

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, DECEMBER 3, 2010, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.

I. CALL TO ORDER

Chairman Pete Liakakis called the meeting to order at 9:28 a.m.

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II. INVOCATION

Chairman Liakakis said, I call on our County Manager, Russ Abolt for the Invocation. County Manager Abolt gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

Chairman Liakakis said, I call on Commissioner James Holmes to lead us in the Pledge of Allegiance. Commissioner Holmes led the Pledge of Allegiance to Flag of the United States of America.

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Chairman Liakakis said, I call on Janice Bocook, our interim county clerk, to give us the roll call, please.

IV. ROLL CALL

The Clerk called the roll.

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

Also present: R. E. Abolt, County Manager
 R. Jonathan Hart, County Attorney
 Janice E. Bocook, Temporary Clerk

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. PRESENTATION TO CNT DIRECTOR ROY J. HARRIS, III

Chairman Liakakis said, okay, next, we have a presentation this morning, and this presentation as you see on your agenda is for our County Narcotics Team Director, Roy Harris. Roy, would you come forth, and I'd like those other participants also to come forth. The family members and those ones that come forth now. And, I see we have some people from our metro police department here, and also a number of the agents and friends if you would just stand at this time – stand back here

Well, this is a day that we gonna recognize an individual that has done so much for our community and the surrounding areas. A person that's dedicated and loyal to our citizens and has done an outstanding job as the director for the County Narcotics Team. And, of course, we can see a number of his friends. A number of his staff people, and different others that have worked with Commander Harris. And we can look – there's been some really great results. I know somebody might have saw something in the paper and, you know, it talking about what's going on and the drug area in our community. They don't have the figures like we do, but what I'm gonna do right now is read this particular presentation that I'm gonna be pre – presenting to Roy Harris this morning. And, the – it states this:

Roy J. Harris, III, Director of the Counter Narcotics Team, May 2006 till December 2010. Over 1,800 cases initiated resulting in over 2,250 arrests and the confiscation of over \$800,000 in cash, over 80 vehicles, over 380 firearms, over 1.5 ton of marijuana, over 30 kilograms of cocaine, over 200 grams of crystal meth, over 35 grams of heroine, over 14,500 pharmaceutical pills, and over 4,900 ecstasy pills. This done while maintaining a conviction rate of over 95%.

That shows what a great job that Commander Harris and his agents have done and with the district attorney having two assistant district attorneys over there, and that is phenomenal in itself to have a 95% – 95% conviction rate.

And this plaque is being given to Roy today from a grateful and safer community signed by myself, and Russ Abolt, the County Manager. And, you know, I wish you were being here – you know, you were going to be in our community much longer, Roy, but I understand about your retirement and all, and I know that we gonna miss you, and we wish God speed to you and that God blesses you and your family with many good years in the future.

And now to you goes this great plaque that only says a few things of the wonderful things that you have done.

Commander Roy Harris said, thank you, Mr. Chairman.

County Manager Russ Abolt said, Mr. – Mr. Chairman, again, members of the Commission, this is one man's day to be thanked. It's also, I think, evidenced by those behind us who will not be identified for obvious reasons at what they've done in concert with Roy Harris as director has been outstanding. This is a safer community. This is a community that fully understands the need to coordinate with all law enforcement agencies in the war on drugs. We have local law enforcers, we have state and federal officials represented today. That's because of the character of the man that stands to my left, to your right. Yesterday in – in jest but with a whole lot of affection, I referred to him as a has-been. Roy Harris will never be a has-been. Roy Harris is a man with a purpose. The Good Lord created him with certain talents that regardless of his desire to retire, he will not be able to retire because of the man he is. His dad is here. His step-mom is here. Other family members know what they've given to us to share and to benefit from for the last three and a half years. But this state and the southeastern United States will benefit because Roy Harris' chooses to make his home. I will miss the man.

Sheriff Al St. Lawrence said, good morning.

Commissioner Holmes said, good morning.

Sheriff St. Lawrence said, you know, I do this with mixed emotions. I've known Roy Harris many years. I knew him when he was deputy director of GBI and when he came here and was selected as the Commander of the Counter Narcotics Team. He is a good friend. But most of all, he is – he is what you really look for in a commander and a leader. I consider it a great privilege that the Manager asked me to present this shadow box to him this morning. As y'all can see it. I'm one of those that tried to talk him out of it. And I couldn't do it. So my influence is not as great as I thought it was. But in any event, to – to a true friend, Roy Harris.

Commander Harris said, thank you, Sheriff. Mr. Chairman, Mr. County Manager, Commissioners, Youth Commission, it's – it's again mixed emotions for me being here with you this morning. I will – I will be brief but first I want to thank all of those that are standing behind me here. Because in this fight that we have had for almost the last four years on drugs they were out in front of me. They were the front line people. That includes people from U.S. Attorney's Office, District Attorney's Office, federal agencies. All of us did this together. So I was a very minuscule part of – of what went on to come up with these figures.

But I would be very remiss not to thank you, Commissioners for the untiring support that you've given the Counter Narcotics Team down through the years. This Commission created the Counter Narcotics Team in 1994 and through my years here, rarely did we ask for anything that – that you didn't find some way to give it to us. And because of your untiring support, you have an outstanding team. I've worked all over the State of Georgia, and this is a unique team, the way you set it up, where Chatham County actually pays 100% of it. All of the folks that are detached over from other departments, those departments are reimbursed for those positions. That is unheard of in Georgia. But it gives us a lot of flexibility and a – and a lot of support. And a lot of freedom of independent movement, which this team has to have to do the type of long-term investigations that they do. As you know, in the past few years, we've talked many times to you about winding up wire tap investigations. That is our bread and butter to take down drug organizations. Not the people on the street corners. The – 'cause we could – we could take out as many of them a day as we could and wouldn't affect the overall pattern here. So we go after the organizations, working with DEA, ICE, FBI, ATF, all of the other agencies, GBI included, and then we prosecute them and send them off, hopefully to federal prison for many, many years so they will not be back bothering us in Chatham County. And, we have done that literally with hundreds of Defendants in the last couple of years that have gone off. So, without your support that would not be possible.

I want to thank all of these folks here. My friends, my extended family. I want to thank dad and mom for being here with me this morning. Unfortunately, my wife could not be here due to other commitments and – and the rest of my family are -- are so far away it was even more difficult. But they will – they will be watching this on a tape sometime soon. And, again, I will miss all of you. I enjoyed working with you. You've got a great – great Chairman and a great County Manager here to work with, and I will particularly miss those because of the – of the banter that we have back and forth and – and the comradery that we've shared in doing this job. So, I thank all of you again, and I – I wish you a – a very great holiday season. Merry Christmas and a – and a prosperous New Year. Thank you.

Chairman Liakakis said, one of the things I want the general public to know also, we have members here of federal agencies and all, and they have a Board that they meet quite often, and not only the Metropolitan Police Department and the Chiefs from the other cities in our county, but also as was mentioned by Commander Harris, the FBI, the Alcohol tax, the firearms people, then you have the – in addition to them the immigration people, customs and all of those, and especially the federal DEA. And a number of those federal agents that have been around the country –

those directors that are here now, and they mentioned to me on a number of occasions that we have, under Commander Harris, the best drug operation that they've ever been involved in and the many places that they have been in around the country. And so that's really good. Because – you know, to have those federal agents, those people in charge to tell us that, and we can see how good our CNT people are in a – and also with the direction and the leadership of Commander Harris.

Of course, again, I'd like to ask anybody else in the audience if they would like to come forth now, and I see our Major here from the detective division from Metro.

Major Mark Gerbino said, I'd – I'd like to say that, and I – I – I can say this without – with no hesitation, and I – I'm qualified to say this, I've been in this business 35 years, and I've never met a finer law enforcement officer, investigator, or manager. I've got a lot of experience with narcotics enforcement. We're losing someone – it's going to be tough to fill what Roy Harris leaves behind. But my life's been blessed by this, and this community's been built – blessed by his presence here, and I wish him the best. Our agency, the Savannah-Chatham Metropolitan Police Department is losing a fine partner. But, we also know that he'll always be our friend. And I won't hesitate to call him. And I want to thank Roy right now on our behalf and on my behalf.

Commissioner Kicklighter said, Major? Major? Major? Major, if you would please, sir, because the Chairman has to step away from the mike, would you identify yourself for the record, please?

Major Gerbino said, yes, Major Mark Gerbino –

Commissioner Kicklighter said, thank you.

Major Gerbino said, – Savannah-Chatham Metropolitan Police Department.

Commissioner Kicklighter said, thank you. And if the rest of you would, that would be great too.

Captain Paul McBurney said, Captain Paul McBurney. I'm with Savannah Police Department, assigned out there, I'm the deputy director, and for – for the people who have worked under the tutelage of Roy Harris, I think I will speak for all of us in saying, we will miss him. He has been a good friend to me. He has been a good mentor. He has an excellent work ethic. There – it was the rare day when I got to work and he wasn't already there. It was the rare day when I left work at 5:00 after a good, long work day, and he was still behind me. You got your money's worth out of this man. And, I think I express what the people here want to say, and that is we do appreciate what he has shown us. How he has directed us; and the work ethic that he has brought with him. So, we will miss him. Thank you.

Chairman Liakakis said, okay, well, anyone else? I'll recognize our Commissioners. Dr. Thomas?

Commissioner Thomas said, I just want to say to the Commander, thank you so very much. I was just so amazed at the way that you showed excellent leadership in this position. When I first met you, had some concerns. I thank you for having the listening ear and not only listening but the follow through, and this meant a lot to the people that I represent and the people of Chatham County. So, we wish you well, and we want to thank those of you who worked so well with him. It takes a team, and it takes a good leader in order to accomplish anything. So together we will miss you, but we are going to try and do the kinds of things which you have showed us that can be done if we work together. Thank you, and may God bless you.

Chairman Liakakis said, Dean?

Commissioner Kicklighter said, thank you, Mr. Chairman. Well, Commander, I knew from the first moment I met you that I liked ya. I – I don't know if you remember what you said to me the very first time we laid eyes on each other. But, you looked at me, my hair was slicked back, and you said you look more like somebody I'd be investigating than somebody that should be on the Commission. So, I knew then that you were either a little crazy or you were just really good and confident. And I –

Commander Harris said, a little of both.

Commissioner Kicklighter said, -- you know, come – come to find out you – you were a lot of good and maybe a little crazy, I don't know. But, I think your leadership style is amazing. You're very approachable right off the bat. You're the utmost professional. You're – and most important for your job position, you're just amazingly productive. We will miss you. I hated to hear that. I really hated to hear that you were leaving. You're one of the most approachable law enforcement leaders I've ever ran into and – and I think that shows with all these people here. I know they didn't have to be here. We'll all miss ya, and, you know, thank you for what you did.

Commander Harris said, thank you.

Commissioner Kicklighter said, thank you.

Chairman Liakakis said, Helen?

Commissioner Stone said, thank you, Mr. Chairman. Mr. Harris, I'm – I too am very sorry that you're leaving this post. But, I remember when I called you for a couple of problems in my district, and not only did you take care of them, you took care of them the – very quickly and very efficiently, and the residents called me to thank me, and I had to let them know that I had really nothing to do with it other than a telephone call. But thank you for the years of commitment to this community, and you will be greatly missed.

Chairman Liakakis said, and now I'd like to call on our – one of the top chiefs of police that we've ever had here who have – have retired and now our Commissioner for the Sixth District, Dave Gellatly.

Commissioner Gellatly said, thank you, Mr. Chairman. I – I will not be repetitive. Good job, Roy. You’re – you’re a policeman’s policeman. Thank you.

Chairman Liakakis said, Patrick?

Commissioner Shay said, Commander thank you for all – all you’ve done. I – I think the greatest measure of leadership is follow ship and you – you were kind enough to address all the people behind you as being a big part of the reason that you had the success that you had. And I’d like to address all those people right now and tell you that even in his absence, we continue to have very high expectations for your abilities and that the job doesn’t end just because this gentleman’s leaving. We – we want you to continue to provide the kind of public safety that our citizens have come to expect. Thank you for your work and your efforts and keep up the good work.

Chairman Liakakis said, okay, and Spencer Lawton, our former district attorney, I’ll ask him to come forth.

Former District Attorney Spencer Lawton said, thank you very much for your patience and indulgence in – in hearing me. I – really I hadn’t planned this morning to say anything being a – a real has-been. I am retired for those who don’t already know it, I – and I carry the evidence of it around me everywhere I go. The – but all I can say is I – I – I feel very fortunate to have left my office before Roy Harris left his. Thank you.

Chairman Liakakis said, anyone else? Okay. Thank you very much again, Roy. We really appreciate that.

Sheriff St. Lawrence said, I want to say one more thing, Mr. Chairman. I’m going to be really brief. One – one of – of – of Roy Harris, my good friend’s, it’s not his forte of recovering stolen property. He had his bicycle stolen at the beach while he was in a business down there, and he’s been looking for it ever since. I have promised him that not only will the Sheriff’s department, but Savannah Metro, everybody else will be looking for that bicycle trying to return it to him. But, again, it’s not one of his forte’s in recovering stolen property. I know he’s ridden all over the beach.

Commissioner Odell said, Mr. Chairman? Mr. Chairman? Might – Roy. Thank you. As a practicing attorney it’s always a pleasure dealing with you. For those people who remain and stay, drugs and other problems have and will continue to be a problem. We have the unpinnings known as the Constitution, and our honoring the Constitution makes us a civilized community. So, no matter how many bad guys there are out there, we know that we operate within what’s known as the Constitution. Roy Harris has honored that document. So, I give honor to him as – the only thing I ever wanted to do was to be an attorney, and I respect what you’ve done, Roy. Thank you.

Commander Harris said, thank you, sir. Good-bye.

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YOUTH COMMISSION

Chairman Liakakis said, what I’d like to do now is introduce our Youth Commissioners that are in attendance today at this particular desk. And, we have Khadijah Green, who is representing Savannah Arts Academy; Mickey Green, who is representing Calvary Day School; and of course, Claire Hammond, who is representing Savannah Arts Academy, also. Glad to have the three of you with us today.

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VI. CHAIRMAN'S ITEMS

NONE.

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VII. COMMISSIONERS' ITEMS

NONE.

