

Buys	Number
Undercover (Agent) Buys	5
Confidential Informant Buys	15

NARCOTICS INVESTIGATIONS*	
Investigations:	Number
Investigations Initiated During the month	66
Active Joint Investigations with other agencies (DEA, ATF, IRS, etc.)	8
Total Number of Investigations Cleared (Arrest, E.C., Unfounded)	45

DRUGS SEIZED			
Drug Type	Value	Approx. Weight	Approx. Total Value
Powder Cocaine	$100 per gram*	94.00 Grams	$9,400.00
Crack Cocaine	$100 per gram*	29.50 Grams	$2.950.00
Methamphetamine	$100 per gram**	32.05 Grams	$3,205.00
Marijuana	$140 per ounce*	458.33 Ounces	$64,166.00
Heroin	$250 per gram*	7.5 Grams	$1,875.00
Ecstasy	$25 Dosage Unit	75 D/U	$1,875.00
Misc. Pills	$5 per D/U	765 D/U	$3,825.00
Hallucinogens	$10.00 per gram *	0 Grams	$0

Source: Office National Drug Control Policy
** Source: Established regional average price
***Source: IAW GBI reporting – One marijuana plant equals 2.2 lbs of processed marijuana

DRUGS PURCHASED			
Drug Type	Value	Approx. Weight	Approx. Total Value
Powder Cocaine	$100 per gram*	31.40 Grams	$3,140.00
Crack Cocaine	$100 per gram*	4.30 Grams	$430.00
Methamphetamine	$100 per gram**	1.00 Grams	$100.00
Marijuana	$140 per ounce*	12.90 Ounces	$1,806.00
Heroin	$250 per gram*	3.80 Grams	$950.00
Ecstasy	$25 Dosage Unit	53 D/U	$1325.00
Misc. Pills	$5 per D/U	21 D/U	$105.00

Source: Office National Drug Control Policy
** Source: Established regional average price

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

WEAPONS SEIZED	
Firearms (including hand guns and long guns)	21
Year To Date Totals	74

PERSONS ARRESTED*	
Felony*	11
Felony Sales/Trafficking	61
Misdemeanor	2
Felony Non-Drug**	5
Total Arrests	79
Year To Date Totals	295

*Felony includes Manufacturing Methamphetamine or Marijuana
**Non-drug related offenses include firearms violations, Obstruction, Simple Battery, etc.

ASSET FORFEITURES	
US Currency Seized (Initiated forfeiture proceedings)	$5,207.00
US Currency Awarded	$2,380.00
Motor Vehicles Seized (Initiated forfeiture proceedings)	N/A
Motor Vehicles Awarded	N/A
Real Property Seized (Initiated forfeiture proceedings)	N/A
Real Property Awarded	N/A
Personal Property Seized (Initiated forfeiture proceedings)	N/A

ADOPTION CASES FROM OTHER AGENCIES		
DATE	AGENCY	OFFENSE
7/2/10	SCMPD	POSSESSION MARIJUANA W/INTENT
7/19/10	DEA	POSSESSION MARIJUANA W/INTENT
7/21/10	SCMPD	POSSESSION CONTROLLED SUBST W/INTENT
7/26/10	SCMPD	MANUFACTURING MARIJUANA

DRUG COMPLAINTS INVESTIGATED		
Drug Complaints	Received	Assigned
Project Log/Official Complaints	1	1
Hot Line / Call-In Complaints	11	11
Green Sheets/ Outside Agencies	1	1
Crime Stopper Complaints	26	26

SIGNIFICANT EVENTS

1. On July 2, 2010, two subjects that were the targets of a joint Title III investigation with ICE were sentenced in Federal Court. Both subjects received a sentence of 57 months (4.7 years) imprisonment, 5 years supervised release, and 150 hours of community service.

2. On July 7, 2010, CNT along with DEA, ICE, SCMPD, Chatham County Sheriff's Department, and probation/parole officers executed numerous federal and state arrest warrants for subjects in a joint Title III investigation with DEA and ICE. During one of the arrests a hotel key was found in a rental vehicle which had a strong odor of marijuana in the trunk area. Agents made contact with the hotel managers and were able to pull video which showed the suspect renting the room under a false name. That along with a positive K-9 alert on the door seam of the room allowed agents to obtain a search warrant for the room. A search of the room revealed over 20 pounds of marijuana, packaging materials, and a loaded high powered assault rifle. While agents were processing evidence from the room, a vehicle arrived at the hotel with two additional males. The males slowed down and circled the parking lot several times and seemed very interested in the hotel room. Agents made contact with the vehicle which was found to contain additional marijuana, packaging materials, and a firearm. A total of 38 subjects were arrested with an additional 18 firearms being seized during the execution of the arrest warrants.

3. On July 21, 2010, CNT agents responded to a call for assistance from SCMPD in reference to a subject in possession of crack cocaine, ecstasy, and two firearms. Agents responded and adopted the investigation which led to the subject making several incriminating statements about the seized drugs.

4. On July 23, 2010, CNT agents concluded a short term investigation involving subjects selling methamphetamine "ice". After a second purchase, undercover agents became suspicious of the substance being fraudulent. Agents made contact with two subjects that were involved in the purchases. Agents recovered the buy money used in the second purchase and a warrant check revealed that the male subject had outstanding felony burglary warrants. After talking with the other subject several phone calls were placed to a source of supply for Oxycontin. An undercover purchase was conducted which led to one arrest for sale of Oxycontin and the seizure of over 130 additional pills to include Oxycontin, Hydrocodone, and Xanex.

DRUG INVESTIGATIONS
HOURS WORKED BY ZONE

SCMPD – All Precincts	**TOTAL 2,593**
Municipalities	**TOTAL 486**
Administrative Hours	**640**
Case Administration	**443**
Pharmaceutical Diversions	**240**
Central Intelligence	**240**
Out of County (Task Force Operations, etc.)	**87**
Assistance Rendered to Outside Agencies	**60**
Training	**336**
Court Hours	**57**
TOTAL	**2,103**
Total Hours Worked	**5,182**

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VI. CHAIRMAN'S ITEMS

1. PRESENTATION OF "ACCESSIBILITY GUIDE TO SAVANNAH'S HISTORIC DISTRICT" BY KIM HARRISON, SAVANNAH/CHATHAM COUNCIL ON DISABILITY ISSUES.

Kim Harrison said, Mr. Chairman, Commissioners, County Attorney, County Manager, I'm here today on behalf of the Savannah Council on Disability Issues, and Karma and I would like to present you with a copy of the guide. And the guide is a publication that shows the accessible businesses in the Downtown area. And Savannah Council on Disability Issues published this guide in the hope that these businesses would be patronized for their effort to make their businesses more accessible to the disabled community, and we'd like to present them to you, to thank you for your past, present, and hopefully, your future support of our issues. And I'd also like to just take a moment to say, this is Karma, and she's a little new, but she's learning. She will find a podium sooner or later. And again, this is to thank you and to let the community know that these guides can be found in downtown hotels, the Visitors Center, and at L.I.F.E. Incorporated on Abercorn. Thank you so much.

Chairman Liakakis said, Kim, thank you on behalf of the Chatham County Commission, because we realize how important it is to support the accessibility of our people in our community that have certain disabilities that they have, and to be able, many of them, because of all of the work that has been done by L.I.F.E. and the Council and others, that they don't have to stay, like many, many years ago, cooped up in some room in a house. And then people's attitudes and thoughts have changed. When we have people that have mental disability or physical disability, you know, they thought, oh, well, they can't -- we don't care about them. But now, because of this, to be able to go to entertainment areas, to be able to go to restaurants and many other places in our community. And I remember one time I was driving down Waters Avenue -- I mentioned this about four or five years ago -- and there was an individual that was coming up to Victory Drive. He was headed in a northerly direction at Daffin Park area on Waters, and I was on Waters Avenue headed south at the light. And I observed this individual in a wheelchair that was by himself, and he was coming in a northerly direction, and then he turned in an easterly direction when he got to the corner of Waters Avenue and Victory Drive. And so I went over there and I got down several blocks past him, and when I came up to him, I asked him could I take a photograph of him, because I wanted to show it to the City of Savannah about that we needed more areas where the people -- especially that had some problem, disability, that couldn't motivate and get around town, that we should have more curb cuts. And I asked him and he said yes. Now, this individual that I saw, let me tell you, he was fully -- he was a hundred percent disabled, if you call it. He had to have someone help him sometimes get into his wheelchair and all of that. But you see, having a person able to get out into the community, it gives them some kind of feeling that, hey, I am not stuck somewhere. And we really appreciate all of the organizations in our community that reach out for people that have disability. And I see Wayne there, and of course, our Director of our Disability Program, the ADA Program that we have in Chatham County, and has done an excellent job and give us information, because the more that we do for that, just because a person has disability, it's not the end of not being able to get around and shut-in, so thank you to all of you and to all of the organization, and we appreciate this guide.

Ms. Harrison said, it's all about awareness.

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VII. COMMISSIONERS' ITEMS

None.

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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 (*).

None.

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IX. ITEMS FOR *INDIVIDUAL* ACTION

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

1. TO REQUEST APPROVAL OF THE FOLLOWING BUDGET AMENDMENTS AND TRANSFERS: (1) transfer $400 from the FY2011General Fund M&O contingency to Union Mission Debt Service, (2) increase revenues and expenditures in the Multiple Grant Fund FY2011 budget $529,175 for grant awards, (3) transfer $55,980 from the Juvenile Court project to the Juvenile Court Judges/Cell Renovation project in the FY2011 Capital Improvement Program Fund, (4) increase revenues and expenditures $11,000 in the Multiple Grant Fund FY2010 budget for grant awards, (5) transfer $300,000 from the Records Center Project to Transfer Out to the 2005 Series Capital Improvement Bond Fund in the FY2010 Capital Improvement Program Fund, (6) amend the FY2010 2005 Series Capital Improvement Bond Fund to increase revenues and the Animal Control Facility project budget by $300,000, and (7) appropriate $21,170 in FY2011 Confiscated Revenue Fund for the Counter Narcotics Team.

Chairman Liakakis said, we need a motion on the floor. Commissioner Odell said, move for approval. Chairman Liakakis said, we have a motion on the floor, need a second. Commissioner Thomas said, second.

Commissioner Stone said, Mr. Chairman, I have a question. Does this 55,000 for the Juvenile Court, does this go to help compensate this renovation for 86,000 –

County Manager Abolt said, yes.

Commissioner Stone said, so this is all inter-related.

County Manager Abolt said, that's the difference. In fact, you'll notice in the first year-end part where it does show the funding, it indicates it's conditioned upon your transfer of these dollars.

Commissioner Stone said, okay, I just wanted to make sure. Thank you, Mr. Chairman.

Chairman Liakakis said, we have a motion on the floor and a second. Let's go on the board. Motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved approval of the following budget amendments and transfers: (1) transfer $400 from the FY2011General Fund M&O contingency to Union Mission Debt Service, (2) increase revenues and expenditures in the Multiple Grant Fund FY2011 budget $529,175 for grant awards, (3) transfer $55,980 from the Juvenile Court project to the Juvenile Court Judges/Cell Renovation project in the FY2011 Capital Improvement Program Fund, (4) increase revenues and expenditures $11,000 in the Multiple Grant Fund FY2010 budget for grant awards, (5) transfer $300,000 from the Records Center Project to Transfer Out to the 2005 Series Capital Improvement Bond Fund in the FY2010 Capital Improvement Program Fund, (6) amend the FY2010 2005 Series Capital Improvement Bond Fund to increase revenues and the Animal Control Facility project budget by $300,000, and (7) appropriate $21,170 in FY2011 Confiscated Revenue Fund for the Counter Narcotics Team. The motion was seconded by Commissioner Thomas and it passed unanimously. [Commissioner Kicklighter was not present. Commissioner Gellatly was excused.]

AGENDA ITEM: IX-1
AGENDA DATE: July 23, 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) transfer $400 from the FY2011General Fund M&O contingency to Union Mission Debt Service, (2) increase revenues and expenditures in the Multiple Grant Fund FY2011 budget $529,175 for grant awards, (3) transfer $55,980 from the Juvenile Court project to the Juvenile Court Judges/Cell Renovation project in the FY2011 Capital Improvement Program Fund, (4) increase revenues and expenditures $11,000 in the Multiple Grant Fund FY2010 budget for grant awards, (5) transfer $300,000 from the Records Center Project to Transfer Out to the 2005 Series Capital Improvement Bond Fund in the FY2010 Capital Improvement Program Fund, (6) amend the FY2010 2005 Series Capital Improvement Bond Fund to increase revenues and the Animal Control Facility project budget by $300,000, and (7) appropriate $21,170 in FY2011 Confiscated Revenue Fund for the Counter Narcotics Team.

FACTS AND FINDINGS:

1. The adopted General Fund M&O budget includes an appropriation of $179,730 for Union Mission debt service. An additional $400 is needed for fiscal agent fees. A transfer from General Fund M&O contingency is required.

2. Chatham County has been awarded three grants that total $529,175. The Board of Commissioners accepted a $300,000 Energy Efficiency and Conservation Block Grant from the Georgia Environmental Financing Authority at their July 9, 2010 meeting. The Board confirmed execution of the FY2011 Service Contract between the Chatham County Superior Court/Savannah-Chatham County Drug Court and the State of Georgia, Department of Behavioral Health and Developmental Disabilities in the amount of $194,750 at the same meeting. The Savannah-Chatham County Drug Court has also received an award of $34,425 from the Statewide Drug Court Program. Correspondence and a resolution to amend the Multiple Grant Fund are attached.

3. The Capital Improvement Program Fund includes two projects for Juvenile Court. One project has been completed. The Juvenile Court Administrator has requested that the balance be transferred to the active project. This will transfer $55,980 from the Juvenile Court project to the Juvenile Court Judges/Cell Renovation project. Correspondence is attached.

4. The Sheriff's department received a vehicle and funds for fuel and equipment from the U.S. Marshall's Service in FY2010. An amendment to the FY2010 Multiple Grant Fund is necessary to properly account for the fuel and equipment funds. A resolution to amend the fund by $11,000 is attached.

5. Additional funding is needed for the Animal Control Facility project in the FY2010 2005 Series Capital Improvement Bond Fund. Funds for a transfer are available in the Records Center Project in the FY2010 Capital Improvement Program Fund. Correspondence and a resolution to amend the projects budget are attached.

6. The Counter Narcotics Team Director has requested an appropriation of $21,170 in the FY2011 Confiscated Revenue Fund. A transfer from CNT Confiscated Revenue contingency will provide funding. Correspondence is attached.

FUNDING: Funds are available in the General Fund M&O and Confiscated Revenue Fund contingencies, and project budgets in the Capital Improvement Program Fund for the transfers. The budget amendments will establish funding in the Multiple Grant Fund and the FY2010 2005 Series Capital Improvement Bond Fund.

ALTERNATIVES:

(1) That the Board approve the following:

GENERAL FUND M&O FY2011

Transfer $400 from contingency to Union Mission Debt Service.

MULTIPLE GRANT FUND FY2011

Increase revenues and expenditures for the following grants:

a) a $300,000 Energy Efficiency and Conservation Block Grant from the Georgia Environmental Financing Authority,
b) the FY2011 Service Contract between the Chatham County Superior Court/Savannah-Chatham County Drug Court and the State of Georgia, Department of Behavior Health and Developmental Disabilities in the amount of $194,750,
c) an award of $34,425 from the Statewide Drug Court Program to the Savannah-Chatham County Drug Court.

CAPITAL IMPROVEMENT PROGRAM FUND FY2011

Transfer $55,980 from the Juvenile Court project to the Juvenile Court Judges/Cell Renovation project.

MULTIPLE GRANT FUND FY2010

Increase revenues and expenditures $11,000 in the Multiple Grant Fund FY2010 budget for a U.S. Marshall's Service awards to the Sheriff's Department.

CAPITAL IMPROVEMENT PROGRAM FUND FY2010

Transfer $300,000 from the Records Center Project to Transfer Out to the 2005 Series Capital Improvement Bond Fund.

2005 SERIES CAPITAL IMPROVEMENT BOND FUND FY2010

Increase revenues and the Animal Control Facility project budget $300,000.

CONFISCATED REVENUE FUND FY2011
Transfer $21,170 from CNT Contingency to the CNT expenditure budget for supplies.

(2) Amend or deny the request.

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

RECOMMENDATION: That the Board approve Alternative 1.

Prepared by: Read DeHaven

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2. REQUEST BOARD ADOPT YEAR 2010 MILLAGE LEVY RESOLUTION FOR THE BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM PURSUANT TO ADVERTISEMENT HAVING BEEN PUBLISHED IN ACCORDANCE WITH O.C.G.A. 48-5-32.1. IN ADDITION, FORM PT-35 COUNTY MILLAGE RATE CERTIFICATION AND FORM PT 32.1 COMPUTATION OF MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES FOR TAX YEAR 2010 MUST BE CERTIFIED AND SUBMITTED TO THE GEORGIA DEPARTMENT OF REVENUE FOR DIGEST APPROVAL FOR THE TAX YEAR 2010.

Chairman Liakakis said, I'd like to make a comment on that, because on the millage rate, as far as the County goes, there is no increase in taxes in the different areas of the County. Our Finance people and our County Manager, all the work that they have done, they have given to the County Commission, after the County Commission have had their input into it, a budget that is some, let's see, $675 million. That's what the budget is for the County this year.

County Manager Abolt said, and yes, you're right, sir. This is for the Board of Education. All you're doing is a pass-through act.

Chairman Liakakis said, yeah, I was just mentioning what it was, the levy as far as the Chatham County. And this is for the Board of Education. Even though it's a separate government entity, the County has to approve that, even -- you know, once they come up with their budget, and it's required by state law. Harris?

Commissioner Odell said, I was calling attention for Helen, but just before Helen, this is not a determination made by the Chatham County Commission. The Chatham County Commission is not making a millage increase of any kind or any description. However, the way it's structured legislatively, we're obligated to pass on or pass through or vote on the millage decision of the Board of Education. Now, I'll yield to Helen.

Commissioner Stone said, well, that was basically what I was going to say, to reflect that the County Commission did not approve a millage increase, but it looks like our School Board did approve a millage increase, but that is not something that this body elected to do, so I just wanted to make sure that it was perfectly clear that that was not the actions of this Commission. We're just the pass-through to approve this.

County Manager Abolt said, and the recommendation for you to adopt, Alternative 1.

Finance Director Linda Cramer said, that's all I was going to say. As a matter of procedure, you need to note that you're adopting Alternative 1.

Commissioner Odell said, I move that we adopt Alternative 1.

Commissioner Thomas said second.

Chairman Liakakis said, we have a motion on the floor to adopt Alternative 1 in this matter. Go on the board, please. okay, motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved that the Board adopt the year 2010 levy resolution for the Board of Public Education and the County of Chatham pursuant to advertisement having been published in accordance with O.C.G.A. 48-5-32.1., and the Millage Rates as follows: (a) General Fund, 14.131 mils; (b) G.O. Bond Debt, 0.00 mils; (c) An aggregate millage rate of 14.131 mils; (d) Authorize the Chairman to sign the Georgia Department of Revenue Form PT 35. The motion was seconded by Commissioner Thomas and it passed unanimously. [Commissioner Kicklighter was not present. Commissioner Gellatly was excused.]

AGENDA ITEM: IX-2
AGENDA DATE: July 23, 2010

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Linda Cramer, Finance Director

ISSUE:
Adoption of year 2010 millage levy resolution for the Board of Public Education for the City of Savannah and the County of Chatham pursuant to advertisement having been published in accordance with O.C.G.A. 48-5-32.1.

