

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, AUGUST 12, 2011, 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 9:38 a.m. on Friday, August 12, 2011.

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II. INVOCATION

Chairman Liakakis gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

Chairman Liakakis said, I ask Commissioner Patrick Shay for the Pledge of Allegiance. Commissioner Shay led the Pledge of Allegiance to Flag of the United States of America.

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IV. ROLL CALL

Chairman Liakakis said, okay, I call on Janice Bocook, our county clerk, for the roll call, please.

The Clerk called the roll.

Present: Pete Liakakis, Chairman
 Dr. Priscilla D. Thomas, Vice Chairman, District Eight
 Helen L. Stone, Chairman Pro Tem, 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
 Dean Kicklighter, District Seven

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

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

None.

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VI. CHAIRMAN'S ITEMS

None.

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VII. COMMISSIONERS' ITEMS

- 1. SUMMER BONANZA OUTREACH PROGRAM (COMMISSIONER THOMAS).

Chairman Liakakis said, under Chairman's item this morning, item 1, Summer Bonanza Outreach Program. Commissioner Thomas will discuss that.

Commissioner Thomas said, thank you, Mr. Chairman, and members of the Commission. Good morning. We appreciate the fact that you gave us this opportunity to just share with you about our Outreach Component of Summer Bonanza. As you know, Summer Bonanza has been in existence for now for almost 21 years, and we are really committed to working with not only just from a standpoint of one point of a child, educating, but we also want to make sure that we are dealing with the core values of life which deals with everything so that each child will become well rounded. I'm very happy to have in the audience with us this morning, Mr. Anthony Prescott, who is the founder and owner of AP360° on Wilmington Island, who does training and conditioning for athletes and etcetera. But this young man – he is – he was born in Savannah, somewhat out in Garden City where I was born, and I'm very happy of the things that he is doing to make a difference in the lives of young people. This is what it's going to take. My feeling is that the more that we can work with our young people whether it's in athletics or whatever, the better it's going to be in order for us to help these young people to become well rounded. Hopefully that we can make a dent in the jail system. That we will not be needing as much jail space. So this morning, I am going to introduce you to Mr. Anthony Prescott who is the owner and trainer, and we have a parent and a student and there are some more coming in at this point. And it won't take but a few minutes to share with you what we are all about. Thank you.

Mr. Anthony Prescott said, first of all I'd like to say good morning.

Chairman Liakakis and the Board said, good morning.

Mr. Prescott said, like Dr. Thomas said, I'm Anthony Prescott. Mr. Gaston [sic], I don't know if you remember me, but your – Clayton Cortes used to come in and fight me for Tae Kwon Do.

Commissioner Gellatly said, I do remember you, yes.

Mr. Prescott said, I was working with kids a long time. I am 47. My school is unique. When I say unique, it's unique in the way – it's – it's a project that – I saw in Chatham County that we had a problem with kids graduating and getting scholarships from schools and within the first quarter, 75% of the athletes come back to Chatham County, and they sitting on the court – they back at the school talking about their glory days, okay? So I'm a firm believer, if you see a problem you want to try to fix it, you become a part of the problem fixing it. So that's why I started AP360°. I've been success – successful with – I won the region championship with Savannah High. I won a championship with St. Andrews with David Boylston. I have eight athletes that got D-I scholarships this year throughout Chatham County. What's different about my facility is that, number one, it's not like your average gym. There's no mirrors up. A athlete, and I tell my group all the time, get paid by what his performance not the way he look. So my approach to working with kids is coming from the inside out. It's different. You earn the right to come to me. It's not given. They – everybody that comes to me keep a criteria. All of my kids is on the honor roll. Now I can sell AP360°, I started it. But I would like to do, and I wanted to make my speech really short, I'm gonna take the time out to kind of have my athletes and coach – I have Coach Bryant here, that's the head coach now of Jenkins, and I have also Amy, is actually a mom and a coach as well. And I would like to introduce Amy first to come up and – and say a few things about the program and how she benefit and her child had benefit from coming to me.

Ms. Amy Friess said, thank you, Anthony [Prescott]. Good morning. I am Amy Friess and I have – I'm actually a single parent of five kids. My youngest child is Randi Friess, who went to – we brought Randi [Friess] to Anthony [Prescott] I guess it was in about November. I've coached at St. Vincent's. I've coached at Savannah Christian, and I coached in Wisconsin at some big high schools there. I'm actually not a teacher, I'm a business owner and then have just coached at different times. My – my experience with Anthony [Prescott] has been unique, and I think that he has so much to offer all our youth because I could have – I could have trained my own daughter, and I did train my own kids in many things, but what Anthony [Prescott] brought was brought her to another level. And that is something that will carry her through life. She received a Division I scholarship. She's at California State Northridge, so she's across the country. I would have never been able to let any of my children go that far unless I felt that they were prepared. Anthony [Prescott] took her and was able to teach her how to get to another level within herself to have the confidence to go out in life. And I cannot say enough. Was it worth the money and the investment for what she got physically? Yes, absolutely. But it was priceless what she got internally. I mean how she was able – the – the mental things that he gave to her, you know. He stayed with her the whole time and got her to a level where she had confidence to go out there, stand tall, and not - not worry about who she meets. She believes in herself now, and that's what – when I met him I said, she's a fabulous athlete, but I need her to believe she's a fabulous athlete. And I played Division I sports myself, I know what it does for you in life. When you get to hard things in life, and I've had many hard things, but single parent with businesses, when you get to those hard points and you have to persevere through adversity, athletics is a fabulous way to teach you how to do that. And the way Anthony [Prescott] approaches it is exactly the way I would want it to be approached with my children. He was able to get somebody who already was – had a work ethic up here and push her to there. And it doesn't matter what level the child is that comes to him. They don't have to be a top athlete, 'cause he's going to get the most out of you. And, you know, we've talked numerous times about some of the problems with families today, and, you know, they don't have the support systems that we all wish they had. If there's anyway you can get programs out there that can do what he's doing and – and – and what I believe in in coaching, we have to partner with those programs because there's – there's just – we're losing them. You know, we're losing them, and we don't want to lose these kids. You know, I see it in – in my coaching and – they have so many distractions, and we need to get back to caring about the individual and getting them, number one to care about themselves. So I just wanted to come today and tell you how much he did for my child, but how much I believe you need people like this.

Commissioner Thomas said, thank you.

Ms. Friess said, and – and I'm willing to help in any way too, you know, I just – I can't say enough good things about him. We became great friends, and I just hope that you take this opportunity because it will make a difference.

Commissioner Thomas said, thank you.

Ms. Friess said, thank you.

Chairman Liakakis said, thank you.

Commissioner Thomas said, thank you so very much.

Mr. Bakari Bryant said, good morning.

Commissioner Shay said, good morning.

Commissioner Thomas said, good morning.

Mr. Bryant said, my name is Bakari Bryant. First let me start off by introducing myself a little more and go into detail. I was born and raised here in Savannah, Georgia, and I'm currently seeking my education for a doctoral – in doctoral studies through Walden University as a teacher leadership. I've been in the education field for six years now –

Commissioner Kicklighter said, lift your mike up.

Mr. Bryant said, okay, my height. I've been in the education field for six years now. Been certified – I've been a certified teacher for the last three years. And it's – it would be very vital for AP360° to come in and join the community as far as with our young teens. It's beyond sports because I always put emphasis on academics, you know, with his facility and his school and his training it teach the kids to – to – to build that work ethics to where it goes beyond sports. It carries over into the rest of their lives, you know, becoming productive citizens. Because there's – there's a real world out there, and there are sharks out there, and we want to prepare these young women and men to be productive citizens once they leave high school. Again, like I say, I've grown up in Savannah, and I've seen many cases where we have young men go to school like Mr. Prescott mentioned and don't finish school. They go – they go off to school and then they get homesick or something like that and they come back home and they – and they settle. They're content – content with being where they – where – to be – they be content to where they got and then that's it only. We want to get them – get them to a point where they go beyond the threshold of them, you know, just going to school and – and saying that I've been in school. We want them to finish, and it is – it involves great work ethics. Again, AP360°, we met about a year ago, a little over a year and a half ago, and his school and – and the training that he does is – is tremendous. I've been assistant basketball coach for Savannah High School for the last six years under Coach Jordan. And he came in and he trained and conditioned our guys last year and it was a tremendous improvement. With the team that we had last year, you know, we kind of over achieved. But again, I don't want to take anything away from Coach Jordan program because his program has been consistent. It's been consistent. But with the talent that we had last year Prescott came – came in, he implemented his strategy and his work ethic and they showed tremendous improvement in – in – in less than a month time. But again I'm – I'm – I would like to do anything in my might to help Mr. Anthony Prescott to improve his school to – so that he can incorporate his school with our children and community so they can grow and be prosperous. Again my name is – is Coach Bryant. This is my first year at the basketball – as the head coach at Jenkins High School for boys' basketball team. I'm definitely looking – looking to working with Anthony Prescott this year because of what he done in the past and experience that I had with him. Thank you.

Commissioner Thomas said, thank you.

Chairman Liakakis said, Mr. Prescott? We'd like to thank you on behalf of the Chatham County Commission for this program and being involved with Commissioner Priscilla Thomas 'cause with the new programs for the youth in our community, she's done an outstanding job and she highly recommends you, you know, for her particular program too, so that we can change the lives of many of our young people in our community and not seeing the overload that we got at the juvenile court and the juvenile holding cells right now. Because that is not good in our community or any community. But programs like yours and what she's doing in her area really makes a difference in our community. So thank you very much for coming today and – and speaking about this and – with the coach and, you know, the other – the mother there and also a coach.

Mr. Prescott said, Mr. Chairman, I'd like to –

Commissioner Thomas said, we have two other –

Mr. Prescott said, – introduce my athletes. Come on up.

Commissioner Thomas said, just give your name and your school and – and what grade.

Master Derrick McKinney said, good morning, my name is Derrick McKinney and I attend A.E. Beach High School, and I am a sophomore.

Commissioner Thomas said, are you – what – what's your academic standing?

Master McKinney said, my academic standing? I'm a high honor roll student.

Commissioner Thomas said, thank you.

Master Darren McKinney said, my name is Darren McKinney. I attend Jenkins High School. My academics is As and Bs.

Commissioner Thomas said, all right.

Master Matthew Nice said, my name is Matthew Nice. I attend Oglethorpe Charter School. I am in – entering in 7th grade, and I am a high honor roll student.

Commissioner Thomas said, thank you.

Chairman Liakakis said, thank you.

Commissioner Thomas said, congratulations.

Mr. Prescott said, Mr. Chairman, one thing I wanted to say, our program, they have to maintain a level of high expectation. It's not for everybody. We – winning in life is about being disciplined. You have to have a form of work ethic. These guys come to me in the morning at 5:30 to 6:30 before they go to school. That mean they getting up about 4:30. They come to me, they go back home, take a shower and go to school.

Commissioner Thomas said, thank you.

Chairman Liakakis said, okay. Thank you, very much. James [Holmes]?

Commissioner Holmes said, Mr. Prescott, I want to thank you for your program that you put on and thank you for participating in our Chatham County football clinic at Memorial a couple of weeks ago.

Mr. Prescott said, yes, sir. I – I appreciate the opportunity to be there.

Commissioner Holmes said, great.

Mr. Prescott said, actually Coach Chumley told me about it and I – I learned a lot from your program. I hope y'all do that again next year as well.

Commissioner Holmes said, it a continuous thing that'll be going on for every season. But I want to point out something that I'm – I'm hearing here, and I'm trying to figure out, are we promoting the AP360° [sic] or are we promoting the outreach program for bonanza?

Commissioner Thomas said, outreach.

Mr. Prescott said, outreach program.

Commissioner Thomas said, outreach – we are working in a – in a partnership –

Commissioner Holmes said, okay.

Commissioner Thomas said, – through AP360°.