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CHATHAM AREA TRANSIT AUTHORITY

Chairman Liakakis said, okay, we have no items under Chairman or Commissioner’s, and so we’ll go on to where we will recess as the County Commission and convene now as the Chatham Area Transit Authority. The Board recessed at 9:49 a.m.

Following adjournment of the Chatham Area Transit Authority, the Board reconvened at 10:33 a.m., as the County Commission.

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VIII. TABLED/RECONSIDERED ITEMS

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

Chairman Liakakis said, under Tabled/Reconsidered Items we have Item 1, we need a motion – it's requested by staff that we have items 1 – that the request the item remain on the table. Also for Item 2, Item 4, and Item 5. We'd like a motion on the floor to leave those four items on the – the – the table.

Commissioner Odell said, – table. So moved.

Chairman Liakakis said, let's go on the – I need a second.

Commissioner Thomas said, what numbers?

Commissioner Stone said, second.

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

Commissioner Thomas said, 1, 2, 4, and 5?

Chairman Liakakis said, 1, 2, 4, and 5, yes. Leave on the table. 1, 2, 4, and 5, leave on the table. All right. Motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved for Items 1, 2, 4, and 5 to remain on the table. Commissioner Stone seconded and it carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present.]

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1. **UPDATE THE BOARD ON EMPLOYEE WELLNESS PROGRAM. NOTE: Item was tabled at October 8, 2010, meeting and should remain on the table until the November 5, 2010, meeting. Request item remain on the table.**

ACTION OF THE BOARD:

Commissioner Odell moved to leave Item 1, update the Board on Employee Wellness Program on the table. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present.]

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2. **REQUEST BOARD APPROVAL OF AN ACTION PLAN TO PROVIDE FURTHER STIMULUS TO THE LOCAL ECONOMY THROUGH COUNTY CAPITAL CONSTRUCTION. Note: Item was tabled at November 19, 2010 meeting.**

ACTION OF THE BOARD:

Commissioner Odell moved to leave Item 2, request Board approval of an action plan to provide further stimulus to the local economy through county capital construction on the table. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present.]

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3. **REQUEST BOARD APPROVAL FOR ALLOCATION OF INDIGENT HEALTHCARE FUNDING. Note: Item was tabled at November 19, 2010 meeting.**

Chairman Liakakis said, all right, item 3. This item was tabled at our last meeting, November the 19th. Need a – a motion on the floor to take it off the table.

Commissioner Gellatly said, motion.

Commissioner Farrell said, second.

Chairman Liakakis said, we have a motion on the floor and a second to take item 3 off. Let's go on the Board.

ACTION OF THE BOARD:

Commissioner Gellatly moved to take Item 3, to request Board approval for allocation of indigent healthcare funding

off the table. Commissioner Farrell seconded and it carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present.]

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Chairman Liakakis said, under Item 3, Request Board approval for allocation of Indigent Healthcare funding.

County Manager Abolt said, Mr. – Mr. Chair --

Chairman Liakakis said, Mr. Abolt?

County Manager Abolt said, yes, Mr. Chairman, Dr. Thomas, Commissioner Stone, Gentlemen. This – this is a recognition of leadership of this Board going back for decades. The County has provided funding for uninsured residents, indigent care. It has evolved over the years to the extent that we are now providing focus on primary care with the adjunct of both Dr. Skelton and the SafetyNet Planning Council. We're able to refine our evaluation so we can truly identify those citizens who are not receiving the care and should receive it. Plus we're dealing with a full evaluation of the community's capacity to provide it and focusing not on any one agency but on the collective response to what this Board has asked for and for which we received grant funding in the past to look at the – the ability of a community, beyond just its government to provide healthcare for – for those that cannot pay for it. And I want to congratulate Dr. Skelton and his staff and the SafetyNet Planning Council for coming up with what amounts to the first real innovation beyond just the SafetyNet Planning Council to where this – this body should be and this county should be in making sure that dollars spent, precious dollars spent for the uninsured residents' healthcare go where they should. And I want to now defer to Dr. Skelton and my appreciation for what he and his staff are doing to bring this forward on this day. Dr. Skelton.

Dr. Douglas Skelton said, thank you, Mr. Abolt, and good morning Commissioners. Thank you for the – again for the opportunity to serve you in bringing public health services to the citizens of Chatham County. This issue this morning has been building for some time so let me just go back a little bit and give you some history. Before the last five-year grant was approved, there was discussion about bringing in some of the other folks in the community who are also providing care for the indigent, and at that point they weren't quite ready to move forward with that. So the contract – all the contract money, the 4.3 million went to the Curtis V. Cooper Center, which does a fine job in taking care of the folks that are served there and receives federal money as a federally qualified health center to do so. In the interim, the – the groups that make up the Share the Health Collaborative, which is the other applicant for some of these funds from – from you, those folks, which include the J.C. Lewis Primary Health Care Center, the Community Health Mission, St. Mary's Health Center, Good Samaritan. Those, along with the Curtis V. Cooper Center have continued over these last five years to serve the indigent in this community. If you look at the most recent data provided by the SafetyNet Planning Council, of the indigent's served by the Share the Health Collaborative and Curtis V. Cooper, 65% are served by Cooper and 35% are served by the Share the Health Collaborative. Up until this time, Curtis V. Cooper is being seen – is seeing 65% of those served and receiving 100% of the money. The Share the Health Collaborative partners are seeing 35% of the indigents served and receiving none of the funds. Now the important point here, I think, is to get some fairness. I would prefer to be here telling you what it would take to continue to provide the full amount of money to Curtis V. Cooper and to bring the Share the Health Collaborative in so that they're taking – so that they're doing 35% of the work and cover them, and also cover the 10% that – that is needed to sustain the Health Information Exchange, or the electronic medical record work that's been done by the SafetyNet Planning Council. Obviously you don't have funds to do all that. So there's no way with a limited pie to be fair to everyone who's helping meet the indigent care burden in this community without spreading that pie.

If you look at the rec – and – and before we move to this point, I'd like to ask all those in audience who represent the people who are taking care of the indigent in this community to just stand up for a minute so you can just see that they represent all the groups that I've described to you plus other – other members of the SafetyNet Planning Council. As Health Director, I appreciate everything they do, and I know you do as well.

The proposal is in percentage points that's before you, and it's in percentage points because the issue is you don't know how much money you will have each time. So we – we're talking about what we feel is necessary to move forward. The Health Information Exchange has already received over \$750,000 in external grants to build an electronic medical records system that will involve not only Curtis V. Cooper but the members of the Share the Health Collaborative and other partners in the SafetyNet Planning Council. That electronic medical record will do a number of things you've been concerned about in the past. It will tell you if there's duplication of service, so we can decrease that. It will make things more efficient. It will allow lab work to be shared from one partner to another, so you don't have to do duplicate studies, and it will give you the kind of data we need. The other thing that it will do, without it – without it there are going to be Medicaid and Medicare penalties for all of these organizations because Medicaid and Medicare are demanding that electronic medical records be used. So one of the things that's very clear from Foundations, and I'm sure you know from your work with Foundations on other matters, is they will fund projects, but they will not fund the sustainability of those projects. It will take about 10% of – assuming that you're going to devote 4.3 million to this, it takes approximately 10% of that money to sustain the Health Information Exchange, or the electronic medical record base. You sustain that, then you protect your over a 3/4 million dollar investment. You provide the SafetyNet Planning Council the opportunity then to apply for other grants. And those other grants will not be forthcoming unless the Chatham County SafetyNet Planning Council shows that the core project is sustained by funds. So that's the reason for the first recommendation is that you approve 10% of the funds being used to sustain the Health Information Exchange.

And then in an – in an effort to recognize that there's no way to do this without – in a – in a way penalizing Curtis V. Cooper to try to give them some time to transition to the fact that they're going to be receiving less money. And – and they've had some time. And they've – they have known from way back to April or May that the – the process was going to move toward a recommendation to you to fund more than one provider if there was more than one provider – if there was more than one qualified provider. The previous contract has been extended on a month-by-month basis for six

months while you worked through this process. And then I had a meeting some weeks ago with the Executive Committee of the Chatham County SafetyNet Planning Council to discuss the way this process was going forward and the recommendations I intended to make.

Now we've had an evaluation committee that didn't involve the SafetyNet – involved a – a number of people, including Russ Abolt, the former – Russ Abolt, I'm sorry about that. Russ Toal, the former Commissioner of the Department of Community Health, a family physician; Randy McCall from my staff; and Linda Cramer, and – and Reese White from your staff, that did the evaluation indicating we had at least two providers capable of providing these services. At that time in presenting it to the Executive Committee, which included Mr. Leon Burton, the head of Curtis V. Cooper, and Aretha Jones, representing J.C. Lewis Primary Health Care Center, I indicated what I planned to present and asked for the support of the Executive Committee for the presentation. Mr. Burton indicated he could not support the recommendation because it would take funds from Curtis V. Cooper. I told him I understood that. I offered to meet with the Curtis V. Cooper Board. That offer was never responded to. I would still be happy to meet with them. But I made that offer at the time. I also asked the Executive Committee of the SafetyNet Planning Council if they would support the Health Information Exchange, and they all indicated they supported 10% going to the Health Information Exchange. Mr. Cooper said his – his support was contingent on the support of his Board. I do not know the response of his Board. If – if – if they have responded to this, I have not heard that.

So in an – in an attempt to try to be as fair as possible, then you – you see the phased-in percentages that are laid out here. So we are trying to go to 85/15 – 85%/15% of the 90% that's left after you remove 10% to support the Health Information Exchange. Of the remaining money, for the first quarter, 85% of that money would go to Cooper, 15% would go to the Share the Health Collaborative. For the second quarter – last quarter of this year, it would be 75/25 with the anticipation that in the future, beginning in – in July of next year that future contracts, should you have money that you devote to indigent care, that you will use the latest data from the Chatham County SafetyNet Planning Council showing you what percent of the indigent care served by all these partners is served by Curtis V. Cooper or the Share the Health Collaborative. And if it's 65/35, the service funds would be split 65/35. If it's 70/30, they'll be split 70/30. So it would be – I think there might be a little initiative in there to – to not – to try to do more. So that's – that's the recommendation before you and some of the background. The – the recommendations on the last page are that you allocate 10% for the Health Information Exchange. That would go to the Chatham County SafetyNet Planning Council so they can continue to build on a – almost a million dollars in funds that's been brought in already to build this system. And then you allocate the remaining 90% of the money for the rest of this fiscal year in the way that I just outlined; and then in the future beginning in July for the next fiscal year that you will look – that we will look to the Chatham County SafetyNet Planning Council's evaluation of the percents served by the two parties and share the money in that fashion. I hope I haven't confused you by – with this. It's confused me at times. I think I'm clear about it but I'll be happy to respond to any of your questions.

Commissioner Odell said, I – may I? Good morning.

Dr. Skelton said, thank you.

Commissioner Odell said, it's important to put the total healthcare picture in Chatham County in perspective as – when we talk about fairness, Curtis Cooper currently receives the indigent care bid – not bid, services, and they originally received that based upon a competitive bid. It was not gifted, it was a bid process, and it was voted upon. And that contract borders around 4 to 5 million dollars. We agreed so far?

Dr. Skelton said, right.

Commissioner Odell said, okay. We have a facility that is owned by this County which is worth approximately \$850 million, and it's called Memorial Medical Center. And Memorial Medical Center, for those who do not know, was created by Hill Burton, which was legislation to honor the veterans returning from World War II, and it was funded through the county government. So as we sit today, when you drive past Memorial Medical Center, that facility is owned by Chatham County. It is owned. As much as I own the car that's sitting in the lot. As much as we own anything. They provide ambulatory – not ambulatory, in-patient care for indigents. \$850 million-facility providing in-patient care. Candler/St. Joseph's provides indigent care. I don't think that we can say that they do not.

Dr. Skelton said, right.

Commissioner Odell said, how much of that \$850,000 asset do they receive? None. So, my – my first review of this was a surface review, and then I came back and I said, what we have is we have the momma cat and the kittens sitting with a mouse, and they are voting on what's for dinner. They're gonna make a decision what they gonna eat. The momma cat and the kittens. This is not criticism but what it is is, it is a self-fulfilling prophecy. You make a determination whether or not this is a self-fulfilling prophecy that you choose to go with, but don't ignore it.

There's some things that I am uncomfortable with. I will not be comfortable with them until the following thing happen: one is, there must be a message that's received and is understood by the Curtis Cooper Board. That message cannot be delivered by their Executive Director, it can only be delivered by Dr. Skelton or someone acting in his stead. They need to understand the urgency of this situation. We also need that to happen in a relatively short period of time.

I'm concerned about our making this change because we established Curtis Cooper to look at indigent care. We did. We made that leap of faith because of all things that we do, one thing that we must do is to provide for indigent care. We provide for people who don't have attorneys. We make those provisions. Likewise then a compassionate community that's in the midst of the Bible belt, we have made provisions for people who do not have healthcare. The SafetyNet – the 10% to the SafetyNet, if we could divide the proposal, that is something that we got to do. It is – it is not optional. It is not the – the speed of – of watching your mirror fog up which is how we often do things in Chatham County. That is something that if we did not do it, the impact are gonna be devastating, and it's going to color our entire ambulatory care system. The ones we fund, and the ones that we do not fund. So, the 10% to me is not an issue. If Chatham County has X amount of money, and we need to take – according to the group, 10% to do the

electronic medical records, then we got to do that. I mean, because the consequences of our not doing it as far as Medicaid is – we do not have the funds to call their bet on that issue. We just don't. Okay? We are not willing to take money from else – from elsewhere to make that determination.

But, I would like to see, doc, a couple of things. I'd like to see you meet with the Curtis Cooper Board, and I'll tell you why. I have long said that having you here is kind of like having Michael Jordan play on your high school team. You got a big time player in a very small market. But the – we reap the benefits from that, and we reap the benefits in that Skelton brings with him a world of knowledge and it's like a chess player that sees several moves down the road and there are things that are coming down the pike that we as a community are going to have to gear up for. But, before we vote on this, I would like to see, and I would urge that you meet with the Board of Curtis Cooper.

Commissioner Stone said, Harris is that a motion?