In addition, Form PT-35 County Millage Rate Certification and Form PT 32.1 Computation of Millage Rate Rollback and Percentage Increase in Property Taxes for Tax year 2010 must be certified and submitted to the Georgia Department of Revenue for digest approval for the tax year 2010.

BACKGROUND:
A tax levy resolution must be submitted to the State of Georgia Department of Revenue, and is scheduled for delivery by the Tax Assessor's Office during the week of July 26, 2010.

FACTS AND FINDINGS:
(1) At its June 30, 2010 meeting, the Board of Public Education adopted a resolution for the millage levy for tax year 2010.

(2) The recommended millage rates for tax year 2010 are as follows:

(a) General Fund, 14.131 mils. This is an increase of 0.727 mils compared to the current millage rate.

(b) G.O. Bond Debt, 0.00 mils. This is equal to the current millage rate.

(3) The aggregate millage rate is 14.131 mils. This is an increase of 0.727 mils compared to the 2009 aggregate millage rate.

(4) The 5-year history of levy was advertised on July 6, 2010, as required by State Law and incorporated the recommended rates.

FUNDING: N/A

ALTERNATIVES:
(1) Adopt the year 2010 levy resolution for the Board of Public Education pursuant to advertisement having been published and the Millage Rates as follows:

(a) General Fund, 14.131 mils.

(b) G. O. Bond Debt, 0.00 mils.

(c) An aggregate millage rate of 14.131 mils.

(d) Authorize the Chairman to sign the Georgia Department of Revenue Form PT 35.

(2) Modify the tax levy resolution.

POLICY ANALYSIS:
State law requires that the Board adopt a tax levy resolution annually for submission of the digest to the State of Georgia, Department of Revenue (Ga. Code 48-5-302). Georgia law 48-5-32 and 48-5-32.1 further specifies method of publication of ad valorem tax rate.

RECOMMENDATION:
That the Board adopt Alternative 1.
Prepared by: Read DeHaven

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3. CNT MONTHLY REPORT GIVEN VERBALLY BY DIRECTOR HARRIS.

Chairman Liakakis said, of course, we had a motion and we moved it up earlier.

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X. ACTION *CALENDAR*

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

Chairman Liakakis said, we have the Action Calendar, 1 through 7, and under Item 7, we have Items A through G. I need a motion on the floor to approve. Commissioner Odell said, move for approval, subject to any corrections. Commissioner Stone said second.

Chairman Liakakis said, Patrick?

Commissioner Farrell said, could I ask Mr. Monahan to come forward and, for the benefit of the Islands residents, give us a little information on the McCorkle Bike Trail.
County Manager Abolt said, that would actually be the County Engineer.

Commissioner Farrell said, County Engineer, excuse me.

Al Bungard said, yes, sir, that would be me. This extends the trail from its current location up along Cromwell to the intersection at Deerfield and also takes care, there's a little bridge crossing there, there'll be a pedestrian bridge, and also solves a bit of a drainage problem along that roadway, also makes some intersection improvements down there on Wilmington Island Road.

Commissioner Farrell said, thank you, sir. Just wanted to bring that to everyone's attention, although it's taken a long time to get some improvements, but we are steadily making progress in that area, so, thank you so much.

County Manager Abolt said, and the May Howard School folks should appreciate this, too.

Chairman Liakakis said, and this is one of the many projects that one of our Commissioners, Commissioner Patrick Farrell, has pushed, and the Commissioners worked on that, because it's really important. And I'll just read that Item E. It says, construction contract for the McCorkle Trail Extension and Intersection Improvements for Wilmington Island Road and North Cromwell Road, and the amount that's being approved today is $218,025. We need to go on the board now. 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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1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JULY 9, 2010, AS MAILED.

ACTION OF THE BOARD:

Commissioner Odell moved for approval of the minutes of the regular meeting of July 9, 2010, as mailed. The motion was seconded by Commissioner Stone and it passed unanimously. [Commissioner Gellatly was excused.)

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JULY 1 THROUGH JULY 14, 2010.

ACTION OF THE BOARD:

Commissioner Odell moved that claims vs. Chatham County for the period July 1 through July 14, 2010, in the amount of $6,171,516 be paid. The motion was seconded by Commissioner Stone and it passed unanimously. [Commissioner Gellatly was excused.)

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3. REQUEST BOARD AUTHORIZE THE CHAIRMAN TO EXECUTE A COOPERATIVE AGREEMENT WITH THE GEORGIA FORESTRY COMMISSION.

ACTION OF THE BOARD:

Commissioner Odell moved that the Board authorize the Chairman to execute a cooperative agreement with the Georgia Forestry Commission. The motion was seconded by Commissioner Stone and it passed unanimously. [Commissioner Gellatly was excused.)

AGENDA ITEM: X-3
AGENDA DATE: July 23, 2010

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Linda Cramer, Finance Director

ISSUE: To authorize the Chairman to execute a cooperative agreement with the Georgia Forestry Commission.

FACTS AND FINDINGS:

1) HB 1055 grants the Georgia Forestry Commission the authority to set the rate for the forestland assessment for forest fire protection. The assessment for fiscal year 2011 is ten cents an acre, times 66,882 acres fora total of $6,688. The assessment was last adjusted in 1967.

2) A cooperative agreement between the Georgia Forestry Commission and the Chatham County Commission is attached along with correspondence and a copy of the invoice for FY2011.

FUNDING: Funds are available in the FY2011 General Fund M&O Georgia Forestry budget (1006240).

ALTERNATIVES:

1) That the Board authorize the Chairman to execute a cooperative agreement with the Georgia Forestry Commission.

2) Provide other direction.

POLICY ANALYSIS:
Approval is consistent with Board action requiring a contract or Memorandum of Understanding with agencies receiving funding.

RECOMMENDATION: That the Board approve Alternative 1.

Prepared by: Read DeHaven

COOPERATIVE AGREEMENT
BETWEEN GEORGIA FORESTRY COMMISSION
AND
COUNTY COMMISSIONERS OF
CHATHAM COUNTY

THIS AGREEMENT hereby entered into this 23rd day of July, 2010, by and between the GEORGIA FORESTRY COMMISSION of the State of Georgia, by and through its Director acting as its agent, hereinafter referred to as "COMMISSION", and CHATHAM COUNTY, under the provisions of the "Forest Fire Protection Act", approved February 23, 1949 (Ga. L. 1949, p. 937), as amended particularly by an Act approved February 7, 1950 (Ga. L. 1950, p. 101), and Act approved March 3, 1955 (Ga. L. 1955, p. 309) and House Bill No. 1055 enacted by the 2010 session of the General Assembly of Georgia approved by the Governor.

W I T N E S S E T H:

WHEREAS, CHATHAM COUNTY, has petitioned COMMISSION for financial and technical aid in establishing and maintaining a forestry program,

NOW THEREFORE, for and in consideration of the mutual benefits and advantages to be derived from such a cooperative agreement, and in cooperation with the supplement to the COMMISSION and its forestry program, the sufficiency of which is hereby acknowledged, the parties hereto agree:

1. THE COUNTY COMMISSIONERS AGREE:

a. That COMMISSION may exercise direct supervision over such forestry program;
b. To deposit with COMMISSION to be spent as herein provided, a sum in dollars equal to the number of commercial private forest acres embraced and comprised within said County (the number of forest acres in each County to be based upon the most recent United States Forest Service forest survey for Georgia), multiplied by ten cents (.10), as the County's share of the cooperative cost of the forestry program for the fiscal year, said amount to be paid in advance as follows (indicate one):

USFS Chatham County Private Forest Survey Acres x $0.10/Acre = Fiscal Annual Billing Amt

monthly _____ quarterly _____ semi-annually _____ annually _X_____

and said payment to be made by the tenth day of the period covered as above indicated;
c. That Unit Forestry personnel shall be employed and dismissed by the COMMISSION as it may deem advisable;
d. To cooperate with COMMISSION in general educational work;
e. That the District Manager shall be responsible directly to the COMMISSION for all activities within the organization;
f. That any additional monies that may be needed by a County for extra service above that granted for basic service to similar areas and like conditions will be provided by said County without obligation from the State; and

2. THE COMMISSION AGREES:

a. To keep necessary records, etc., so that an examination of the forestry program can be made at any time;
b. To operate the forestry program as effectively and efficiently as possible within the confines of the budget; and
c. To do general forestry education work within the area covered by this agreement.

3. THE PARTIES MUTUALLY AGREE:

a. That the COMMISSION is hereby designated as the owner of all property, improvements and equipment purchased under this cooperative agreement, and should this agreement be terminated, as hereinafter provided, by either or both of the parties hereto, title to all improvement and equipment so purchased shall rest with the COMMISSION;
b. That if, at any time, this agreement is terminated by either party for any reason, all unexpended County funds shall be refunded to said County, after all outstanding obligations have been paid;
c. That should the County at any time fail to make payments promptly, the COMMISSION reserves the right to refuse to continue the operation of the unit forestry program;

d. That all work covered by this agreement shall be under the direction and supervision of the COMMISSION, subject to the provisions of this agreement and the laws of the State and Federal Government now or hereafter enacted relative to forestry;

e. That should adjoining units need assistance in controlling a large forest fire or large number of fires, assistance will be given on request to said County by COMMISSION or its designated agent, provided equipment and manpower are not needed on an active fire or fires within its own unit;

f. That this agreement shall be subject to all the provisions of the Act of the General Assembly of Georgia referred to as the "Regional Forest Fire Protection Compact:" (Ga. L. 1953, Nov. - Dec. Sess., p. 49; Ga. Code Ann., ch. 43-9), more particularly but not limited to the provisions therein made of the cooperative temporary lending of facilities and equipment by participating units and States; and

g. That this agreement shall be subject to all provisions and conditions which may be made in the future by law, and no vested rights shall be acquired by any party hereto as against any such change made by law.

THIS AGREEMENT becomes binding on the date it is signed by both parties hereto and shall continue in force and effect until terminated by either or both parties upon sixty (60) days written notice by one to the other.

THE PROVISIONS contained within this agreement shall not be implemented until July 1, 2010, being the date upon which H.B. No. 1055, enacted by the 2010 Session of the General Assembly of Georgia and approved by the Governor on May 12, 2010 becomes effective.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed on the date written opposite each signature.

BOARD OF COMMISSIONERS,
CHATHAM COUNTY, GEORGIA

_____ BY: _____
DATE Chairman

GEORGIA FORESTRY COMMISSION,

_____ BY: _____
DATE Director

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4. REQUEST BOARD APPROVAL TO RENEW THE CONTRACT WITH THE BOARD OF REGENTS OF THE UNIVERSITY OF GEORGIA ON BEHALF OF THE UNIVERSITY OF GEORGIA COOPERATIVE EXTENSION FOR 100% OF THE SALARY AND ASSOCIATED BENEFITS FOR CHATHAM COUNTY EXTENSION STAFF FROM JULY 1, 2010 - JUNE 30, 2011.

ACTION OF THE BOARD:

Commissioner Odell moved for Board approval to renew the contract with the Board of Regents of the University of Georgia on behalf of the University of Georgia Cooperative Extension for 100% of the salary and associated benefits for Chatham County Extension staff from July 1, 2010 - June 30, 2011. The motion was seconded by Commissioner Stone and it passed unanimously. [Commissioner Gellatly was excused.)

AGENDA ITEM: X-4
AGENDA DATE: July 23, 2010

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Jackie Ogden, Chatham County Extension Coordinator

ISSUE: Request Board approval to renew contract with the Board of Regents of The University System of Georgia on behalf of The University of Georgia Cooperative Extension. The contract is for one-hundred percent of salary and associated benefits for Chatham County Extension staff from July 1, 2010 to June 30, 2011.

BACKGROUND: Renewal of existing contract for 2011 and budget is attached.

FACTS & FINDINGS: This request is made for continuation of services rendered by Chatham County Cooperative Extension at 124 Bull Street, Savannah, GA.

ALTERNATIVES: 1. Confirm approval of contract. 2. Do not confirm approval of contract.

FUNDING: Chatham County 2011 budget – Cooperative Extension Service (1009812) (52.39001).

POLICY ANALYSIS: This is a continuation of existing contract to maintain cooperative partnership with The University of Georgia and Chatham County Extension for delivery of Extension programs.

RECOMMENDATION: Approve Alternative 1.

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5. REQUEST BOARD APPROVAL TO RENEW THE CONTRACT WITH THE BOARD OF REGENTS UNIVERSITY OF GEORGIA COOPERATIVE EXTENSION FOR 100% OF THE SALARIES AND ASSOCIATED BENEFITS FOR CHATHAM COUNTY EXTENSION STAFF AT THE CHATHAM COUNTY BAMBOO FARM & COASTAL GARDENS FROM JULY 1, 2010 - JUNE 30, 2011.

ACTION OF THE BOARD:

Commissioner Odell moved for Board approval to renew the contract with the Board of Regents University of Georgia Cooperative Extension for 100% of the salaries and associated benefits for Chatham County Extension staff at the Chatham County Bamboo Farm & Coastal Gardens from July 1, 2010 - June 30, 2011. The motion was seconded by Commissioner Stone and it passed unanimously. [Commissioner Gellatly was excused.)

AGENDA ITEM: X-4
AGENDA DATE: July 23, 2010

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Jackie Ogden, Chatham County Extension Coordinator

ISSUE: Request Board approval to renew contract with the Board of Regents of The University System of Georgia on behalf of The University of Georgia Cooperative Extension. The contract is for one-hundred percent of salary and associated benefits for Chatham County Extension staff at the Bamboo Farm and Coastal Gardens from July 1, 2010 to June 30, 2011.

BACKGROUND: Renewal of existing contract for 2011 and budget is attached.

FACTS & FINDINGS: This request is made for continuation of services rendered by Chatham County Cooperative Extension at 124 Bull Street, Savannah, GA.

ALTERNATIVES: 1. Confirm approval of contract. 2. Do not confirm approval of contract.

FUNDING: Chatham County 2011 budget – Bamboo Farm (1009814) (52.39001).

POLICY ANALYSIS: This is a continuation of existing contract to maintain cooperative partnership with The University of Georgia and Chatham County Extension for delivery of Extension programs.

RECOMMENDATION: Approve Alternative 1.

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6. REQUEST BOARD ACCEPTANCE OF A VICTIMS OF CRIME ACT (VOCA) SUB-GRANT AWARD IN THE AMOUNT OF $54,020 FROM THE GOVERNOR'S CRIMINAL JUSTICE COORDINATING COUNCIL FOR THE BILINGUAL VICTIM ADVOCATE POSITION IN THE VICTIM-WITNESS ASSISTANCE PROGRAM.

ACTION OF THE BOARD:

Commissioner Odell moved for Board acceptance of a Victims of Crime Act (VOCA) sub-grant award in the amount of $54,020 from the Governor's Criminal Justice Coordinating Council for the bilingual victim advocate position in the Victim-Witness Assistance Program. The motion was seconded by Commissioner Stone and it passed unanimously. [Commissioner Gellatly was excused.)

AGENDA ITEM: X-6
AGENDA DATE: July 23, 2010

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Helen P. Bradley
Victim-Witness Assistance Program Director

Issue: To request acceptance of a Victims of Crime Act (VOCA) sub-grant award in the amount of $54,020 from the Governor's Criminal Justice Coordinating Council for the bilingual victim advocate position in the Victim-Witness Assistance Program.

Background: The Board approved on October 16, 2009, the application of this grant award. The Board then approved on January 15, 2010, the creation of this bilingual position to provide advocacy, referral, outreach and information to victims of crime who speak Spanish.

Facts and Findings:

1. There has been an increase in the number of Spanish speaking victims and witnesses who are involved in the criminal justice system. This advocate works closely with the victims, witnesses and prosecutors to provide support and guidance to the non-English speaking clients.

2. On October 16, 2009, the Board approved of the application to the Georgia Criminal Justice Coordinating Council for a Victims of Crime Act (VOCA) grant to fund a full-time bilingual Victim Advocate for the Victim-Witness Assistance Program.

3. On January 15, 2010, the Board approved the hiring of a bilingual Victim Advocate in the Victim-Witness Assistance Program.

4. The Savannah-Chatham Metro Police Department, the Office of the District Attorney, the Latin American Service Organization and other victim support agencies all report a reluctance of many Hispanic victims to cooperate with the criminal justice system. This bilingual Victim Advocate provides support to these victims and helps them maneuver the legal and criminal justice systems.

5. The Criminal Justice Coordinating Council has agreed to award $54,020 from a competitive Victims of Crime Act (VOCA) grant to fund the position through September 20, 2010. The Victim-Witness Assistance Program will apply to the CJCC for continuation funding. But if the VOCA grant funding for the position is eliminated, the position will also be eliminated.

Bilingual Advocate	Base Salary	35,181
	Pension	2,586 (6 months)
	FICA	2,691
	Insurance	8,800
	OPEB	2,800
		52,058

Remainder will be used for printing of brochures in Spanish and for training.

Funding:
Funding is being received from the VOCA grant award, which is $54,020. The match requirement can be met through existing resources and the use of volunteers.

Alternatives:

1. Accept the Victims of Crime Act (VOCA) sub-grant award in the amount of $54,020 from the Governor's Criminal Justice Coordinating Council.
2. Provide staff with other direction.
3. Deny the acceptance of the VOCA grant award for the bilingual victim advocate position in the Victim-Witness Assistance Program.

Policy Analysis:
The Board approved the application of this VOCA grant on October 16, 2009, The Board then approved the creation of the position of bilingual Victim Advocate on January 15, 2010. The acceptance of this grant funds the bilingual Victim Advocate position. No additional county match is needed.

Recommendation:

The Board adopts Alternative 1.

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7. REQUEST BOARD APPROVAL TO AWARD BIDS AS FOLLOWS: (PLEASE NOTE THAT NEW PURCHASE THRESHOLDS OF $10,000 OR MORE HAVE BEEN ENACTED; HOWEVER, CONTRACTS AND CHANGE ORDERS OF A LESSER AMOUNT STILL WILL APPEAR.

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. Contract for fencing, gates and electrical operated vehicular gate systems	Special Projects	Savannah Fence and Entry Systems, Inc.	$72,508	SPLOST (2008-2014) - Courthouse Construction
B. Annual software support contract	Tax Commissioner	VisiCraft/ Manatron (Sole Source)	$48,490	General Fund/M & O - Tax Commissioner

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
C. Independent case management service contract to prepare and manage individual case plans for truant students and/or their parents	District Attorney	Norda Evans	$38.40 per hour	Multiple Grant Fund - District Attorney
D. Change Order No. 3 to the contract for the renovations to the Juvenile Court facility for additional work	Juvenile Court	Catamou nt Construct ors, Inc.	$86,499	CIP - Juvenile Court
E. Construction contract for the McCorkle Trail Extension and intersection improvements for Wilmington Island Road and North Cromwell Road	Engineering	Savannah Paving Company, Inc.	$218,025	•SPLOST (1985-1993) - Intersection Improvements •SPLOST (2003-2008) - Bikeway/ McCorkle Trail
F. Annual premium renewal for Mosquito Control aircraft liability and hull insurance	Finance	ACE/ Westcher ster	$49,010	Risk Management Internal Service Fund
G. Annual contract with automatic renewal options for four (4) additional one (1) year term to provide elevator maintenance	Facilities Maintenance and Operations	Otis Elevator	$25,500	•General Fund/M & O - Facilities Maintenance and Operations •Parking Garage Expenses

ACTION OF THE BOARD:

Commissioner Odell moved for approval for award of Bids in Items A through G. The motion was seconded by Commissioner Stone and it passed unanimously. [Commissioner Gellatly was excused.)

AGENDA ITEM: X-7 A THRU G
AGENDA DATE: July 23, 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 to award a $72,508 contract to Savannah Fence & Entry Systems, Inc., for fencing, gates and electrical operated vehicular gate systems for the new Records Facility located at 4225 Augusta Road, Garden City.