Commissioner Holmes said, okay. Okay. Okay. Now, Mr. Bryant – Coach Bryant?

Mr. Bryant said, yes, sir.

Commissioner Holmes said, you know, I've been around athletes all my life.

Mr. Bryant said, yes, sir.

Commissioner Holmes said, coached quite a bit of athletes.

Mr. Bryant said, yes, sir.

Commissioner Holmes said, and I got you when you was eight years old. Am I right or wrong?

Mr. Bryant said, six.

Commissioner Thomas said, wow.

Commissioner Holmes said, six years old?

Mr. Bryant said, yes.

Commissioner Holmes said, and we've groomed you from Frank Callen Boys and Girls Club –

Commissioner Thomas said, all right.

Commissioner Holmes said, – up to where you at now.

Mr. Bryant said, that is correct.

Commissioner Holmes said, I didn't hear anything about your foundation.

Commissioner Thomas said, all right.

Mr. Bryant said, again, it started back in community league park, Frank Callen Boys' Club, Commissioner Holmes.

Commissioner Thomas said, all right.

Mr. Bryant said, I met Commissioner Holmes back when I was six years old, and he's done a tremendous job. Done a tremendous job. Frank Callen Boys' Club is where I came through – where I came up through, and – and again, here I am now.

Chairman Liakakis said, very good.

Commissioner Holmes said, appreciate it.

Chairman Liakakis said, thank you.

Commissioner Holmes said, I just want to –

Commissioner Thomas said, Mr. Chairman?

Commissioner Holmes said, – congratulate all of you for doing what you're doing and hope we can support in the future. Thank you.

Commissioner Thomas said, Mr. Chairman, just a reminder to Coach Holmes, don't forget, you know – I hope you haven't forgotten that we have tried to partner with the Boys' and Girls' Club last year and the year before too, so we are outreaching in all different levels. Thank you.

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2. REQUEST FOR CHATHAM ENVIRONMENTAL FORUM EVALUATION OF THE PROPOSED UNIFIED ZONING ORDINANCE AS IT RELATES TO THE COUNTY'S ADOPTED JOININ PLAN TO BECOME THE GREENEST COUNTY IN GEORGIA (COMMISSIONER SHAY).

Chairman Liakakis said, okay, the second item, request for Chatham Environmental Forum evaluation the proposed Unified Zoning Ordinance as it relates to the County's adopted JoinIN Plan to become the Greenest County in Georgia. Commissioner Shay?

Commissioner Shay said, thank you, Mr. Chairman. I was at a annual retreat for the Chatham Environmental Forum a – a couple of weeks ago, and we discussed the Unified Zoning Ordinance and how it would be a great opportunity for us to use the Green Plan that this County Commission has adopted as a measuring stick and compare it to the Unified Zoning Ordinance. It's not proposed that this is anything like a re-write, Tom [Thomson], or – it's just simply measuring one against the other and being able to compare and make sure that they're in – in harmony.

So with Board's indulgence, I'm going to read this resolution.

Commissioner Shay read the resolution as follows:



Whereas, in October, 2007, the Chatham County Board of Commissioners did pass a resolution calling upon the Chatham Environmental Forum to accept the challenge of creating a plan for Chatham County to become "The Greenest County in Georgia," and

Whereas, the Chatham Environmental Forum accepted that challenge and prepared the "joinIN" plan, which established certain goals, objectives and measurable outcomes regarding water resources, marshland

protection, energy conservation, land use, creative infrastructure, solid waste and transportation, as well as other important community issues, and

Whereas, the Chatham Environmental Forum consists of an equal representation from local governments, local businesses, and local environmental stewards, thereby providing a balanced perspective on the issues regarding social, economic and environmental sustainability, and

Whereas, the Metropolitan Planning Commission has spent many years preparing a comprehensive update to our local zoning code for the City of Savannah and the unincorporated areas of Chatham County (our second most populous jurisdiction), also known as the Unified Zoning Ordinances, or UZO, and

Whereas, the Unified Zoning Ordinance is now being released to the public for review and commentary, prior to being submitted for voting on its adoption or modification by the City of Savannah and the Chatham County Commission.

Now therefore, the Chatham County Commission hereby asks the Chatham Environmental Forum to accept a new challenge to evaluate the proposed Unified Zoning Ordinance in comparison to the "joinIN" plan for the Greenest County in Georgia, and report back to the County Commissioners prior to the time for its adoption. If this challenge is accepted, it would be in further consideration for the grant funding that the Chatham Environmental Forum received to create the "joinIN" plan, and would require no additional funding.

In this way, our community will know that our new Unified Zoning Ordinance is consistent with the County's adopted goals and objectives, and help us to become the Greenest County in Georgia.

In witness whereof, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed this, the 12th day of August, 2011.

Pete Liakakis, Chairman
Chatham County Commission

ATTEST:

Janice E. Bocook, Clerk

Commissioner Shay said, and with that, I'd like to make that in the form of a motion.

Commissioner Kicklighter said, second.

Commissioner Holmes said, second.

Chairman Liakakis said, I have a motion on the floor and a second for this resolution. Let's go on the Board. Motion passes.

Commissioner Shay said, thank you, Mr. Chairman.

ACTION OF THE BOARD:

Commissioner Shay moved to approve the Resolution asking the Chatham Environmental Forum to accept a challenge to evaluate the proposed Unified Zoning Ordinance in comparison to the "joinIN" plan for the Greenest County in Georgia, and report back to the County Commissioners prior to the time for its adoption. Commissioners Kicklighter and Holmes seconded the motion and it carried unanimously.

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RECOGNITION OF GUESTS

Chairman Liakakis said, okay. Before we go to the next item, I'd like to recognize Director Lewandowski who is the overall see and – that we have for our Mosquito Control, and as you know, it's a good thing we have one of the best Mosquito Control Departments in the entire country, and what Henry [Lewandowski] has done with his staff – done an excellent job. If we weren't putting money into that particular department, we would have big troubles here in our community. People, you know, picking up mosquito viruses, and all, and it could be the detriment to the health of our people in our community. And it started a few months ago, where the Mosquito Control, what they did was they started putting out to get specimens of the mosquitos in different areas of the community. Well, as of about a week ago, what they have discovered that they had 142 specimens of the West Nile – the West Nile virus mosquito in those particular traps that they had. And – and it was verified that a elderly woman did acquire the virus, and she was in the hospital but she is recovering right now. And you might have read in the paper where there was a elderly gentleman who contracted the West Nile virus, and he got some serious illnesses and passed away in Glynn County in Brunswick, Georgia. So we'd like to thank, you know, Henry [Lewandowski], and of course all of his staff, and – and thankfully to the County Commissioners for putting that money – making sure that money's in the budget so we can protect our citizens. Henry [Lewandowski] would you stand up so everybody can see you? [NOTE: Mr. Lewandowski stands].

County Manager Russ Abolt said, Mr. Chairman, I would like with your permission to add also another doctor, Dr. Skelton. The partnership between Dr. Lewandowski and Dr. Skelton saves this community – literally saves this community.

Chairman Liakakis said, thank you.

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CHATHAM AREA TRANSIT AUTHORITY

Chairman Liakakis said, next on the agenda, we will recess as County Commission and convene as the Chatham Area Transit Authority. Right after we do the agenda for the Transit Authority, we will start the regular meeting of the County Commission, as soon as we go through their agenda. So we want everybody to know that. And so the ones with the Authority, please come forth.

The Board recessed as the County Commission at 10:03 a.m., and convened as the Chatham Area Transit Authority.

Following adjournment of the Chatham Area Transit Authority, the Board reconvened at 10:48 a.m., as the County Commission.

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VIII. TABLED/RECONSIDERED ITEMS

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

1. **AT THE JUNE 24, 2011 MEETING, THE BOARD TABLED THE MOTION TO DISSOLVE THE SPECIAL SERVICE DISTRICT AS A TAXING DISTRICT AND HAVE A 0.00 MILLAGE RATE FOR THE SPECIAL SERVICE DISTRICT.**

Chairman Liakakis said, okay, next on the agenda for the reconvened Chatham County Commission, we have item eight, a tabled item. It's – there's no discussion on that matter today.

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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 \$5,000 FROM THE CLOVERDALE COMMUNITY CENTER PROJECT IN THE SALES TAX V FUND TO THE CARVER HEIGHTS COMMUNITY CENTER PROJECT; 2) INCREASES REVENUES AND EXPENDITURES \$26,706 IN THE FY2012 MULTIPLE GRANT FUND BUDGET FOR GRANT AWARDS, 3) INCREASE RECORDER'S COURT REVENUES AND EXPENDITURES \$109,1000 IN THE FY2011 SPECIAL SERVICE DISTRICT BUDGET, 4) INCREASE REVENUES AND EXPENDITURES IN THE FY2011 GENERAL FUND M&O BUDGET \$35,400 FOR PROBATE COURT FILING FEES, AND 5) TRANSFER \$185,490 FROM THE FY2011 GENERAL FUND M&O RESTRICTED CONTINGENCY TO THE BOARD OF ELECTIONS.**

Chairman Liakakis said, we go to item nine, which is Items for Individual Action. Under one, to request approval of the following budget amendments and transfers: transfer \$5,000 from the Cloverdale Community Center project in the sales – Sales Tax V fund to the Carver Heights Community Center project, 2) increase revenues and expenditures \$26,706 in the FY2012 Multiple Grant fund budget for grant awards, 3) increase Recorder's Court revenues and expenditures \$109,100 in the FY2011 Special Service District budget, 4) increase revenues and expenditures in the FY2011 General Fund M&O budget \$35,400 for Probate Court filing fees, 5) transfer \$185,490 from the FY2011 General Fund M&O Restricted Contingency to the Board of Elections, and 6) transfer \$13,175 within the Sheriff's Department FY2012 budget to salaries and benefits. We need a motion on the floor.

Commissioner Odell said, move for approval.

Commissioner Stone said, second.

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

ACTION OF THE BOARD:

Commissioner Odell moved to approve the following budget Amendments and Transfers: 1) transfer \$5,000 from the Cloverdale Community Center project in the Sales Tax V fund to the Carver Heights Community Center project, 2) increase revenues and expenditures \$26,706 in the FY2012 Multiple Grant fund budget for grant awards, 3) increase Recorder's Court revenues and expenditures \$109,100 in the FY2011 Special Service District budget, 4) increase revenues and expenditures in the FY2011 General Fund M&O budget \$35,400 for Probate Court filing fees, 5) transfer \$185,490 from the FY2011 General Fund M&O Restricted Contingency to the Board of Elections, and 6) transfer \$13,175 within the Sheriff's Department FY2012 budget to salaries and benefits. Commissioner Stone seconded the motion and it carried unanimously.

AGENDA ITEM: IX-1
AGENDA DATE: August 12, 2011

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 \$5,000 from the Cloverdale Community Center project in the Sales Tax V fund to the Carver Heights Community Center project, 2) increase revenues and expenditures \$26,706 in the FY2012 Multiple Grant fund budget for grant awards, 3) increase Recorder's Court revenues and expenditures \$109,100 in the FY2011 Special Service District budget, 4) increase revenues and expenditures in the FY2011 General Fund M&O budget \$35,400 for Probate Court filing fees, 5) transfer \$185,490 from the FY2011 General Fund M&O Restricted Contingency to the Board of Elections, and 6) transfer \$13,175 within the Sheriff's Department FY2012 budget to salaries and benefits.