Commissioner Odell said, yes.

Commissioner Stone said, then I'll second it.

Commissioner Odell said, okay.

Commissioner Thomas said, may I just ask a question?

Dr. Skelton said, yes, ma'am.

Commissioner Thomas said, I'm sorry I had to step out for health issues. My concern about the – the funding is the fact that, I'm hoping that Curtis V. Cooper Center or the head person or whomever were aware of all of this before today.

Dr. Skelton said, absolutely.

Commissioner Thomas said, and that they were in the loop, and they explained that there would be a – a budget cut here so that they could be prepared for what was coming. I'm not against the other group in no way, shape or form. I have the highest respect and regard for you, Dr. Skelton, but I want to make sure that we are doing what needs to be done and be fair in what we do. Curtis V. Cooper over on Rogers Street, I believe it is, happens to be in my district. When it used to be over here, I forgot what street it was on, years ago, and just as Commissioner Odell has stated, we worked very, very hard; very hard to get that facility for the indigent people. And in no way, shape or form do we want to see that demised in any way. So, those are my concerns. Those are some of the concerns of some of the people that goes there.

Dr. Skelton said, Commissioner Thomas let me – let me repeat. I did ask to speak with the Chatham County SafetyNet Planning Council Executive Committee, which included Mr. Burton.

Commissioner Thomas said, thank you.

Dr. Skelton said, I went over in detail what the planned proposals were, why they were being done, that they were being – we were trying to do it out of the spirit of fairness. That there's a number of organizations in this community that are taking care of the indigent. They receive charitable gifts to do what they are doing. The J.C. Lewis Primary Health Care Center has – has expanded a great deal since we looked at this contract five and a half years ago. The J.C. Lewis Primary Health Care Center is now a federally qualified, comprehensive health center just like the Curtis V. Cooper. It started out as a homeless FQHC, but it is now a comprehensive FQHC. It has all the same authority, responsibility, and receives federal money just like Cooper does. In fact the federal government, and I think this will stay despite the changes in – in – at – in Washington, that they have provided additional funds for the federally qualified health centers, including Cooper and including the J.C. Lewis Primary Health Care Center, and both are applying for those funds.

The concern I have and I – and I appreciate Commissioner Odell's comments. I – I do think the Health Information Exchange is critically important and that has to – that has to move forward. Right now it's frozen in place because the money to sustain it is not forthcoming. And while I have a great deal of respect for the Curtis V. Cooper Center, I did offer to meet with their Board through their Executive Director on these issues, and I'm ready now, but I haven't been invited to do that. I made the offer.

Commissioner Thomas said, great.

Dr. Skelton said, and I make the offer now and make it publically. Whoever represents the Curtis V. Cooper Board and who is the chair of their board, just call me. It is very simple. I would be happy to go meet. But I want you to know that I am very sympathetic to those who make up the Share the Health Collaborative, that they are continuing to do the same kind of work. They're continuing to see referrals out of the emergency rooms of Memorial and St. Joe/Candler that can't get an appointment to be seen at Cooper and they're being referred to J.C. Lewis Primary Health Care Center. So –

Commissioner Thomas said, all right.

Dr. Skelton said, – these two hospitals in the community, as Commissioner Odell indicated, they see a lot of the indigent. They also have a lot of people showing up in their emergency room who don't need to be there, who need to be in these primary health care centers. And yet if you look at the referral patterns that we see through the data, you see those referrals going to Memorial and going – going from Memorial and from St. Joe/Candler to not only Cooper but going in an extensive fashion to these other members in this community who are helping share the load and right now are receiving none of the benefits. So, I guess what – of all these percents that have been in my head

as we've worked through this, the percent that bothers me right now is that the Share the Health Collaborative sees 35% of the load and gets zero percent of the money and that the other partner sees 65% of the load and gets a hundred percent of the money. Now that's a hundred – a hundred percent of the money for the indigent care that they see. There are indigents seen by Memorial and St. Joe/Candler and there are indigents seen in doctors' offices in this community. In fact some of them were here this morning representing their group. They had to go see patients. I recognize them when they wear these white coats. You know, they're – they're colleagues. I don't have mine on, but they – they had to go see patients. So in fairness I would – I would urge you to – I would be happy to meet with the Cooper Board, but I would like to urge you to approve this proposal. It is – it has been dragging out really over six years.

Commissioner Odell said, let me – let me just resume my time –

Commissioner Thomas said, let me – well may I finish?

Commissioner Odell said, okay. I – I yielded for you –

Commissioner Thomas said, yes, okay.

Commissioner Odell said, – and for a particular –

Commissioner Thomas said, I just want --

Commissioner Odell said, – point –

Commissioner Thomas said, okay.

Commissioner Odell said, if – if you have left that point –

Commissioner Thomas said, all right.

Commissioner Odell said, – I'd like to resume my time –

Commissioner Thomas said, okay.

Commissioner Odell said, – if I could.

Commissioner Thomas said, thank you.

Commissioner Odell said, okay.

Commissioner Thomas said, we'll come back.

Commissioner Odell said, getting back to it, doctor. I agree. 35%/0%, there's a question of equity, and ultimately, our loyalties have to go to the people receiving the services.

Dr. Skelton said, right.

Commissioner Thomas said, mm-mmm.

Commissioner Odell said, because ultimately that is the purpose of our spending money. Just – in a very unpopular statement, I'll say that I do not believe that the county as far as indigent care spends it's fair share. I think that we are looking at a community – we have not been hit as hard as some other places where the unemployment, under insured levels are increasing. And for the most part, we have put that on our healthcare institution, and the institutions, the Curtis, J.C. Lewis are to be commended for their efforts. It is undeniable that they provide a necessary service. Each – my – my position is that there's going to be a change.

Commissioner Thomas said, mm-mmm.

Commissioner Odell said, and ultimately competition creates efficiency. Healthcare cannot remain static when dollars are tight. When there are dollars to waste and throw away that – you can do it the way you want to do it and it's okay. But in a very tight market where every dollar counts, then competition brings out the best. It is a necessary element to create efficiency. I make no prediction as to the outcome, I simply ask that the 10% of the Health Information, that we approve that and that before we vote that – that there be a meeting with – between Dr. Skelton and the Curtis Cooper Board, and that it – it can't be like my teenage daughter who puts off things that daddy has said, okay, you gotta clean your room, and she'll put it off and, but I need to use the car, and I'll do it as soon as I – you know, it's gotta come to an end. So, two weeks, our next meeting, if the Board has not contacted you regarding your comment to meet with them, then they, in my opinion, have waived that opportunity. They have waived that opportunity. And, if you waive an opportunity, then I do not want you at some point to criticize us for making a business decision.

Commissioner Thomas said, correct.

Commissioner Odell said, and quite frankly, we are policymakers, and we have to get the biggest bang for our buck. And, that's the bottom line. And I know that that's not a politically wise thing to say, but things happen. And –

Commissioner Kicklighter said, so what's your recommendation?

Commissioner Odell said, my recommendation is, Dean, that we do the 10% now, that – this has been delayed too

long, too often, and Doug is right. We need to address this. But I really want him to sit down and meet with the Curtis Cooper Board because losing 35% no matter what happens is going to be devastating.

Commissioner Thomas said, mm-mmm.

Commissioner Odell said, now, I have read minutes and this is a train that – that everyone knew is coming down the track, and I'm not certain as to what options were available or what kinds of things they've done to prepare, but I would like for them – because Doug is an expert at this and this is not based upon an attempt to be unfair to anyone. It is based upon an effort to be fair to those people who need our services. That's the bottom line in what we're doing, and I'd like to see you talk to the Board, Doug.

Chairman Liakakis said, and you had a second on that. You just re – restated it?

Commissioner Odell said, yes.

Chairman Liakakis said, okay. Now, Priscilla. Patrick Farrell, and then Patrick Shay. Priscilla?

Commissioner Thomas said, I – I just wanted to finish it up by saying, I was about to say the same thing with the 10%. I have no problems with that. And, if you have extended the courtesy of wanting to meet with the Board of the Curtis V. Cooper, you know, Center, and they have not responded, then as far as I'm concerned, perhaps they're not interested, and we need to move on. So, I have no objection.

Dr. Skelton said, good.

Chairman Liakakis said, Patrick?

Commissioner Farrell said, I would like to – to state that I – I followed your recommendations. They make perfect sense to me.

Dr. Skelton said, thank you.

Commissioner Farrell said, they're very logical. The sense of fairness is – is paramount. I – I agree with your recommendation, and I would like to see it go forward. I – I do believe from what you've said that there has already been an ample opportunity for one of the parties to sit down and talk. But having said that, you know, we'll – we'll see where this goes today. But, I – I think your presentation and your thought process and how you came up with everything makes good sense.

Dr. Skelton said, thank you.

Commissioner Farrell said, and having two providers instead of one, that's a great milestone for our community, and we should embrace that and see that both institutes have – have some funding from this organization and from time to time we have to re-evaluate what we are doing as policymakers that sit up here. And, I appreciate all the effort that you and your staff and others have put into this evaluation on how to get the most amount of service to the folks that need it the most with a very limited amount of capital to – to do it with –

Dr. Skelton said, thank you.

Commissioner Farrell said, – and I – I agree with your plan and – and –

Chairman Liakakis said, Patrick?

Commissioner Shay said, it's a zero sum game.

Dr. Skelton said, yep, yep.

Commissioner Shay said, we – we can't afford to put on the backs of just Chatham County's taxpayers the cost of trying to keep everybody who's indigent in this community healthy.

Dr. Skelton said, right. Right.

Commissioner Shay said, we have partners. We have to leverage their dollars. That's why we need to spend the 10% so that we can keep some of those federal dollars flowing. For our young people here, there's been a wonderful civics lesson played out over the last year. There's been a national debate over how health care is going to play out and hundreds and thousands of hours of time on television of people talking about it, but here's the real consequences. It's not just a federal game. At the county level, we have to deal with the consequences of all this, and there's no government below us that we can sort of pass the buck too, okay? And when we fail at this, we have another health care system that we don't like to talk about, and that's the detention center. And that's a really expensive way to treat people.

Dr. Skelton said, right.

Commissioner Shay said, so, it's a zero sum game. You've come up with a good plan. I'm willing to vote for the motion today. I would hope that the Cooper Center people get together with you and discuss it, but we've got to make a decision. We can't just pretend that there's some other government that's going to step in here and take care of this situation. Thank you.

Dr. Skelton said, thank you. Let me just make one comment that you reminded me of. I think the – the sharing of the

county dollars with all these partners give all of them a chance to leverage those dollars for external funds. Every out – external Foundation is going to say, what kind of support are you getting locally, and this will be – this will help all of them ask for more money from outside.

Chairman Liakakis said, Khadijah, you wanted to ask a question?

Youth Commissioner Khadijah Green said, yes. I wanted to ask what is the Chatham County SafetyNet Planning Council?

Dr. Skelton said, this – that's a long story that I'll try to make short, but that is a distinguished body that this – this Commission put together to bring – to bring into one organization all of those in this community that provide healthcare to the indigent, the uninsured/under insured and to be clear; it's not only the people I listed earlier, but it also includes Memorial Health University Medical Center, St. Joseph/Candler, Legal Aid is represented; and they have just done a wonderful job, and their work, endorsed by this Commission, has been recognized and received national awards for what they've done.

Youth Commissioner Green said, thank you.

Chairman Liakakis said, go ahead, Mickey.

Youth Commissioner Mickey Green said, exactly how much money are you asking for?

Dr. Skelton said, the – the current contract provides 4.3 million. The reason that what you're looking at has percents is that budget things are uncertain in these trying times, so we were just trying to say that the way that we would split the money based on whatever amount the Commission is able to devote to this, we would use these percents to make that change.

Chairman Liakakis said, the – Claire?

Youth Commissioner Claire Hammond said, how do people who don't know about indigent care and need it receive it?

Dr. Skelton said, say again?

Youth Commissioner Hammond said, how do people who don't know about indigent care and need it, how do they get indigent care?

Dr. Skelton said, well that's a good – that's a good question. They get referred to –

Commissioner Odell said, show up with no money to a health care provider. They're screened. They're defined as indigent, and they are referred out –

Dr. Skelton said, right.

Commissioner Odell said, – for the most part. That's how they get into the system.

Dr. Skelton said, and they may be referred for example by churches or charitable organizations or whatever.

Chairman Liakakis said, I'd like to make this statement. This Commission is dedicated to help people in our community that are less fortunate, and people that don't have insurance, are under insured, people, of course, homeless comes in there also. They deserve to be treated with respect.

Dr. Skelton said, right.

Chairman Liakakis said, they should not be, under any circumstances, thought to be, you know, less than I am, whoever might be providing the service. Those people providing the service, also, should not stand in such a positive position that I'll do what I want to do at the right time and you just take that, you see. Because we need to respect those people because, you know, we can't go on and – not trying to help people that really need it, and what this Commission and other Commissioners have done has really reached out to put these things in place, and there has been a lot of money that has been spent over at the Union Mission and especially those people with the J.C. Lewis, Mr. Lewis, and the Foundation who have put millions and millions of dollars into their medical facilities and dental facilities, all of those things. But, anyway, not – I just want everybody to fully understand that. Please don't try not to be cordial and respectful to people that really need this, you know, and put them – and not take care of them when they're supposed to be taken care of. That's really important.

Dr. Skelton said, absolutely.

Chairman Liakakis said, and so now that we have this motion –

Commissioner Kicklighter said, Mr. Chairman?

Chairman Liakakis said, go ahead, Dean.

Commissioner Kicklighter said, I'm – I'm just curious. Is there anyone in the audience from Curtis V. Cooper? One person out here?

Commissioner Odell said, two.

Commissioner Kicklighter said, two, three? All right. Dr. Skelton, I'm sorry I came in late, I had to take care of something. But, is it my understanding that the Collaborative tried to contact them to discuss this and there was no –

Dr. Skelton said, I – I met with the Executive Committee of the SafetyNet Planning Council, which included Mr. Burton. I went over the proposal, the – the fact that it would – it would necessitate some change. We met on October the 8th, 2010, and I discussed what was coming. The Executive Committee took a vote and supported the proposal. Mr. Cooper – Mr. Burton indicated he could not support the – because of his concerns about the financial issues. He said the same thing regarding the Health Information Exchange, he'd have to discuss that with his Board. I offered to meet with his Board. I have not received a response to that offer.