BACKGROUND: On 14 August 2009, the Board awarded a construction contract for the renovation of the old Kroger building to the new Records Storage Facility, located at 4225 Augusta, Road, Garden City.

FACTS AND FINDINGS:

1. With the renovation of the new Records Facility nearing completion, it is time to contract the fencing for the facility. The fencing, along with the security system, was not part of the original scope of work. The fencing consists of 1,550 ft of 8' chain link fencing along with approximately 400' of ornamental aluminum fencing, along with several gates and electrically operated vehicular gate system.

2. Several local fencing firms were asked to visit the site and submit a quote and three (3) quotes were received. The quotes are as follows:

Savannah Fence & Entry Systems, Inc. Pooler, GA	$72,508
Commercial Fencing, Inc. Garden City, GA	$75,909
Randy's Fence Richmond Hill, GA	$90,000

3. Staff believes the quote from Savannah Fence & Entry Systems, Inc. to be fair and reasonable.

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

ALTERNATIVES:

1. Board approval to award a $72,508 contract to Savannah Fence & Entry Systems, Inc., for fencing, gates and electrical operated vehicular gate systems for the new Records Facility located at 4225 Augusta Road, Garden City.

2. Provide staff other direction.

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

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL_____
TOM DRANE

ITEM B

ISSUE: Request Board approval of a $48,490 sole source annual software support contract from VisiCraft/Manatron for the Tax Commissioner's office.

BACKGROUND: VisiCraft Systems/Manatron Property Tax Collection Program is used for property tax billing, collection and disbursement. The annual support contract provides user support, operating support, upgrades and new program releases.

FACTS AND FINDINGS:

1. Manatron/VisiCraft Systems, Inc., of Portage, MI, is the only company permitted to make changes or updates to their proprietary software, thereby qualifying these agreements to fall under a sole-source procurement.

2. This annual support software contract reflects a 7% increase over the cost of the agreement for last fiscal year. The increase includes enhancements that have been requested to existing programs.

3. Staff believes the total cost of $48,490 to be fair and reasonable.

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

ALTERNATIVES:

1. Board approval of a $48,490 sole source annual software support contract from VisiCraft/Manatron for the Tax Commissioner's office.

2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to strive for the most efficient and effective means of service delivery.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL_____
CHRIS MORRIS

ITEM C

ISSUE: Request Board approval of an independent case management service contract with Norda Evans at $38.40 per hour for the District Attorney's Office.

BACKGROUND: Norda Evans has experience and possesses the professional qualifications necessary to manage the various projects assigned.

FACTS AND FINDINGS:

1. Ms. Evans will prepare and manage individual case plans for truant students and/or their parents. She will also visit local schools and agencies to identify resources for truant children and/or their parents.

2. Under the provisions of this contract, the contractor will provide an accurate statement of hours worked to the District Attorney or designee for verification and approval on a weekly basis. The maximum of 20 per week is allowed, not to exceed 12 months. The contract will be for one(1) year unless otherwise amended for additional services.

3. Staff believes the negotiated fee of $38.40 per hour to be fair and reasonable.

FUNDING: Multiple Grant Fund - District Attorney
(2502200 - 52.39001 - 25024162)

ALTERNATIVES:

1. Board approval of an independent case management service contract with Norda Evans at $38.40 per hour for the District Attorney's Office.

2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL_____
TOM DRANE

ITEM D

ISSUE: Request Board approval of Change Order No. 3, in the amount of $86,499 and request a contract extension to 31 August 2010, to the contract with Catamount Constructors, Inc., for renovations to the Chatham County Juvenile Court Facility, for additional noise dampening issues and additional wood work.

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

FACTS AND FINDINGS:

1. During renovations, it was determined that additional work must be done to eliminate the noise issues in one of the Judge's chambers. Due to the Judge's chambers being next to the mechanical room, the constant noise level is very high. Several attempts were made with little effect on the constant noise. Staff then requested input from the mechanical engineering consultant for additional modifications that would correct this noise issue. Those recommended modifications are as follows.

2. Furnish and install Kinetics sound barrier for wrapping the supply and return ductwork extending from AHU-1 across Judge Stone's chambers to match the sound lagging specified by Rosser Engineering, the mechanical engineering consultant. Cost:$16,694.

3. Remove two (2) existing chill water pumps/motor skids. Install two (2) new water pumps/motor skids at the chiller. Horizontal boring under drive, high voltage wire from existing pump starter to new location at chiller. Remove existing hot water pumps/motor and install two (2) new "in-line" hot water pumps with piping modifications, electrical connections and support steel. Cost: $64,450.

4. Fill demising wall between mechanical room and Judge's chambers with 8" of dense pack cellulose insulation. Cost: $2,555.

5. Additionally, the renovations required that bookcases be moved and made to fit in another location. More of the hand crafted molding is needed to complete this change. Specialized equipments is necessary to cut the molding to match the existing molding. Cost: $2,800.

6. Staff, along with the mechanical engineering consultant, believes the prices from Catamount Constructors, Inc. for this additional work to be fair and reasonable.

7. Contract history:

Original contract (11-6-09)	$	337,467
Change Order No. 1 (2-12-10)		2,793
Change Order No. 2 (4-9-10)		4,617
Change Order No. 3 (pending)		86,499
Revised contract amount	$	431,376

FUNDING: CIP - Juvenile Court - Judges/Cell Renovation
(3502600 - 54.13001- 35031340 - pending Board approval of transfer of remaining funds from 35030620)

ALTERNATIVES:

1. Board approve Change Order No. 3, in the amount of $86,499, and request a contract extension to 31 August 2010, to the contract with Catamount Constructors, Inc., for renovations to the Chatham County Juvenile Court Facility, for additional noise dampening issues and additional wood work

2. Provide staff other direction.

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

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL_____
CHRIS MORRIS

ITEM E

ISSUE: Request Board approval to award a $218,205 construction contract to Savannah Paving Company, Inc., to construct the McCorkle Trail Extension from Wilmington Island Road to Deerfield Road, as well as intersection improvements at the intersection of Wilmington Island Road and North Cromwell Road.

BACKGROUND: The contract involves two (2) projects. The first project involves an extension of McCorkle Bike Trail to Deerwood Road. The work involves clearing, grubbing, grading, paving, drainage and bridge construction and landscaping improvements. The second project includes intersection improvements at the intersection of Wilmington Island Road with North Cromwell Road and involves clearing, grubbing, grading, milling, paving and drainage improvements to install a dedicated left turn lane for southbound traffic on Wilmington Island Road.

FACTS AND FINDINGS:

1. This project was properly advertised and six (6) bids were received and opened 29 June 2010. The bid responses are as follows:

	Savannah Paving Company, Inc. Eden, GA	$218,205
	O.C.S., Inc. Vidalia, GA	$246,637
**	E&D Contracting Services, Inc. Savannah, GA	$279,326
*	Sandhill ALS Construction, Inc Hardeeville, SC	$284,231
	L-J, Inc. Columbia, SC	$290,239
	Sitework Construction, LLC Savannah, GA	$347,309

* MBE firm
** WBE firm

2. Both projects are expected to be completed within 120 calendar days after issuing the Notice To Proceed.

FUNDING: SPLOST (2003 - 2008) - Bikeway/McCorkle Trail
(3234220 - 54.14001 - 32360467) - $95,000
SPLOST (1985 - 1993) - Intersection Improvements
(3204220 - 54.14001 - 32055597) - $123,205

ALTERNATIVES:

1. Board approval of a $218,205 construction contract to Savannah Paving Company, Inc. to construct the McCorkle Trail Extension from Wilmington Island Road to Deerfield

Road, as well as intersection improvements at the intersection of Wilmington Island Road and North Cromwell Road

2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL_____
CHRIS MORRIS
BUDGET APPROVAL_____
ESTELLE BROWN

ITEM F

ISSUE: Request Board approval of the annual premium of $49,010 for renewal of Mosquito Control aircraft liability and hull (physical damage) insurance coverage from ACE/Westcherster for a term of one year beginning July 11, 2010.

BACKGROUND: Mosquito Control purchases liability and hull insurance to protect highly valued aircraft, the public, and non-employee passengers in the event of an accident. Mosquito Control insures two fixed-wing aircraft and two helicopters with replacement values in excess of $1.7 million.

FACTS AND FINDINGS:

1. The current carrier, ACE/Westchester is offering a renewal quotation of $49,010, which includes a "no claims bonus" of $4,640. The renewal premium results in an annual savings of $3,368.

2. The renewal quotation includes Non-owned Aircraft Liability and Physical Damage that was not previously covered. These endorsements were included to protect the County's interests with regard to pilot training in non-owned aircraft.

3. The County's insurance broker, Wells Fargo, obtained quotations from Starr, Phoenix, and Chartis Insurance Companies. However, terms, conditions and premiums were not as competitive as ACE/Westchester.

4. Staff does not recommend purchasing the War Risk/TRIA endorsement.

FUNDING: Risk Management Internal Service Fund
(6259922 - 52.31021)

ALTERNATIVES:

1. Board approval of the annual premium of $49,010 for renewal of Mosquito Control aircraft liability and hull (physical damage) insurance coverage from ACE/Westcherster for a term of one year beginning July 11, 2010.

2. Provide staff other direction.

POLICY ANALYSIS: The County has chosen to provide liability coverage for Mosquito Control operations and hull coverage to protect highly valued assets.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL_____
ESTELLE BROWN

ITEM G

ISSUE: Request Board approval to award a $25,500 annual contract, with automatic renewal options for four (4) additional one (1) year terms, to Otis Elevator Company to provide maintenance and service as required to elevators at various County facilities.

BACKGROUND: Chatham County currently has 14 elevators which require maintenance as specified by the Georgia Department of Labor Safety Engineering Division. Only qualified elevator technicians are permitted to provide this type of service.

FACTS AND FINDINGS:

1. Elevators included in the scope of work are located in six (6) County facilities: Judicial Courthouse, Courthouse Tunnel, Parking Garage, temporary Records Depository located at - 145 Montgomery Street, Administrative/ Legislative Courthouse and CNT.

2. The elevators in the Judicial Courthouse are 32 years old and in need of regular repair. The other elevators range between three (3) and 27 years old. In order to provide reliable and safe elevator service, regular maintenance and repairs are required.

3. Bids were publicly advertised and mailed to four (4) firms. Bidders were required to provide costs for servicing elevators on a monthly and yearly basis. In addition, each bidder was required to provide hourly labor rates and "mark-up" on parts, for any repairs which result from inspections or service calls. Bid responses are as follows:

*	Vertical Lift of Statesboro Statesboro, GA	$25,500/Year
	Kone Elevators Jacksonville, FL	$26,136/Year
	Otis Elevator Company Savannah, GA	$28,000/Year
	Atlantic Coast Elevator Savannah, GA	$29,700/Year
	ThyssenKrupp Elevator Savannah, GA	$32,880/Year
*	WBE firm	

4. On 27 March 1998, the Chatham County Board of Commissioners adopted a "Local Vendor" Preference Ordinance that gives the lowest Chatham County vendor the opportunity to match the lowest price offered by an out-of-county vendor. If the County vendor confirms in writing within 24 hours, the award will be made to the Chatham County vendor. Otis Elevator Company has agreed to match the low bid of Vertical Lift of Statesboro.

5. Otis Elevator has performed reliable service under contract for the past five (5) years.

FUNDING: General Fund/M&O- Facilities Maintenance - $20,400
(1001565 - 52.21301)
Enterprise Fund - Parking Garage - $5,100
(5557564 - 52.22001)

ALTERNATIVES:

1. Board approval to award a $25,500 annual contract, with automatic renewal options for four (4) additional one (1) year terms, to Otis Elevator Company to provide maintenance and service as required to elevators at various County facilities.

2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL_____
RUSHEDA ADESHINA

PREPARED BY _____
PURCHASING AGENT

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XI. FIRST READINGS

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

None.

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XII. SECOND READINGS

1. MODIFY THE CHATHAM COUNTY REVENUE ORDINANCE TO AMEND THE NEW FALSE ALARM SECTION.

Chairman Liakakis said, do we have a motion on the floor to approve? All of that information was distributed. We have had comments on it. Commissioner Farrell said, so move, Commissioner Stone said, second. Commissioner Odell said, but basically, we're just making that parallel the City of Savannah so the officers don't have to enforce it on one side of the street for the City and then on the other side of the street for the County, it's different. Is that correct? Commissioner Farrell said, yes. Commissioner Odell said, okay, I'll call for the question. Chairman Liakakis said, let's go on the board. Motion passes.

ACTION OF THE BOARD:

Commissioner Farrell moved to modify the Chatham County Revenue Ordinance to amend the new false alarm section. The motion was seconded by Commissioner Stone and it passed unanimously.

~~***AGENDA ITEM: XI-1***~~
~~***AGENDA DATE: July 9, 2010***~~

AGENDA ITEM: XII-1
AGENDA DATE: July 23, 2010

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Linda B. Cramer, Finance Director

ISSUE:
Modify the Chatham County Revenue Ordinance to amend the new false alarm section.

BACKGROUND:
The County's current Revenue Ordinance was updated and approved by the Board of Commissioners on June 11, 2010. Since that time, a false alarm coordinator has been hired to handle these new fees. To make the handling of the ordinance more effective, various items are being recommended to be changed.

FACTS AND FINDINGS:

1. Section 10, Part B – alarm users Registration Fee needs to be amended to change the due date from December 31st to July 1st of each year for alarm companies filing annually. An additional statement needs to be added stating "An alarm company may choose to file monthly with a due date of the 20th of each month." The City of Savannah allows alarm companies to file monthly.

2. Section 10, Part C – False Alarm Fees for Registered Alarm Users needs to be amended to remove the statement "Notice of the false alarm will also be sent to the alarm system company advising of the false alarm fee and advising that the alarm user has been suspended form the list of registered alarm users." This is to reflect the procedures of the City of Savannah.

3. Section 10, Part E – Notices, Billing and Payment of Fees needs to be amended to change the first sentence to say "A notice will be sent to the alarm user advising of each occurrence of a false alarm." "Alarm system company" needs to be removed. This is to reflect procedures of the City of Savannah.

4. Section F (formerly Section 11 - for permits) needs to be amended to say "All businesses engaged in or seeking to engage in an alarm system business shall make application to Chatham County for a permit to operate said business and shall pay a permit fee of $100. This fee is due annually on July 1 of each year. The application for this permit shall be on a form provided by Chatham County. Failure to comply and pay the fee will subject the business to the enforcement of Chatham County as referenced in Chatham County Code Chapter 6-113." This changes the due date from December 31st and allows the Finance Department to monitor and enforce the payments.

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. As described in Facts and Findings, modify the Revenue Ordinance for the suggested changes.

2. Provide the Finance Department with other guidance.

RECOMMENDATION:
Approve Alternative 1.

Recommended Changes (underlined)

Section 10 False Alarm Service Fees

a. Fees Established: Pursuant to Chatham County Code Section 10-301 thru 10-312, the following service fees are hereby established to discourage excessive false alarms at any single location, enhance the safety of officers of the

Savannah-Chatham County Metropolitan Police, protect the lives and property of the citizens of Chatham County, reduce unnecessary use of public safety resources, and produce revenues to defray a portion of the costs of responses to false alarms.

b. Alarm Users Registration Fee: Each alarm system business, as defined in Section 10-302(c) of the Chatham County Code must provide the Alarm System Coordinator with a listing of locations that are using an alarm system monitored by said business. This listing must be in computerized format specified by the alarm System Coordinator. All locations on this listing will be considered registered alarm users. Each alarm system business will be responsible for supplying the alarm System Coordinator with any changes to its list of registered alarm users. An annual registration fee of $12.00 per residential alarm user and $424.00 per commercial alarm user will be collected and remitted at the time of initial registration by the alarm system business and renewed by July 1st of each year. An alarm company may choose to file monthly with a due date of the 20th of each month. Any household headed by a person 65 or older, will receive a rebate or waiver of the annual alarm registration fee.

c. False Alarm Fees for Registered Alarm Users: Excessive false alarms for registered alarm users are considered to be any number in excess of three (3) false alarms during the 12-month billing cycle; except in the case of a household determined to be eligible for a rebate or waiver of the alarm registration fee as described above in Section B., in which case the number shall be four (4) false alarms. Upon the fourth false alarm, an alarm user will be assessed and billed a fee of $100 for the excessive alarm and notified of suspension as a registered alarm user. Alarm users suspended from the alarm registry will be considered to be unregistered alarm users for the purpose of billing false alarms.

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

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

f. Permit Required for Alarm Systems Business; Fee Established: Pursuant to Chatham County Code Section 10-304, all businesses engaged in or seeking to engage in an alarm system business shall make application to Chatham County for a permit to operate said business and shall pay a permit fee of $100. This fee is due annually on July 1 of each year. The application for this permit shall be on a form provided by Chatham County. Failure to comply and pay the fee will subject the business to the enforcement of Chatham

County as referenced in Chatham County Code Chapter 16-113.

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2. STAFF HAS PROPOSED AN AMENDMENT TO SECTION 11-2.7 (HEARING PROCEDURE) OF THE CHATHAM COUNTY ZONING ORDINANCE TO CLARIFY NOTICE PROCEDURES IN ACCORDANCE WITH APPLICABLE STATE STATUTES. THE MPC RECOMMENDS APPROVAL AS OUTLINED. MPC File No. Z-100111-00002-1
Text Amendment - Unincorporated area.

Commissioner Stone said, Mr. Chairman?

Chairman Liakakis said, Helen, do you want to let him talk? And then I'm going to recognize you.

Commissioner Stone said, I'll let him talk and then I have a couple of questions.

Chairman Liakakis said, sure.

Commissioner Stone said, thank you.

Jim Hansen said, thank you, Mr. Chairman. Jim Hansen, on behalf of the MPC. As the Chairman has indicated, this is a request by Staff to amend the Zoning Ordinance as it pertains to notifications, particularly in regard to any zoning actions. Specifically, we are talking about publicly-initiated actions, as opposed to privately-initiated actions. The state law currently requires only that notice be given as published in a newspaper of general circulation at least 15 and not more than 45 days prior to the hearing of the Commission. Local ordinance regulations also require that we notify adjacent property owners and those property owners lying across the roadway or the public right-of-way from any proposed area. What we are proposing with this particular action is to clarify and to define specifically the differentiation between a privately-initiated ordinance action and a publicly-initiated ordinance action. Nothing would change as it relates to a privately-initiated action, nor would it change for any publicly-initiated action of less than three acres in size. However, we are proposing that for those publicly-initiated zoning actions, such as the proposed Unified Zoning Ordinance update which we are currently undertaking, such as perhaps the Southeast Chatham Plan, which was done a few years ago, that there be a change in the notification procedures and that we specifically follow the state law, that is, to notify people via the newspaper in accordance with the current state statute. Now, in addition, the current Zoning Ordinance requires that the MPC conduct a meeting. That meeting is technically not a public hearing, although by Ordinance it is referenced as a public hearing.

In anticipation of this particular request, the MPC, whose procedures for notification are outlined in their Procedural Manual, amended the Procedural Manual to include, as outlined before you in the Staff Report, seven specific items that will now be and, in fact, are being, as they approved this in March of this year, followed for any publicly-initiated response of more than three acres, and these include, we will send a written notification to all of the effected property owners within the subject area, regardless of how big it is. In other words, for the Unified Zoning Ordinance, we are going to send out approximately 90,000 notifications to all of the property owners. We will also create a website page on the MPC's website. We will hold public meetings within the area. We will use various Internet applications. In fact, we have -- if you look on the Unified Zoning, there is in fact even a Facebook page now. There is a page where people can make a comment and those comments will be addressed by Staff, all of which is transparent and is accessible to the public. There will be advisory committees formed as is appropriate. There will be press releases made. And finally, we will specifically invite the media to attend various briefings in an effort to get the word out. Mr. Chairman and Members of the Commission, the MPC Board has unanimously recommended that this particular amendment be enacted. And I might also add that it has been discussed by and approved by the County Attorney, who also recommends approval.