FACTS AND FINDINGS:

1. The Building Safety and Regulatory Services Director has requested a \$5,000 transfer from the Cloverdale Community Center project to the Carver Heights in the Sales Tax V fund. Correspondence and a revised Project Budget Detail are attached.
2. Human Resources has received a \$5,500 wellness grant from the Association of County Commissioners of Georgia. The Chatham County Family Dependency Treatment Court has been awarded a \$21,206 grant from the Judicial Council of Georgia. A resolution to amend the Multiple Grant fund \$26,706 has been prepared. Correspondence is attached.
3. The revenue from Recorder's Court for FY2011 exceeded budget. The additional revenue can be applied toward the payments to attorneys line item that currently exceeds budget. A budget amendment to increase revenues and expenditures \$109,100 is attached.
4. A portion of the fees collected by Probate Court is paid out to other agencies. The revenues and corresponding expenditures for the court in fiscal year 2011 have exceeded budget. An amendment to the General Fund M&O FY2011 budget to recognize the additional revenue is attached. The amount is \$35,400.
5. The adopted FY2011 General Fund M&O budget included a base budget for the Board of Elections. Funds for election expenses above the base amount were budgeted in a restricted contingency, to be transferred as needed. The amount to be transferred for fiscal 2011 is \$185,490. The attached budget resolution for the General Fund M&O includes the transfer of funds from Other Expenditures to General Government for reporting purposes.
6. The Sheriff's Department has experienced personnel turnover, creating the need to transfer funds within the department's budget from operating line items to salaries and budgets. The amount of the transfer is \$13,175.

FUNDING: Funds are available in the Sales Tax V Fund and the General Fund M&O for the transfers. The budget amendments will establish funding in the Multiple Grant, Special Service District, and General Fund M&O.

ALTERNATIVES:

1. That the Board approve the following:

FY2012 SALES TAX V FUND

- a) Transfer \$5,000 from the Cloverdale Community Center project fund to the Carver Heights Community Center project,
- b) Approve project budgets. Project detail is attached.

FY2012 MULTIPLE GRANT FUND

- a) Increase revenues and expenditures \$5,500 for a wellness grant from the Association of County Commissioners of Georgia,

- b) Increase revenues and expenditures \$21,206 for a grant from the Judicial Council of Georgia to the Chatham County Family Dependency Treatment Court.

FY2012 GENERAL FUND M&O

Transfer \$13,175 from operating line items to salaries and benefits within the Sheriff's Department budget.

FY2012 SPECIAL SERVICE DISTRICT FUND

Increase Recorder's Court revenues and expenditures \$109,100.

FY2011 GENERAL FUND M&O

- a) Increase revenues and expenditures \$35,400 from Probate Court Filing Fees.
- b) Transfer \$185,490 from Restricted Contingency to the Board of Elections.

- 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 AUTHORIZE PROCEEDING WITH THE ISSUANCE OF A \$2.6 MILLION BOND (PLUS ISSUANCE COSTS) TO ACQUIRE 125 FAHM STREET THROUGH A PARTIAL AMORTIZATION WITH ANNUAL DEBT SERVICE AT \$125,000 ANNUALLY AND A BALLOON PAYMENT AT YEAR 5. [District 8.]

Chairman Liakakis said, item two, request Board authorize proceeding with the issuance of a \$2.6 million bond plus insurance – issuance costs to acquire 125 Fahm Street through a partial amortization with annual debt service at \$125,000 annually and a balloon payment at year 5.

Commissioner Kicklighter said, motion to approve.

Commissioner Odell said, second.

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

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve Board authorization to proceed with the issuance of a \$2.6 million bond plus issuance costs to acquire 125 Fahm Street through a partial amortization with annual debt service at \$125,000 annually and a balloon payment at year 5. Commissioner Odell seconded the motion and it carried unanimously.

AGENDA ITEM: IX-2
AGENDA DATE: August 12, 2011

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Patrick Monahan, Asst. County Manager

ISSUE:
To authorize proceeding with the issuance of a \$2.6 million bond (plus issuance costs) to acquire 125 Fahm Street through a partial amortization with annual debt service at \$125,000 annually and balloon payment at year 5.

BACKGROUND:
During approval of the Fiscal Year 2012 budget, the Board of Commissioners by consensus agreed to assist Union Mission retire debt of \$2.6 million by Chatham County's acquiring an equivalent value of property. The Board agreed to this property purchase because of the services which Union Mission provides and to avoid risk to the \$4 million in federal and state grants and private donations which the agency obtains in its service delivery. The County would acquire 125 Fahm Street, then lease it to Union Mission (federal law allows this structure for non-profit agencies which provide services that otherwise the government would need to provide). Union Mission would then use the proceeds from the sale of the property to retire its obligations and stabilize its cash flow for operating health services to the community's under-served citizens.

FACTS AND FINDINGS:
1. The Board of Commissioners committed within its FY 12 budget to assist Union Mission by acquiring \$2.6

million in property and leasing it back to the non-profit agency. The Board wanted to limit funding at \$125,000 annually. A 5-year bond for \$2.6 million, plus issuance costs, to acquire 125 Fahm Street could be structured with an annual payment of \$125,000 for five years. At the end of five years, the Board could then re-issue a bond or add the project for SPLOST funding in 2014.

2. The \$2.6 million in debt which Union Mission carries lingers from financial problems that the organization incurred in 2008-2009, including unpaid federal and state withholding taxes, burden of serving as managing partner of the Savannah Area Behavioral Health Collaborative and co-development of the Behavioral Health Center. Without the debt retirement, Union Mission would be forced to reduce services through employment cutbacks.
3. Union Mission's Board has also committed to raise \$700,000 (see Attachment 1) to help stabilize the organization's finances. Its Board previously made changes in financial policies and increased oversight to avoid any recurrence of the problems which arose in 2008-2009. An independent auditor verified this information.
4. The acquisition would be 125 Fahm Street with a legal description as "South Part of Parcel D, 1 Oglethorpe Plaza Sub South Oglethorpe WD & a portion of Parcel D2 Oglethorpe Plaza."
5. As with previous bond issues, the issuing agency would be the Downtown Savannah Authority. Chatham County would make this request and agree to enter into an intergovernmental agreement which obligates repayment of annual debt service. The obligation becomes a contingent liability for Chatham County.

FUNDING:

Approval would authorize moving forward on a bond issue of \$2.6 million, plus issuance expense, with an annual principal and interest payment of \$125,000 with a partial amortization (balloon payment) at the end of Year 5. This would allow the Board to re-issue a bond or use proceeds from the 2014 SPLOST to retire the debt.

ALTERNATIVES:

1. That the Board authorize staff to work with the County's financial advisor on a \$2.6 million bond, plus issuance costs, with annual debt payments at \$125,000 for five years with a partial amortization (balloon payment) at the end of year 5. The issuing authority would be the Downtown Savannah Authority. After year 5, the Board would either apply proceeds from a future SPLOST for the balloon payment or re-issue the debt.
 - 1.1 Staff also recommends that the scope of work on Chatham County's annual audit should include an independent review of Union Mission's audit and financial policies.
2. That the Board limit funding to \$125,000 FY2012 for Union Mission and determine as part of each future budget whether to continue the commitment.
3. That the Board take no action.

POLICY ANALYSIS:

Federal tax law allows Chatham County to acquire property and lease it to a non-profit agency which provides services that the local government would be otherwise providing. In this instance, Union Mission clearly provides services for under-served and under-insured citizens which at some level would become a taxpayer responsibility otherwise.

RECOMMENDATION:

That the Board adopt Alternative 1.

District 8

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3. REQUEST BOARD ACCEPT ASSIGNMENT OF THE TRADE CENTER AUTHORITY'S MEMORANDUM OF UNDERSTANDING FOR THE DEVELOPMENT OF A TRADE CENTER CONVENTION HOTEL AND AUTHORIZE AS PART OF THE COUNTY'S DUE DILIGENCE A PEER REVIEW OF THE ECONOMIC IMPACT STUDY AND ECONOMIC ANALYSIS AND A SENSITIVITY STUDY TO DETERMINE IMPACT ON EXISTING HOTELS.

Chairman Liakakis said, item three, request Board accept assignment of the Trade Center Authority's Memorandum of Understanding for the development of a Trade Center Convention Hotel and authorize as part of the County's due diligence a peer review of the economic impact study and economic analysis and a sensitivity study to determine impact on existing hotels. I'll ask –

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

Commissioner Stone said, well I think we've got some people that want to speak.

Commissioner Thomas said, second.

Chairman Liakakis said, okay, we're going to have discussion.

Commissioner Odell said, well we still need a motion.

Chairman Liakakis said, yeah, right.

Commissioner Shay said, and I'll second that motion for discussion purposes.

Chairman Liakakis said, all right, we have a motion on the floor and a second. Now, I'll ask the Assistant County Manager to come forth, but let me explain this to everybody so you'll understand this today. What we're doing today is just going over a Memorandum of Understanding that was sent to us by the Trade Center – the International Trade Center, and in that our – Patrick Monahan, our vice – let's see, our Assistant County Manager, he will be going over this and giving out information, and there's no vote today on building the hotel, putting any money into the hotel, expanding that project or anything like that today. All this is is a Memorandum of Understanding, and I want everybody to know this, that what occurred about putting a hotel over on Hutchinson Island, next to the Trade Center, came from the Authority of the Board over there. They're the ones that came up with this. What happened was their personnel who run the particular convention center over there have said that a number of particular big conventions or conferences contacted them and they were unable to provide all of the services that they need. Well – and then the Board got together and they decided that they wanted to look at this, and they sent the project to the county. We didn't ask them for this project. The County did not request that, and so this Memorandum of Understanding was voted on by the Trade Authority, and they sent this over to us for us to accept this Memorandum of Understanding. And what we're doing today, we'll just be voting on the Memorandum of Understanding, not financing the hotel, not going into anything else. And what we will be doing is recommending that – a study, so that – as I wrote out – review the economic impact study and economic analysis and sensitivity study to determine the impact on the existing hotels plus whether it has been successful or failure in other cities that had this public/private type of operation in other parts of the country. How successful it was; did the other hotels make money; and a lot of other questions there. And at that particular time then that information will be brought to the County Commission, we will have public meetings on it, and then we will have people that want to come up here and discuss that when we get into that phase if that particular phase happens. We want you to know that we welcome people to come to these different meetings for this particular project, but there is no debate on this today, and there's no voting on anything about that hotel other than this Memorandum of Understanding that was sent to us. And it was a quotation in the newspaper that we were usurping their power. That never happened. And so I ask our assistant county Manager, Patrick Monahan, who's familiar with this to give his report.

Assistant County Manager Patrick Monahan said, Mr. Chairman, if you talk for another ten minutes, I won't have to speak at all. I – I think you summarized most of the issues well. The one thing that – the one item you – you – you – you hinted at, but I also want to remind the Board that this is a non-binding agreement, that the county can – can terminate a convenience any type – anytime it so desires. So the – the – my thought would be to accept the – the Memorandum of Understanding from the Trade Center Authority, but then now that it has become in – in the county's arena to – for the county to do it's own due diligence. As Commissioner Shay pointed out a number of studies have been done primarily commissioned by the Trade Center Authority. Some questions have arisen based on those studies. As part of the County's commitment to the Trade Center Authority, the County needs to do a – a peer review which is just a – not reinventing the studies but to take a look at the studies, the methodology and just confirm that, you know, that the – that the recommendations from the consultants who did the studies are – accurately reflect the – the financial ability of this county to continue forward with the project. At this point I – I would say that nothing's committed to at this point. I – I – I think we – we should look upon this as an opportunity to, not necessarily begin the process anew but definitely to put the county's own viewpoint on it because ultimately it will become the county's responsibility should the project move forward.

Chairman Liakakis said, any questions for – Helen [Stone]?

Commissioner Stone said, I just want one clarification. Everybody keeps saying no money would be involved at this point. There is some money involved in this point, it's \$25,000 that –

Assistant County Manager Monahan said, correct.

Commissioner Stone said, – that we're going to authorize, and that's \$25,000 of tax payers' dollars. So I just – I want to be clear with that.

Assistant County Manager Monahan said, I don't recall that I said there'd be no money spent.

Commissioner Stone said, no, no. I'm saying that it has been brought up that today there would be no vote and no money spent. There would be some money spent.