Commissioner Thomas said, well, you've done what you can do.

Commissioner Kicklighter said, okay. Basically, your recommendation is to split the money up like we have here, the alternatives, allocate 10% for Health Information Exchange; allocate 90% of the remaining funds, I won't read all of them.

Dr. Skelton said, right.

Commissioner Kicklighter said, but at the moment, the current motion is just to approve (a) not (b) and (c). Is that – am I –

Commissioner Odell said, yeah. I'm not saying that we don't approve the others. I'm saying – the motion that I made is solely for the SafetyNet. There could be other motions to pick up the others thereafter. It will not be a closed issue.

Commissioner Kicklighter said, okay.

Commissioner Odell said, but that is my motion.

Commissioner Kicklighter said, all right. I'm – would – would think that – I can't imagine even during a meeting, an upcoming meeting Curtis V. Cooper Health Care Center just saying yeah, you know, we'll give away that amount of money, you know, to the rest. But it seems very fair that we have the other groups here and centers doing the same type work that we should at least disburse some to the others, so, I'm prepared to go ahead and take this recommendation from Dr. Skelton here and move forward with full approval today. So, you know, I have no problem if that's the way it goes with 10% in the meeting. But I – I – I believe that we're just prolonging something that can end now and take our – our top – top man's advice here and move forward so –

Commissioner Shay said, having said there, there's a motion on the floor, could we call for the question, then, and see what happens after that?

Commissioner Kicklighter said, you just did.

Commissioner Odell said, all right, let's restate the question – the motion so that everyone is clear as to what they're voting on, and the motion is that we do 10% off the top of the funds currently being allocated for the SafetyNet and that will be used for the electronic medical records and other things. That is my motion. That does not com – preclude other motions.

Commissioner Shay said, I believe you also moved that the meeting –

Commissioner Stone said, that the meeting –

Commissioner Shay said, – would take place between the Board of the Curtis V. Cooper Center and Dr. Skelton.

Commissioner Odell said, yeah, that was kind of dicta.

Commissioner Shay said, okay.

Commissioner Odell said, it was – it was not legally binding. It was not part of the motion, it was –

County Attorney Jonathan Hart said, a statement.

Commissioner Odell said, it –

Commissioner Shay said, okay.

Commissioner Holmes said, I think that need to be in there.

Commissioner Shay said, we – so we – so we understand that all of us that that's –

Chairman Liakakis said, in other words, what he just stated was – and correct me, is that what we vote on on this first motion is the 10% to a – alott that 10% now, today.

Commissioner Stone said, right.

Commissioner Shay said, right.

Chairman Liakakis said, and then we can have another motion on the other part.

Commissioner Odell said, that's the motion.

Chairman Liakakis said, all right, but – all right, we can't have any more discussion because the question has been called.

Commissioner Stone said, well, this is parliamentary procedure, please, sir. It was my understanding that when Commissioner Odell asked for this meeting, that I – I then said is that a – is that a motion? And you said, yes. So, I believe that that is technically part of an existing motion, and I want to make sure that we understand it's – that's fine.

Commissioner Odell said, on second thought, I – I think you're right. I think it's part of the motion but it's not restrictive nor does it conclude other motions being made as to the other item.

Commissioner Stone said, okay.

Commissioner Odell said, okay?

Commissioner Stone said, that's fine with me.

Commissioner Odell said, okay.

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

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Commissioner Kicklighter said, Mr. Chairman?

Chairman Liakakis said, yes?

Commissioner Kicklighter said, at this point I'd like to make a motion to approve Alternative 1 (b) and (c).

Commissioner Farrell said, second.

Chairman Liakakis said, that's to split the money up –

Commissioner Kicklighter said, that's the rest of the recommendation.

Chairman Liakakis said, – so people understand the 65/35. Okay.

Commissioner Odell said, call for discussion.

Chairman Liakakis said, go ahead.

Commissioner Odell said, and the – and the discussion is that while I don't oppose the motion, I did and – I agree with Dean's point. I doubt very seriously but – that the Board will come back afterwards and say, oh great idea, you're taking 35%, but what we have to be concerned with, not only, with fairness but the appearance of fairness, and we've always done that, and I think that this is going that extra step. But they've been partners who've been with us. And this may be a death nail to Curtis Cooper. If you get cut 35%, that could be a – a death blow.

Commissioner Kicklighter said, Mr. Skelton –

Commissioner Odell said, or a substantial blow.

Commissioner Kicklighter said, – do you have any problems going back to them? I mean doing –

Dr. Skelton said, no, no, I have no problem meeting with them. I made – I made the offer. I'm willing to meet with them at any time. I – I would point out that the proposal is not 65/35 right now. The proposal is for 85/15 for the rest of this third quarter and for 75/25 for the last quarter of the fiscal year. And not move to the 65/35 or whatever the percent breakout is in the analysis until the following year.

Commissioner Stone said, right.

Dr. Skelton said, which – we're doing this on a year-by-year basis, so that would come back to you anyway.

Chairman Liakakis said, Patrick?

Commissioner Shay said, without inciting another discussion of what we've already been through, what I'd like to ask is for a motion to table Commissioner Kicklighter's motion.

Commissioner Kicklighter said, I'll withdrawal it.

Commissioner Shay said, no, I don't want you to withdrawal --

Commissioner Kicklighter said, I'll withdrawal it.

Commissioner Shay said, I don't want you to withdrawal it. I want to table it --

Commissioner Kicklighter said, yes, --

Commissioner Shay said, – till the next Commission meeting.

Commissioner Kicklighter said, okay.

Commissioner Shay said, and then we will take up your motion in approximately two weeks, and that will provide plenty of incentive for everybody to get together and talk over the next weeks.

Commissioner Holmes said, and I will second that.

Commissioner Farrell said, call for the question.

Commissioner Kicklighter said, yeah, the motion was to table?

Commissioner Farrell said, table.

Commissioner Shay said, to table your motion.

Chairman Liakakis said, all right. Do we have a second on that?

Commissioner Holmes said, second.

Chairman Liakakis said, okay we've got a second. Let's go on the Board. Motion passes.

ACTION OF THE BOARD:

- a. Commissioner Odell having moved for approval of alternative 1a, allocation of 10% for the Health Information Exchange and a meeting between Dr. Skelton and the Board of the Curtis V. Cooper Health Care Center. Commissioner Stone seconded and it carried unanimously.
- b. Commissioner Kicklighter moved to approve Alternative 1 (b) and (c). Commissioner Shay moved to table the motion of Commissioner Kicklighter until the next Commission Meeting. Commissioner Holmes seconded and it carried unanimously.

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Chairman Liakakis said, doctor, thank you very much. We appreciate you and the SafetyNet Council coming together and doing all this and, hopefully, you know, we'll have some additional information in two weeks from now. But this is very important for our community, and we need to move forward in an expeditious way.

Dr. Skelton said, thank you very much.

~~AGENDA ITEM: IX-5~~
~~AGENDA DATE: November 19, 2010~~
AGENDA ITEM: VIII-3
AGENDA DATE: December 3, 2010

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: W. Douglas Skelton, M.D.
 Coastal Health District Health Director

ISSUE:
 Request Board approval for allocation of Indigent Healthcare funding.

BACKGROUND:
 Traditionally, the Chatham County Board of Commissioners has provided funding for primary care fo the uninsured residents of Chatham County. The five year contract expired June 30, 2010. A new Request for Proposal was issued May 2010 to begin the next funding cycle.

- FACTS & FINDINGS:**
1. There were two applicants, Curtis V. Cooper Primary Health Care Center and the Share the Health Collaborative. The process was a rigorous one that included review of the written proposals by a panel that included career health care professionals, as well as career financial professionals representing Chatham County.
 2. As a result of the initial review of the written proposals, the panel determined that additional information was needed in order to be thorough. The gathering of that information was accomplished August 19, 2010, through an interview process that involved members from the original review panel.
 3. A final step was a review of the Chatham County Safety Net Planning Council's 2009 Evaluation of safety net providers. According to the most recent evaluation, Curtis V. Cooper Primary Health Care Center

sees about 65% of the total patient population seen by these providers. The partners who make up the Share the Health Collaborative see approximately 35% of the total.

4. Both of these proponents have demonstrated that they have the resources to care for the indigent population of Chatham County, though at different capacities. The data shows that neither applicant provides services to 100% of the uninsured citizens of Chatham County currently being seen in the safety net clinics. The efforts of all the safety net providers are required to deliver health care services to these patients. Based on the results of this review process, it is recommended that 90% of the available funds be split between the two applications, with 65% of the total going to Curtis V. Cooper Primary Health Care Center and 35% being awarded to the Share the Health Collaborative.
5. As a result of the Chatham County Safety Net Planning Council's (CCSNPC) 2006 recommendation, a focused effort to develop a funding stream to lay the foundation of a more advanced information technology system as it specifically related to the safety net providers was begun. **Over \$1 million** has been invested to date in the development of this unique model of Health Information Exchange, ChathamHealthLink.

In order to continue this worthwhile project and to ensure that funding has been well-invested and to help to ensure sustainability for future funding, it is recommended that 10 percent of the indigent care funds available be invested in the Health Information Exchange. Continuity of care will improve as providers will be able to see complete information and avoid duplication and errors. More accurate reports can be generated and savings due to increased efficiency will be more easily quantified. Patients will have a longitudinal summary medical record; duplicity in forms will be reduced and repeat tests will be decreased. Further, providers who become a part of this Exchange and develop an electronic medical record will be eligible to receive higher reimbursement.

Finally, the core sustainability provided to the CCSNPC system through this support also allows CCSNPC and ChathamHealthLink to apply for federal and state grants to augment this project.

6. Recognizing that Curtis V. Cooper Primary Health Care Center has received full funding up to this point, and that there will be need for transition to a condition that reduces funding, it is recommended that indigent care funds available after the 10% for HIE would be split between the two applicants for the first six months of the contract, with 85% of the total going to Curtis V. Cooper Primary Health Care Center and 15% being awarded to the Share the Health Collaborative for January through March of 2011, and 75% to Curtis V. Cooper Primary Health Care Center and 25% to Share the Health Collaborative for April through June of 2011. This funding model will be effective January 1, 2011, in order to give Curtis V. Cooper an opportunity to adjust their service pattern to reflect change in funding. Beginning with the 2012 budget year, funds available after the 10% for HIE will be split between the two applicants, proportionate to the most recent annual report of the number of patients seen at Curtis V. Cooper Primary Health Care Center and Share the Health Collaborative.
7. Two financial proposals came forward as Phase II of the response to the RFP. Curtis V. Cooper presented a cost per-patient of \$176.68 the first year for an annual cap of \$4,000,000. The Share the Health Collaborative submitted a per-patient cost of \$230.00 with an annual cap of \$1,823,900. Under this recommendation the per-patient cost would be the average of the two proposed which would equal \$203.34.

ALTERNATIVES:

1. The Board approve award of indigent primary care funding as follows:
 - a. Allocate 10% for the Health Information Exchange (HIE).
 - b. Allocate 90% of the remaining funds as follows: 85% to Curtis V. Cooper Primary Health Care Center and 15% to Share the Health Collaborative for January through March 2011, and 75% to Curtis V. Cooper Primary Health Care Center and 25% to Share the Health Collaborative for April through June 2011.
 - c. For fiscal year 2012, allocate 10% for the HIE and share the remaining funds (90%) between Curtis V. Cooper Primary Health Care Center and Share the Health Collaborative proportionate to the most recent annual report of the number of patients seen at Curtis V. Cooper Primary Health Care Center and Share the Health Collaborative.
2. Provide staff with other directions.

FUNDING:

M&O Indigent Health Care 1005190

POLICY ANALYSIS:

Historically, the County has funded Health Care for Indigent patients through its M&O budget. Current data from the County's Safety Net Planning Council shows that approximately 21% of the County's population are uninsured. As this number continues to increase, along with the escalating trend in health care costs, it is imperative that the County find innovative ways in order to address the rise in the number of uninsured or under insured. The recommendation of staff provides a mechanism that will better address this trend from a cost stand point and provide a more efficient service method.

RECOMMENDATION:

That the Board adopt Alternative 1.

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4. **BOARD CONSIDERATION OF A REQUEST FOR TAX REFUND OF PACIFIC HOMES, INC. FOR TAX YEAR 2008 IN THE AMOUNT OF \$1,553.98, INCLUDING PENALTIES, INTEREST AND FEES (\$776.99 EACH FOR PINS 80010F08016 and 80010F08018). THE PROPERTY IS LOCATED IN BLOOMINGDALE. *Note: Item was tabled at November 19, 2010 meeting.***

ACTION OF THE BOARD:

Commissioner Odell moved to leave Item 4, for Board consideration of a request for a tax refund of Pacific Homes, Inc. for tax year 2008 in the amount of \$1,553.98, including penalties, interest, and fees (\$776.99 each for PINS 80010F08016 and 80010F08018) on the table. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present.]

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5. **REQUEST BOARD APPROVE ADDITIONAL VARIANCE TO THE COUNTY NOISE CONTROL ORDINANCE FOR THE CONSTRUCTION OF THE CURRENT PHASE OF THE TRUMAN PARKWAY PROJECT. *Note: Item was tabled at November 19, 2010 meeting.***

ACTION OF THE BOARD:

Commissioner Odell moved to leave Item 5 to request Board approve additional variance to the County Noise Control Ordinance for the construction of the current phase of the Truman Parkway Project on the table. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present.]

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Chairman Liakakis said, okay. All right. Next item. Items for Individual Action.

Commissioner Kicklighter said, we still have number 4 under –

Chairman Liakakis said, no. There was only that one. We tabled all the other items.

Commissioner Shay said, you tabled 5, also?

County Manager Abolt said, yes.

Commissioner Stone said, yes.

Chairman Liakakis said, yeah, uh-huh. Well, let's let these people leave.