Chairman Liakakis said, Helen, I'll get to you in just a moment. The reason why I requested that, because I saw on numerous occasions what happened in the past. There's one sign in a location and the people couldn't interpret that, most of them, to begin with. It went through some professional, you know, message there, and they didn't understand it, even if they lived right next to that particular sign that was put up by the MPC. And then a notice in the newspaper. And that's not fair. And I heard over the years people complaining who live in a particular area that's really going to affect their area that, you know, there was not enough notification that was done by the MPC, which they were just following the state rules and regulations. But people that live in an area need to know. I remember one off of Skidaway Road that really affected the direction of a particular road and closing it. And what occurred was, only somebody that was on the other side of the road had understood it and checked on it, and the people that it was going to affect where that road was going to be closed in one area knew nothing about it. So, anyway, I'm glad that this has come up and you have done a good job, so our citizens know what's happening in their particular area. Helen?

Commissioner Stone said, thank you, Mr. Chairman. I just want some clarification that this will be broader and not more restrictive. In other words, we're going to reach more people instead of scaling this down due to any budget cuts. Is that correct?

Mr. Hansen said, Chairman Liakakis, Commissioner Stone, yes, however, let me again make this perfectly clear. We are talking about publicly-initiated requests. In other words, requests that would be initiated by you, and for those that are more than three acres in size.

Commissioner Stone said, I understand that, but oftentimes what we hear is that the public didn't know about this, wasn't aware about this, wasn't aware of it. I just want to make sure that what we're doing is increasing awareness, not decreasing.

Mr. Hansen said, absolutely, we are increasing awareness.

Commissioner Stone said, okay, that was my main concern.

Assistant County Attorney Colbert said, if I could --

Chairman Liakakis said, Harris and then -- oh, well, Lisa was explaining it. Go ahead.

Ms. Colbert said, in further response to Commissioner Stone's question, the County has always done more than what the minimum requirements are as set forth in the Zoning Procedures Act.

Commissioner Stone said, I'm aware of that. I just didn't want it to change.

Ms. Colbert said, what's changing here, and I just want to make sure the Commissioners understand this, what's changing is, under the current County Zoning Ordinance, the notice provisions for government-initiated, Commission-initiated changes, would have required signs on each parcel that would be effected. To do that under the circumstances of the Unified -- proposed Unified Zoning Ordinance would require a sign on 90,000 parcels, which would be very cost-prohibitive. Instead, this would require -- the proposed change would require that we send out notices to those property owners, but not also put those signs. So that is the purpose of the change to the notice provision that we're talking about today, so that for government-initiated zoning changes like this, that include more than three acres, we would only send the notice to those parcels, not also put those signs up.

Commissioner Stone said, but my concern is that those parcels go to the property owner -- I mean, those notices will go to the property owner, not necessarily the person that's living in the property. Is that correct?

Ms. Colbert said, that's true. The other thing, though, there will be the ads in the paper. There will also be the public hearings. This information will also be on the website. There is no way that we can guarantee that someone is not going to come in and say that they did not know, or that they weren't aware. There's just simply no way to do that.

Commissioner Stone said, and you all feel that it is still cost-prohibitive to post these signs? That's what bothers me, because that's oftentimes the best way to know when a piece of property -- a rezoning is being requested, so I'm a little bit nervous to eliminate any signage in lieu of other forms of notification.

County Manager Abolt said, it would be expensive. I mean, it would be extremely costly. We're talking about, you know, the entire county rezoning, it would be thousands and thousands of dollars.

Commissioner Odell said, between 500,000 and $1 million to do that, and it gets down to --

Commissioner Stone said, I guess the difference is, more of my concern would be for individual property owners and not for what you're speaking, and so I guess that's all right. I just want to make sure that we all understand what we're voting on here.

Mr. Hansen said, Mr. Chairman, if I might, too, elaborate a little bit on Commissioner Stone's concerns, that is why the MPC has amended their Procedural Manual to require that we notify each and every single property owner within the impacted or within the effected area. As the County Attorney has mentioned, there is simply no way that we can guarantee that everyone is going to receive that, but it is our best attempt to do so. Let me give you, by way of explanation what the ramifications of the existing Ordinance, in addition to signage, would mean. The 90,000 parcels that I alluded to as a part of the Unified Zoning Ordinance, the way the current Ordinance reads, we would not just send out 90,000 notices; we would send out about two and a half million notices, because it requires that we notify not only the existing property owner, but we also notify each and every property owner that is adjacent to or across the road from that particular property. So what we would have, in effect, is a lot of redundancy, because if you were -- if you had three properties lined up, A, B, and C, and you were Property A, you would get one for A, but you would also get for B. The B would get one for B, A, and C, and so on. And it -- we ran a little program to determine this, and it comes out to about two and a half million notices that we would have to send out. We think that is overkill and excessive and, in fact, would lead to confusion. But we are bound and have committed to sending notice to each and every property owner.

Commissioner Stone said, okay, but this would not affect an individual requesting a rezoning. That will still be posted. Correct?

Ms. Colbert said, that's correct.

Mr. Hansen said, absolutely.

Commissioner Stone said, okay, that's all I wanted to make sure, that we weren't making any changes in that regard.

Mr. Hansen said, any changes to publicly-initiated --

Commissioner Stone said, gotcha. Thank you.

Commissioner Odell said, any time that we do a mass Unified Zoning, there are going to be eggs that are broken. Right now, with the state of our budget, there's no way financially that we should even consider doing it the old way. This is the only, in my humble opinion, reasonable financial option. It is a public initiative which is the change, not a private initiative. This is something that we have processed and processed. We've had committee meetings, we've gone to neighborhood organization. Every Commissioner has had at least three meetings on this, or there have been three scheduled. There are going to be some problems, yeah, but the overall benefit, I think the only option is to approve it. Will we have some that fall through the cracks? Yes. But those will be minor, and the cost-benefit of doing it the old way wouldn't have guaranteed it, anyway, it just would have created a lot of redundancy. Madam Clerk, we do have a motion to -- the Acting Clerk responded that there was no motion yet.

Commissioner Odell said, I'm going to make a motion. We have a recommendation that was unanimous by the MPC Board. I make a motion that we approve --

Commissioner Stone said, second.

Commissioner Odell said -- the recommendation.

Commissioner Kicklighter said, Mr. Chairman?

Chairman Liakakis said, I've got you, Dean. Go ahead.

Commissioner Kicklighter said, thank you, Mr. Chairman. Could we not, to possibly avoid -- you know, some people just may not see it when it comes in the mail or whatever -- keep the mail-outs as suggested, but possibly just put -- place like a sign in the most obvious areas that says something to the effect that this entire area is under consideration for rezoning, go to, and then give the website, and click Item A for properties effected in this area? And then you could cut the signs down to virtually nothing, but it would be another avenue –

Mr. Hansen said, Commissioner Kicklighter, there will still be signage. That's not to say that there will not be. What we are referring to is that there will not be the requirement, as the County Attorney has said, to place it all the way down the street.

Commissioner Kicklighter said, so basically, you will have that.

Mr. Hansen said, there still will be signage, but let me give you a little preview of one of the things that we are doing for the Unified Zoning Ordinance on the website. You will actually be able to go onto a map utilizing the SAGIS capability to click onto your property and you can see what you are zoned today and what you will be zoned tomorrow. It will provide you with a list of uses today, it will provide you with a list of uses tomorrow. Now, that being said, let me also say that the vast, vast majority of properties are not and will not change. The nomenclature may, but if you are a single family residential use today, you will be a single family residential use tomorrow. But we have developed that ability that people can utilize the web and find all sorts of information. What we are trying to do, and I did not elaborate on this earlier, is -- one of our concerns is that the way that the current Ordinance is written is, that if we do not follow exactly the prescription of the Ordinance, then we subject ourselves to legal challenge because, as the County Attorney has mentioned, Chatham County actually requires more. We require more above and beyond what the state statute requires. What we are saying is, if we follow the minimum state statute, then that will suffice, but we intend to do more. However, we are not legally bound to do that more, as long as we follow the minimum state statute.

Commissioner Kicklighter said, no, I think you're doing a great job, and to save the millions of dollars there, I was just thinking rather than the standard white sign that you ride by and you have to stop if you really want to read it and get the info, maybe some large, looks like almost campaign type signs, that says, here's the website, this area is being, you know, proposed for rezoning, click on your property to see if you're effected, or whatever.

Mr. Hansen said, I believe we were actually going to have, contact Dean Kicklighter.

Commissioner Kicklighter said, that'll be great.

Chairman Liakakis said, one thing here is, though, when -- say it's a small area. I'm not talking about a county-wide area. The problem has been with the MPC in the past is, you send it to the property owners, and most of the people that live right in that area are renters. And see, and a lot of times, the owner of the property, because it doesn't matter to them, maybe, for whatever reason, or they don't notify the people who live in there, and some of them have been living there 20 years or longer, that get no notification whatsoever. So the simplest thing to do right there, doesn't cost much money, is to send out notices to the people that live in that particular area. I understand what you're talking about the property owner, but I've seen many cases in the past, because I've had complaint while I was on the City and a few in the County, is that you let the people know who live in that location, because none of them knew about it, and you know that the MPC has had complaints about that, I didn't know, she didn't know about, you know, what was going to happen in their area. And the simplest thing to do -- I'm not talking about county-wide, I'm talking about those particular zoning areas right there, that the people should know about it. And a lot of people still that live there, they don't have a web -- you know, they don't have the ability and they don't have a computer, even though more and more people are getting into that, and know about it. The other thing is, you make that sign, should be in simple -- a message so that they understand it, as opposed to putting OCGA and a number on it, 36-41-3 1(c)(d). You know, that don't get it when we're trying to help people. Dean and then Harris.

Commissioner Kicklighter said, really quick-like, the police department a while back for emergency reasons -- they've developed it, but I think we should utilize it -- they can isolate certain areas and send out a mass phone call via computer. I think you all need to get with the police department, utilize it, do a call-out to the areas that'll be effected, let them know it's coming up. Pooler now has the system. The Board of Education has the system. Savannah Metro -- Savannah-Chatham Metro Police --

Mr. Hansen said, Chairman Liakakis and Commissioner Kicklighter, we actually have access to that system, as well.

Commissioner Kicklighter said, that would be great.

Mr. Hansen said, we can use that. I don't believe that we would opt to use it in every single case, but certainly --

Commissioner Kicklighter said, on this mass rezoning, I think would be appropriate.

Mr. Hansen said, yes.

Commissioner Kicklighter said, and I'll stop, because I know we have to get out of here.

Chairman Liakakis said, Harris?

Commissioner Odell said, I just see some detail problems as far as notifying people who have no legal right in the property other than as a renter. I think there's some -- to have something in an Ordinance that puts in certain requirements to notify renters, I see there's some devils in that detail which concerns me. I think the property owner has to be notified, but I don't know of any system where we could notify the occupants, and when would we have to do that, how long would they have to be occupants. But that's not what's before us today. That is a side issue, has nothing to do with what we're here to do.

Commissioner Kicklighter said, another question, if you'll allow me. The Board of Assessors property card shows the legal owner's address, which may differ from the actual property address. Do you all -- are you planning on sending mail-outs to the actual owners or just the address of the property effected?

Mr. Hansen said, no, sir. We're utilizing the Assessor's information and will be sending it to the legal property owner, wherever his or her address may be, be it local or wherever. But whatever the information is that is contained in the Assessor's data is what we will use. Also, it is our best effort. As we all know, the Assessors, though they do a great job of updating the book, if you buy a property today, it's not going to show up tomorrow, so it is a snapshot in time that we will utilize at that particular moment.

Commissioner Kicklighter said, thank you.

Commissioner Stone said, call for the question.

Commissioner Odell said, we've got a call for the question, Chair.

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

ACTION OF THE BOARD:

Commissioner Odell moved approval of an amendment to Section 11-2.7 (Hearing Procedure) of the Chatham County Zoning Ordinance to clarify notice procedures in accordance with applicable State statutes. Commissioner Stone seconded the motion and it passed unanimously. [Commissioner Gellatly was excused.]

~~***AGENDA ITEM: XI-2***~~
~~***AGENDA DATE: July 9, 2010***~~

AGENDA ITEM: XII-2
AGENDA DATE: July 23, 2010

C H A T H A M C O U N T Y • S A V A N N A H

METROPOLITAN PLANNING COMMISSION
"Planning the Future – Respecting the Past"
M E M O R A N D U M

TO: **BOARD OF COMMISSIONERS**

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

FROM: **THOMAS L. THOMSON, EXECUTIVE DIRECTOR**

LEGAL NOTICE/AGENDA HEADING:

Staff has proposed an amendment to Section 11-2.7 (Hearing Procedure) of the Chatham County Zoning Ordinance to clarify notice procedures in accordance with applicable

State statues. The MPC recommends approval as outlined. MPC File No. Z-100111-0002-1.

ISSUE: It is proposed that an amendment be made to Section 11-2.7 (Hearing Procedure) of the Chatham County Zoning Ordinance to clarify notice procedures in accordance with applicable State statutes.

BACKGROUND: On February 23, 2010, the MPC considered and recommended approval of a text amendment to Section 11-2.7(Hearing Procedure) to clarify notice procedures for publicly initiated zonings. On March 16, 2010, the MPC approved an amendment to the MPC Procedural Manual to clearly define and outline the policies to be followed by the MPC with regard to publicly initiated zoning requests.

Following subsequent review by the County Attorney, it was suggested that the MPC revisit the amendment request to 1) memorialize the new MPC Procedural Manual policies in the staff report; and 2) to make minor changes to the recommended text, the most significant of which was to identify that the tax records as housed in the Office of the Chatham County Tax Commissioner be used to identify owners of property.

Therefore, the request to amend the text of the Zoning Ordinance as it relates to notification procedures (Section 11-2.7) is being placed for reconsideration with the modifications as described above.

The process of public notification allows adjoining or nearby property owners, and others, the opportunity to examine a proposed development and/or zoning, consider the likely impacts the proposal may have on them and provide comment (either positive or negative) about the proposal prior to a decision being made.

To ensure that the public is informed about zoning requests, notification requirements are outlined in the Georgia Code (O.C.G.A. 36-66-1 et. seq.). The statute prescribes minimum procedures, the purpose of which is to assure that due process is afforded to the general public when local governments regulate the uses of property through the exercise of zoning power.

Chatham County notification requirements are outlined in Section 11-2.7 of the Chatham County Zoning Ordinance. Local regulations require more extensive notification than the minimums prescribed by state law. However, no differentiation is made between privately or publicly initiated actions.

FINDINGS:

1. State law requires that a local government (Chatham County Commission) conduct a public hearing prior to taking action resulting in a zoning decision. Notice of the hearing shall be published in a newspaper of general circulation within the boundaries of the local government at least 15 but not more than 45 days prior to the date of the hearing. The notice shall state the time, place, and purpose of the hearing. Additionally, for requests initiated by a party other than the local government, a sign containing information required by local ordinance shall be placed in a conspicuous location on the property not less than 15 days prior to the hearing.

2. Additional notification requirements are outlined in Section 11-2.7b. Of the Zoning Ordinance. The Ordinance states that "... at least ten days prior to the date of the public hearing a notice setting forth the date, time, and place for such public hearing shall be sent by mail to the applicant, the Planning Commission, and all owners of property located adjacent to or across a public right-of-way from the property being proposed for rezoning."

3. Chatham County attempts to solicit maximum public participation in the rezoning process and to fully inform all residents of changes that affect their property. This amendment is not intended to alter that policy. Rather, it is intended to distinguish between privately and publicly initiated actions.

   Privately initiated requests usually seek action on a single lot or tract of land, though rezoning on multiple parcels is permitted. A publicly initiated rezoning is any proposed change to the official zoning map which is initiated by either the

County Commission on its own motion or upon recommendation of the planning commission. Such requests can be initiated on single parcels, but often involve contiguous acreages and can involve multiple properties or parcels.

Simply stated, the purpose of notification for a privately initiated rezoning is to inform adjacent and nearby property owners of changes that could affect their property and provide them with an opportunity to express their opinions on the proposed changes. The purpose of notification for a government initiated rezoning is to inform residents that an evaluation of existing development patterns in their neighborhood or community is underway and to invite their participation in the evaluation and planning process.

4. At present, ordinance requirements make no distinction between private and public actions. Therefore, the notice requirements for each are identical. For most publicly initiated requests, the mailed notice requirement is considered redundant, unnecessary and impracticable. For example, in cases where an entire neighborhood is affected, current regulations would require that each property owner receive notification that his or her property was proposed to be rezoned and additional notifications for each adjacent and/or abutting property that was also proposed to be rezoned. Multiple notifications would not only be redundant, but also create confusion rather than the desired public awareness and participation. Strict adherence to State law which requires notification via newspaper publication is less cumbersome, less confusing, and better suited for large scale publically initiated rezoning.

5. The process for publicly initiated rezoning should provide for the maximum notification utilizing the most recent innovations in communication; eliminate the requirements of the current ordinance that could be redundant, confusing, and ultimately inadequate; and reduce the potential for legal challenges based on technicalities. Therefore, the focus of this proposed text amendment is to remove those requirements for notification in the current ordinance that are unsuitable for publically initiated rezoning while at the same time maintaining a high degree of public awareness and participation in accordance with state statutes.

6. Section 11-2.6 of the Zoning Ordinance requires the MPC conduct a meeting [hearing] prior to making a recommendation to the Chatham County Commission. Meetings of the MPC are governed by policies set forth in the association's Procedural Manual first adopted in 1998. The manual's policies provide guidance on such topics as meetings, agendas, notices, and minutes.

The most recent adopted policy required only that abutting and adjacent property owners across a public right-of-way be sent a courtesy notice of an impending zoning action.

However, in anticipation of approval of the proposed text amendment regarding legal notification requirements, the MPC did, on March 16, 2010, adopt an amendment to their Procedural Manual which clearly defines and outlines the policies to be followed by the MPC with regard to publicly initiated zoning requests. These policies include:

1) A written notice will be sent to all property owners within the subject area indicating the occurrence of a "large-scale" public zoning action. The notices will provide information about proposed public meetings and will further direct the recipient to a contact person or project web page where additional information may be obtained.

2) A website page on the MPC's website will be established for each proposed action. The page will provide information about the proposal, including drafts of text and/or maps, and information on upcoming public meetings. Additionally, links may be created on other websites to provide easy and direct access to project information.

3) Public meetings will be conducted to inform residents of the proposed zoning action. Efforts will be made to engage all known neighborhood associations within and adjacent to the affected area, civic groups, and trade and/or business organizations.

4) Various internet applications will be employed to solicit public comment. Questions posed on these interactive sites will be answered directly by staff and viewed publicly.

5) Invitations will be made to neighborhood associations, civic groups, business and other groups to form an open advisory committee to help review staff recommendations.

6) Press releases will be issued and public service announcements will be used to spread information.

7) Media outlets will be invited to briefings to generate additional public access.

These measures are intended to assure broad public knowledge of publicly initiated zoning requests prior to and leading up to action by the MPC.

ALTERNATIVES:

1. Adopt a text amendment to include the minimum legal requirement for public notification of proposed county-wide rezoning of neighborhoods or defined study areas.

2. Take no action.

POLICY ANALYSIS:

The Chairman and Commissioners of Chatham County have expressed support for maximum public participation in the rezoning of property. However, it is also recognized that current mailed notification requirements are redundant and often lead to confusion rather than the desired result of awareness and participation. Developments in electronic dissemination of information, particularly web-based systems, may be more effective than traditional methods (e.g. mail, newspaper). Additionally, policies adopted by the MPC will assure wide dissemination of public information prior to the meeting held by the MPC at which a recommendation will be formulated and made to the County Commission.