Assistant County Manager Monahan said, well, un – unfortunately consultants desire to make money for their work, and I've – I've talked to about a half dozen. I've got three different scopes of work that I've developed in trying to – to get those price – I think it can be safely done for around 25,000.

Commissioner Stone said, I understand. I just want to be up-front about the amount of money that's going to be spent.

Chairman Liakakis said, Dean [Kicklighter]?

Commissioner Kicklighter said, thank you, Mr. Chairman. Basically to further elaborate on that is the vote today – I believe when the Chairman states that it's not us approving the expense of \$25,000 because that expense can be accomplished within three separate bids – two or three separate bids that would come in under 10,000 each, which

is our threshold. So, you know, it is a bit – well that speaks for itself. It – it – the money – by us voting this today, it pretty much gives the go ahead, although they technically – staff would not need the approval with the way it could be bid out, but the money will be spent if this is approved for sure, and I just want to state that I do commend – Pat Monahan's a genius for working through this, but at this point in time, due to paragraph 3 of the understanding here, where it says, whereas it is currently expected that the project will be financed with governmental assistance yet to be fully defined, I'll have to vote against this today. I just don't, you know, believe that we can – anyone needs to expect government assistance at this point when, you know, times are tough. So with that, I'm done with it, but that's while I will vote against this today.

Chairman Liakakis said, Patrick [Shay]?

Commissioner Shay said, just so there's some clarity on this issue of expense, if the county wants independent advice and they want the people who give that advice to actually be liable and responsible for doing their professional due diligence, we need to own that information. So for that reason I think it's money well spent. Also, I think the fund that you are saying that we might draw from is actually the capital fund that is already allocated for the Trade Center itself. So this is not money being taken away from any of the other programs that Chatham County is involved in.

Assistant County Manager Monahan said, correct. That's correct. Let – let me go back to Commissioner Kicklighter's question. As pointed out in the pre-meeting, this document has evolved, and yes that does say that in section 3, but also if you look in section 19, the Trade Center Authority put – tried to shape the project into how it envisioned it to be, including the separation of public and private interest in it. So if you look at section 19, I think it – that – that more accurately reflects what the Trade Center Authority want and the reason for the due diligence. Because if I'm going to make a good faith effort to implement what the Trade Center Authority desires, then – then the – the project may need to be reshaped a bit.

Commissioner Kicklighter said, right. And – and I understand, and again I commend you, it's just the time that we're in right now the key word, expected, to finance and support, and, you know, I – I really don't have a problem with a study taking place if there's no expectations of the government actually financing the project. I mean I – I think the study could very well come back in a way that would entice private business owners to go build it without the public's money, but, you know, again, I have nothing but respect for what you've done, but that's – I just wanted you to know that's why I'll be voting against it today.

Chairman Liakakis said, the – the information that has come to the county and to us in many ways, the reason why doing these studies with all of these other entities, we wanted to make sure that that particular project, just like the Trade Center over there, where the citizens put a lot of money in, 90, \$100 million to build that Trade Center, which has been very successful for us and put a huge amount of money into our community because that's one of the draw things that we have. We have many great things in our community, and we see that last year we had over 11 million visitors that came to Savannah who spent \$1,800,000,000 dollars and put that into our economy. In addition to that, people don't know this, that either 39 or 40% of the sales tax that we have on the road projects, on that – on that center over there, and also for relieving the flooding that we've had in this community, that 39 or 40% was paid for by the visitors that came into our community. And see, so we can look for, if you put all of those figures together, at least – on that, at least 800 to \$900 million was put into this project in the last – since the – since the – since this sales tax was put into effect to help us on road projects and many other things in our community, so the more visitors that we have. But one thing is really important. If we're going to do any kind of financing, we haven't said how much there is. There has been a proposal by the developers to put money in it, but we can see it will, you know, create a lot of jobs in our community if it goes about. If the information that we have will show that say you take a city in Ohio that has this public and private type of arrangement, and what happened was all of the conferences and conventions that went to that particular area put a lot more tourists into those hotels in our community, and that's important. So we have to look at the overall situation and see how it's going to help our citizens because this Commission is committed to do the best thing that we can for our citizens and our community. And if we can help the economic situation, give a lot of people jobs in our community, help in many, many ways, then we're going to be looking at that, and then it will be the Board voting on how they want to go. Do you have anything else?

County Manager Abolt said, no, sir.

Chairman Liakakis said, okay. So we – Patrick [Farrell]?

Commissioner Farrell said, there's – in article 19, item number 3 from the Trade Center, it specifically states no public money will be used for the hotel, and that is the direct language from the Trade Center to the County Commissioners at their urging. So when we're talking about possible public involvement, I'm assuming that if we follow the intent of the Trade Center that the public monies will be used for public spaces to expand the areas available for conferences and conventions in the Trade Center on that campus. Is that a correct –

Assistant County Manager Monahan said, as I mentioned, the Trade Center Authority developed section 19, and if you notice, it says suggests, because the Trade Center Authority didn't feel it – it's within it's jurisdiction to – to tell the County Commission what direction it should head. And part of it's due to the ability to attract private capital, hopefully a large part of – of the deal will be private capital, but it was – it was a desire to separate the – both the public and the private investment in this project.

Commissioner Farrell said, so if this Memorandum of Understanding is accepted by the Board today, I could fully expect that one of the options eventually presented back to the Commission would be an option to assist in some way, shape or form the Trade Center Authority expanding their campus and their facilities without any public money going to the construction of a room tower?

Assistant County Manager Monahan said, the – I – I will make a good faith effort to see that happens, but I don't think

there can be any guarantee at this point. I – I – I don't want – I don't want to present an overly optimistic view to the Commission. We'll just, you know, have to see how the studies go and then – and then it'll return back to the Commission for action.

Commissioner Gellatly said, Pete [Liakakis]?

Chairman Liakakis said, Helen [Stone]?

Commissioner Stone said, you know, I'm very concerned about the amount of conflicting information that has been presented and in yesterday's paper something that really leads me not to support moving forward at this point is something that the Chairman of the Trade Center said, and in the bottom of the article it says he was never advised that the county was willing to engage in such a significant amount of financing. If we had been – if we had been, we would have written the RFP, the request for proposal with a pacific – with a specific amount of financing available and let every bidder have the same insight and access to county funding. So I'm wondering if some of the – or the proposal that was agreed upon, would it have been different if according to the Chairman of the Trade Center, if they had known that county financing would have been available. I mean should this go back out to bid?

Assistant County Manager Monahan said, well I – I can't comment on the – on the Trade Center Authority's procedure. I – I did – I was appointed to the technical review committee, but unfortunately, because of other conflicts, I was not able to attend the meetings. I did not attend the interviews. I didn't review the proposals. So, I can't say.

Commissioner Stone said, well, I – I guess that's – that's something of concern to me. Also in the article – in number 19, that this is only a suggestion, and I – and Mr. Monahan, you've always been true to your word, and I trust you, but at the end of the day, this is a suggestion. It's not a guarantee that no public money would be used for the rooms in this hotel. And so that concerns – those things really concern me. It – it leaves a lot of questions about this process and – and how it's gone forward and attending a couple of the Trade Center meetings, where some of the members of the Trade Center Authority said that they were not aware of – of – of some of what was going on up to this point. So I'm – I'm very concerned about this project and what actions are taken today. Thank you.

Chairman Liakakis said, Russ [Abolt]?

County Manager Abolt said, in response to that. Y'all are in control. I mean you can use the term end of the day which I know is very common, but at the end of the day, you're going to make the decision. Nobody else is going to make the decision. You are in control.

Chairman Liakakis said, Harris [Odell]?

Commissioner Gellatly said, Pete [Liakakis]?

Commissioner Odell said, take David [Gellatly] first.

Chairman Liakakis said, okay. David [Gellatly]?

Commissioner Gellatly said, thank you, Mr. Chairman. I – my – my – my concerns are one of the things that I – that I like that's coming out I could – I could I think support this if these meeting rooms were part of the Trade Center. I cannot and will not support this if this is going to be part of a hotel that sometime down the road could go belly up and the tax payers are going to be held responsible for. And – and I'm hearing a lot of conversation, well, we're – we're 99% sure that this won't happen or what have you. Well nobody has a crystal ball and I am absolutely opposed to spending public money and – and competing with other hotels and motels and other businesses in this community. I'm – I'm just not going to get myself involved in this no matter how good it might be. I'm not going to pass on debt to my children and grandchildren that live in this community if something becomes a disaster here. And I – I – I – I do – if – if we actually own those meeting rooms and it's part of a – a publicly owned building, this is an entirely different situation, but it's going to have to come out that way. You know, it's not going – you – you can't have meeting rooms that are kind of sort of in – in a hotel that is – is very complicated as far as it's set up and administration is concerned and the bottom line is that the citizens in this community could be held liable if it doesn't work, and I – I just can't support that.

Chairman Liakakis said, Harris [Odell]?

Commissioner Odell said, first of all, I'll yield to Pat [Shay], because I'm gonna end the discussion.

Commissioner Shay said, yeah, yeah, and I'll be real brief. Helen [Stone] I want to make sure that you understand that the process that the Trade Center Authority used to sub – send out the RFPs, it was a nationwide search, there was advertisements locally. Every hotel developer and every hotel owner in Chatham County was invited to participate and given the opportunity to make proposals. At the end of the day, the three that made formal interview proposals, all three of them made it very clear in the interview that they would not be able to move forward with the project unless there was some level of participation from the public sector. Two of them said that what they wanted was the public sector to just basically write a check, 35, \$40 million, make that available to them, and that then they would carry out the project. The one that was ultimately selected said there were creative ways to do that from a financing standpoint. Because there was question after that when the MOU was issued, immediately from the members of the Trade Center Authority to me as the representative of this County Commission, they said directly to me is the county willing to participate in this? And I came to you back in December and said we need to figure the answer out to that question. We haven't really had the opportunity to get the due diligence that we need in order to be able to answer the question, and what we would do today would finally give us that information independent so that we would have the ability to evaluate it. But I don't want you to think that there was anything about that process that was anything other than open,

and every one of those developers had the option of presenting whatever structure they wanted. All of them presented the same thing, that there was no way to do the project without some level of public participation. I don't think it precludes necessarily what Commissioner Gellatly or Commissioner Farrell are – are – are talking about today. I don't know the answer to that. I couldn't know the answer to that until Mr. Monahan's given the opportunity to do that due diligence.

Commissioner Stone said, well, I guess –

Chairman Liakakis said, Priscilla [Thomas]?

Commissioner Stone said, – I guess that just concerns me that it's –

Chairman Liakakis said, Priscilla [Thomas]?

Commissioner Thomas said, thank you, Mr. Chairman. You can talk on this – on this issue all day. I am amazed at some of the innuendos that are floating around out there in the – in the – among the citizens. A lot of misinformation. A lot of misinformation. You know when you don't agree with something and you oppose something, that's fine. But I think we owe it to the people of Chatham County to be as honest as possible. That's what I try to do every day. But I don't like – let me choose my words here, I don't like people using their personal feelings in terms of personal gain to detract what's necessary for the – the total community. Sometimes we are all winners when we go out to seek something, sometimes we are not. So I mean if we are not successful, you move on. But you don't put a stumbling block for progress. And I have weighed in on this thing very heavily; I have talked to many citizens who have approached me asking me several questions. I would be remiss if I were to sit up here and say that I was not concerned about the economic impact, as well as the sensitivity to the existing hotels. But as has been said, several years ago we tried to bring in the National Association of Counties here and we couldn't do it because number one we could not – we did not have the availability of anything to fit their needs. That was just one thing. And it – the list goes on and on. But the bottom line here today is that we as County Commissioners have to look at the big picture and make sure that we're going to make the best decision that we can make for this county and not be concerned about people who want to have complete control and greed.