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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 \$45,000 from General Fund M&O contingency to the Public Defender's Office, (2) increase revenues and expenditures in the Parking Garage Fund \$18,850 Net Assets for repairs, and (3) increase revenues and expenditures in the Special Service District Fund \$28,380 Fund Balance for the Chatham Environmental Forum.**

Chairman Liakakis said, okay. Items for Individual Action, 1, to request approval of the following budget amendments and transfers: (1) transfer \$45,000 from General Fund M&O contingency to the Public Defender's Office, (2) increase revenues and expenditures in the Parking Garage Fund \$18,850 Net Assets for repairs, and (3) increase revenues and expenditures in the Special Service District Fund \$28,380 Fund Balance for the Chatham Environmental Forum.

Commissioner Kicklighter said, Mr. Chairman?

Chairman Liakakis said, yes.

Commissioner Kicklighter said, at this point I'd like to make a motion to approve with – but to remove sentence number 2 from this recommendation.

Commissioner Farrell said, second.

County Attorney Hart said, item 2?

County Manager Abolt said, item 2.

Commissioner Kicklighter said, item 2.

County Manager Abolt said, item 2 under facts and findings.

Commissioner Odell said, the \$18,000 for repairs.

Chairman Liakakis said, okay. What – let me ask you this, Dean, before your vote. It -- and you want to just table item 2 then? Is that what you want?

Commissioner Kicklighter said, I want to remove it and once you have that meeting you can bring it back for a vote.

Commissioner Farrell said, he's just vote –

Chairman Liakakis said, okay.

Commissioner Farrell said, – he's just voting on – everything except item 2 is on the board for a vote.

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

Commissioner Farrell said, anybody wants to bring up item 2, bring it up.

Chairman Liakakis said, okay. Motion passes.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve (1) transfer \$45,000 from General Fund M&O contingency to the Public Defender's Office, and (3) increase revenues and expenditures in the Special Service District Fund \$28,380 Fund Balance for the Chatham Environmental Forum only. Commissioner Farrell seconded and it carried unanimously. [NOTE: Commissioner Holmes was not present.]

There was no action on item (2) increase revenues and expenditures in the Parking Garage Fund \$18,850 Net Assets for repairs.

AGENDA ITEM: IX-1
AGENDA DATE: December 3, 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 \$45,000 from General Fund M&O contingency to the Public Defender's Office, (2) increase revenues and expenditures in the Parking Garage Fund \$18,850 Net Assets for repairs, and (3) increase revenues and expenditures in the Special Service District Fund \$28,380 Fund Balance for the Chatham Environmental Forum.

FACTS AND FINDINGS:

1. The adopted budget for the Public Defender included funding for building related expenditures (rent, utilities, janitorial) through the end of December. The move to the Commerce Building will not be completed by that date. A \$45,000 General Fund M&O contingency transfer is requested to cover projected expenditures through the end of March 2011. Correspondence is attached.
2. The Building Maintenance and Operations Superintendent has requested an appropriation of Parking Garage Unrestricted Net Assets for repairs to the lane serving the parking garage. The amount is \$18,850. Correspondence and a resolution are attached.
3. The County Commission approved \$50,000 funding for the Chatham Environmental Forum at their February 22, 2008 meeting. In December 2008, unspent funds in the amount of \$28,380 were returned to Chatham County and deposited in the Special Service District (SSD) Fund. These funds lapsed in to fund balance at year end. The Forum has current expenses to be paid. A \$28,380 appropriation of SSD fund balance to Special Appropriations will restore funding for the Chatham Environmental Forum. A resolution to amend the fund is attached.

FUNDING: Funds are available in the General Fund M&O for the transfer. The budget amendment will establish funding in the Parking Garage and Special Service District funds.

ALTERNATIVES:

- (1) That the Board approve the following:

GENERAL FUND M&O

Transfer \$45,000 from contingency to the Public Defender's Office for building related expenditures.

PARKING GARAGE ENTERPRISE FUND

Increase revenues and expenditures \$18,850 Net Assets to the Parking Garage department for repairs to the lane serving the parking garage.

SPECIAL SERVICE DISTRICT FUND

Increase revenues and expenditures \$28,380 Fund Balance for the Chatham Environmental Forum.

- (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 DIRECTION AS TO POSSIBLE SALE OF COUNTY'S WATER AND SEWER HOLDINGS. (Please note that in addition to Mr. Mark Smith, we have just recently received the enclosed from Mr. Tony Abbott on behalf of Consolidated Utilities.)

Chairman Liakakis said, Item 2.

County Manager Abolt said, not action.

Chairman Liakakis said, no action on it. Item – request Board direction –

Commissioner Kicklighter said, Mr. Chairman?

Chairman Liakakis said, yes?

Commissioner Kicklighter said, on number 2, item 2, you said there's no action?

Chairman Liakakis said, right.

Commissioner Kicklighter said, we're on number 2 about the water system now, right?

County Manager Abolt said, no, no, no, no, no.

Commissioner Odell said, no. Under 1.

County Manager Abolt said, they're talking about your motion.

Commissioner Kicklighter said, okay. I gotcha.

Chairman Liakakis said, okay. Request Board direction as to possible sale of county's water and sewer holdings. In addition to Mr. Mark Smith, we have just recently received the enclosed item from Mr. Tony Abbott on behalf of Consolidated Utilities. We have – from both of them – they have utility companies where they provide services to people –

County Manager Abolt said, Mr. Chairman?

Chairman Liakakis said, – on a private basis, and so, what we'd like to do is, Mr. County Manger, go over it.

County Manager Abolt said, thank you Mr. Chairman, Dr. Thomas, Commissioner Stone, Gentlemen, this – this is an opportunity that comes along very infrequently. In the past we've – you've – this Board and previous Boards have discussed the desirability of divesting these assets or holdings in the water and sewer operation which is not a system. It's – it's a hodgepodge. And in – in the past there have been different and – and reservations as to whether that was appropriate but that was years ago. We now have manifested in two very reputable operators of water and sewer systems in not just Coastal Georgia but throughout middle Georgia and the interest in bidding on the sale of these assets. I think this is outstanding opportunity, or I will use the words of Commissioner Odell spoken less than fifteen minutes ago, competition brings out the best. Here is an opportunity to put before the general community an invitation to bid on divesting this county of its water and sewer holdings. It also recognizes that this is not abandoning those rate payers. It's not in effect turning this situation over to those who cannot handle it. It just is a business transaction contemplated not decided on. I would urge you to give us consensus to proceed with preparation of the specifications to advertise, and you may very well, in addition to that, as the – as the bids were to come in, and as they're – as they're evaluated, you would – you might do as done in the past, we would send at your direction after the bids were in and after you desire to consider seriously whether or not to sell, we would send out notices to the current rate payers on – on that issue. I think key to this whole thing so there's not any misunderstanding, the proposers – they're not proposers yet, but those that have expressed an interest to be in the hunt have been very specific as to their desire to hold rates for a given period, as well as a commitment to – to – to employ all those water and sewer employees of Chatham County currently on the payroll. I think this is a very good opportunity, and I encourage you to give us consensus to move forward.

Chairman Liakakis said, Patrick Farrell and then Patrick Shay.

Commissioner Kicklighter said, Mr. Chairman, I'm also in line there.

Chairman Liakakis said, oh, Go ahead.

Commissioner Odell said, yeah, he was first.

Chairman Liakakis said, let him.

Commissioner Kicklighter said, thank you. I have a – I guess a huge concern with this because I think that – I – I actually I know that people purchase property that had a – an elevated property value because that property was sold with public water and sewer on it. And if we sell it to a private company, then that changes right there property value. The government, we, are not supposed to make a profit on water and sewer, but when you sell to a private company, I would assume they can make a profit or there would be no private water companies. Going to be sticking the unincorporated area residents and the residents that's on our current water systems with – I would – would assume or would think would be higher rates for water and sewer. If we go in this direction at all, I think there would have – I think that we would do our citizens a service if we tied the request to not exceed the amount charged by – if it's in the unincorporated areas, the City of Savannah, and if our systems are located in any other city, not to exceed the cost of what that particular city charges. I think that would be the only fair way to treat the citizens of the county. I have no problem – these – these gentlemen that own these private systems, they do a great job. And currently when someone purchases property in an neighborhood that they're on a private system, they know that they've done that and there's no argument or nothing – nothing wrong with that. But when you've purchased – invested what -- what is for the most part the largest investment in people's lives, buying their homes, you purchase with public water and sewer and then the government sells the system to a private company, we've done our citizens a disservice.

So, I would like to see us – I mean right now if we face the facts, we really don't provide too much as far as services period. We already have – higher a police department to protect the citizens. They have to pay for – unincorporated area residents have to pay for private fire protection. They have to pay if they want to light up in the neighborhood. I mean, you know, where – where do we stop before we quit collecting taxes from these people. I mean we're taking money from them to do nothing? At this point, I mean, we're virtually at nothing now. And here goes another one. So I – I really encourage us to leave this one alone. Keep our system in place. If a city wants to take over, another public, you know, water system and sewer system then I think we should look at that, but selling to a private company where – I have no problem, I like to see business people make money. But, not in this case because these citizens bought on our government owned water system and it's kind of a betrayal in my opinion to sell it to a private company. So, that's it.

Chairman Liakakis said, Patrick and then Patrick.

Commissioner Farrell said, thank you, Mr. Chairman. With proper oversight from the county in – in this possible sales, I think the rate issues could be adequately addressed for the protection of the customers and citizens. One – one concern I have, if – if the county eventually gets completely out of the water and sewer business, as a representative of the – of the large number of unincorporated citizens, there's still quite a few pockets of under served and completely unserved areas in Chatham County when you're talking about potable water and municipal-type sewage treatment. My question would be, if we get out of this operation and there are areas, and I can think of quite a few of them, that perhaps would like to get on to a – a – a sewer-type service in some way, shape or form, how – how – does this bind us or tie our hands to the point where we couldn't go to GEFA or, you know, use some of our government advantages to help the folks to get services? 'Cause obviously these places, these pockets throughout the unincorporated area haven't been very – haven't been attractive enough to private enterprise for them to come in and – and lay the sewer lines and the pump stations and that sort of thing. But being close to the coastal waterways, and our density continuing to go up, at some point there may be a – a problem with septic tanks in – in neighborhoods that are for all intents and purposes grand fathered in that would never be permitted in today's regulatory environment. You know, what – what are the ramifications, and if you don't know the answer today, I certainly understand that.

County Manager Abolt said, I do.

Commissioner Farrell said, but how – how we could address the future improvement of getting a lot of our citizens into – it would be nice to get them out of the 19th century into the 20th century, and certainly into the 21st century as far as sewage and – and – and water availability.

County Manager Abolt said, I – I – I want – I want my answer to be viewed as very realistic. We've done that before. We've looked at our ability to secure part of the bigger picture, the bigger piece of, I guess, the competition. It's not there. We don't have, what 3,000/3500 customers. The state does not view us as anything other than probably, you know, a – a very small player, to be kind. I think to purport ourselves when development does resurge as being a legitimate choice in the immediacy of putting a bank loan together, we couldn't get there. Plus we would – we have not – I know Commissioner Kicklighter referred to possible, you know, property tax and subsidy, well to my knowledge, we've never subsidized our water and sewer operation. It's always been rate payer driven. And that base of rate payer is just totally inadequate. I was very careful in couching the term, even of the subject, not of a water and sewer system, these are water and sewer holdings. We don't have a system. In fact I'd venture to say, and this was long before I got here, problem there was a time, almost in the Polly Anna period, I guess, when the county assumed it could somehow deal with these pockets or deal with, you know, a home builder that had, you know, 15/20 houses, and – and the people – the guy – the individual for whatever reason backed out of it and the county jumped in. That's what we have. We have pieces. We have crumbs.

Commissioner Farrell said, I – I understand what we have very well from many years of – of looking into this, but it still doesn't offer me a – a – an answer, and like I said, you don't have to answer today, but I'm talking about the existing people that live and own property that have been in developed areas for 50/75/100 plus years that are still on well

water and septic tanks, and at some point in our future, you know, these upgrades – and I'm not saying today or tomorrow or in the next five years, but at some point in the future, you know – you know, government may be the – the – you know, the county may be the last resource because it may not prove to be very advantageous for any private enterprise to go in and try to – to rework these neighborhoods and sections of the county that are – that are developed to – to standards that wouldn't hold up to current standards.

County Manager Abolt said, what – what – what we've done, and the Board will recall about a year ago or – it came out of one of your goal sessions, I think to look at this, and Mr. Drewry did a very in-depth research of, you know, what's available from the standpoint of, you know, the – the Florida Aquifer. What's available as far as expanding the sewer operations. To – we were – we were very blunt in saying, you know, we – we can't – we can't compete. But we will – it – it is your choice, Ladies and Gentlemen. I – I view this as an opportunity, but I am just staff. I would hate to see us go down a path involving several months of – of time and preparation and anticipation, and advertising and anxiety, possibly for rate payers, and then have y'all decide, well, why are we doing this? If you – if you don't want to do it, then we don't do it. But – but – but – and I don't mean this the way it might sound. I – I want you to go in with – with a legitimate expectation that if the dollars work out from a business standpoint, you'd be willing to sell it. I – I – previous Boards have kind of gone on a fishing expedition, and that was a terrible waste of time. It created a lot of anxiety and acrimony. And I – I – I would never encourage you to do this. I would look at this, again using Commissioner Odell's comments about competition. This is a bus – business proposition. I – I cannot attempt to color, describe, and – with any adjective anything that would say we're small potatoes.

Chairman Liakakis said, Patrick?

Commissioner Shay said, the customers that get water bills from the county now are participating in an enterprise. They are not relying on general property tax revenues –

County Manager Abolt said, yes, sir.

Commissioner Shay said, – in order to obtain the service that they are anymore than I as a customer of the City of Savannah's water system, in order to get my water am relying on county taxpayers to underwrite that. The water service charges that the people pay go into that enterprise. I think we have one of the letters from the offerers – I'll quote from one, "if we are the successful bidder, Chatham Water Company commits to maintaining the existing rate structure for a period of five years. Additionally, we will hire all county employees presently operating the water system." Asking somebody to look even five years into the future as to what the cost of procuring water is – is – is – this is, I think, a very – a very generous offer, and – and I would, as one Commissioner say to you that there are now two, at least that are willing to step up, that we very seriously pursue this as a – a way of getting the county out of this enterprise and putting it where it belongs in private enterprise. Thank you.