RECOMMENDATION: **The MPC and Director of Building Safety and Regulatory Services recommend** that reconsideration of the requested text amendment as approved on February 23, 2010, and that the following amendments to the Chatham County Zoning Ordinance be **approved** (deletions are characterized by strikethroughs; proposed additions are in bold type):

PREPARED BY: Jim Hansen, AICP, Director
Development Services

JUNE 8, 2010

Gregori Anderson, Director
BUILDING SAFETY AND REGULATORY SERVICES

Section 11-2.7 Hearing Procedure

a. Hearing Called: Before taking action on a proposed amendment, the Commissioners of Chatham County shall hold a public hearing thereon, at least 15 days notice and not more than 45 days notice of the time and place of such hearing shall be published in a newspaper of general circulation within Chatham County. Such notice shall state the application number, and shall contain a summary of the proposed amendment, if a text amendment, and in the case of a map amendment, the location of the property, its area, name of owner, and the proposed change or classification.

b. Notice to Interested Parties: At least ten days prior to the date of the public hearing a notice setting forth the date, time and place for such public hearing shall be sent by mail to the applicant, the Planning Commission, and all owners of property located adjacent to or across a public right-of-way from the property being proposed for rezoning. The names and address of **the** owners of such properties, **as identified and determined to be the owners of such properties in the tax records maintained by and in the Office of the Tax Commissioner of Chatham County**, shall be provided by the applicant as set forth in subsection 11-2.4 – Application for Map Amendment, provided, however, where a map amendment is initiated by the Planning Commission such names and addresses of owners of property located adjacent to or across a public right-of-way from property being proposed for rezoning shall be provided by

the Planning Commission and submitted to the Department of Inspections.

c. **In cases in which the County Commission, upon the recommendation of the Planning Commission, intends to adopt a new comprehensive zoning ordinance or when a publicly initiated area zoning of more than three (3) acres is proposed, the provisions of section 11-2.7(a) and (b) shall not be applicable. Instead, the following notices and public hearing provisions shall apply:**

At least 15 but not more than 45 days prior to the date of the public hearing, a notice setting forth the time, place and purpose of the hearing shall be published in a newspaper of general circulation within Chatham County. Additional notice may be given in the direction of the Planning Commission.

[Note; All subsequent subsections of 11-2.7. shall be relettered as necessary beginning with the letter d.]

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3. THE PETITIONERS, HOMER & MARVIN JENKINS, ARE REQUESTING TO REZONE PROPERTY AT 1032 OLD OATLAND ISLAND ROAD, PARCEL 1-0128-02-009 AND THAT PORTION OF PARCEL 1-0128-02-008 SOUTH OF THE ACCESS EASEMENT AS SHOWN ON THE TAX MAP TO A P-B-N CLASSIFICATION. The MPC recommends approval. *Note: Attached is a petition signed by 140 Gray's Subdivision residents who are opposed to the rezoning.* MPC File No. Z-100420-00020-1
[District 1.]

Chairman Liakakis said, there's a note here attached there's a petition signed by 140 Gray's Subdivision residents who are opposed to the rezoning. Jim?

Jim Hansen said, thank you, Chairman Liakakis. Again, Jim Hansen on behalf of the MPC. Allow me, if you will, to put a couple of maps up, particularly for our viewing audience. What you see before you now is the tax map, and I put that up actually to draw your attention to the fact that there are two parcels that are being considered for rezoning. What is shaded is actually that portion of the two parcels that has been recommended for approval by the MPC, but the two parcels, in fact, extend not only into the shaded area, but also to the north, beyond the access easement. This particular aerial photograph probably gives you a slightly better representation. We're talking about property which has an address of 1032 Old Oatland Island Road. Although there are two separate disparate parcels, that is the legal address applied to these particular parcels. As I said, they form an L-shape along Old Oatland Island Road and along Kim, or Highway 80. It extends approximately 300 feet in the north-south direction along Old Oatland Island, approximately 235 feet of frontage along US Highway 80. The parcels are adjacent to an existing commercial development that is zoned P-B-N. These particular developments -- if you're familiar with the area out on the island, it is adjacent to what was a Huddle House. That particular property is now vacant. Then there are a couple of other restaurants and convenience store, a gas station, and so on. It is immediately across the street from a rather large commercial development on the south side of Highway 80 which, among other things, holds a Publix shopping center, Wal-Mart, various restaurants and so on.

The request in this particular case is to rezone the two subject parcels from their existing R-1 classification, that is, a residential classification, to a Planned Neighborhood Business classification, to mirror those properties that lie immediately to the east. The designation that is listed on the Future Land Use Map as part of the Tricentennial Plan for this area designates these properties for residential. In fact, single family residential. This action, if approved by you and, as recommended by the MPC, would also necessitate a change to the Future Land Use Map from the residential classification to a commercial classification, commercial suburban classification. The MPC, in its deliberation, has recommended to you that both parcels not be, in totality, zoned to the P-B-N classification. Rather, they have recommended to you that the easternmost parcel, which is currently occupied by a now vacant house, and the westernmost parcel, that area that lies south of an existing access easement, the easement which provides the legal access to properties that lie to the north of the existing commercial development, that that area be rezoned, but that the area on the north side of the easement, that is, the westernmost parcel with the L, that that remain as a residential classification and that it not be rezoned to the commercial development. This particular action would therefore provide for additional buffering and safeguards of development to those properties to the south. By a split vote of 9 to 5, the MPC has recommended that this particular rezoning action be approved.

Chairman Liakakis said, okay, do we have any -- the property owner would like to speak, or anybody in the audience of some residents that would like to speak on this? Okay. We had -- is there somebody out there?

Commissioner Stone said, I'd start with the Petitioner.

Chairman Liakakis said, all right, if you'd like to come forth a minute.

Commissioner Odell said, let's have them sit on the front row, so we'll know who they are.

Chairman Liakakis said, and give your name and who you are representing.

Marvin Jenkins said, good morning, Mr. Chairman and the rest of the members of the Chatham County Commission. My name is Marvin Jenkins. I'm one of the owners of the property. I'm one of the principal properties of the property. Okay? First, let me express and thank you for the opportunity to address this body. And I promise to keep my presentation brief and to the point. I hope that every Commissioner had the opportunity to review the information that I had previously provided to you. As you are undoubtedly aware, the MPC recently passed the recommendation for the zoning change. I would briefly like to highlight some of the very important aspects that were contained in the proposal that I gave you, and I think, as Mr. Hansen showed you with the aerials, they tend to put this in perspective.

Okay, the title of this slide that I've presented to you is the subject parcel before the Chatham County acquisition. As you read in your proposal, there was a traffic light installation that occurred by Chatham County and the Georgia Department of Transportation at Kim Street -- or, excuse me -- Debbie and Highway 80. That depiction right there depicts what our property, the two parcels, looked like prior to the acquisition, so I think that's just important to put in perspective what our property looked like prior to. And the reason I tell you this is because these actions that took place, I think, are germane to the impact that took place to the property which ultimately led to what it looks like today. And as I say, all this was in your packet.

What that slide indicates in the red is the property that was acquired by Chatham County as a result of the acquisition. As you can see, it was a significant acquisition. If you actually added up the totality, it represented almost approximately 50% of the property was acquired. As I indicated in the presentation to you all, there was no damages, it was simply acquired at the standard rate, and there's an outline. There were some issues concerning damages. We chose not to pursue them based on some indications that we all know were outlined. Here's another slide that I think is very important because, as you deliberate this, throughout this process, I have made and my brother have, and continue to, certain commitments to the MPC and to the residents, not only that I have reduced to writing, but that I pledge here today to you. I think these commitments go a long way toward addressing the concerns that area residents would have concerning buffers, okay? And let me put this up briefly. And the title of that, obviously, is our commitments. Let me briefly look at that so that I can talk to you about that. As Mr. Hansen indicated, we have never proposed, nor are we suggesting that the northern parcel, what you see as that upper -- it would be to your all's north as you see it -- no access would be permitted onto the private road and its current R-1 zoning would stay, so it's not part of what we are seeking. If I'm reading left to right, the next item would be the installation of an 8-foot concrete fence. I would just add that after the MPC meeting on the 18th, the adjacent property owner to the north, the Hilliards, indicated that they would like a fence. He indicated a 10-foot fence. I made the notation of 8 and then I indicated minimum. If we can go 10 and there's no issues with the Chatham County Engineer's Department, then I'm willing to go 8, and I would just tell you that this fence would be continuous, touching the already P-B-N district to the east and heading in a westerly direction and then turning and running due south, recognizing that as we got closer to Kim Street, we would again have to get with the Engineer's Department to finally validate what the maximum height we could go. But regardless, the type of fence it would be will be similar to what's done in the Islands, and I have a slide of that. It will be of high quality and certainly better than wood. As I indicate in that, the buffers to remain. That's significant, because currently, what the neighbors see, and I'll briefly put up that slide, it's not going to change. And, in fact, under my proposal, and I've indicated to them before, I have the ability to add density to not only the existing buffers, but certainly to all that northern area, and that density could be of a different type of vegetation or of the same kind, so there's tremendous ability there to augment what is already their existing buffers that they currently have. And I would just stress that it really -- what they see today, views will not change, and in fact, I can enhance them.

Now, the next slide, I think, is very important. You know, throughout our discussions with the neighbors and the MPC, and it was certainly brought up at the May 18th meeting, where will the P-B-N district end? I mean, that's a valid concern. I think if you look at that slide, there's some clear delineations that indicate exactly where it's going to end, and as I've designated on this slide for you, it says here, because this really is where it ends. The access road to the north will not be accessible from this. The fence will occur on the interior of that. And remember, the access road issue was one of the primary reasons Ms. James, who sought a zoning change in the late Eighties, early Nineties, was denied, so that clearly has been explored and it's been fairly determined that no access will be permitted. So that's the clear delineation to the north. As I depicted, if you look on the western side, Chatham County, after they acquired, still had that little parcel of vegetation. They currently own that. Then you had the Oatland Island Road and, of course, obviously, Kim Street that runs to the frontal side of the property from west to east. So I think, as I indicated, there's some clear lines that will not change, so I'm submitting to you it ends right here, and I think that's important.

The next thing, and I've just got two more slides and then I'm going finish. Currently, what you see there is a view of buffers, and I'm not going to read all the stuff, but I indicated the directions in which they -- as I said, these are currently what they're looking at. Under my proposal, none of that would be taken out and, in fact, I have offered and still pledge to augment those buffers with additional vegetation. Okay, and again, one more slide. And that one's titled, neighbor's view will not change. You know, as I indicated in my presentation to you that you read, change is sometimes something that is never easy, but I submit to you that in terms of their view and their aesthetics, really, the picture does tell a story. They always do. And this indicates again the types of existing buffers and, again, I have the ability to augment those.

Proximity. They're self-explanatory. The various neighbors, I didn't list their names, but they have been the adjacent property owners that I have met throughout this process. That gives you an indication of their proximity to the existing thing, development. The last slide -- well, the second to the last -- is the fence that I'm proposing. The one

picture is the fence that was installed at Johnny Mercer down there and Highway 80 directly behind Wendy's. That is the type of fence that I'm talking about. Again, I want to emphasize that if I can go 10 feet for the adjacent owners, I'd be willing to go 10 feet. The other pictures are the existing fence. I'm not going to get into the shortcomings of the P-B-N district that joins my property. Suffice it to say that it has not -- it has not been sufficient, either in height, or certainly, it has -- parts of it have been taken down and, as I said, existing fence is not continuous. That's significant, because as you can see, pedestrian traffic as well as vehicles currently are egressing, coming out of the existing P-B-N district through a access road. The final one, and then I'll close. And again, this is just a different view. You know, the others were aerial, and they tend to sometimes obscure. This is more of a dimensional view. And again, it highlights the area that I have designated in red, as Mr. Hansen correctly said, is not part of the zoning petition, and it will remain as is, with the ability to augment it.

I'd just like to make a couple closing statements and that'll be it. Let me just say that since the MPC vote on the 18th, I have held one additional meeting with the area residents that was attended by Mr. Hansen, and I've had at least two specific meetings with Mr. Hansen at the MPC's office to discuss this. I would just like to go on record as saying that I have a tremendous amount of respect for Mr. Hansen, for his sense of professionalism and honesty throughout this process. In terms of the meeting with the residents, I would -- I'm pleased to tell you that from the very beginning, the overall tone and the substance of the meetings have always been positive, and I believe the record demonstrates that I have genuinely worked with the residents throughout the process. I have struggled to make them fully appreciate the factors that were outside of my control that contributed to the decline in my property's value, R-1 value usage and viability. I have tried to make them understand that there were at least two major factors that greatly contributed to my situation. One primarily was the expansion of the P-B-N district without the adequate buffers and fence, and specifically the Huddle House. And (b) was the growth in the P-B-N district to the south, that necessitated the installation of a traffic light at Debbie and Highway 80, which then triggered the Chatham County having to relocate Oatland Island Road, which necessitated them acquiring a significant portion of my property.

Clearly, my proposal has incorporated many of the safeguards that effectively address the concerns of the residents and, as I stated in my formal presentation to you, I'm committed to developing the property in a manner that will provide the protection and the safeguards the neighbors fairly deserve. I will not seek the development of my property in any manner that will bring shame or embarrassment to me, my family, or to the neighbors. And finally, I would like to thank the Chairman and the rest of the Commissioners for their time and consideration, and I ask that you vote to approve the MPC's recommendation. This completes my presentation. Thank you.

Chairman Liakakis said, now, I think somebody raised their hand that was with the residents, somebody over there? We'd like, you know, one or two comments, and if you could speak out on this, because I know all of the petitions that were signed, there's well over 140 residents who live right there, you know, signed that they were against that, so if you will, --

Renita Ball said, my name is Renita Ball, and I represent those 140 signatures. We are residents in the community adjacent to this property of 1032 Old Oatland Island Road, and our desire is for you to deny the request. We feel the encroachment of the commercial development into our neighborhood needs to stop where it is now. The present shopping center has been extended twice since it was first built and, also, an individual building, which was the Huddle House, which now stands empty, has been added into that area. We have a bar, liquor store, we have restaurants, we have take-out food, we have offices, we have a Quick Stop gas station. Several of the store fronts now stand empty, which includes that Huddle House. Across Highway 80, we have multiple restaurants, take-out establishments, car washes, offices, a tire store, and another empty restaurant, and some of the store fronts stand empty. We feel like we do not need additional space for business. Even an office building in the small area that they are proposing would need a new dumpster, and the barrier, even though it could be promised, if it sold tomorrow, we have no promises by new owners. We can only enforce what Chatham County enforces.

We're already having drainage problems in Gray's Subdivision. We're working with the proper authorities to have them resolved, but when the land is paved, there is no place for the water to go. A good buffer still does not always buffer the noise, the smell of trashcans and grease traps. It does nothing to deter the feral cats or stop the rats. Part of the drainage ditch that is there already has been destroyed by buildings behind the present shopping center and additional buildings are just going to cause additional drainage problems. Multiple accidents have already been caused by the nearby -- in the nearby intersection that does not have the traffic light. More business, more traffic, more deaths. We've got new streetlights up in our neighborhood, we have the new traffic light, which we like -- well, not really new anymore. We have new playground equipment. We're trying to upgrade our neighborhood. If this property is rezoned, it will decrease our home values. It could also likely cause a domino effect. There are other vacant properties along Kim Street, and then adjacent property owners would then have difficulty with their property, and it could cause a domino effect, where they could want to have their properties rezoned. This present business established is a little bit contained and only effects two or three residents. It does effect two or three residents. But continued encroachment would creep on us in our neighborhood like a cancer, and we just ask that the zoning stop here and that you deny this request today. Thank you.

Ed Cauley said, Mr. Chairman, my name is Ed Cauley. I'm speaking against this rezoning request. A reference to a neighborhood that was destroyed by creeping commercialism is Fairway Oaks that used to be on Waters Avenue. Now, it is completely gone. That neighborhood is no longer there. I foresee this happening here. This is contained. It's only where the expressway comes going west onto Highway 80, to Highway 80, so it's sort of a small area right now, but as she said, it's probably going to expand. Commercial tends to have commercial creep. As far as the buffer is concerned, as he noted, the broken-down fence, is an issue with the existing zoning area, and one of the reasons he's asking for it to be rezoned is because of this commercial creep, so that's why he thinks he should have his rezoned commercial, and so where will it stop. As far as pledges or commitments, promises of restricted development or buffer zones, unless these things are deed restrictions or conservation easements, promises today

will be gone tomorrow. If he was paid for the property that the County took over before, you know, he was paid for the property. That shouldn't have anything to do with this. Right now, he could build a house if he wanted to. It's still R-1. He can utilize his property, just not commercial. And one of the cornerstones of our republic and this nation is the concept that the good of the many outweighs the good of the one or the few, and I think this request may be good for the property owner, but not for the rest of the neighborhood. Please deny this. Thank you very much.

Chairman Liakakis said, one of the things that we have here, and has come up in the past, is that when we have commercial encroachment on homes, I know, working many years with the City and, of course, now with the County, that I have seen that certain times that it has made a difference in residential. I mentioned at a pre-meeting this morning about where they've got a -- you know, we've got great cab companies in our community, but we have some also that, what they do, for example, where I've had three complaints about is that they're supposed to just be answering the phone at their residence for a few cab companies, but, instead of that, several of the cab companies have been parking right in front of those people's homes in that area. They are doing -- and then they were talked to about it, but that didn't stop them. And then some of those people that are doing the mechanical work on these cabs threatened the residents who live in that area and used profanity and physical threats to them. And that situation, you know, just grows and grows and takes away from the family. And I have asked on occasion and I know other Commissioners here, that when we've got a situation where it's supposed to be a particular home business in that area, where they've got, you know, 20, 30 cars blocking the home driveways and all of that, that we need to look into that, because we've got a responsibility, really, to look at this. And, of course, we have to make our decisions, but when people live there, and many of them for many, many years and all, we need to protect their homes in that particular area. That's just there. Commercial are very important, and we have approved a number of commercial areas in our community, multiple. But when personally, I see that quite a number of people feel that they have not been contacted -- let me ask you this. Identify yourself for Barbara, because she doesn't know you.

Marianne Heimes said, my name is Marianne Heimes.

Commissioner Odell said, everyone knows Marianne.

Chairman Liakakis said, oh, I know her. And all the Commissioners know you. But the question is, did the property owners meet with all of the residents to go over this?

Ms. Heimes said, I think they did, yeah.

Chairman Liakakis said, okay.

Ms. Heimes said, I'm not a resident there. I was just going to let you know, the property owners met with those right on Old Oatland and in the very near vicinity. We didn't have a neighborhood wide meeting. We did go through the neighborhood with the petition and tried to explain things to them as we got the petition, but just -- you know, it was our immediate areas that we --

Chairman Liakakis said, okay, thank you. Go ahead, Marianne.

Ms. Heimes said, first of all, I would like to say thank you for getting that bike trail. It happened -- I was on the bikeway committee back in 1996 when we decided we needed that bike trail, and I know it's been a problem. Thank you to the Engineering problem for being able to get over that ditch. I know that was the problem. You have a difficult decision here. There are points on both sides. My position is that the neighbors should get the petition denied at this point, because there are too many if's and and's. As you know, once a property is rezoned, the owner can sell to anybody at any time, and he has great plans and great, you know, things that he says he will do, but once he sells that property, those are all out the window. This is one of the oldest developed neighborhoods on Wilmington -- well, this is Whitemarsh Island -- of all the islands. It was one of the very first. It was started from an old log cabin as -- there was a sales office that sat where Islandtree Apartments are now, so it's very historic, actually.