Chairman Liakakis said, okay. Harris [Odell]?

Commissioner Odell said, Mr. Chairman, Savannah is a point of destination. I believe people want to come here. We have a beautiful, large historic district, and we also have an ocean, which makes us a little bit different than Macon and some of the interior cities. This is a beautiful city. We will profit from tourism. I am shocked and amazed that vendors who – along Broughton Streets and the other streets are not just clamoring compelling us to do it. Quite frankly, my understanding of where we are today is that we will investigate and do a due diligence. I've been talked to to death by those people who are being paid for it and those people who are being paid against it. And I can understand their incentive for – for it. And – and I'm not saying what they've said is untrue. I'm just saying that they have a financial motive. We have – we are blessed in that we have Russ Abolt, but we also have Pat Monahan, and with his little strips of paper can write down a dictionary. What this does fellow Commissioners allow us to collect information and make an intelligent decision.

Commissioner Thomas said, right.

Commissioner Odell said, that – that's all it allows us to do. We are not saying do it. And for those who said \$25,000, I say, \$600 million is what our budget is, and what's at stake potentially could be substantial. We make money. We spend it. We are doing a jail, and \$68 million, and a large part of that come from tourist dollar. To me it look like we'd want to do things to encourage two things in this community, tourism and the Georgia Ports. That tends to be our bank. Tourism and Georgia Ports. With that I'm going to call for the question everyone, and there's no right or wrong decision in this, and we all vote our conscience, but I'm going to vote for the motion which is to approve alternative 1.

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

ACTION OF THE BOARD:

Commissioner Odell moved for approval of the Board to accept the Memorandum of Understanding from the Trade Center Authority with a 90-day extension of the term and the following plan of action: Update the hotel feasibility and economic analysis, including economic viability of a convention center headquarters hotel, its size (rooms), expanded and new business capture rates, cash flow analysis and cost. Commissioners Shay and Thomas seconded the motion and it carried with a 6-3 vote. Chairman Liakakis, Commissioners Holmes, Shay, Farrell, Odell, and Thomas voted yes. Commissioners Stone, Gellatly and Kicklighter voted no.

AGENDA ITEM: IX-3
AGENDA DATE: August 12, 2011

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Patrick Monahan, Asst. County Manger

ISSUE:

To accept assignment of the Trade Center Authority's Memorandum of Understanding for the development of

a Trade Center Convention Hotel but with an amendment to extend the expiration date by 90 days to enable further due diligence.

BACKGROUND:

At the Georgia International Maritime and Trade Center Authority's July 13 meeting, the Authority voted to amend its Memorandum of Understanding (MOU) with its preferred developer, Hutchinson Hotel Holdings LLC, and offer the agreement for assignment to Chatham County. The offer of assignment acknowledges that while a public partner will be needed should the project move forward, the Trade Center Authority cannot exercise the powers needed to effect this role. For example, the Trade Center Authority cannot create a Tax Increment Financing District nor an Opportunity Zone, which would bind the developer to create jobs or collect revenues to be assigned for public obligations. Should public bonds backed through incremental new taxes generated by the hotel become needed, the Trade Center Authority lacks the authority under the Georgia Constitution or state law to issue bonds or enter into intergovernmental agreements to support bonds. As for the land, the Trade Center Authority cannot sell the land since Chatham County holds fee title to Parcel 7. Nonetheless, the MOU expresses the Trade Center Authority's support for the project but with public participation limited to public improvements.

FACTS AND FINDINGS:

1. **MOU.** By the Board's acceptance, the MOU between HHH and the Trade Center Authority would be assigned to Chatham County (see Attachment 1 for MOU). The MOU obligates HHH to develop, design, and build a convention center hotel within a Fixed Price budget. It does not present any binding obligation to Chatham County. Until the Board executes the MOU's provisions for "Definitive Agreements," Chatham County can terminate the MOU at any time.
 - 1.1 Should the Board accept the MOU, the termination date would need to be extended 90 days to allow Chatham County to conduct its own due diligence such as to update and confirm the economic analysis, pursue goals set by Trade Center Authority on limiting the scope of public participation and determine whether use of state incentives (i.e. Tourism Development Sales Tax) can be applied to this project.
 - 1.2 The Trade Center Authority deserves the credit in moving the project to this point. As part of a strategic plan to move toward the next level of competitiveness and overcome lost opportunity in the market, the Trade Center Authority commissioned studies to determine the project's need and viability. The plan has two specific goals: 1) Meet current demand from convention center customers but who need more rooms near the convention center; 2) Create more demand, newer business.
2. **Necessary Due Diligence.** Should the project become the County's responsibility, the County should undertake its own due diligence. This plan of action would provide an objective look by consultants under contract and duty to Chatham County and not to developer nor the Trade Center Authority. This scope of work would include the following:
 - 2.1 An update of the hotel feasibility and economic analysis would reflect economic conditions of 2010 and to date 2011. HVS's study for the Trade Center Authority projected the economic viability of a convention center headquarters hotel, its size (rooms), expanded and new business capture rate, cash flow analysis and cost. The study recommended a full-service hotel of 500 rooms with at least 400 rooms committable for a convention. Staff previously provided the HVS study (copy available in the County Manager's Office).
 - 2.2 A peer study of the hotel feasibility and economic analysis, including the size (i.e. number of rooms) of the hotel and planned meeting rooms, would provide an independent review of the HVS study. It would not duplicate but confirm the methodology and major findings. Included would be a sensitivity analysis to project the financial impact at varying levels should the hotel not perform financially as projected.
 - 2.3 A peer study of the economic, fiscal and employment analysis would review the methodology and major findings of Hunden Strategic Partners in its study on behalf of the Trade Center Authority to determine the economic impact of a convention center hotel. The analysis projected investment in a 500-room, full-service convention center hotel would double convention business by inducing 83,000 new room nights in area hotels, create 1,170 new jobs, add \$83 million in spending, \$29 million in earnings and \$114 million in personal income. Staff previously provided the Hunden study (copy available in County Manager's Office).
 - 2.4 A review of other convention center hotel projects and their track record of performance, and as important, their track record of any need for a general fund subsidy, would confirm the success and failure of other public projects.
 - 2.5 Sensitivity analysis of how a Trade Center Convention Hotel would impact existing business. At least three hotels in the Historic Landmark District allege that a Trade Center Convention Hotel would adversely affect their business, and if public incentives become available, this would enable a competitive disadvantage. A factual basis should be used to determine the economic impact on hotel and tourism business.
 - 2.6 Analysis of financing options and whether public participation can be limited within the scope that the Trade Center Authority "suggests" in the MOU. The basis for the Trade Center Authority's guidance would be the separation of public and private ownership and income and expense (i.e. all of the public space would be publicly owned and publicly controlled and with all revenues and expenses to the benefit of public ownership).
3. **INDEPENDENT CONSULTING ADVICE.** Staff has discussed the scope of the due diligence with independent consultants not previously used in this project (except for the project update by HVS). This would ensure an objective review of the data and financial analysis which would provide guidance as to any obligation by Chatham County to move forward. Cost would be funded by county capital funds for the Trade Center.

4. **DETERMINE PUBLIC PARTICIPATION.** Continued due diligence would also be needed for the project to determine the context of public participation. Nonetheless, staff should be provided authority to move forward on full consideration of financing options to present later to the Board. This would not include the authority to negotiate any terms or conditions but only to determine the extent of private interest and at what level of public participation. Staff would continue to work with Swerdling and Associates, a consultant to HHH, on attracting private capital markets. Despite the focus to date on a financing structure of \$80 million in private capital and \$50 million in public funding through a bond secured by incremental increases in taxes generated by the convention hotel, other options would be explored.
5. **FOCUS ON PUBLIC INCENTIVES.** The due diligence period would also enable a determination on which public incentives would be available for this project. While incentives encourage private investment, their use should be placed into a priority position to meet any public obligation. A question has arisen as to what incentives could be applied to a convention center hotel project.

ALTERNATIVES:

Alternative 1: that the Board would agree to accept the Memorandum of Understanding from the Trade Center Authority with a 90-day extension of the term and the following plan of action:

- 1.1 Update the hotel feasibility and economic analysis, including economic viability of a convention center headquarters hotel, its size (rooms), expanded and new business capture rates, cash flow analysis and cost.
- 2.2 Obtain a peer review of the hotel feasibility and economic analysis, including the size (i.e. number of rooms) of the hotel and planned meeting rooms.
- 2.3 Obtain a peer review of the economic, fiscal and employment analysis.
- 2.4 Review of other convention center hotel projects and their track record of performance, and as important, their track record of any general fund subsidy.
- 2.5 Obtain an independent sensitivity analysis of how a Trade Center Convention Hotel would impact existing hotel and group meeting business. At least three hotels in the Historic Landmark District allege that a Trade Center Convention Hotel would adversely affect their business, and if public incentives become available, would this enable a competitive disadvantage.
- 2.6 Obtain an analysis of financing options and whether public participation can be limited within the scope that the Trade Center Authority "suggests" in the MOU.
- 2.7 Continue to explore the extent of private interest and the level of public participation which would be needed to effect a convention center hotel with a booking agreement to allow the community (i.e. Visit Savannah, Trade Center Authority) to control 80% of rooms two years and beyond.

Alternative 2: That the Board take no action. In effect, the Memorandum of Understanding with Hutchinson Hotel Holding would expire September 13. For Chatham County to pursue a Trade Center Hotel would require starting the RFP process anew.

FUNDING:

Not applicable. Cost of the updates would be funded by county capital account funds for the Trade Center, not to exceed \$25,000.

POLICY ANALYSIS:

Chatham County developed and funded the Savannah International Trade and Convention Center as an economic development project designed to increase convention and exposition visitors to this community. Through Chatham County's investment to develop a first-class project in the Trade Center as the cornerstone to private investment on Hutchinson Island, prudent management by the Trade Center Authority and its day-to-day management by SMG, the Trade Center continues to meet its economic development mission. After 10 years, the record remains clear on the Trade Center's economic impact on increased room nights, visitor spending and increased earnings; however, an economic analysis by Visit Savannah also indicates continued lost support in the meetings market. The Georgia International Maritime Trade Center Authority, which the Georgia General Assembly created to manage the facility, began a focus in 2008 on how to increase the Trade Center's competitive position. The cumulative recommendations from economic analyses target the need for a convention center headquarters hotel. Should the project become Chatham County's by acceptance of the MOU (non-binding), assurance should be provided through the county's due diligence as to the project's economic viability and with adequate safeguards to limit any public funding liability.

RECOMMENDATION:

That the Board adopt Alternative 1.

**Amended and Restated
MEMORANDUM OF UNDERSTANDING
by and between
Georgia International and Maritime Trade Center Authority ("GIMTCA")
and
Hutchinson Hotel Holdings, LLC ("HHH")
Dated as of July 13, 2011**

WHEREAS, the Georgia International and Maritime Trade Center Authority ("GIMTCA") and Hutchinson Hotel Holdings, LLC ("HHH") entered into a Memorandum of Understanding, dated as of December 1, 2010 (the "Original MOU") relating to the development and construction of a new convention center hotel (the "Project"); and

WHEREAS, certain provisions of the Original MOU need to be amended and restated in their entirety to more accurately describe the current understanding of the anticipated structure of the financing and other provisions of the Project; and

WHEREAS, it is currently expected that the Project will be financed with governmental assistance, yet to be fully defined, but may include the issuance of bonds (the "Bond Financing") by the Savannah Economic Development Authority ("SEDA"); and

WHEREAS, several proposals were submitted to GIMTCA included the proposal submitted by Hutchinson Hotel Holdings, LLC ("HHH") to develop the Project; and

WHEREAS, GIMTCA, or an assignee to whom this Amended and Restated Memorandum of Understanding (this "MOU") may be assigned, plans to negotiate with HHH more definitive documents, including satisfactory documentation for the leasing or sale of the hereinafter defined Hotel Site (the "Definitive Agreements"), for the development of the Project, and it is accepted and understood that such negotiations are exclusive to HHH and as such a mutual confidentiality and non-circumvent intent exists; and

WHEREAS, GIMTCA or its assignee, as appropriate, wish to ensure that all parties have a mutual understanding of certain key points prior to the commencement of the negotiation of the Definitive Agreements; and

WHEREAS, all references to GIMTCA herein shall, in the event this MOU is assigned by GIMTCA to a third party, mean such assignee and not GIMTCA; and

WHEREAS, pending the completion of the Definitive Agreements, the parties hereto wish to set forth certain understandings in this MOU;

NOW THEREFORE, it is agreed by the parties hereto that this MOU fully amends and restates the original MOU in its entirety, as follows:

1. Term. The term of this MOU shall be effective from the Effective Date described in Paragraph 17 hereof, through September 13, 2011.