County Manager Abolt said, if I may, Mr. Chairman. I'm sorry, but just to comment on what Commissioner Shay said, I want to tell you all, as your Manager, I could not make that statement about our water and sewer system. I couldn't tell you right now, and I would be foolish to tell you that I could put a freeze for five years. So, this is a – this is very – very – very appealing to me because that type of commitment could not be made from us because we're small potatoes.

Commissioner Shay said, well, having said that, I'll go ahead and make it in the form of a motion. I'd like to make a motion that we authorize the County Manager to move forward with soliciting realistic business proposals with the idea that at the end of the process we intend to award a con – you know, the sale of the assets that we have now.

Commissioner Holmes said, second that.

Chairman Liakakis said, oh, David.

Commissioner Gellatly said, yeah. I – I – I – I kind of have a question and a concern, Russ, on –

County Manager Abolt said, sure.

Commissioner Gellatly said, – on this. Say I'm – live out in the unincorporated area, and I bought a new home, and I'm on private water and the county sells these water systems to a private individual. What happens if that individual walks away from it? What happens if that individual is in a profit mode, and, therefore, puts the cheapest pipes in the ground and what have you, and ultimately has to go bankrupt or what have you? What happens to my home when that person just walks away from it? You know, government can't really do that. I – I – I'm – I'm – and I – and I, you know, I understand our position too, but I – I would think that – that probably the long-term plan would be to see that cities that have an established water and sewer system already that they somehow take – take that over, you know. I mean, I – we're – we're putting a lot of people out there in the unincorporated area in jeopardy. You know, if – if I owned a water company, I'd be – as a private individual, I'd be wanting to make a profit, and then what happens if making the profit that you look for shortcuts on maintenance that government wouldn't do, and what – what would happen if – if 3,000 – if you had, say, one of these water companies had 1500 homes in the unincorporated area and I – the guy that owned the water company gave everyone a pink slip this Friday and – and shut the water system down. What – what – what – how – how do you handle that?

County Manager Abolt said, I'll – I'll defer to the Attorney. It's a state – a state move. Go ahead.

County Attorney Hart said, yeah. Basically the Department of Natural Resources as part of permitting these – both of these particular people who have expressed an interest is a very stiff regulatory body with these guys. And, if they acquire a water system, they've got to post a bond the value of the system, and if they default, say they quit –

Commissioner Gellatly said, mm-mmm.

County Attorney Hart said, – the state's gonna come in and call the bond and probably sell it. They'll lose the asset itself, which is the income producing entity.

Commissioner Gellatly said, Jon, I – I understand and I appreciate that, but, you know, today is Friday. I own the water company, and I can't make any money. I give everyone a pink slip and walk away from it. Now there – there isn't anyone that – from the state or anyone else – the government is not famous for moving fast. We could very well have – have 1500 homes without water while someone's trying to figure it out, right?

County Attorney Hart said, well, yes – yes, sir. You – you theoretically could have that. We've had situations where trailer parks have done exactly what you said.

Commissioner Gellatly said, mm-mmm.

County Attorney Hart said, and we've been able to locate people that have come in and taken the system over.

Commissioner Gellatly said, there's a big difference between a trailer park and 1500 individual homes.

County Attorney Hart said, yes, sir, it is.

Commissioner Gellatly said, and – I – I – I really have some serious problems to it that I think that I – I have a significant number of people that live in the unincorporated area of my district, and all I'm saying is I'd like to have it thought out very carefully, and I think we ought to play the what-if game, and especially with the way the economy looks right now, to turn over a water system to a private individual that might have the best of intentions but could go belly up in two or three years, and if they did, and if they pink-slipped everybody on a Friday, that water would be – you'd have 1500 people without water or – I don't know whether they – they probably wouldn't provide sewer, but you – we – we – we would have a lot people in a world of hurt real quick.

Chairman Liakakis said, Patrick?

Commissioner Farrell said, as part of the preparation for this, could you do a – an evaluation for us to look at the unincorporated citizens and just kind of categorize who's serving them now? 'Cause I – my gut feeling is that the private enterprise system currently is serving a much larger percentage of the population in the unincorporated area. I'm familiar with multiple private enterprises throughout the unincorporated area that have a long track record of providing water and sewer, you know, as good as, perhaps as – as – as anybody in the field in Chatham County, that's in that type of business. So, if – just as we – just as we go forward for information purposes, if you could have a – somewhat of a break down –

County Manager Abolt said, I'll do it. I'll get a – yes, sir.

Commissioner Farrell said, if that's possible to get that kind of information.

County Manager Abolt said, I don't want to be flip, and I will give you more detail but I can – the short term answer, there's 77,000 people in the unincorporated area. There's 3500 water and sewer customers. So you have, 73,500 people that could care less about this.

Commissioner Farrell said, well, I'd like to see that on a piece of paper.

County Manager Abolt said, sure, I understand that. And I don't mean that flip. The – these – remember – and I apologize –

Commissioner Odell said, I'll write it for him.

County Manager Abolt said, – okay, but, if I may –

Commissioner Kicklighter said, Mr. Chairman?

Chairman Liakakis said, Dean?

Commissioner Kicklighter said, thank you. Yeah, it's a large majority, and – and I'll tell you right now the private water companies we have around they're – they're for the most part doing a great job. But I will tell you that of – I guess we've been here nine or ten years now, that most of the calls – most – I mean the great majority of the calls that I've received about water, I can only think of maybe one or two that was one of our public water systems. They've all been private water company citizens complaining, and right now, we're at the mercy of the current owners and thank goodness the owners that we deal with have been wonderful. I mean Russ will contact them, and usually they respond, you know, and respond pretty quick, but I'll warn – just like I did with the merger, the police merger, I said, right now this might be great because we have this Mayor, this Chairman, this Manager, this Savannah Manager, I said, the but players will change in the future, and there's no assurance that things will run smooth.

Right now the two current bidders, I believe Commissioner Gellatly said earlier, you know they are – they are here. They are undoubtedly financially sound, and they would both respond like they currently to do anything that, you know, we needed when we – when we contacted them on behalf of one of the citizens. But, there's no assurance that in the future – I doubt that either one of the people – the owners or whatever will live forever. Somebody else will take over at some point, and we may not have that relationship of response. I think Russ, probably in another 30 years will retire. I don't know, and, you know, right now he has a great established relationship with all of our private water suppliers, and they – they usually respond quickly. But, again, there's no assurances of that, and I just encourage if – if you move forward with this, I like the idea of the 5-year cap. That – that – that's great. I would encourage both people – both companies that – that when you do this, put some type of cap tie-in with a municipal government's water

rates, not to exceed blank. If you do that, I – I would feel a lot more comfortable with moving forward to something that, you know, like this. So, that's it.

Chairman Liakakis said, okay.

County Manager Abolt said, I – I – I wanted – if I may, Mr. Chairman. I – I really respect and appreciate Commissioner Kicklighter's passion and that certainly of – of Mr. Gellatly, not that – and that – not at the risk of offending any of y'all, 'cause they're absolutely right from the standpoint of the vulnerability. But – but I will also remind y'all a couple – a year and a half ago the – the heck you had to endure because we raised the water rates and sewer rates. And there were letters to the editor and all – and all we were doing was bringing up the rates comparable to what others paid and more importantly making the system solvent. So, I mean, it doesn't go away. But, the only thing that I would ask if you wish to vote on this today is you vote it with the understanding you're not going fishing. I mean if it all looks good, you're going to award, and you're not going to find yourselves, oh gee, why did we do this. And – and the only reason I say that, because obviously you can appreciate the other things that staff is doing now and – and must do with priority. And I want to do this with priority, but I want to do it with the understanding that you're not doing it in kind of a half-hearted way. I want you to say if it's business, if it looks good, or to use again the words of Commissioner Odell, competition is – is good. If you're willing to do that fine. Please don't fish.

Chairman Liakakis said, well, let's go – about that fishing statement, we got to remember this, that we need to look at what the bids are going to be, and those bids – because we have information like one of the Commissioners have spoke to me about, that if it's not sufficient then we shouldn't do it. So I don't think that's a fishing expedition, but I mean –

County Manager Abolt said, I don't mean it that way, sir. I mean in – in – only 'cause of the experience we've had in – not with this Board. Commissioner Shay may remember and Commissioner Odell and maybe Commissioner Thomas, but it was – it was kind of a tasset, oh let – let's see what's out there. And some things you can do that with – with minimum reverberations. This is something that I – I – I would – all I'm asking for is if you tell us to do it, understand that we're going to do it with – with vigor, and we're going to come back, and yes, as the Chairman said so, while you'll make the final decision, I'm not asking you to predetermine. I'm just asking you to say right now this is important to y'all.

Chairman Liakakis, okay. How about a restatement of the motion, please.

Commissioner Odell said, Patrick Shay

Commissioner Stone said, was there a motion?

Commissioner Shay said, I'll let the clerk tell me. I mean essentially my motion was to direct staff to move forward with the RFP process to harvest the bids from the qualified water companies that we already have in Chatham County and – with the expectation that we would award the contract to the best responsive proposal.

Commissioner Kicklighter said, see that's the part I have a problem with, though. If they're not good, then –

Chairman Liakakis said, well, that last part you put on there –

Commissioner Shay said, that's the expectation, Dean, it's not a vote. You know, it's – it would still to come back here for a vote.

Commissioner Farrell said, right. This is not an absolute auction where you come up with \$200 and buy, you know –

Chairman Liakakis said, okay. All right.

Commissioner Farrell said, – buy \$2 million of --

Commissioner Kicklighter said, I just don't want two bad proposals –

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

Commissioner Kicklighter said, – and us go well we said we're gonna – I mean.

Commissioner Farrell said, I don't think that'll happen.

Chairman Liakakis said, and this is an RFP, correct?

County Manager Abolt said, this would be a bid, sir.

Chairman Liakakis said, bid?

County Manager Abolt said, bid.

Chairman Liakakis said, bid. All right, let's go on the Board. The motion passes.

ACTION OF THE BOARD:

Commissioner Shay moved to direct staff to move forward with the RFP process to harvest bids from qualified water companies already in Chatham County with the expectation that a contract would be awarded to the best proposal.

Commissioner Holmes seconded and it carried with a 7-2 vote. Chairman Liakakis, Commissioners Stone, Holmes, Shay, Farrell, Odell, and Thomas voted yes. Commissioners Gellatly and Kicklighter voted no.

AGENDA ITEM: IX-2
AGENDA DATE: December 3, 2010

DATE: November 19, 2010
TO: Chairman and Members of the Board
FROM: R. E. Abolt, County Manager
SUBJECT: Opportunity to Sell County Water and Sewer Holdings

Ladies and gentlemen, the attached from Mark Smith, as you know, was expected. I'm taking the liberty of placing this on your agenda for the 3rd of December to gain consensus that would lead to advertising for bids and allowing notice of our current rate payers.

REA/fqr

CHATHAM WATER COMPANY
 621 Stephenson Avenue (31405)
 Post Office Box 14111
 Savannah, GA 31416

Phone: (912) 352-9339

Toll Free: (888) 352-9339

Fax: (912) 355-4466

November 16, 2010

Mr. Russ Abolt
 Chatham County Manager
 P. O. Box 8161
 Savannah, GA 31412

Dear Russ,

In 1992 and 1998 Chatham County solicited proposals for the purchases of its water and wastewater systems. My company submitted bids both times. For various reasons, the County Commission decided not to sell the systems.

Over the intervening years, our company has continued to grow and expand its areas of operation. Presently we own or have a contract to own 120 separate water systems located from Tybee Island to Waycross, Georgia. We serve or will serve in excess of 13,000 homes, 2,745 of which are in Chatham County. This is our 40th year in business.

The size of our operation allows us to enjoy the economies of scale necessary to provide superior service. We have 24-hour emergency response teams on call. We maintain a complete inventory of pumps, motors, tanks, and spare parts. We have dedicated customer service representatives who provide personalized service. Our office at 621 Stephenson Avenue is centrally located for all residents we serve in Chatham County. Additionally, our size will allow us to maintain low rates.

We operate water systems adjacent to Chatham County owned systems and are currently interconnected on Whitefield Avenue and Shipyard Road. We provide water to homes on Isle of Hope that the County provides sewer service to and have agreed to assist Chatham County in collecting delinquent sewer fees as well as interconnecting the water systems.

I respectfully request that Chatham County consider selling its water and wastewater systems. A sale would:

- Ensure that the residents receive superior service,
- Place the assets on the tax roles,
- Allow the utilization of over \$3 million from the Water Sewer Enterprise Fund, and
- Create a consolidated system from Isle of Hope/Norwood to Rio Vista (see enclosed map).

If we are the successful bidder, Chatham Water Company commits to maintaining the existing rate structure for a period of five years. Additionally, we will hire all County employees presently operating the water system.

I would welcome an opportunity to answer any questions you might have and would be most pleased for you to visit our offices and review our operations.

Sincerely,

Mark V. Smith
 President

DATE: November 24, 2010
TO: Chairman and Members of the Board
FROM: R. E. Abolt, County Manager
SUBJECT: Interest by Consolidated Utilities to Purchase County's Water and Sewer Holdings

Ladies and gentlemen, the attached from Mr. Tony Abbott just arrived and should be a part of your discussion during the Board Meeting of the 3rd of December. At that time, staff will be asking your direction as to whether or not you wish to advertise the County's water and sewer holdings for sale.

REA/fqr

CONSOLIDATED UTILITIES, INC.
119 WEST OGLETHORPE AVENUE
SAVANNAH, GA 31401

November 23, 2010

Mr. Russ Abolt
Chatham County Manager
PO Box 8161
Savannah, GA 31412

Dear Mr. Abolt:

As you know, Consolidated Utilities, Inc. ("Consolidated") services a significant portion of West Chatham in water and sewerage. Consolidated currently has close to 6,000 water and sewerage customers. The industry counts a water and sewerage customer as 2 customers, thus the impacted footprint becomes significant. More significantly, Consolidated has plenty of capacity in its groundwater withdrawal permits and its national pollution discharge elimination system (NPDES) permit. There is close to 2,000 additional lots in our territory that has been developed, but not built upon due to the current economic climate. Furthermore, there is close to 1,000 additional acres within our territory of developable land, all within current capacity.