The creeping commercialism is a problem. I've seen another area where we transitioned and then we transitioned and then we transitioned again, and the last transition is sitting empty and it's caused all kinds of problems. But there's no guarantee when you rezone this of what will happen. And I will tell you that once it leaves this chamber as a rezoning, nobody will have any responsibility for what happens there, because I have tried in the past to, you know, contact MPC or the Commission when something's gone wrong with a rezoning, and at that point, it's not your problem, it's not their problem, it's not anybody's problem. And I think you really need to keep that in mind before you change a neighborhood that's been there for so long. Now, I think another thing you need to realize is, the drainage is bad. The parking is particularly bad. There didn't use to be much there in that shopping center. Now we have some really nice restaurants and there's a lot of people that go there for lunch and dinner, and there's a possibility that the Huddle House will reopen as a more popular restaurant, which will cause more traffic along that stretch. A neighborhood is a neighborhood, and when you buy into a neighborhood, you want to keep it that way, and you don't want to have to deal with the issues that commercialism brings in, because there are no guarantees, and I think you all realize that. Thank you.

Chairman Liakakis said, thank you.

Mr. Jenkins said, Mr. Chairman, may I rebut a couple of --

Chairman Liakakis said, yeah. Make your statement briefly, please -- oh, wait a minute. Oh, excuse me. Excuse me. The Commissioners have to speak first. Helen and then Patrick.

Commissioner Stone said, thank you, Mr. Chairman. First and foremost, I guess I need to make a disclosure, that I did accept during my campaign a donation check from the Petitioner, the Petitioner's family, in the amount of $250. I want to make that clear up front. And I do have, coming from the MPC, some concerns that I want to go through. It'll just take a second. The first would be that if you go in your notebook, and just as has been stated earlier, that a rezoning goes with the property, so if Mr. Jenkins were to sell this property after it's rezoned, that rezoning is now attached to the property. Allowed in that rezoning would be some things that concern me deeply about a residential area, some of which -- I'm just going to give you about three or four examples -- an automobile parking lot garage, may include gasoline pumps, with the exception of a P-N-1 district; an adult entertainment center; a planing or sawmill; a portable concrete mixing plant; a private sewerage treatment facility. Those are just some of the uses that would go with this particular requested rezoning.

Also in our report, if you looked at the comparison of the development standards, I find those a little bit troublesome, and that is, in the current zoning district, the minimum setback is 5 feet; in their requested rezoning, would be zero or 10 feet when abutting an R district. The minimum rear yard setback currently is 25 feet; it would be 0 to 30 feet. The minimum height -- excuse me -- maximum height would be 36 feet. And under this proposed zoning, there is no height -- maximum height limit. The maximum building coverage under the R-1 is 40%; under the proposed, there is none. The density under the current is 5 units per net acre; under the proposed zoning, there is none. These are things that concern me as far as what we're going to do to the quality of a neighborhood, and these things will not change. This will go with this piece of property, whether the Jenkinses own it or somebody else owns it.

The last thing I want to say very briefly is that the summary of findings that the MPC denoted in our report was that, Number 1, will the zoning district permit uses that would create traffic volumes, noise level, odor, airborne particular matter, visual blight, reduce light, or increase density of development that would adversely impact the livability or quality of life in the surrounding neighborhood? The report says yes. Will the proposed zoning district permit uses that would adversely impact adjacent and nearby properties by rendering such properties less desirable and, therefore, less marketable for the type of development permitted under the current zoning? Also marked yes. Will the proposed zoning permit development that is -- will the proposed zoning district permit development that is inconsistent with the Comprehensive Land Use Plan? Again, that is checked as yes.

I'm sure, and I'll go back in my prior years, I was fortunate enough to teach Mr. Jenkins at St. Andrews, and there is no doubt that your intentions -- I understand that you're trying to use the highest and best use of your property, and I am extremely sympathetic. Having said that, I don't know that it is fair to do that at the detriment of the neighborhood. I have one question, if I may, Mr. Chairman, ask of the Petitioner, and that is, what was the current zoning when you bought the property?

Mr. Jenkins said, when I acquired the property? R-1.

Commissioner Stone said, okay, so I guess what I would say to you in all fairness, when you bought the property, you did know that you were buying residential property, so I don't, in my heart of hearts, see this as a taking of any sort. And the only thing that I could see that would make me feel comfortable with this, as I explained to you on the phone, would be more of a transitional zoning, and I do not think that this is a transitional zoning. I think a zoning that allows the uses that I listed here would be detrimental to this neighborhood. And that's all I'm going to say, Mr. Chairman, at this current -- I just don't feel that I could or would support this as reported to me today. Thank you.

Chairman Liakakis said, Mr. Jenkins, it's protocol that the Commissioners speak first.

Mr. Jenkins said, okay.

Chairman Liakakis said, that's just protocol for many, many years and all, and then you can say a few words. Patrick Shay?

Commissioner Shay said, Mr. Chairman, I started getting contacts from a lot of people many months ago about this issue, and when I got those contacts, I didn't have maps in front of me, because it hadn't come before us as it has in the last two readings. And the people that described it to me said that it was a matter that was on Old Oatland Island Road, and I assumed that Old Oatland Island Road was on Oatland Island. And I want to go ahead and disclose that that leap of logic led me to talk to people that I knew lived on Oatland Island, and I may have misled them and frightened them, that what we were talking about was commercial rezoning on Oatland Island. I know the chances that any of them are actually listening to this right now are rather slim, since this is not on Oatland Island, but I apologize if I've created any misgivings from the people that actually live on Oatland Island Road. Having said that, I have a question to ask of perhaps the County Manager. The gentleman, Mr. Jenkins, spoke about takings at one time for that intersection. Were not those takings compensated at that time?

County Manager Abolt said, yes, they were. There is a history there that goes back to the previous Commission, because there were, I believe, some fatalities on US 80.

Commissioner Shay said, okay. I mean, I just --

County Manager Abolt said, I'm sorry.

Commissioner Shay said, you answered my question and I don't want to prolong this any longer than need be. Now, I have some questions for the Staff. Mr. Hansen, the ideas about buffers and walls and the features that were described to us, which seemed, in one way or another, to mitigate the -- some of the effects, were those

commitments offered as covenants that would run with the land. No matter what happened, if it were ever transferred, are those commitments that are basically, you know, taking one good citizen's word for it?

Mr. Hansen said, Chairman Liakakis, Commissioner Shay, I believe that is probably best addressed by the Petitioner. However, he has been on record, certainly at the MPC meeting, he has told me repeatedly that he is willing to in fact put these types of issues as a covenant or a deed restriction or whatever it may be, but I would urge you certainly to discuss that with the Petitioner.

Commissioner Shay said, no, that's all right, you --

Mr. Hansen said, but these are not things that are part of our report.

Commissioner Shay said, but they're not -- what we're being asked to do today is to vote on a zoning.

Mr. Hansen said, correct.

Commissioner Shay said, and the covenants, if they are offered, are not in place. So although I am not impugning the reputation of the Petitioner whatsoever, I believe him to be an honest man, the problem is that the zoning, if we vote on it today, would forever alter the use that was allowed on the property, and the buffers and conditions and so forth have not actually been, you know, recorded or made a condition of the zoning. Is that correct? In other words, what's come before us today doesn't automatically and legally make the provisions that are mitigations that were presented today run with the land.

Mr. Hansen said, Commissioner Shay, I would disagree in this respect, in that if you were to rezone this particular property to a B-N classification, any development that would occur thereon has to meet the development standards of that particular district, and that district does have buffer requirements from adjoining residential properties. The chart that Commissioner Stone referred to, in fact, lists those various buffer requirements in that where it says, for example, a minimum side yard of 0 or 10, if you are adjacent to, in this case, the existing Huddle House, they do not have a side yard requirement. However, if they're adjacent to an R district, in other words, a residential district, then they have a minimum of 10 feet. Likewise, for rear yard setback, they have a minimum of 30 feet.

Commissioner Shay said, I'm speaking specifically about the 10-foot or 8-foot walls and so forth that were presented to us earlier today.

Mr. Hansen said, there is a requirement within the development standards that they would have to do a fence, yes.

Commissioner Shay said, okay, so they would have to do a fence, but they wouldn't necessarily have to do exactly what was presented to us today.

Mr. Hansen said, correct.

Commissioner Shay said, as a general criticism, the Tricentennial Land Use Plan, I'm a real fan of that, and I think it's also been affected for the better by the Islands Land Use Plan. We have words in here that say that that plan shows this area as being residential, and I think I totally believe that. But it would be really helpful for me as a Commissioner if, when we're asked to look at these things, we could actually see the Tricentennial Land Use Plan, or in this case, I guess there's another Islands Land Use Plan in addition to that, in the broader context, because when you present the maps that are up here, I get to see what the immediately adjacent properties are, but I don't necessarily get a feel for, okay, so what all's out there. And the reason I say that is, because I goofed up and went to the wrong place looking for the land, I did go to the real location, Oatland Island, and I walked around the area and drove around it, and I mean, I got a feel for the character of what's already there, and I think sometimes tax maps and just colored maps don't necessarily give you that kind of context, as to what the surrounding area beyond the immediately adjacent property owners are.

So just as a request, please, when we have these come up in front of us in the future, if we could have at least, you know, the segment of the Tricentennial Land Use Plan shown to us, because, again, we're told today that if we voted in favor of this, we would also be making a map amendment to a map, and we haven't actually been shown the map that would also be amended by virtue of making a change today. Just point that out. Okay?

Mr. Hansen said, Commissioner Shay, I'm sorry I don't have one here with me, but it's noted. For future reference, we will certainly do that.

Commissioner Shay said, I really strongly believe that people that want to live in a suburban environment, which is to say in single family homes that are mostly adjacent to just other single family homes, that that's a choice that they make consciously, and that they ought to have that choice, and that once they've made that choice that, for the most part, it ought to remain, you know, that way as much as possible. I don't want that to be confused with people who make choices like I do, which is, I want to live in an urban area. I would -- you know, I love the fact that I can walk to a place to get a slice of pizza and another place to get some sushi or whatever. I like the fact that I have mixed use all around me. But again, that's a choice, and so I don't want people to think that what we're talking about today are rules for the suburban condition that automatically ought to apply to everywhere. You know, some people that might be listening think that, well, okay, they're going to do one thing over here on Oatland Island Road, but they just didn't something different on Waters Avenue. We don't vote on Waters Avenue. But I just want to be careful, that part of the reason that I really want to see those Tricentennial maps are because, if it's a suburban condition primarily, then I think we deserve to understand that that's what all is around us.

The Commissioners that are here, I think, especially the ones that represent this area, sort of know that, but it's not always obvious to everybody that's up here. I refer back at the end here, the proposed P-B-N zoning district -- and it's no wonder, Mr. Chairman, that nobody can read those signs, because we've got so many letters and alphabet in our zoning code. That's one of the things that's going to be really great about having a Unified Zoning Ordinance, where, when you see it and it says residential, you're going to be able to say, you know what, that's probably where people live, and when you look at it and it says commercial, you're going to say that's probably where people go to buy stuff. But we have all these arcane sort of zoning classifications that are like P-B-N, E-O, probably has other subscripts that go along with it, as well, depending on the conditional uses. But what it said is, that according to the Zoning Ordinance, the purpose of a B-N district is to provide convenient shopping facilities consisting of convenience goods and personal services in neighborhood market areas of from 3,000 to 5,000 people. Are there really 3,000 to 5,000 people that can kinda walk to this area in order to be able to use it as a neighborhood market? I just -- when I was out there driving around and walking around, I kinda got the feeling that it was a really good neighborhood, but it wasn't populace, it really wasn't that dense to be able to support a true neighborhood retail condition. I mean, do you have any idea, within sort of, you know, maybe walking or bicycling or, you know, short car ride, how many people live in that area?

Mr. Hansen said, Commissioner Shay, I do not, and I certainly do not mean to be argumentative, but I guess it would depend in part on how far you want to walk or how far you want to bike.

Commissioner Shay said, generally the definition is a half a mile.

Mr. Hansen said, I do not know, sir, how many people actually live within a half-mile.

Commissioner Shay said, I know there are probably 70,000 cars a day that go by. Maybe I'm wrong with that, but, I mean, that's a huge intersection, you know, Islands Expressway and all, so as far as a regional shopping center, the one that's across the street sort of seems to make sense to me, where you set out the rules and have real strict regulations on lefthand turns and how far apart everybody is and how many parking spaces and all that kind of good stuff, because that's for a region. But the zoning that this is being asked to look at is actually for what's called a neighborhood market, and I'm not picking on you, but I'm just saying it seems to me it's a little bit of a stretch that this would actually just be a market for the neighborhood. It seems like the kinds of purposes that are being proposed, you know, fast food restaurants, and places that even under certain conditions could serve alcoholic beverage and so forth, those are probably not just for the people in the immediate neighborhood. I'm done.

Chairman Liakakis said, okay, Patrick Shay is finished, now Patrick Farrell.

Commissioner Farrell said, thank you. First, I have a question on Page 1 of the Staff Report under facts and findings. You have a statement that says the property is not located within a known Neighborhood Association area. Is this property in a neighborhood or not in a neighborhood?

Mr. Hansen said, Commissioner Farrell, it is certainly within a neighborhood. The technical part is, is that the County, as well as the City, have what's known as official Neighborhood Association areas. And we, in fact, in part, in cooperation with Commissioner Stone, are trying continually to update that list of Neighborhood Associations that are active, that meet, that are concerned. Certainly, this particular development is located within a neighborhood, but it is not an active Neighborhood Association. In other words, they don't meet on a regular basis. There is no known contact person to notify when there is an issue, so consequently, that statement appears.

Commissioner Farrell said, okay, so there's just no active Neighborhood Association.

Mr. Hansen said, correct.

Commissioner Farrell said, is that what that says?

Mr. Hansen said, that's what it means.

Commissioner Farrell said, okay, thank you.

Chairman Liakakis said, Dean?

Commissioner Kicklighter said, thank you, Mr. Chairman. A few questions. When did the County actually purchase the property and put the road in? Around about. Does the owner know? Do you have it?

Mr. Jenkins said, around 2,000, Commissioner Kicklighter.

Commissioner Kicklighter said, when did you purchase the property yourself?

Mr. Jenkins said, we purchased it in the late 19 -- I mean, 1990s. We purchased it prior to the acquisition.

Commissioner Kicklighter said, okay, prior to the acquisition you purchased it?

Mr. Jenkins said, yes, sir.

Commissioner Kicklighter said, so prior to the acquisition, you had a pretty nice chunk of land with no road coming through it.

Mr. Jenkins said, absolutely.

Commissioner Kicklighter said, with all commercial property leading up to your property.

Mr. Jenkins said, correct.

Commissioner Kicklighter said, okay, I was just curious about that, because that kinda -- I feel for you, and I feel for the residents. I probably feel more for Commissioner Stone, who represents the area, because there's no good answer. Would you be willing to take a -- more of a restrictive classification if --

Mr. Jenkins said, Commissioner Kicklighter, and Chairman, if you would, I would answer that question in the short by saying that the -- everything that I have indicated that goes to what Commissioner Shay said, everything that I have indicated on the plats to you all, if a continuance is needed for me to get with the County Attorney Hart and incorporate those into a covenant and a deed restriction addressing the concerns --

Commissioner Kicklighter said, no, I'm not talking about that. I mean, yeah, we would definitely need that to be done, where it was in the deed and everything. But I'm saying a lower business classification that would only allow office-type businesses to locate there.

Mr. Jenkins said, what I had done --

Commissioner Kicklighter said, like doctors offices or, you know, whatever, like that.

Mr. Jenkins said, what I had reviewed with Mr. Hansen was the -- obviously, as you know, there's P-B-N to the east of my property, okay? And I think it's important to understand that that P-B-N has had an effect. I don't think the P-B-N designation would be detrimental to the neighborhood so long as I incorporate into the deed. One of the things that concerns me, Mr. Kicklighter, is that I looked over the uses of the P-B-N. I did identify one use, and if Mr. Hansen would explain it, it still allows -- it's a step down from the P-B-N and, as I've said to the neighbors, the uses in the P-B-N that I think they're most concerned about would be, you know, a bar, a lounge, you know, a nightclub. Those are the things that I am willing to just go beyond designated in a plat to you, but actually legally prescribe in my deed in a covenant. With respect to that, Mr. Kicklighter, I would say that, you know, he showed me a zoning that was -- and, Mr. Hansen, if you would explain what that zoning --

Commissioner Kicklighter said, well, I'd like to just finish.

Mr. Jenkins said, okay.

Commissioner Kicklighter said, with the area that you've scaled back in the proposal that was passed, if it were to be passed like that, how much developable land is that now?

Mr. Jenkins said, very little, and that's -- without getting into semantics, --

Commissioner Kicklighter said, just a half-acre or what?

Mr. Jenkins said, less than that, Mr. Kicklighter.

Commissioner Kicklighter said, okay, so right then and there alone, I'll tell you this from my experience with real estate. No gas station will go on there, because there's not enough room. You cannot do that with half an acre of property -- or and be successful with a gas station.

Mr. Jenkins said, you're correct.

Commissioner Kicklighter said, I would venture to think on a half-acre, a sawmill won't go there. I mean, you know, I'm not saying -- I'll say this. I went out there at the request of Commissioner Stone and looked around, and liquor stores, gas stations, all these different businesses going down. And now logically, because the basic property right is the right to have -- utilize the highest and best use for your property.

Now, I will agree with Commissioner Stone big on the part of when you bought it, you knew what you bought. That was with a hope and a prayer that one day, it could turn commercial, and that's great, but I would be more compassionate for you if you bought it not knowing what you were getting there. I'll state that. Let me just finish.

Mr. Jenkins said, could I just say that the parcel one that's designated as parcel, I actually acquired that in the early 1980s. The parcel that I said we acquired in the late 1990s was Ms. James' property after she got elderly and left, so I had had that property for over two decades, long before the actual development across the south, Publix, the Applebee's.

Commissioner Kicklighter said, did you live there? Did you actually live there for a time?

Mr. Jenkins said, well, I've lived on Oatland Island Road, which is dissected by the Islands Expressway. But no, I'd had that property since the early 1980s.

Commissioner Kicklighter said, and everything alongside of you was actually residential when you purchased it?

Mr. Jenkins said, everything. There was no Huddle House, there was no Applebee's, there was no McDonald's, there was no car wash.

Commissioner Kicklighter said, so Huddle House was zoned residential at that time?

Mr. Jenkins said, oh, yes, sir. It's always been. Actually, and just for the record, it's part of Riverside Subdivision that was formed in 1921. It's not part of Gray's subdivision.

Commissioner Kicklighter said, was the shopping center there when you purchased?

Mr. Jenkins said, no, sir -- well, yes, sir, but it had not expanded. As I indicated in my presentation, it was originally designated as a business in the 1960s by Chatham County, but then twice, after I had owned the property, Parcel Number 1, the P-B-N district was expanded my way.

Commissioner Kicklighter said, okay, so was it basically the corner part of that shopping center where the gas station is, and then it came down towards you?

Mr. Jenkins said, yes, sir. That's exactly right, Commissioner Kicklighter. It was originally what you -- where the gas pump in that center is located, it was very small, and then it kept --

Commissioner Kicklighter said, right, and then it --

Mr. Jenkins said, and then it came and then they gave another extension. And again, I'm not passing judgment on anybody's integrity through the process, but it's clear that they did not compensate properly, which is one of the reasons I am sympathetic to my request and the neighbors and balancing the two. And again, I'm willing to put that --

Commissioner Kicklighter said, when you purchased the property, did you lease the house that's sitting there?