2. The Project. The Project consists of the design and construction of a new Convention Center Hotel, to be located on a designated site (the "Hotel Site") on Parcel 7 adjacent to the GIMTCA trade center facilities on Hutchinson Island. The Project will involve the construction of a first-class convention hotel having a range of 350 to 500 rooms as appropriate to meet GIMTCA's objectives of providing significant additional available convention rooms under an appropriate room block agreement; between 7,500 and 30,000 square feet of meeting space with square footage of grand ballroom and junior ballroom space to be determined; a primarily above grade parking garage within the Project and containing no less than 320 parking spaces with valet parking not to exceed 20% of this total; a ground level loading dock and service area located at street level adequate to Hotel Project; and all other related facilities and improvements described in the June 22, 2010 Hutchinson Hotel Holdings, LLC Convention Hotel Proposal submitted by HHH to GIMTCA for the Hotel Project and titled "Proposal for Planning and Construction Services."

3. HHH agrees to enter into a Definitive Agreement or Agreements with GIMTCA or its assignee, and to deliver the Project for a Fixed Price with a guaranteed completion date.

4. Pre-Construction Costs and Advance of Funds. HHH may advance out-of-pocket expenses associated with the negotiation of the Definitive Agreements and Pre-Construction costs associated with the Project if requested by the Corporation or GIMTCA. HHH shall request reimbursement for portions of said costs as incurred from GIMTCA from any remaining balance of the \$100,000.00 "Submission Deposit" paid by HHH and held by GIMTCA. HHH shall be compensated for all such costs upon financial closing from the initial funding for the Project. During construction of the Project, there shall be paid solely from proceeds of the Public/Private Financing available therefore to HHH or to third parties at HHH's direction of costs and expenses associated with the development and construction of the Project, subject to retainage for contractors of not greater than 5% until the earlier of; (i) the completion of the Project or; (ii) the satisfactory completion of such subcontractors' work. All amounts so paid shall be subject to a Guaranteed Fixed Price ("the "GFP"), subject to the conditions set forth in Section 7 below.

5. Architect Costs. The architect shall be a subcontractor to HHH and shall be paid some of its Costs earned prior to the closing of the Project Financing by HHH. HHH shall be reimbursed for all such amounts from proceeds upon the closing of Financing.

6. Meetings and Scheduling. HHH will work at the direction of the GIMTCA and will consult with GIMTCA at regularly scheduled intervals and will meet with GIMTCA personnel on a periodic basis, but no less than monthly, HHH and GIMTCA agree to keep the other party aware of all scheduled meetings regarding the Project. HHH will be available for consultation and advice at GIMTCA's request and discretion.

7. Development of Detailed Scope. HHH, the contractor, and the architect shall work together to develop a detailed scope for the Project prior to the completion of the Definitive Agreements. The Guaranteed Fixed Price for the Project shall be based upon such scope, inclusive of Pre-Operating costs but excluding interest, reserves and other financing costs, which currently is at \$122,315,000.00 as per the HHH proposal referred to herein. The Guaranteed Fixed Price shall include all Work of every kind and nature to acquire and perform the Work in accordance with the Project Requirements and otherwise to achieve Final Completion of the Project, which shall include but not be limited to: (i) all fees paid and payable to the Architect and any other architect,

engineer, designer or Consultant to prepare plans, drawings, and specifications relating to the Project in accordance with the Approved Plans; (ii) all permit fees and costs, except to the extent this Agreement expressly requires that the Authority pay such costs; (iii) the cost of all labor and materials used and consumed to Finally Complete the Project including all amounts payable under this Agreement and all Subcontract relating to the Project; (iv) the cost of all tools and equipment used in performance of the Work; (v) the costs to supervise and manage the Work; (vi) all costs arising out of any of the Guaranteed Fixed Price Risks; (viii) costs of the Payment Bond, insurance carried to identified or statutory limits or standards; (ix) all other cost obligations of Design-Builder arising out of this Agreement; (x) all Punch List Work; and (xi) all Corrective Work.

The final Guaranteed Fixed price for the Project shall be determined within ninety (90) calendar days of the date of execution of this MOU.

8. Development of Schedule. HHH, the Contractor, and the Architect shall work together to develop a schedule for the Project prior to the completion of the Definitive Agreements. The Definitive Agreement or Agreements will contain liquidated damages for non-completion of the Project within the guaranteed completion date.

9. Risks of Construction. Pursuant to the Definitive Agreements, HHH shall take all risks of completing construction of the Project by a guaranteed completion date in a manner which permits the operator of the Project to open the Project for business to the public and for an amount not greater than the guaranteed Fixed price, except that HHH shall be entitled to adjust the guaranteed completion date and guaranteed maximum price upon the occurrence of any of the following:

- a. Change orders approved by the GIMTCA and the trustee for the Bond Financing which are funded by the party requesting the change order;
- b. Acts or omissions of the GIMTCA or any contractors employed directly by the GIMTCA or the GIMTCA which have a material impact on the guaranteed maximum price or on the guaranteed completion date;
- c. GIMTCA prevents HHH from performing its work pending dispute resolution;

HHH shall agree to take all other risks associated with construction of the Project, including without limitation the following: force majeure events and environmental or other site conditions. If HHH fails to complete the Project on or prior to the guaranteed completion date as described above, HHH shall pay liquidated damages for each day of delay equal to the interest on the Bond Financing, accruing during each day of such delay.

Subject to the availability of financing proceeds, HHH shall not permit any mechanic's or materialman's lien to attach to the Project and shall immediately take all action as may be necessary to promptly remove or bond over any such lien. HHH's obligations related to construction delivery under the Definitive Agreements shall be fully covered by a payment and performance bond from the General Contractor, which bond shall be maintained during the implementation term of the Definitive Agreements, shall be for an amount equal to not less than the construction amount equal to not less than the construction amount of the Definitive Agreements, shall cover all indemnification and liquidated damages obligations of the HHH under the Definitive Agreements and shall be issued by a surety rated not less than "A" by S&P or A:X by AM Best & Company (or equivalent) and otherwise reasonably acceptable to GIMTCA. GIMTCA, as its interests may appear, shall be named an obligee on all such bonds.

10. Approvals Regarding Plans. All Project Plans are subject to the written approval of GIMTCA prior to initiation of construction of any planned element. Except with respect to the GIMTCA Design Items, as to which GIMTCA shall have rights of comment and approval, and except that approval of Change Orders shall be subject to the provisions of Definitive Agreements. GIMTCA will not reasonably withhold, condition or delay its approval, and GIMTCA shall consider and act upon such matter in accordance with the Plan Approval Process set forth in the Definitive Agreements.

11. Failure to Complete Definitive Agreements. If the Definitive Agreements are not completed by August 31, 2011 (other than the final determination of the Guaranteed Fixed Price, which shall be subject to determination in accordance with Section 7 hereof), this agreement shall be terminated.

12. Compliance with City of Savannah Procurement Regulations. HHH agrees to work with GIMTCA to assure compliance with City of Savannah and/or Chatham County construction procurement regulations, as appropriate; as it relates to: the competitive selection process, prevailing wages, small business, and enterprise business participation.

13. Limitation of Liability. EXCEPT FOR PERSONAL INJURY OR PROPERTY DAMAGE, PRIOR TO THE COMPLETION OF THE DEFINITIVE AGREEMENTS, NEITHER PARTY SHALL BE LIABLE TO THE OTHER PARTY FOR ANY INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL OR EXEMPLARY DAMAGES (EVEN IF THAT PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES) ARISING FROM THIS AGREEMENT, SUCH AS, BUT NOT LIMITED TO, LOSS OF REVENUE OR ANTICIPATED PROFITS OR LOSS BUSINESS.

14. Dispute Resolution. The parties agree that any and all disputes or alleged defaults arising from this Agreement, such dispute or default shall be resolved by binding arbitration conducted in accordance with the Commercial Rules of the American Arbitration Association ("AAA") before a single arbitrator, such arbitration to take place in Vancouver, Washington (but not by administrators of the AAA if the parties agree to use an

arbitrator who will self-administer the AAA rules and procedures). Either party may by written notice to the other commence such arbitration. If the parties cannot agree on arbitrator, one will be appointed by the AAA. The arbitrator shall be authorized to award to the prevailing party and all applicable legal or equitable legal or equitable remedies with respect to such default, subject to the limitation of liability set forth herein. The prevailing party shall be entitled to seek attorney's fees from the arbitrator.

15. Effectiveness of MOU. This MOU is intended to be binding and enforceable in nature until the Definitive Agreements are executed. Once the Definitive Agreements are executed, such Definitive Agreements shall supersede this MOU in all respects.

16. Governing Law. This MOU shall be governed by the construed in accordance with the laws of the State of Georgia.

17. Effective Date: MOU Counterparts. This MOU shall become effective upon the execution hereof by a duly authorized signatory of each of the parties hereto and shall be valid and enforceable as of the time of such execution. This MOU may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one of the same document.

18. Assignability. GIMTCA, at its option, may assign any or all of its rights, obligations, and responsibilities hereunder to a third party, if deemed necessary and/or beneficial to the Project, at any point during the term hereof, prior to final execution of the Definitive Agreements.

19. GIMTCA Suggested Provisions. The Board of GIMTCA urges and suggests that following points be included in the final agreement between HHH and Chatham County, as assignee of this MOU.

- a. All of the meeting spaces and ballrooms will be owned and operated by GIMTCA.
 - 1. So that the public funds are used only to build the public space (meeting rooms, ballrooms and infrastructure) that is publicly owned (by GIMTCA) along with the appropriate non hotel revenues, such property tax rebates, hotel tax rebates, sales tax rebates to support the debt service.
 - 2. The meeting space may be located in the GIMTCA Building or in the hotel building.
 - 3. No public money will be used for the hotel.
 - 4. For the first ten years, GIMTCA catering will be sole caterer.
- b. The principal features of the Room Booking Agreement will be:
 - 1. A maximum rate of \$150 plus a cpi escalator beginning from 2011 (a concessionary rate) for 80% of the hotel rooms for a period of 18 months.
 - 2. To serve large conventions (1200+ rooms) 12 times per year, and
 - 3. To allow the hotel to charge market rates at other times.

20. MOU Offered to Chatham County. This MOU is offered for assignment to Chatham County by GIMTCA, effective as of the date hereof.

21. Transfer of Hotel Site. GIMTCA agrees to transfer the lease of the hotel location back to Chatham County.

Georgia International and Maritime Trade Center Authority

By: Mark V. Smith, Chairman

Hutchinson Hotel Holdings, LLC

By: Robert Gallup, President

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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, action calendar. Under Action Calendar we have items 1 through 9 and under 9 there are items A through O. If you have any particular items you'd like to hold out to discuss, we need a motion on the floor for that. Patrick [Shay]?

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ORDER OF AGENDA

Commissioner Shay said, I'm out of order but as a point of order as a Commissioner, I'd like to recognize Senator Tom Coleman who's here today. Who is here, I think, on behalf of another issue. Tom Coleman is the man who made that convention center possible. Thank you. I apologize for being out of order.