Corporate matters are handled out of our office building on Oglethorpe Avenue in downtown Savannah. Our sewerage treatment activities and our operations center are located out adjacent to the Larchmont Subdivision in West Chatham. In addition, Consolidated, through its sibling affiliates, operates three (3) water only systems on the Islands in East Chatham County and several water only systems in Effingham County. Moreover, we have well over 1,000 water and sewerage customers in Effingham County as well.

Consolidated is grateful to be an economic engine for Chatham County. Our water and sewerage operations have played a role in the creation of a city (Berwick) within the unincorporated area of West Chatham without any cost to the taxpayer. Consolidated has ten (10) employees in the field and four (4) employees in our downtown building performing billing, customer relations and dispatch. Five (5) of our employees have EPD Class III license in wastewater, three (3) of which also have Class III licenses in water treatment. Furthermore, our employees are constantly studying to upgrade their licenses to insure safe, reliable and compliance water and sewerage service to its customers.

Against this backdrop, I am writing this letter to you to express our interest in purchasing the County's water and sewerage customers. One threshold for the County's water and sewerage customers, is will the City of Savannah accept raw sewerage for treatment from a private provider? In the past, their policy has been to decline such an arrangement. However, if this is no longer the City's policy and it is possible, we are in a unique position to accomplish this for the County. The County may want the ability to provide water and sewerage service to be a qualification for any entity making a bid to purchase the County systems. A significant portion of the County's customers have sewerage. The complex issues regarding conveyance and collection systems for sewerage, suggests that such a qualification would be prudent. Furthermore, all of the water only customers are also on septic tank. These individual septic systems bring a separate issue to the table regarding the customers. The future, due to rising water tables, etc. may require the provision of wastewater to these customers which are currently served by septic systems. If this becomes necessary, then our company is well positioned to take on the sewerage needs of these additional customers.

Any County employees within the water and sewerage operations could be hired by Consolidated in the event such a purchase took place. We offer competitive pay with health insurance and retirement.

Consolidated conducts rate surveys at least three (3) times annually. It's rates have always been below what Savannah and other prominent Chatham and Effingham municipalities charge for their water and sewerage customers living outside of their respective City limits. Consolidated would be happy to discuss provisions contained within documents which would memorialize such a practice going forward. If you, or any of your employees, would like to tour our downtown business office, or our operations center and treatment plant in West Chatham, I would be happy to arrange it.

If you are interested in opening up a dialog on this matter, please give me a call at (912) 233-4721 at your earliest convenience.

Thank you.

Sincerely,

Anthony H. Abbott

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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, next Item, Action Calendar. We have Items 1 through 7 and under 7, we have – under Item 8, we have a, b, and c, under Item 8. We need a motion on the floor to approve the action calendar unless you have something you want to withdraw.

Commissioner Odell said, move for approval.

Commissioner Stone said, second.

Commissioner Kicklighter said, wait, wait.

Commissioner Odell said, do you have anything, Dean, you want to pull?

Commissioner Kicklighter said, let me see. No.

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

ACTION OF THE BOARD:

Commissioner Odell moved to approve Items 1 through 8A-C. Commissioner Stone seconded the motion and it carried unanimously.

Commissioner Odell said, Janice Bocook is quicker on the light than Sybil was.

Chairman Liakakis said, okay, 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 FOR THE REGULAR MEETING OF NOVEMBER 5, 2010, AS MAILED.**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the minutes of the regular meeting of November 19, 2010, as mailed. Commissioner Stone seconded the motion and it carried unanimously.

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- 2. **CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD NOVEMBER 10, 2010 THROUGH NOVEMBER 22, 2010.**

ACTION OF THE BOARD:

Commissioner Odell moved to authorize the Finance Director to pay the claims against the County for the period November 10, 2010, through November 22, 2010, in the amount of \$6,288,391. Commissioner Stone seconded the motion and it carried unanimously.

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- 3. **REQUEST FROM KERN-COLEMAN, SURVEYOR FOR TITAN CONSTRUCTION, TO RECORD THE SUBDIVISION PLAT FOR TURNER'S COVE, PHASE 5 (LOTS 16-23). [District 4.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request from Kern-Coleman, surveyor for Titan Construction to record the subdivision plat for Turner's Cove, Phase 5, (Lots 16-23). Commissioner Stone seconded the motion and it carried unanimously.

AGENDA ITEM: X-3
AGENDA DATE: December 3, 2010

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

ISSUE: To record the subdivision plat for Turner's Cove, Phase 5 (Lots 16-23).

BACKGROUND: The surveyor, Kern-Coleman & Co., for the developer, Titan Construction, requests that the County approve the final plat for recording.

FACTS AND FINDINGS:

1. Turner's Cove is a private townhome-style subdivision. The lots are being recorded in phases following construction of building units with common walls. This phase consists of 8 lots on 0.603 acres and is the last phase of the Turner's Cove development.
2. The common areas, paving and drainage are maintained by the Turner's Cove Homeowner's Association. The water and sewer improvements are maintained by the City of Savannah.
3. No additional bonding is required at this time.
4. Streetlights are provided privately by the homeowners association precluding the need for a County Streetlighting Assessment District.

ALTERNATIVES:

1. To approve the recording of the subdivision plat of Turner's Cove, Phase 5 (Lots 16-23) and waive the requirement for a streetlight assessment rate district.
2. Do not approve the request.

POLICY ANALYSIS: This action is consistent with the subdivision regulation regarding the creation of lots through plat recording.

RECOMMENDATION: That the Commissioners adopts Alternative No. 1.

District 4.

Prepared by: Chris Rains

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4. **REQUEST BOARD ADOPT A RESOLUTION AUTHORIZING THE EXERCISE OF EMINENT DOMAIN POWER FOR CHATHAM COUNTY'S EXTENSION OF THE 2003-2008 ONE PERCENT SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) UNINCORPORATED DRAINAGE PROGRAM.**
[All Districts]

ACTION OF THE BOARD:

Commissioner Odell moved to approve adoption of a resolution authorizing the exercise of eminent domain power for Chatham County's Extension of the 2003-2008 one percent Special Purpose Local Option Sales Tax (SPLOST) Unincorporated Drainage Program. Commissioner Stone seconded, and it carried unanimously.

AGENDA ITEM: X-4
AGENDA DATE: December 3, 2010

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

ISSUE: To adopt a resolution authorizing the exercise of eminent domain power for Chatham County's Extension of the 2003-2008 One Percent Special Purpose Local Option Sales Tax (SPLOST) Unincorporated Drainage Program.

BACKGROUND: The SPLOST referendum provided funding for various drainage improvements in Unincorporated Chatham County.

FACTS AND FINDINGS:

1. In order to make the drainage improvements it is necessary upon occasion to acquire properties for rights-of-way or drainage easements for the various projects funded by this program.
2. If it is not possible to negotiate the purchase of these properties, in order to proceed with these projects, it is required that the County exercise its power of eminent domain.
3. Attached to the resolution is a list (Exhibit A) of the various drainage projects where acquisitions may be necessary.

ALTERNATIVES:

1. Board adopts resolution and continue to allow the County to acquire rights-of-way and/or easements as required for the various drainage projects.
2. Board not to adopt resolution.

FUNDING: Funding is available in the 2003-2008 SPLOST for projects approved by the Board in the annual budget.

POLICY ANALYSIS: Exercise the power of eminent domain for Chatham County's SPLOST Drainage Projects is consistent with the Board's goal of having an ongoing drainage improvement program for public benefit.

RECOMMENDATION: That the Board approve Alternative 1.

All Districts

Prepared by W.C. Uhl

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5. **REQUEST BOARD ADOPT A RESOLUTION AUTHORIZING THE EXERCISE OF EMINENT DOMAIN POWER FOR CHATHAM COUNTY'S EXTENSION OF THE 2003-2008 ONE PERCENT SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) UNINCORPORATED ROAD PROGRAM.
[All Districts]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve adoption of a resolution authorizing the exercise of eminent domain power for Chatham County's Extension of the 2003-2008 one percent Special Purpose Local Option Sales Tax (SPLOST) Unincorporated Road Program. Commissioner Stone seconded, and it carried unanimously.

AGENDA ITEM: X-5
AGENDA DATE: December 3, 2010

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

ISSUE: To adopt a resolution authorizing the exercise of eminent domain power for Chatham County's Extension of the 2003-2008 One Percent Special Purpose Local Option Sales Tax (SPLOST) Unincorporated Road Program.

BACKGROUND: The SPLOST referendum provided funding for various road improvements in Unincorporated Chatham County.

FACTS AND FINDINGS:

1. In order to make the road improvements it is necessary upon occasion to acquire properties for rights-of-way or easements for the various projects funded by this program.
2. If it is not possible to negotiate the purchase of these properties, in order to proceed with these projects, it is required that the County exercise its power of eminent domain.
3. Attached to the resolution is a list (Exhibit A) of the various road projects where acquisitions may be necessary.

ALTERNATIVES:

- 1. Board adopts resolution and continue to allow the County to acquire rights-of-way and/or easements as required for the various road projects.
- 2. Board not to adopt resolution.

FUNDING: Funding is available in the 2003-2008 SPLOST for projects approved by the Board in the annual budget.

POLICY ANALYSIS: Exercise the power of eminent domain for Chatham County's SPLOST Road Projects is consistent with the Board's goal of having an ongoing road improvement program for public benefit.

RECOMMENDATION: That the Board approve Alternative 1.

All Districts

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6. REQUEST FOR NEW WINE RETAIL LICENSE FOR 2011. PETITIONER: Gary John Hall, d/b/a Wright Square Café of Sandfly, LLC, located at 7360 Skidaway Road, #E-2, Savannah, Georgia 31406. [District 3].

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request for new wine retail license for 2011. Petitioner: Gary John Hall, d/b/a Wright Square Café of Sandfly, LLC, located at 7360 Skidaway Road, #E-2, Savannah, Georgia 31406. Commissioner Stone seconded, and it carried unanimously.

AGENDA ITEM: X-6
AGENDA DATE: December 3, 2010

TO: BOARD OF COMMISSIONERS

THROUGH: R. E. ABOLT, COUNTY MANAGER

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

ISSUE:
Request approval for a new wine retain license for 2011. **Gary John Hall d/b/a Wright Square Café of Sandfly, LLC**, located at **7360 Skidaway Road, #E-2, Savannah, Georgia 31406.**

BACKGROUND:
Mr. Hall requests approval for a new wine retail license in connection with a new restaurant.

- FACTS AND FINDINGS:**
- 1. The application was reviewed by the Police Department for compliance of the applicant and site distance requirements and approved.
 - 2. The returned application was reviewed by Building Safety. The County Fire Marshal inspected the site for compliance and approved the facility.
 - 3. The applicant and business meets the requirements of the Chatham County Alcoholic Beverage and Sunday sales Ordinance.
 - 4. The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION:
The Savannah-Chatham Metropolitan Police Department and Regulatory Services recommend approval.

District 3

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

Gregory S. Anderson, CBO

Chief Willie Lovett

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- 7. **REQUEST FOR NEW BEER AND WINE POURING LICENSE AND SUNDAY SALES OF BEER AND WINE LICENSE FOR 2011. PETITIONER: Gary John Hall, d/b/a Wright Square Café of Sandfly, LLC, located at 7360 Skidaway Road, #E-2, Savannah, Georgia 31406. [District 3].**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request for new beer and wine pouring license and Sunday sales of beer and wine license for 2011. Petitioner: Gary John Hall, d/b/a Wright Square Café of Sandfly, LLC, located at 7360 Skidaway Road, #E-2, Savannah, Georgia 31406. Commissioner Stone seconded, and it carried unanimously.

AGENDA ITEM: X-7
AGENDA DATE: December 3, 2010

TO: BOARD OF COMMISSIONERS

THROUGH: R. E. ABOLT, COUNTY MANAGER

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

ISSUE:
Request approval for a new beer and wine pouring license and Sunday sales of beer and wine license for 2011. **Gary John Hall d/b/a Wright Square Café of Sandfly, LLC, located at 7360 Skidaway Road, #E-2, Savannah, Georgia 31406.**

BACKGROUND:
Mr. Hall requests approval for a new beer and wine pouring license and Sunday sales of beer and wine in connection with a new restaurant.

- FACTS AND FINDINGS:
1. The application was reviewed by the Police Department for compliance of the applicant and site distance requirements and approved.
 2. The returned application was reviewed by Building Safety. The County Fire Marshal inspected the site for compliance and approved the facility.
 3. The applicant and business meets the requirements of the Chatham County Alcoholic Beverage and Sunday sales Ordinance.
 4. The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION:

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

District 3

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

Gregory S. Anderson, CBO

Chief Willie Lovett

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

ACTION OF THE BOARD:

Commissioner Odell moved for approval to award bids as follows. Commissioner Stone seconded the motion and it carried unanimously.

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Construction contract for the Skidaway Road Shoulder Improvement project	Engineering	Arco, Inc.	\$193,664	SPLOST (2003-2008) - Unincorporated County Roads, Skidaway/ Isle of Hope
B. Task Order contract to provide equipment and labor services for various County projects	Engineering	•Jed L. Taylor Contracting •B & D Clearing •T Clearing •CrossRoads Construction	NTE \$250,000	•SPLOST (1985-1993), (1993-1998), (1998-2003), (2003-2008), (2008-2014) •CIP
C. Cisco network equipment	ICS	Entre Solutions (Sole Source) (MBE)	\$14,874	SPLOST (2008-2014) - Courthouse Construction

AGENDA ITEM: X-8 A THRU C
AGENDA DATE: December 3, 2010

TO: BOARD OF COMMISSIONERS

THRU: R. E. ABOLT, COUNTY MANAGER

FROM: MICHAEL A. KAIGLER, ASSISTANT COUNTY MANAGER
DIRECTOR OF HUMAN RESOURCES & SERVICES

SUBJECT: AWARD OF BIDS

ITEM A

ISSUE: Request Board approval to award a \$193,664 construction contract with Arco, Inc. for the Skidaway Road Shoulder Improvements Road Improvements project.

BACKGROUND: The Skidaway Road Shoulder project is part of the 2003-2008 SPLOST Road Program. Problems being addressed include the limited road shoulder width and proximity to roadside drainage that is causing structural deterioration of the roadbed.