Mr. Jenkins said, yes, sir, I was able to do that up until that Huddle -- that last expansion did it. That was the dagger in the heart as far as the quality of the R-1 use of that property. That was the fatal blow.

Commissioner Kicklighter said, all right, now I feel a little bit worse for you even, hearing that. That's what I want, to just get to the bottom of everything on this, and it's clear now, for me right now, there's no way you'll ever sell that property to someone -- no one's going to build a dream home on it. It's on a major highway with 70, 80, whatever, 60,000 vehicles coming by every day. When I rode out there and looked, I actually pulled it up on SAGIS and wrote down what I thought could be a decent compromise, because I feel for the residents. I wouldn't want some commercial encroachment right on my house, either. I mean, period. Nobody does. But I also, without ever talking to you and all, thought for you as far as there's no way you'll be able to use that property residential where it's sitting. I broke it down, and I took and basically drew a little fake line off the north side of where the trail is extending there, coming down, and basically left 220 feet from the very back of your property line, which would be north coming up, so in other words, I would have possibly tried to even -- you've taken a much smaller section.

Mr. Jenkins said, yes.

Commissioner Kicklighter said -- and requested it. On SAGIS also, your property with the PIN number ending in 08 with the actual address of 1032, it's showing up as P-B-N already. But the other one ending in 09 on the corner, is showing up as the residential one. But you've chopped it down to nothing. I mean, considering what you had before the County purchased all of that. If you could put a wall up on there somehow, like you've stated, and make sure that the attorneys, it's done in a deed and everything like that, and you would work to just guarantee some -- like you can say easily in these deeds, no gas stations, because no one's going to buy it, anyway.

Mr. Jenkins said, correct.

Commissioner Kicklighter said, you can say no whatever the concerns are, and I would encourage you to work it through Commissioner Stone, of those specific concerns, with the Neighborhood Association, and you all can have a nice compromise, where I believe you could not only not hurt the neighborhood, I believe you could enhance it, because it's pretty rugged looking as it sits right now, and I believe, done right, you can make the entrance much nicer. And again, I told my wife before I left this morning, I basically said, I'm probably just going to make everybody mad at me with my opinion today, because I do think sometimes there's ways to compromise which will help where everyone winds up with what I believe to be the right thing happening. Might not be exactly what anybody wants, but, you know, a lot of times in life, when you just do what's right for everyone, everybody might not be thrilled, but it was the right thing to do. So I would encourage you to work out the things that would be detrimental to the neighborhood, work it all out where it's put in stone as far as a deed, like Commissioner Shay said, and, you know, Commissioner Stone, I'm sure, would be in touch with any neighbors that would have specifics, and with your wall coming down the side, there would be no traffic in that direction. I mean, I see where you pull in basically to that property right off in front of that walk in Huddle House, and I'd like to see something like that happen, where you all can all come out of this thing protecting their neighborhood and protecting your right as a property owner and not hurting anybody in this.

Chairman Liakakis said, Patrick Farrell and then Commissioner Harris --

Commissioner Odell said, Odell.

Chairman Liakakis said, Harris Odell. You didn't know what your first name -- you forgot that.

Commissioner Odell said, I really did.

Chairman Liakakis said, okay, go ahead.

Commissioner Farrell said, after hearing some of the different ideas and testimony and what-have-you, I'm going to make a suggestion that if it's acceptable to the Petitioner, that perhaps we table this and ask that -- go back and get with Staff on MPC and, after hearing all the different information, not saying we need to stop talking about it at this moment, but go back with Staff and come back with kind of a composite of some of the suggestions that have come up today as far as making it a little more restrictive and to have Staff look over that buffer, which seems to be what you propose, pretty generous, it looks like it was more than the minimum, and somehow, we lock that in so that -- you know, this property in this economic time probably will not be developed any time soon, but at some point, it probably will, and that whoever owns it, you know, there'll be some safeguards, that that will cap that subdivision -- that strip mall will be capped, properly buffered at your expense, and, you know, the lines where the roads show up and where the subdivision -- the shopping center is, you know, that seems like a logical terminus of this whole thing. You know, perhaps before we actually voted it up or down, if we could work it just a little bit more and see what might come up that would strike a compromise between the different situations that are on the ground there. Thank you.

Chairman Liakakis said, do we have a second for that motion?

Commissioner Kicklighter said, well, I will, after I hear her speak.

Chairman Liakakis said, okay, let's have Commissioner Odell speak first.

Commissioner Odell said, I've been talking to the Chairman all morning and he forgets my name. Just three questions, Mr. Chairman, if I could. This is in Commissioner Stone's district. My recollection was, Commissioner Stone was -- do you all call it President of the Board of Directors or Chairperson of MPC?

Commissioner Stone said, Chairman.

Commissioner Odell said, you were the Chairperson over there?

Commissioner Stone said, yes.

Commissioner Odell said, okay, so you're relatively, I know, certainly more than I am, familiar with zoning and that kind of thing.

Commissioner Stone said, well, I guess so.

Commissioner Odell said, is that yes?

Commissioner Stone said, yes.

Commissioner Odell said, and the Staff's recommendation, Mr. Abolt, is what? I mean, other than the elected official getting on the line --

County Manager Abolt said, let me be very careful here. The MPC Staff's recommendation to the MPC was to recommend denial.

Commissioner Odell said, yeah, I understand their recommendation.

Mr. Abolt said, and it was overridden, and MPC to you is to approve, nine to six vote.

Commissioner Odell said, but if we, our Staff, not the MPC Staff, but I'm talking about the County Manager and all of the people who are hired as a result of the Enabling Act, which does not include MPC, our recommendation is, we have none?

Mr. Abolt said, no, sir. We shouldn't have any. Let me explain why.

Commissioner Odell said, I understand.

Mr. Abolt said, yes, sir. You have MPC and MPC, the body. I am only one vote on the MPC, and I'd be very careful of letting my opinions color your decision. You have an advisory body, MPC says adopt, it was a split vote. The MPC Staff said prior to that, don't do it, but your MPC has said do it, and it was a nine-six vote.

Commissioner Odell said, okay, and did -- is it impermissible to understand how our County Manager voted?

County Manager Abolt said, I'll be glad to tell you, but I do not want -- obviously, it's never impermissible. I never want, you know, one vote to, in effect, color your decision.

Commissioner Odell said, oh, I agree, Russ. I agree.

Mr. Abolt said, I feel very strongly one way, but I do not feel that my comments, unless you want them --

Commissioner Kicklighter said, it's hard to guess how you voted on that one, I'll tell you.

Chairman Liakakis said, that's a question where he's asking you how you voted.

Mr. Abolt said, I voted no, a strong no, very much against it.

Commissioner Odell said, thank you, Russ, because we're responsible for your hiring.

Mr. Abolt said, I understand that.

Commissioner Odell said, I tend to -- and well you should. I tend to rely upon the Commissioner who is responsible for that district to -- if something comes up in the 5th District, none of you will have as many hours in it as I will put in it, because that's where I live, that's my district. Those are the people who vote to determine whether or not I'm here to make these comments. The Commissioner for that district is Commissioner Stone, who is well versed in zoning and I'm going to -- I'm going to call for the question and ask for a motion to be made --

Commissioner Stone said, well, there's a motion on the floor, I believe.

Commissioner Odell said, there's a motion on the floor? I was out.

Commissioner Stone said, that Commissioner Farrell made, but I don't know if it --

Commissioner Odell said, oh, it was never seconded.

Commissioner Stone said, was it seconded?

Chairman Liakakis said, no, it didn't have a second.

Commissioner Stone said, okay, so then it died?

Commissioner Kicklighter said, so now you're calling for a flat-out vote on it?

Chairman Liakakis said, yeah, he's asking -- calling for the question now, so that takes precedence. There was no second on that motion.

Commissioner Kicklighter said, can I --

Chairman Liakakis said, we can't do anything. We need a second on Commissioner Odell's motion.

Commissioner Stone said, what is your motion?

Chairman Liakakis said, he's asking to call for the question for us to go ahead and vote now.

Commissioner Stone said, well, we don't have a motion on the floor to vote on.

Commissioner Shay said, somebody needs to make a motion --

Commissioner Stone said, I was getting there.

Commissioner Farrell said, I made a motion, but I was asked not to second it until Harris Odell and Helen Stone had a chance to speak. I think that was --

Commissioner Stone said, all right. Well, I'm just going to make a couple of comments and then we'll go from there. Mr. Jenkins, it's my understanding when I had a conversation with you and asked you please to go back to the MPC to consider a more transitional zoning, and that is not what you want to do at this time. Is that correct?

Mr. Jenkins said, no, that -- what I would like to do is have a continuance so that I can get back with the MPC and the residents and you, Ms. Stone, and incorporate that. I did have a specific discussion with Mr. Hansen, as you advised. I met with him the following week and we discussed that.

Commissioner Stone said, okay, but no -- what is before us today is exactly what you requested from the MPC, so you really have not gone back and requested a more transitional zoning at this time. And I will say this, I do not mind continuing this, because I want to do the fair thing by everybody, but I cannot support the requested zoning that is on the table today simply because of the uses that would be allowed, the setbacks, and going against the Future Land Use Plan. Those are the reasons why I do not think it is fair to the residents that live in that area to approve the requested zoning that you are requesting today. So I do not mind making a motion to continue this, but the uses that are currently put before me right now are not, in my opinion -- and I was on the MPC for six or seven years, however long, maybe longer -- that this is fair to the residential area, to allow some of the uses that are in this requested zoning. So I do not mind if this is a motion asking for a continuance but please do not bring back the same zoning, because I will not support it.

Commissioner Shay said, Mr. Chairman, a point of order?

Chairman Liakakis said, yes.

Commissioner Shay said, I'm not familiar with a motion to continue at the County Commission level. I understand that's quite frequently what happens at the Metropolitan Planning Commission. In my experience in making petitions there, is that it's in some way similar to a motion to table.

Commissioner Stone said, table.

Commissioner Shay said, if what we want to do is table, then what I would like to ask as a point of order is, are we referring this back to the Metropolitan Planning Commission?

Commissioner Stone said, well, I was going to finish and make --

Commissioner Shay said, sorry.

Commissioner Stone said, I'm sorry. No. I mean, you asked a very good question, and, yes, the proper motion would be to table and, in some instances, I believe, to a date certain, if I'm correct. But I would be willing to table this and then with the directive to send it back to the MPC and then come back before this Board, and I do not know -- this is where I don't know whether I have to ask for a date certain in order to do that.

Commissioner Kicklighter said, may I say something?

Chairman Liakakis said, wait a minute, no. You want to -- are you asking to table it now?

Commissioner Odell said, I second the motion.

Commissioner Stone said, I'm making the motion to table --

Chairman Liakakis said, we need a second.

Commissioner Stone said, wait a minute, let me finish. To go back to the MPC. And I do not know, Mr. Abolt, whether this is something that the MPC will have to vote on before it then comes back, so you're going to have to help me with that.

Mr. Abolt said, if you'll allow me, please, and I don't want to put Lisa in the wrong position here, a motion to table, you just table, so it just puts on -- it's going to be on your agenda. You can't do both in one motion. Like Commissioner Shay said, I think what you're alluding to is a referral back to the MPC, because a motion to table would just keep the same issue before you, and that would just come back some other time.

Commissioner Farrell said, any Commissioner would have the opportunity, if he chose, to go to Staff and take all -- and Staff is here, Petitioner is here, they've heard all the -- they've heard from the citizens, they've heard from the Commissioners, and perhaps come back, when it comes off the table, with something that's --

Commissioner Stone said, but wait a minute. I'm understanding, Commissioner Farrell, that it does not -- it is not to be tabled, the directive is for it to go back to the MPC.

Mr. Abolt said, that would be --

Commissioner Kicklighter said, no, may I --

Chairman Liakakis said, wait a minute. Hold it. Hold it, Folks.

Commissioner Stone said, so maybe some clarification here from the County Attorney.

Assistant County Attorney Colbert said, if I may interject, under the zoning procedures in the County's Code, the Petitioner -- this sounds more like a deferral, because this has already been advertised and noticed, and this is now the Public Hearing before the Commission with respect to the application that the Petitioner has made. If there's going to be anything other than a vote on that petition today, it sounds more like a deferral, which would need to go back, then, to the MPC, and the Petitioner would have the option at that point to either withdraw his petition that he has made, or to proceed with that petition and ask for reconsideration of some other proposal. If he is going to ask for the MPC to consider some other zoning classification, that would then need to be readvertised to give the residents and other interested parties an opportunity to look at that particular request. If you deny his request today –

Commissioner Stone said, then it has to wait a year.

Ms. Colbert said, exactly.

Commissioner Stone said, so to me, to defer it back to the MPC would be the appropriate thing to do, so --

Chairman Liakakis said, no, wait a minute. I've got other people first.

Commissioner Stone said, so that's what I would like my motion to be, for it to go back to the MPC to discuss a less intense zoning that would be more compatible, and have that come before the MPC.

Assistant County Attorney Colbert said, the Commission would have to approve that. The way the Code reads is, once a petition for a map or a text amendment has been legally advertised, it cannot be withdrawn or deferred without County Commission approval.

Commissioner Stone said, okay.

Chairman Liakakis said, okay, Patrick, go ahead. So what are you asking now?

Commissioner Stone said, I am deferring it back to the MPC.

Commissioner Shay said, so you make a motion to defer?

Commissioner Stone said yes.

Commissioner Shay said, I'll second the motion to defer.

Chairman Liakakis said, all right, any other discussion? Dean.

Commissioner Kicklighter said, I think that we can avoid all of this by simply tabling it, instructing Commissioner Stone to meet with the applicant and the residents --

Commissioner Stone said, I am not happy with some of the uses in the zoning request that is being made, so what is before us today is that particular zoning request. So I don't -- I'm not comfortable trying to make provisions under this particular zoning. In other words, any covenants, any promises, I'm not happy with this zoning -- rezoning request.

Commissioner Kicklighter said, that's why the next part of what I was about to say will address that. Meet with the applicant, the residents, and strike any business out of there that you're not comfortable being in that zone, have the attorneys tell us how that --

Commissioner Stone said, you can't --

Commissioner Kicklighter said, -- how that can be put into a deed -- please quit interrupting.

Commissioner Stone said, you can't do that.

Commissioner Kicklighter said, have the attorneys simply tell us how that could be placed in a deed and then by the next meeting, things could either be approved or denied, contingent upon it being placed in the deed. And what about that, as far as attorney advice? I mean, can you avoid the -- the MPC approved something that obviously is not going to get approved the way it is, and there may be a fair answer that -- but I think we all want Commissioner Stone to be pleased with what's allowed there, and we want to make sure that it legally carries forward in the future if someone else should buy it. And if we could know how it could be placed in the deed to secure that part of it, and that parts could be struck out of the allowed zoning put in the deed, also, then we could vote, contingent upon that deed being done in the future.

Chairman Liakakis said, okay, we have a motion on the floor and a second. Let's go on the board. And you understand what it is, to defer. Okay. Motion passes.

ACTION OF THE BOARD:

Commissioner Stone made a motion to defer the request of the petitioners, Homer & Marvin Jenkins, to rezone property at 1032 Old Oatland Island Road, parcel 1-0128-02-009 and that portion of parcel 1-0128-02-008 south of the access easement as shown on the tax map to a P-B-N classification. The motion was seconded by Commissioner Shay and it passed. Commissioners Stone, Shay, Farrell, Odell, Kicklighter, and Thomas voted yes. Commissioner Holmes voted no. [Commissioner Gellatly was excused.]

~~***AGENDA ITEM: XI-3***~~
~~***AGENDA DATE: July 9, 2010***~~

AGENDA ITEM: XII-3
AGENDA DATE: July 23, 2010

C H A T H A M C O U N T Y • S A V A N N A H

METROPOLITAN PLANNING COMMISSION
"Planning the Future – Respecting the Past"
M E M O R A N D U M

TO: BOARD OF COMMISSIONERS

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

FROM: **THOMAS L. THOMSON, EXECUTIVE DIRECTOR**

LEGAL NOTICE/AGENDA HEADING:

The petitioners Homer & Marvin Jenkins are requesting to rezone property at 1-32 Old Oatland Island Road parcel 1-0128-02-009 and that portion of parcel 1-0128-02-008 south of the access easement as shown on the tax map to a P-B-N classification. The MPC recommends approval. MPC File No. Z-100420-00020-1

ISSUE: At issue is a request to zone property located at 1032 Old Oatland Island Road from an R-1/EO (One-Family Residential/Environmental Overlay) classification to a P-B-N-EO (Planned Neighborhood Business/Environmental Overlay) classification. The petitioner intends to establish a commercial center on the subject property.

BACKGROUND: The subject property is located at the northeast corner of Old Oatland Island Road and US Highway 80 (Saffold Drive), adjacent to and across the street from commercial development that serves the Whitemarsh/Wilmington Island community.

In 1998 and in 2001, the petitioners sought to rezone the subject parcels for commercial usage. In both cases, the MPC recommended that the petitions be denied. Those cases are referred to in more detail in the facts and findings section of this report.

FACTS AND FINDINGS:

1. **Public Notice:** As required, the property was posted and notices were sent to all property owners within 200 feet of the subject parcel. The property is not located within a known neighborhood association area. The petitioners held a community meeting on March 5, 2010, to inform area residents of their proposed action. It is unknown how many attended the meeting or what the response was to the proposal.

2. **Site:** The subject site consists of two parcels which form an "L" shape along Old Oatland island Road (approximately 300 feet of frontage) and US Highway 80 (approximately 235 feet of frontage). Although the parcels are adjacent to existing commercial development along US Highway 80, the parcels also extend northward into an established residential neighborhood.

   It appears on the existing zoning maps that the eastern most parcel is split zoned: R-1/EO and P-B-N/EO. The zoning line can be traced to a 1983 action that established P-B-N zoning on the parcel presently developed with commercial uses. The line on the map was, however, transposed incorrectly. By plotting the legal description of the land zoned in 1983, it is evidence that the zoning line was meant to follow the property line between adjoining parcels (PIN 1-0128-02-009 and -010). Thus, the eastern most parcel is not split zoned and all of the land subject to this petition is currently zoned R-1/EO.

3. **Existing Development Pattern:**

   Zoning in the immediate area has remained relatively stable for years, changing little since adoption by Chatham in 1962. The adjacent P-B-N district was extended northwestward in 1983 to provide greater depth for the shopping center, and the EO (Environmental Overlay) District was adopted in 2001 as a apart of the Islands Area Community Plan. Designated as the retail center for Whitemarsh island, the P-B-N zoned lands on the south side of Highway 80 were expanded twice in the mid-1980s to provide additional business opportunities and to provide adequate buffer areas. Similarly, land use in the area has also remained stable consisting primarily of community serving commercial uses and single family detached residential units.

   The land uses and zoning districts surrounding the subject property include:

Location	Land Use	Zoning
North	Public and Private ROW, Single-family residential	R-1
East	Commercial, Single-family Residential	P-B-N, R-1
South	Public ROW (US Hwy 80)	R-1
West	Public ROW, Single-family Residential	R-1

4. **Existing R-1/EO Zoning District:**

a. ***Intent of the R-1 District:*** According to the Zoning Ordinance, the purpose of the R-1 district is to "... create an environment in which one-family dwellings, and certain nondwelling uses, are permitted in order to promote stability and character of low-density residential development with adequate open space. A maximum density of five dwelling units per acre of net residential land shall be permitted in this district."

Intent of the EO District: According to the Zoning Ordinance, the purpose of the EO district is to "... establish supplemental standards to bolster those currently in the Chatham County Zoning Ordinance in order to, 1) protect and enhance community character; b) provide for safe and orderly development; and c) protect environmental quality, especially the estuarine system that surrounds the community."

b. ***Allowed Uses:*** Uses allowed within the R-1 district appear on the attached chart.

c. ***Development Standards:*** The development standards for the R-1 district appear in the attached table. (Table 1).