Commissioner Odell said, we've got Tom Bordeaux in there also.

Commissioner Shay said, Tom Bordeaux helped out too, didn't he Tom [Coleman]?

Chairman Liakakis said, and what we can see too, there was a lot of people –

Commissioner Shay said, I'm sorry I was out of order there.

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X. ACTION CALENDAR (CONT'D)

Chairman Liakakis said, okay, Helen [Stone]?

Commissioner Stone said, thank you, Mr. Chairman. I'm – as I stated in the pre-meeting this morning, I just am a little bit concerned that on the action calendar under, I think it was Item 8, the fact that you had a person that had had – been in trouble with the law not just once but twice, and that by law we can still allow them a liquor permit, and I – I find that a little bit troubling, and I – I don't know that there's anything –

Chairman Liakakis said, do you want to hold it out or you just making a statement?

Commissioner Stone said, I'm just making a statement, Mr. Chairman, that I – that it concerns me that this is okay, and especially since one of the charges, I believe, was – was not showing up for court or not following through with what they were supposed to do. So I just want to go on record as saying –

Chairman Liakakis said, Mr. County Attorney, will you explain the situation on that?

County Attorney R. Jonathan Hart said, sure. We have a liquor license and we have State law and basically if they comply with all the requirements of the application, you don't really have discretion about who you give it to. Either they meet the requirements of the license or they don't. Now when they go into business, if their conduct is suspect or we have problems with them, then we have a revocation situation. But basically the – the, you know, this is one of those deals that's basically you follow the statute.

Chairman Liakakis said, okay. David [Gellatly]?

Commissioner Gellatly said, okay. I – I have another question for you. It – it – it – it almost sounds – why – why do we even have to vote on it because –

Commissioner Stone said, that's my point.

Commissioner Gellatly said, – what would happen if she pulls it out and you don't get sufficient votes for it to – to – then what happens?

County Attorney Hart said, well the applicant can either accept y'all's decision or the applicant can pursue an appeal of your decision, which would probably come in the form of a civil action.

Commissioner Gellatly said, well if – I tell you what if – if Helen [Stone] – it's in – is it in your district, Helen [Stone]?

Commissioner Stone said, no, it's not. I believe it's district seven.

Commissioner Gellatly said, well, if it's pulled out, why I'd certainly not vote for it 'cause I think those are serious charges for someone that has a liquor store. I don't really care if – how the law reads. If we have a right to vote, why we got a right to vote our conscience.

Commissioner Kicklighter said, what's – may I?

Chairman Liakakis said, yeah, Dean [Kicklighter].

Commissioner Kicklighter said, this is for a hotel liquor license for what – what? A restaurant in there or what? I mean?

County Attorney Hart said, I'm not familiar with the license specifically.

County Manager Abolt said, we – we'd assume it would be. That's – that's – that's the assumption I would make, sir.

Commissioner Kicklighter said, and what were the crimes?

County Manager Abolt said, it was driving on a suspended license and failure to appear.

Commissioner Kicklighter said, okay, now driving on a suspended license, could that –

County Manager Abolt said, I can't – I mean it –

Commissioner Kicklighter said, I know, but I mean –

Commissioner Stone said, but – but it was 2004 and 2009 so –

County Manager Abolt said, but I just want to make sure –

Commissioner Stone said, so, you know, obviously, you've got somebody that's done this more than –

Commissioner Kicklighter said, twice?

Commissioner Stone said, – yes.

County Manager Abolt said, we – we – all I can say is historically, the County Attorney has hit it right on the head. We had a much more – seemingly a serious situation – infraction, previous Board tried to take action and got no where because of just what Jon [Hart] told you, the State law is very specific.

Commissioner Stone said, but we can still vote against it.

Commissioner Kicklighter said, yeah, and I – because there's no relation to – I mean, you know, everybody should maintain their driver's license if they're gonna drive, but since there's no law breakage as far as – regarding alcohol dispensing or anything like that, I have no problem with this hotel being in my district continuing to – to maintain their business.

Commissioner Gellatly said, it is in your district?

Commissioner Kicklighter said, – yes, it's in my district, yeah

Commissioner Shay said, okay, do we have a –

Chairman Liakakis said, okay we need a – a –

Commissioner Odell said, and I – I think if we were not to grant it, it's not just a lawsuit, it's the issue of attorney fees. If you don't do something that the law compels you to do, then you have the privilege of paying the other side's attorney fees to compel you to do what the law said you ought to do.

Commissioner Shay said, well let's see if we're going to do it first.

Chairman Liakakis said, all right, let's –

Commissioner Odell said, I think – it's Dean's [Kicklighter] area, and he wants to do it.

Commissioner Shay said – Dean [Kicklighter]?

Commissioner Kicklighter said, like I said, it's a much larger impact. There's employees of the hotel, and that's probably a significant amount of the revenues. If the hotel goes down, if we lose employees, here we are talking about job creation and lost tax revenues, and because somebody drove without a license, you know –

Commissioner Stone said, well, I think –

Commissioner Kicklighter said, – not a good thing to do, but I – I would – I would just like to –

Commissioner Stone said, it was the responsibility part of it to me.

Commissioner Kicklighter said, I agree –

Commissioner Stone said, failure to show up and – and the fact that it was twice and that they would be in charge of – of – of alcoholic beverages was a concern to me as a citizen representing citizens that could be affected adversely in some way, shape or form. That's all.

Commissioner Kicklighter said, and – and I agree and if there's ever an infraction, I'd like people to keep a close eye on it, and – and I'd love to pull them up for review in heartbeat and take it away if they ever do abuse that license at all.

Chairman Liakakis said, Patrick [Shay]?

Commissioner Shay said, given Dean [Kicklighter]'s discussion, and in full understanding of your concerns, I'm going to make a motion that we adopt the Action Calendar.

Commissioner Kicklighter said, second.

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

ACTION OF THE BOARD:

Commissioner Shay moved to approve the action calendar, Items 1 through 9 and under Item 9, Items A through O. Commissioner Kicklighter seconded the motion and it carried unanimously.

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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 JULY 22, 2011, AS MAILED.

ACTION OF THE BOARD:

Commissioner Shay moved to approve the minutes of the regular meeting of July 22, 2011, as mailed. Commissioner Kicklighter seconded the motion and it carried unanimously.

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JULY 14, 2011 THROUGH AUGUST 3, 2011.

ACTION OF THE BOARD:

Commissioner Shay moved to authorize the Finance Director to pay the claims against the County for the period July 14, 2011 through August 3, 2011, in the amount of \$16,507,569. Commissioner Kicklighter seconded the motion and it carried unanimously.

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3. REQUEST BOARD CONFIRMATION OF THE CHAIRMAN'S SIGNATURE ON THE FISCAL YEAR 2012 CONTRACT BETWEEN THE SAVANNAH-CHATHAM COUNTY DRUG COURT AND THE GEORGIA DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENT DISABILITIES.

ACTION OF THE BOARD:

Commissioner Shay moved for Board confirmation of the Chairman's signature on the Fiscal Year 2012 contract between the Savannah-Chatham County Drug Court and the Georgia Department of Behavioral Health and Development Disabilities. Commissioner Kicklighter seconded the motion and it carried unanimously.

AGENDA ITEM: X-3
AGENDA DATE: August 12, 2011

TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Brooke Rogers Brooks, Deputy Court Administrator/Drug Court Coordinator

ISSUE:

To request Board confirmation of the Chairman's signature on the Fiscal Year 2012 contract between the Savannah-Chatham County Drug Court and the Georgia Department of Behavioral Health and Developmental Disabilities ("DBHDD").

BACKGROUND:

The Savannah-Chatham County Drug Court contracts yearly with the DBHDD to receive grant funding. The FY2012 contract (contract number 441-93-11235AAO, signed by the Chairman on behalf of the Board on July 27, 2011), provides funding in the amount of \$194,750 to defray the costs associated with substance abuse treatment for Drug Court clients.

FACTS AND FINDINGS:

1. Chatham County will serve as the fiscal agent for the \$194,750 being made available by the DBHDD.
2. We are seeking confirmation on the Chairman’s signature on the contract as the signed contract was due to be delivered to the Region 5 DBHDD Office prior to the date of the next scheduled Commission meeting (August 12, 2011). Any delay in returning the signed contract would have resulted in delay in the county being reimbursed pursuant to the contract, as we can neither file reports nor requests for payments until the DBHDD receives and processes the signed contract.

FUNDING:

No Chatham County funds are needed.

ALTERNATIVES:

1. Board approves Chairman’s signature of contract amendment.
2. Provide staff other direction.

POLICY ANALYSIS:

It has been consistent with Board policy to sign contracts for the Savannah-Chatham County Drug Court to receive grant funding to defray the cost of operating expense and necessary services, and to ensure uninterrupted receipt of grant funds.

RECOMMENDATION:

Accept Alternative 1.

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4. REQUEST BOARD APPROVAL OF A REQUEST FROM ORTELIO BOSCH FOR THE COUNTY TO DECLARE UN-OPENED J. BLACK ROAD RIGHT-OF-WAY (ROW) ADJACENT TO HIS PROPERTY AS SURPLUS AND TO QUITCLAIM THE ROW. [District 1.]

ACTION OF THE BOARD:

Commissioner Shay moved to approve a Request from Ortelio Bosch for the County to declare un-opened J. Black Road right-of-way (ROW) adjacent to his property as surplus and to quitclaim the ROW. Commissioner Kicklighter seconded the motion and it carried unanimously.

AGENDA ITEM: X-4
AGENDA DATE: August 12, 2011

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

ISSUE: To recommend Board approval of a request from Ortelio Bosch for the County to declare un-opened J. Blake Road right-of-way (ROW) adjacent to his property as surplus and to quitclaim the ROW.

BACKGROUND: Mr. Bosch owns property (PIN 1-0357 -02-003 and 1-0377 -13-036) on both sides of the ROW. J. Blake Road ROW is not maintained by Chatham County, and is considered un-opened. Notice was sent to all potentially affected property owners that this request would be considered today.

FACTS AND FINDINGS:

1. The location of the request is shown on the attached map. Mr. Bosch requests a quitclaim of the entire right-of-way and proposes to provide access to the one residential parcel (1-0357-02-006) that utilizes the ROW through a private right-of-way known as Glenda Road and a private access easement. Refer to the attached map for the proposed access. Petitioner must provide copies of recorded easement.
2. Staff has checked for possible County use for this ROW. There is no need identified to retain the ROW for future road or drainage purposes.

- 3. The petitioner and adjacent property owner were notified of the quitclaim request and advised as to the date and time of this meeting.
- 4. If approved, the petitioner must pay the County the fair market value for the ROW to be determined by a professional appraisal, and provide the necessary appraisal, deed, and plat at his expense. The appraiser is selected by the petitioner and must be certified as a professional appraiser by the State of Georgia.
- 5. Staff review the submitted appraisal, deed and plat for completeness and reasonableness before the deed is sent to the County Clerk for processing and the fair market value payment check is sent to Finance for deposit.

FUNDING: N/A

ALTERNATIVES:

- 1. Declare un-opened J. Blake Road Right-of-way (ROW) as surplus and to quitclaim the ROW to Ortelio Bosch. The petitioner must pay the County the fair market value for the ROW to be determined by a professional appraiser, and provide the necessary appraisal, deed, and plat at his expense. Petitioner must also provide copy of recorded easement for access to property with PIN 1-0357 -02-006.
- 2. Do not approve the request.

POLICY ANALYSIS: The Board must declare County property surplus and approve all quitclaim actions.

RECOMMENDATION: That the Board adopt Alternative 1.

District 1

Prepared by: Suzanne Cooler, P.E.