FACTS AND FINDINGS:

- In 2005, staff identified a condition of inadequate roadway shoulder conditions along the west bound traffic lane of Skidaway Road across from the Wormsloe Historic Site property.
- The project will provide improved drainage capacity to an area of Isle of Hope including the recently constructed by the County under the Romney-Parkersburg Drainage Improvement project that also serves the Isle of Hope Elementary School.
- The project was properly advertised and ten (10) bids were received with one (1) bid being non-responsive. The bids were opened 18 November. The bid responses are as follows:

	Arco, Inc. Savannah, GA	\$193,664
*	Sandhill ALS Construction, LLC Hardeeville, SC	\$234,785
	Griffin Contracting, Inc. Pooler, GA	\$238,531
	Hoffman Electric Co., Inc.	\$239,342
**	E & D Contracting Services, Inc. Savannah, GA	\$266,181
	C & H Paving, Inc. Thomson, GA	\$279,626
	Harbor Construction & Contracting, Inc. Savannah, GA	\$304,760
	Terry R. Lee Contracting Co., Inc. Hardeeville, SC	\$351,626

L-J, Inc. \$391,241
Columbia, SC

* MBE
** WBE

FUNDING: SPLOST (2003-2008) - Unincorporated County Roads, Skidaway/Isle of Hope
(3234220 - 52.12003 - 32356480)

ALTERNATIVES:

1. Board approve to award a \$193,664 construction contract with Arco, Inc. for the Skidaway Road Shoulder Improvements Road Improvements project.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM B

ISSUE: Request Board to authorize professional services Task Order Contracts for amounts not to exceed \$250,000 with various construction companies to provide equipment and labor services for County capital projects.

BACKGROUND: The Task Order Contract provides construction equipment and labor "as needed" with operators and construction services. Typical tasks include clearing, grubbing, earthmoving, demolition, installing culverts (including headwalls), hydro-seeding for erosion and sediment control, hauling, paving and traffic control devices.

FACTS AND FINDINGS:

1. Staff routinely solicits local vendors for availability of construction equipment for projects. No single vendor has been able to provide all the equipment needed. Many will not deliver or pick up the equipment, or provide operators or fuel. Many rent equipment only by the day or longer. The negotiated equipment rental rates are typically less than the prevailing rates from other vendors.
2. The companies listed in this report are not intended to be all inclusive of qualified companies. Their selection is based on prior experience with the County on projects.
 - a. Jed L. Taylor Contracting (Heavy Equipment Site Work, Bridge Construction) (NTE \$250,000)
 - b. B&D Clearing (Earthwork and Material Hauling) (NTE \$250,000)
 - c. T Clearing (Heavy Equipment Site Work) (NTE \$250,000)
 - d. CrossRoads Construction (Heavy Equipment Site Work, Paving, Material Hauling) (NTE \$250,000)
3. Unforeseen site conditions on projects sometimes require mobilizing additional equipment. Obtaining cost estimates and negotiating time extensions usually results in delays and higher costs. Having access to "as needed" construction services also facilitates responding to emergencies, if needed.
4. These contracts provide responsive support for planned and unanticipated needs on projects. Work is managed by staff engineers. Equipment costs are hourly rental rates, which include operators and fuel. Labor costs are hourly. Work directives are by "task order" mobilizing only the equipment necessary for specified tasks. Equipment may be mobilized "on call" anywhere in the County. Construction materials (e.g. aggregate, pipe, silt fence, wood), if needed, are procured separately.

FUNDING: SPLOST - (1985-1993), (1993-1998), (1998-2003), (2003-2008), (2008-2014)
CIP

ALTERNATIVES:

1. Board to authorize professional services Task Order Contracts for amounts not to exceed \$250,000 with various construction companies to provide equipment and labor services for County capital projects.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to authorize Task Order Contracts when it is in the best interest of the County.

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM C

ISSUE: Request Board approval of \$14,874 sole source purchase of Cisco network equipment from Entre Solutions, a local MBE firm, for the I.C.S. Department.

BACKGROUND: The entire county network operates on a Cisco Network and this equipment is essential to ensure functioning network operations. On 12 June 2009, the Board approved the purchase of the Cisco network equipment but the Gigabit Interface Converters (GBIC) that are needed for the installation were not purchased at the same time due to an oversight. Staff believed the current GBIC could be used in the new system but found out that they cannot be used.

FACTS AND FINDINGS:

1. Entre Solutions, a local MBE firm, is an authorized Cisco partner that has offered pricing lower than the State of Georgia Contract price.
2. I.C.S. cannot move forward with the installation of the Cisco 6509 network equipment until these GBICs have been obtained.
3. Staff believes the total cost of \$14,874 to be fair and reasonable.

FUNDING: SPLOST (2008-2014) - Courthouse Construction
(3244980 - 52.12003 - 32460427)

ALTERNATIVES:

1. Board approval of a \$14,874 sole source purchase of Cisco network equipment from Entre Solutions, a local MBE firm, for the I.C.S. Department.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD
BUDGET APPROVAL _____
TOM DRANE
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.

1. **AMENDMENT TO CHATHAM COUNTY ZONING ORDINANCE REGARDING SECTION 4-14f (ENVIRONMENTAL OVERLAY DISTRICT; ENVIRONMENTAL STANDARDS). The MPC recommends approval. MPC File No. Z-100824-56047-1.**

Chairman Liakakis said, okay, first readings. That – there’s no business on that. It’s an amendment to Chatham County Zoning Ordinance regarding section 4-14f, Environmental Overlay District; Environmental Standards. No action on first readings.

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XII. SECOND READINGS

1. **REQUEST BOARD APPROVE AMENDMENT TO THE CHATHAM COUNTY WATER SYSTEMS ORDINANCE TO ALLOW OUTDOOR LANDSCAPE WATERING LIMITATIONS.**

Chairman Liakakis said, the second readings says request Board approve amendment to the Chatham County Water System Ordinance to allow outdoor landscape watering limitations. Russ?

County Manager Abolt said, yes, thank you, Mr. Chairman. Ladies and Gentlemen, I think it's important to point out that we're doing this. We were told by the state that each county in the state has to do this. This – this is a mandate. I guess, that some could question as to the desirability of forcing the counties to do things that we're not either equipped to do or it's very difficult to enforce. It has to do with water restrictions. It says that thou shalt do this otherwise suffer the consequences. And the thou shalt has to occur before the end of the calendar year. And it says that we will, in effect, during certain periods limit the irrigation, use of water, and – and this is deep well and deep aquifer type water and do so that we can have, you know, water – and I don't mean to be flip, but water police. We can run over and check and see if somebody's doing something bad throughout the unincorporated area and do so with a penalty of – of some sort of sanction. The – the fact of the matter is we don't have the people to do this. It's complaint driven. We also have just a – I liken this, I guess, to your own situation. I can liken it to mine. We have many individuals throughout the county, private homes, that use shallow wells and they use water systems, and you can imagine yourself if you were an inspector for the county, going down the street and somebody watering their grass, and having no way of knowing whether it's on the – the water system or it's on a shallow well. So it's – it's – it's one of those feel good things in Atlanta that creates problems in Chatham County.

Commissioner Odell said, that's because of low IQ. We – I move for approval.

Commissioner Kicklighter said, second.

Chairman Liakakis said, can I get a second.

Commissioner Kicklighter said, second.

Chairman Liakakis said, all right. We have a motion on the floor and a second. Let's go on the board.

Commissioner Shay said, is this about the IQ thing?

Commissioner Odell said, yeah.

ACTION OF THE BOARD

Commissioner Odell moved to approve the amendment to the Chatham County Water Systems Ordinance to allow outdoor landscape watering limitations. Commissioner Kicklighter seconded and the motion passed unanimously.

~~AGENDA ITEM: XI-1~~
~~AGENDA DATE: November 19, 2010~~

AGENDA ITEM: XII-1
AGENDA DATE: December 3, 2010

TO: Board of Commissioners
 THRU: R. E. Abolt, County Manager
 FROM: Robert W. Drewry, Director of Public Works and Park Services

Issue: Request Board approval to amend the Chatham County Water Systems Ordinance to allow outdoor landscape watering limitations.

Background: During the 2010 legislative session, the Governor's Water Stewardship Act (SB 370) was passed. Pursuant to section O.C.G.A. §12-5-7(A.1)(3) of the Act, each county is required to adopt outdoor watering ordinances which allow various outdoor watering uses. Counties must adopt and have in effect such ordinance on January 1, 2011.

In addition, rules permitted by the Georgia Environmental Protection Division (GA EPD) 391-3-30 specifically restrict outdoor water use for non-drought periods to odd-numbered and even-numbered address. The county's groundwater withdrawal permits and drinking water system permits are condition upon the rules permitted by GA EPD.

Facts and Findings:

1. A model ordinance has been drafted to aid and assist counties in adopting their own outdoor landscape watering ordinance. Staff has reviewed the model ordinance and since the County as a separate Water Systems ordinance chose to insert portions of the model ordinance into the existing ordinance.
2. The amended Water Systems ordinance will allow watering during the hours of 4:00 p.m. to 10:00 a.m. Allowances to the rule are given for various activities such as certain commercial uses agricultural in nature, watering for personal food gardens, irrigation of athletic fields for public use and private water wells to name a few.
3. Rule 391-3-30 apply to any entity permitted by GA EPD for water withdrawal or drinking water system for outdoor water use during non-drought periods include restrictions to water use based upon odd or even numbered addresses.

4. Attached is an amendment to the Water Systems ordinance. Included in the amendment are penalties for violations.
5. Enforcement of the proposed ordinance poses challenges to staff. Responsibility of enforcement will be the Public Works and Park Services Department and due to limited staffing, enforcement will be complaint driven. Unless directed otherwise, staff's position will be to educate the customer on water conservation and water restrictions versus taking legal action. However, customers who continue to violate outdoor water use restrictions will be subjected to penalties as prescribed in the amendments.
6. The County Attorney has reviewed the proposed amendments.

Funding: Not applicable.

Policy Statement: Board action is required to amend codes and ordinances.

Alternatives:

1. Board approve amendments to the Water Systems ordinance as attached.
2. Board to provide staff with other direction.

Recommendations: Board approve Alternative #1.

ARTICLE II

Water Systems

INSERT

§15-205 Paragraph 3 Water Supply and Emergency Powers

The County recognizes an imminent need to create a culture of water conservation and to plan for water supply enhancement during future extreme drought conditions and other water emergencies. The reasonable restrictions on the outdoor watering of landscape are necessary to address the proper use of water resources.

4. **Restriction on Outdoor Water Use.** Outdoor watering for purposes of planting, growing, managing, or maintaining ground cover, trees, shrubs, or other plants may occur only between the hours of 4:00 p.m. and 10 a.m., and outdoor water use for any other purposes other than watering of plants, such as power washing or washing cars, is restricted to odd-numbered addresses on Tuesdays, Thursdays and Sundays and even-numbered addresses to Mondays, Wednesdays and Saturdays; provided, however, that this limitation shall not create any limitation upon the following outdoor water uses:

- I. Commercial raising, harvesting, or storing of crops; feeding, breeding, or managing livestock or poultry; the commercial production or storing of feed for use in the production of livestock, including, but not limited to, cattle, calves, swine, hogs, goats, sheep, and rabbits, or for use in the production of poultry, including, but not limited to, chickens, hens, ratites, and turkeys; producing plants, trees, fowl, or animals; or the commercial production of aquaculture, horticultural, dairy, livestock, poultry, eggs, and apiarian products or as otherwise defined in O.C.G.A. § 1-3-3;
- II. Capture and reuse of cooling system condensate or storm water in compliance with applicable local ordinances and state guidelines;
- III. Reuse of gray water in compliance with O.C.G.A. § 31-3-5.2 and applicable Board of Health regulations;
- IV. Use of reclaimed waste water by a designated user from a system permitted by the Environmental Protection Division of the Georgia Department of Natural Resources to provide reclaimed waste water;
- V. Watering personal food gardens;
- VI. Watering new and replanted plant, seed, or turf in landscapes, golf courses, or sports turf fields during installation and for a period of 30 days immediately following the date of installation;
- VII. Drip irrigation or irrigation using soaker hoses;
- VIII. Hand watering with a hose with automatic cutoff or handheld container;
- IX. Use of water withdrawn from private water wells or surface water by an owner or operator of property if such well or surface water is on said property;
- X. Watering horticultural crops held for sale, resale, or installation;
- XI. Watering athletic fields, golf courses, or public turf grass recreational areas;
- XII. Installation, maintenance or calibration of irrigation systems; or
- XIII. Hydroseeding.

INSERT

§ 15-213 (1.) Penalties and Liabilities.

c. Enforcement in Regard to §15-205 (4.)

1. No person shall use or allow use of water in violation of the restrictions on outdoor water use contained in ordinance.
2. The Department shall be the enforcement authority for this restriction. The County Manager may also authorize other departments as may be deemed necessary to support enforcement.
3. Criminal and alternative penalties. Any violation of this section may be enforced by a penalty of \$100 for the first offense, \$200 for the second offense, and \$250 for the third offense. Offenses beyond the 3rd

documented offense may also be enforced by a citation or accusation returnable to the Magistrate Court or by other legal means as set forth in this Code.

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XIII. INFORMATION ITEMS

Chairman Liakakis said, all right. In your packet you had Information Items, and all, and so we need a motion on the floor to adjourn and go into Executive Session.

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

ACTION OF THE BOARD:

A status report was attached as information.

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- 2. **LIST OF PURCHASING ITEMS BETWEEN \$2,500 AND \$9,999 (NOTE: NONE FOR THIS AGENDA).**

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EXECUTIVE SESSION

Upon motion being made by Commissioner Farrell and seconded by Commissioner Shay, the Board recessed at 11:54 a.m. to go into Executive Session for the purpose of discussing personnel and litigation.

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ITEMS FROM EXECUTIVE SESSION

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

ACTION OF THE BOARD:

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

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ADJOURNMENT

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned approximately 12:28 p.m.

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APPROVED: THIS _____ DAY OF DECEMBER, 2010

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

JANICE E. BOCOOK, INTERIM CLERK OF COMMISSION