4. **Proposed P-B-N Zoning District:**

a. ***Intent of the P-B-N District:*** According to the Zoning Ordinance, the purpose of the B-N district is to "... provide convenient shopping facilities consisting of convenience goods and personal services in neighborhood market areas of from 3,000 to 5,000 people."

Intent of the P District: The "P" designation identifies a planned district, the purpose of which is "... to promote an environment of stable and desirable character in harmony with the established proposed land use pattern in surrounding areas."

b. ***Allowed Uses:*** Allowed uses within the B-N district appear in the attached chart.

c. ***Development Standards:*** the development standards for the B-N district appear in the attached table. (Table 1).

5. **Land Use Element:** The adopted Tri-Centennial Comprehensive Plan Future Land Use Map designates the subject property as Residential - Suburban Single Family.
Similarly, the Islands Area Community Plan also recommends that the subject parcels remain under a residential classification.

Transportation Network: Primary access to the site is provided from Old Oatland Island Road, a minor street serving the adjoining residential neighborhood. It is possible that an access easement could be created with the existing commercial property to the east. U.S. Highway 80 (Saffold Drive) is a controlled access roadway and it is unknown whether an additional curbing cut to serve the subject property would be allowed.

If the zoning request is approved and assuming that access is prohibited directly to Old Oatland Island Road, traffic impacts resulting from developing the site would not be expected to significantly alter the patterNs which exist today. Traffic would be provided ingress and egress to the site either by means of direct access to US Highway 80 or to the existing drives and parking areas associated with the existing commercial development to the east. However, if the request is approved and access to Old Oatland island Road is not prohibited, such access could introduce traffic impacts of a nature not presently found on this neighborhood-serving local street.

Transit service is available via CAT route 24, Savannah State/Wilmington Island which traverses Highway 80 at this location.

7. **Public Services and Facilities:** The property is served by the Metropolitan Police Department and by the Southside Fire Department. Public sewer and water service is available in the area as provided by the City of Savannah.

8. In the late 1990's, work began on a study that would culminate with the development of the Islands Area Community Plan which was adopted in June, 2001. Primarily a land use plan, the Islands Area Community Plan established a shared vision for the future of the community based upon extensive public participation, and identified goals, objectives, policies, and strategies to achieve the community vision.

Rezoning of the subject parcels from the R-1 classification to a P-B-N classification was sought in mid 2001. In part, based upon the above described plan, adjoining property owners of the subject parcels were asked to submit a list of conditions and land uses that they would not want to be located on the subject parcels should a rezoning occur. Though the list has not been verified nor updated to 2010, it is none-the-less, important to note the results. The list, from 2001, includes:

a) Limitations on business hours between 7:00 a.m and 9:00 p.m.
b) Prohibit access onto Old Oatland Island Road.
c) Establish a buffer along the rear property line and along the side property line adjacent to Old Oatland Island Road. The buffer should consist of a six foot high fence on top of a three foot high earth embankment that is landscaped with shrubbery outside the fence area.
d) The access road to the residential properties north and east of the site should be located on the residential side of the requested fence/embankment buffer.
e) No billboards or separate signs should be erected on the site.
f) The following uses shall not be established on the site: liquor store, bar/lounge, laundromats/dry cleaners, auto repair shop or carwash, gasoline sales, restaurant (including fast food or drive thru service), animal hospital/veterinary clinic, or animal boarding.

Ultimately, MPC staff recommended that the request be denied, and the Board concurred.

9. A plat submitted by the petitioner as part of the application indicates an unpaved private road extending from Old Oatland Island Road in an easterly direction. The 18 foot wide easement, which splits the western most parcel, provides access to an existing lot of record located north and east of the subject parcels. This access must remain open regardless of the outcome of the zoning request.

SUMMARY OF FINDINGS

1. Will the proposed zoning district permit uses that would create traffic volumes, noise level, odor, airborne particulate matter, visual blight, reduce light or increased density of development that would adversely impact the livability or quality of life in the surrounding neighborhood?

Yes _X_ No ___

2. Will the proposed zoning district permit uses that would adversely impact adjacent and nearby properties by rendering such properties less desirable and therefore less marketable for the type of development permitted under the current zoning?

Yes _X_ No ___

3. Will the proposed zoning district permit uses that would generate a type or mix of vehicular traffic on a street or highway that is incompatible with the type of land use development along such street or highway?

Yes ___ No _X_

4. Will the proposed zoning district permit uses that would generate greater traffic volumes at vehicular access points and cross streets than is generated by uses permitted under the current zoning district to the detriment of maintaining acceptable or current volume capacity (V/C) ratio for the streets that provide vehicular access to the proposed zoning district and adjacent and nearby properties?

Yes ___ No _X_

5. Will the proposed zoning district permit uses or scale of development that would require a greater level of public services such as drainage facilities, utilities, or safety services above that required for uses permitted under the current zoning district such that the provision of these services will create financial burden to the public?

Yes ___ No _X_

6. Will the proposed zoning district permit uses or scale of development that would adversely impact the improvement or development of adjacent and nearby properties in accordance with existing zoning regulations and development controls deemed necessary to maintain the stability and livability of the surrounding neighborhood?

Yes ___ No _X_

7. Will the proposed zoning district permit development that is inconsistent with the comprehensive land use plan?

Yes _X_ No ___

ALTERNATIVES:

1. Approve the petitioner's request to rezone the property from an R-1/EO classification to a P-B-N/EO classification.

2. Deny the petitioner's request.

3. Approve a modified request.

POLICY ANALYSIS:

Although the proposed zoning request is inconsistent with the Tri-Centennial Comprehensive Plan Future Land Use Map which calls for the area to be residential, it is unlikely, due to the adjacency of commercial zoning and the traffic volumes associated with US Highway 80, that the site will be developed with single-family residential uses. None-the-less, there is concern about extending commercial zoning onto the entirety of both parcels. Because the western most property is split by an access easement, the opportunity exists to create a clearly definable split zoning line. The potential for deep commercial intrusion into the neighborhood can thus be avoided by not zoning the northern section of the western lot. Leaving this portion of the property with a residential classification will provide a natural buffer for the neighborhood. Moreover, development standards of the proposed zoning classification including screening (fencing) and landscaping to be placed on the south side of the existing easement will provide an adequate buffer in excess of that normally required. The prohibition of direct access to Old Oatland Island Road will also provide cut-thru traffic into an area where none exists today.

RECOMMENDATION: The MPC and Director of Building Safety and Regulatory Services recommend approval of the request to rezone property at 1032 Old Oatland Island Road (P.I.N. 1-0128-02-010) and portion of (PIN 1-128-02-008 and -009) south of the access easement as shown on the tax map to a P-B-N classification.

PREPARED BY: Jim Hansen, AICP Director
Development Services

May 18, 2010

Gregori Anderson, Director
BUILDING SAFETY AND REGULATORY SERVICES

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4. AMEND THE SUBDIVISION REGULATIONS REGARDING BONDING ALTERNATIVES.

County Manager Abolt said, Mr. Chairman, this just catches up with action you took many months ago. MPC is responding to a joint recommendation from the Savannah Homebuilders and your Staff to simplify and create other options from the standpoint of performance bonding and subdivision approval. It's something you've already said go ahead, and you referred it to the MPC. It's now coming back. Please –

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

Commissioner Shay said, Mr. Chairman, I make a motion that we adopt it as the – is it Alternative 1?

Commissioner Odell said, second.

Chairman Liakakis said, all right, let's go on the board. Let's go on the board. Motion passes.

ACTION OF THE BOARD:

Commissioner Shay moved to amend the Subdivision Regulations regarding bonding alternatives. Commissioner Odell seconded the motion and it passed unanimously. [Commissioner Gellatly was excused.]

~~***AGENDA ITEM: XI-4***~~
~~***AGENDA DATE: July 9, 2010***~~

AGENDA ITEM: XII-4
AGENDA DATE: July 23, 2010

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: A. G. Bungard, P.E., County Engineer
R. Jonathan Hart, County Attorney

ISSUE: To amend the Subdivision Regulations regarding bond alternatives

BACKGROUND: Lack of performance by recalcitrant developers caused the County to review its regulations and policies regarding subdivision development. The Department of Engineering and Building Safety and Regulatory services staff met with the County Manager, the County Attorney and several members of the Homebuilders Association to discuss alternatives to the bonding requirements. The MPC is the Administrator of the Subdivision Regulations. The MPC reviewed the proposed changes and voted on February 23, 2010 to support the recommended changes.

FACTS AND FINDINGS:

1. The current bonding requirements do not guarantee subdivision improvements are completed in a quality, timely manner for subdivision close-out. Bonds and letters of credit are difficult to collect. Also, developers walk away and let the bonds/letters of credit expire. There is then no recourse.

2. The proposed changes to Section 703 of the Subdivision Regulations will replace the bonding requirements. Rather than provide a bond to guarantee completion and maintenance, lots will be held from recording. In other words, only half of the lots planned for a given phase of a development will be recorded until all improvements are constructed. Once improvements are inspected and found to be satisfactory, up to 90% of the lots can be recorded. The final 10% of the lots cannot be recorded (sold and built on) until the end of the warranty period. This proposed change provides better incentive for construction completion.

3. The proposed changes also prohibit construction in a subsequent phase until all construction is complete in the previous phases.

ALTERNATIVES:
1. To adopt the amended Section 703 of the Subdivision Regulations.

2. To not adopt the amended Section 703 of the Subdivision Regulations.

FUNDING: None required.

POLICY ANALYSIS: That the Board approve amendments to County Ordinances.

RECOMMENDATION: Adopt Alternative #1.

All Districts.

703.04.01 Certificate from County Engineer: At the time the final Plat is submitted, it shall be accompanied by a certificate from the County Engineer certifying that the subdivider has complied with the following conditions:

a. In regard to construction of required improvements, one of the following statements must apply:
   i. All improvements have been installed in accord with the requirements of this Ordinance and all other applicable ordinances and standards and in

accord with the design approved by the Planning Commission on the Preliminary Plan for this phase of the development; or

ii. All improvements have not been installed and the Final Plat includes no more than 50% of buildable lots which were included in the design approved by the Planning Commission on the Preliminary Plan for this phase of the development; and

b. All improvements required in all previous phases of this development have been constructed in accord with the requirements of this Ordinance and all other applicable ordinances and standards and in accord with the design approved by the Planning Commission on the Preliminary Plan.

703.04.02 Maintenance and Warranty Agreement: At the time the Final Plat is submitted, it shall be accompanied by an executed Subdivision Maintenance and Warranty Agreement. The Agreement shall be signed by an individual accepting responsibility for maintenance of all required improvements until accepted by the County Commission. Furthermore,

a. To assure the maintenance of all required improvements for a period of not less than twelve (12) months after completion, the final Plat shall include no more than 90% of buildable lots included on this phase of the approved preliminary Plan. For final 10% plat approval recording 100% of the lots prior to the end of the maintenance period, the subdivider may deposit with the County a cash bond in the amount equal to the appraised value of 10% of the buildable lots; and

b. Twelve (12) months after completion of the dedicated improvements the developer shall request an inspection, and if no faults or failures have developed, the Commissioners of Chatham County, upon recommendation of the County Engineer, the County Commission shall approve the recording of the Final Plat for the remaining lots in this phase and shall accept maintenance of the dedicated improvements.

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Chairman Liakakis said, I want to remind everybody that we have two important events next Friday. 1:00 is that Animal Shelter Grand Opening that all of us, you know, have participated in, and that's at one p.m. And then the Skidaway Narrows Bridge is the Ground Breaking at three p.m. That's important, you know, for our Commissioners. Thank you all.

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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).
NOTE: NONE FOR THIS AGENDA.

3. ROADS AND DRAINAGE REPORTS.

AGENDA ITEM: XIII-3 ROADS
AGENDA DATE: July 23, 2010

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

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

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

FACTS AND FINDING:

1. Truman Parkway, Phase 5. On January 29, 2010 the GDOT awarded a construction contract to Balfour Beatty Infrastructure. Construction underway. Estimated completion December 2013.

2. Diamond Causeway. The GDOT awarded a design/build contract in 2009 to LPA/United Contracting (joint venture) to construct a two lane high level bridge over Skidaway Narrows to replace the bascule bridge. A groundbreaking event is scheduled on July 30 at 3:00 pm at the Rodney Hall Boat Ramp.

3. Whitefield Avenue. Right-of-way (ROW) acquisition and demolition of structures are complete. ROW was certified to the GDOT on June 23. The project will be ready for letting to construction in FY 2011.

4. Bay Street Widening from I-516 to Bay Street Viaduct. The Concept Report was approved by the GDOT on February 9, 2005. The public hearing was held January 18, 2007. The FHWA approved the Final EA/Finding of No Signifcant Impact (FONSI) on August 31, 2007. Preliminary Field Plan Review (PFPR) was held July 21, 2009. ROW plans were approved February 11, 2010. The appraisal process is underway.

5. Local Roads.

a. Dulany Road. On March 12, 2010 the Board approved a contract for paving. Construction is underway with a scheduled completion of December 2010.

b. Billings Road. Design complete. One condemnation pending.

c. Elmhurst Road, Beechwood Road and Ridgewood Road. Design and ROW acquisition complete on Elmhurst and Beechwood. Ridgewood being redesigned to accommodate trees and bamboo.

d. Fenwick Avenue/Medford Street. Design is complete. Bids for a construction contract are being solicited. Pre-bid meeting is scheduled for August 4. Bid opening is scheduled for August 18.

e. Wild Heron Sidewalks. Under contract. Expect construction to resume by the end of July. Estimated completion date is January 2011.

f. Intersection improvements at King George Blvd and Grove Point Road. Construction plans to add turn lanes and traffic signals are complete. ROW acquisition is complete. Utility relocation is in progress.

g. Dean Forest (SR 307). Road closure that began on June 14 will remain in place through August. Project is replacing culverts under Dean Forest for the Hardin Canal and realigns the curve.

h. Kings Ferry Boat Ramp roads and parking. Pre-bid meeting for a construction contract was held on July 14. Bids are scheduled to be opened on July 28.

RECOMMENDATION: For information.

Districts All

AGENDA ITEM: XIII-3 DRAINAGE
AGENDA DATE: July 23, 2010

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

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

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

FACTS AND FINDING:
1. Pipemakers Canal. The Pipemakers Canal extends from Bloomingdale to the Savannah River (over 13 miles). The project includes canal widening, bank stabilization, sluice gates and culverts. Construction of the sluice gate structure and channel improvements from SR 21 to the Savannah River (Phase 1) was completed in 2005. Bids for Phase 2A of project to construct improvements from the terminus of Phase 1 to Dean Forest Road were received on July 7, 2010. Staff will review the bids and expects to present a recommendation for award of a construction contract to the Board in August 2010.

2. Hardin Canal. The Hardin Canal extends from Bloomingdale to Salt Creek near US 17 (over 12 miles). The project includes canal widening, bank stabilization, bridges and culverts. The Board awarded a construction contract on February 12, 2010 to replace golf cart bridges between I-16 and Southbridge Boulevard. Construction is underway and expected to be complete by the end of summer 2010. The SR 307/Hardin Canal Bridge Culvert project is underway. Construction of the SR 307 project is expected to take about a year with temporary closure of Dean Forest Road during the summer of 2010.

3. Conaway Branch Canal. The Conaway Canal extends from Bloomingdale at US 80 to Pipemakers Canal (about 1.6 miles). The project includes canal widening, bank stabilization and larger culverts. The Board awarded a construction contract on November 6, 2009. Temporary lane closure along Conaway Road and Hiram Road have been removed and all lanes are now open. Construction work was substantially completed in June 2010.

4. Wilmington Park Canal. The Wilmington Park Canal extends from North Cromwell Road to the Wilmington River (about 1.4 miles). The project includes canal widening, bank stabilization and culverts. Projects including new culverts with tide gates and rip rap erosion protection have been completed. Staff is working with the design engineer to identify the scope of additional improvements needed.

5. Queensbury Drainage Improvements. The project area is south of Montgomery Cross Road and west of Ferguson Avenue and includes Tara Manor, Ennis Mobile Home Park, Lakeview and Forest City Gun Club. A preliminary design for improvements to serve Tara Manor is under review by staff. Final design of improvements to serve the mobile home park is expected to be finished by August 2010.

6. Kings Way Canal. The Kings Way Canal extends from the Kingswood Subdivision to Whitefield Avenue (about 0.7 miles). The project includes canal widening, bank stabilization and culverts. Negotiations are complete on the acquisition of drainage easements from the Gun Club and enables construction of drainage improvements along the outer perimeter of the subdivision. Construction on these improvements will begin in July 2010 and is expected to be complete in October 2010.

7. Louis Mills/Redgate Canal. The Louis Mills and Redgate Canals are tributaries to the South Springfield Canal. A contract to widen the channel and replace culverts between Garrard Avenue and the railroad was awarded by the Board on June 12, 2009. On December 18, 2009, the Board approved Change Order No. 1 to the construction contract extending the work upstream. Construction of the project is expected to be complete by September 2010.

8. Ogeechee Farms Area. The Ogeechee Farms project includes improvements to canals and culverts. Phase 1 was completed in July 2005 (piped in about 0.2 miles of channel south of Vidalia Road and replaced a road crossing at Waynesboro Road). Phase 2 was completed in June 2010 (replaced several undersized culverts along the Vidalia Canal south of Vidalia Road). Staff started work to design improvements at Yemassee Road and Ridgeland Road. Preliminary designs are under review by staff. Final design and permitting is expected to be complete by October 2010.

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

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

11. Henderson/Gateway. Drainage is provided by the Little Neck Canal and the Henderson Branch Canal (combined length 2 miles). Development of the subdivisions led to increased rates and volumes of storm water runnoff which the canals cannot handle. A construction contract for a project to replace the golf cart culvert and culvert at Henderson Oaks Drive was approved by the Board. Staff expects construction to begin in July 2010 and be complete by early winter.

12. Shipyard-Beaulieu Area. The project will be accomplished in phases. The first phase replaced the storm drain pipe at Beaulieu Avenue and was completed in January 2010. The second phase will replace three undersized storm drain pipes and reshape the existing ditch. Staff is in the process of acquiring required easements for access, construction, and maintenance.

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

14. Skidaway Road. The project will improve roadside drainage and address vehicle safety issues along a portion of Skidaway Road near Wormsloe. Preliminary construction plans are complete and rights of way acquisitions are complete for all properties. The project was approved by the Coastal Resources Division in December 2009. Staff is currently working to secure temporary construction easements from the US Army Corps of Engineers. It is anticipated that the permit will include a special condition to mitigate salt water wetland impacts through a donation of $10,000 to the University of Georgia Marine Extension Service in support of the Generating Enhances Oyster Reefs in Georgia's Inshore Areas (G.E.O.R.G.I.A.) Program.

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

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

17. Laberta-Cresthill Area. The project will relieve flooding within the Cresthill Subdivision. An engineering firm evaluated the storm water drainage system and the outfall to Hayner's Creek. Preliminary design work is underway to improve the piping network and the outfall. Final design plans and required permitting are expected to be complete by November 2010.

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

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

21. Romney Place Drainage Phase. Improve storm drains and road crossings on Romney Place and along Parkersburg Road. Design and acquisition of easements is complete. A construction contract for drainage improvements was approved by the Board and notice to proceed has been given to the Contractor. Work is expected to be complete before the public school year begins on August 24, 2010.

RECOMMENDATION: For information.
Districts: All

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ADJOURNMENT

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 12:30 p.m.

APPROVED: THIS day of _____ day of August, 2010.

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

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BARBARA B. WRIGHT, ACTING CLERK OF COMMISSION