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5. REQUEST BOARD DECLARE AS SURPLUS EIGHT VACANT PARCELS IN THE CITY OF SAVANNAH AND AUCTION THE COUNTY’S INTEREST IN THESE PROPERTIES HELD BY TAX DEED. [Districts 6, 7 and 8.]

ACTION OF THE BOARD:

Commissioner Shay moved the Board to declare as surplus eight vacant parcels in the City of Savannah and auction the county’s interest in these properties held by tax deed. Commissioner Kicklighter seconded the motion and it carried unanimously.

AGENDA ITEM: X-5
AGENDA DATE: August 12, 2011

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Patrick Monahan, Asst. County Manager

ISSUE:
 To declare as surplus eight vacant parcels in the City of Savannah and auction the county’s interest in these properties held by tax deed.

BACKGROUND:
 Chatham County has legal interest by tax deed (unpaid taxes) at several parcels located in the City of Savannah. The list includes: 2150 Krenson Street, 0 Krenson Street, Albion Street, Walton Street, Tuskegee Street, Dancy Street, and W. 64th Street. While some legal question remains about the extent of Chatham County’s legal interest in these 8 properties, the Board has followed the following procedure:

- 1. Properly advertise the properties for sale in accordance with Georgia law, O.C.G.A. §36-9-3 (public bid after 15 day legal notice that describes properties).
- 2. Make the successful bidder responsible for paying all outstanding taxes, penalties and interest, which represents Chatham County’s interest in the property.
- 3. Make the successful bidder responsible for obtaining marketable title.

FACTS AND FINDINGS

- 1. The properties of interest are:
 - 1a. 2150 Krenson Street, with a legal description as “W ½ LT 1 BLK F BRANTLY WD” PIN (2-0023- 06-001), totaling 3,000 SF.

- 1b. 0 Krenson Street, with a legal description as "E 1/2 LOT 6 BLK F" PIN (20023 -06-005) totaling 0.070 acres.
- 1c. Albion Street, with a legal description as "N PT 3 BLK 7 WOODVILLE CRICKARD WD" PIN (2-0024- 10-002) totaling 8,679 Sq. ft.
- 1d. Walton Street, with a legal description as "LOT 19 BLOCK K NORTH WARD SOUTHOVER" PIN (2-0593-04-023) totaling 4,000 SF.
- 1e. 0 Tuskegee Street with a legal description as "LOT 45, LOTTERY HALL" PIN (2-0706-05-012) but only 20 ft. wide.
- 1f. 0 Tuskegee Street, with a legal description as LTS 35 & 36 TUSKEGEE PK SUB VAC" PIN (2-0706- 03-020) totaling 0.115 acres.
- 1g. Dancy Street, with a legal description as "LTS 10 12 14 16 BLK B SUB 1 TO 5 TICKLEGIZZARD" PIN (2-0110 -04-002) totaling 12,000 sq. ft.
- 1h. West 64th Street, with a legal description as "LOT 5 BLK E TICKLEGIZZARD" PIN (2-0110 -07-002) totaling 3,200 sq. ft.
- 2. The properties previously went to tax sale on the steps of the Courthouse because of the default of the property owners of record to pay taxes. When no private bidder makes an offer on the outstanding tax value, Chatham County assumes its name on the tax deed (state law requires this action to prevent any conveyance of property without settlement of the tax lien). Many interested in property confuse a tax deed in Chatham County's name with the same rights as ownership.
- 3. Because Chatham County acquires legal interest through default of taxes, staff explains to any prospective buyers the problems that can arise with marketable title. Chatham County conveys its legal interest in the property by quitclaim. The quitclaim can be used as a route to gain ownership by filing a quiet title action. Staff explains to the holder of the quit claim deed the issues related to clearing title, which includes paying off all outstanding tax liability to Chatham County and the City of Savannah as well as other possible lien holders.

FUNDING:

Funding is not applicable.

ALTERNATIVES:

- 1. Authorize staff to proceed with the disposition of the property as provided by Georgia law, including issuance of a quit claim.
- 2. Do not authorize staff to proceed with disposition of the property.

POLICY ANALYSIS:

Under Georgia laws (O.C.G.A. 36-9-3), Chatham County must follow certain procedures in the disposition of public property. While recent amendments to this code section make this task easier, the law requires certain procedures to maintain the public's interest in property it owns. Returning these properties to private ownership achieves the county's goals of returning property to tax generating status and responsible maintenance.

RECOMMENDATION:

That the Board adopt Alternative 1.

District 5, 7, 8

Prepared by: Tevin Thomas

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6. REQUEST BOARD APPROVE AN ADDITIONAL VARIANCE TO THE COUNTY NOISE CONTROL ORDINANCE FOR THE CONSTRUCTION OF THE CURRENT PHASE OF THE TRUMAN PARKWAY PROJECT.

ACTION OF THE BOARD:

Commissioner Shay moved to approve an additional variance to the County Noise Control Ordinance for the construction of the current phase of the Truman Parkway Project. Commissioner Kicklighter seconded the motion and it carried unanimously.

AGENDA ITEM: X-6
AGENDA DATE: August 12, 2011

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Gregori S. Anderson, Director, Building Safety & Regulatory Services

ISSUE:

Request for an additional variance to the County Noise Control Ordinance for the construction of the current phase of the Truman Parkway Project.

BACKGROUND:

Two previous requested variances have been granted by the Board. The variances included elevating decibel levels to accommodate the driving of piles and the expansion of work hours to accommodate the placement of concrete, and were approved on July 9, 2010 and November 19, 2010 respectively.

FACTS AND FINDINGS

1. The Noise Control Ordinance limits construction activities to 7:00 AM - 10:00 PM everyday of the week.
2. The requested variance would allow the applicant to form two work shifts to increase the project productivity and reduce the effects of the excessive heat (see attached).
3. The Noise Ordinance, Section 24-310 allows for the request for a variance to the required provisions.

FUNDING:

Not applicable.

ALTERNATIVES:

1. Grant the requested variance
2. Provide direction to staff

POLICY ANALYSIS:

The proposed expanded work hours exceed the allowed provisions of the ordinance. Section 24-310 of the ordinance allows for the issuance of a variance. The variance would expand the work hours to 6:30 AM - 11:00 PM. The variance is issued by the Board of Commissioners, based on a recommendation of the Zoning Administrator, (see attached).

RECOMMENDATION:

Alternative #1, Grant variance as recommended by the Zoning Administrator.

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**7 REQUEST FOR NEW BEER, WINE AND LIQUOR RETAIL LICENSE FOR 2011.
 PETITIONER: CHONG S. RANKIN, D/B/A COUNTY LINE BEVERAGE, LOCATED AT
 2805 FORT ARGYLE ROAD, 31419.
 [District 7.]**

ACTION OF THE BOARD:

Commissioner Shay moved to approve a new beer, wine and liquor retail license for 2011 for Chong S. Rankin, d/b/a County Line Beverage. Commissioner Kicklighter seconded the motion and it carried unanimously.

AGENDA ITEM: X-7
AGENDA DATE: August 12, 2011

TO: Board of Commissioners
 THRU: 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, wine and liquor retail license for 2011, **Chong S. Rankin d/b/a County Line Beverage, located at 2805 Fort Argyle Road, Savannah, Georgia 31419.**

BACKGROUND

Mrs. Rankin requests approval for a new beer, wine and liquor retail license in connection with a new package shop.

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 meet the requirements of the Chatham County Alcoholic Beverage 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 7

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

Gregori S. Anderson, CBO

Chief Willie Lovett

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8. REQUEST FOR NEW BEER AND WINE POURING LICENSE FOR 2011. PETITIONER: LATOYA C. BROWN SIMS, D/B/A CLARION INN & SUITES, LOCATED AT 16 GATEWAY BOULEVARD EAST, 31419. [District 7.]

ACTION OF THE BOARD:

Commissioner Shay moved to approve a new beer and wine pouring license for 2011 for Latoya C. Brown Sims, d/b/a Clarion Inn & Suites. Commissioner Kicklighter seconded the motion and it carried unanimously.

AGENDA ITEM: X-8
AGENDA DATE: August 12, 2011

TO: Board of Commissioners
THRU: 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 for 2011, **Latoya C. Brown Sims d/b/a Clarion Inn & Suites, located at 16 Gateway Boulevard East, Savannah, Georgia 31419.**

BACKGROUND

Ms. Sims requests approval for a new beer and wine pouring license in connection with an existing hotel.

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 meet the requirements of the Chatham County Alcoholic Beverage 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 7

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

Gregori S. Anderson, CBO

Chief Willie Lovett

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

ACTION OF THE BOARD:

Commissioner Shay moved for approval to award bids as follows: (Please note that new purchase thresholds of

\$10,000 or more have been enacted; however, contracts and change orders of a lesser amount still will appear.)
Commissioner Kicklighter seconded the motion and it carried unanimously

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Purchase and installation of a video conferencing system	District Attorney	Stage Front Presentation Systems	\$30,056	•General Fund/M & O - District Attorney - \$15,056 •General Fund/M & O - Grand Jury - \$15,000
B. One (1) year contract extension for the case management services	District Attorney	Norda Evans	\$38.40 per hour	Multiple Grant Fund - District Attorney
C. Install electrical transformers at Memorial Stadium	Public Works and Park Services	Georgia Power	\$30,914	CIP - Memorial Stadium
D. Change Order No. 6 to the contract to provide janitorial services to add to the scope of services the Records Center	Facilities Maintenance and Operations	R.I.T. Janitorial	\$4,200	General Fund/M & O - Facilities Maintenance
E. Amendment to the annual contract to provide and service portable toilets to recognize a name change	Public Works and Park Services	A-OK Portables, LLC	N/A	N/A
F. Annual contract with automatic renewal option for four (4) additional one (1) year terms to provide HVAC maintenance services at the Judicial Courthouse	Facilities Maintenance and Operations	Boaen Mechanical Services, Inc.	\$432,433	General Fund/M & O - Facilities Maintenance
G. 2,250 additional software licenses for the ID badge software for the Detention Center Expansion project	Special Projects	Gorrie-Reagan (Sole Source)	\$24,750	General Fund/M & O - Community Outreach
H. Amend consulting contract for federal lobbying services for change in the terms and conditions	Commissioners	Hurt, Norton and Associates	Reimburse approved travel expenses only	General Fund/M & O - Commissioners
I. One (1) used vehicle and authorize the trade-in of two (2) vehicles	CNT	Fairway Lincoln Mercury	Value of trade-ins will equal the purchase price of the vehicle	N/A
J. One used vehicle for the Police Department	Fleet Operations	Fairway Lincoln Mercury	\$19,900	CIP - Vehicle Replacement
K. Repairs to undercarriage on an excavator	Public Works and Park Services	Yancey Brothers	\$12,817	General Fund/M & O - Fleet Operations
L. Change Order No. 8 to the annual contract for various janitorial and paper products to recognize a manufacturers imposed price increase on brown multifold paper towels	Various	Paper Chemical (WBE)	\$16.80 per case	•General Fund/M & O - Various •SSD - Various
M. <i>Deductive</i> Change Order No. 4 to the annual contract for canal and landfill mowing for changes in scope of work	Public Works and Park Services	Myers and Son, Inc.	(\$48,119)	•General Fund/M & O - Public Works •Water and Sewer

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
N. One (1) year contract extension for wrecker service	Fleet Operations	Sapp's Wrecker Service	No charge to the County	N/A
O. Change Order No. 1 to the construction contract for the Detention Center Expansion project for out of scope services	Special Projects	Hunt/Mills, a joint venture	\$267,214	CIP - Detention Center Expansion

AGENDA ITEM: X-9
AGENDA DATE: August 12, 2011

TO: BOARD OF COMMISSIONERS
THRU: R.E. ABOLT, COUNTY MANAGER
**FROM: MICHAEL A. KAIGLER, ASSISTANT COUNTY MANAGER/
 DIRECTOR OF HUMAN RESOURCES AND SERVICES**
SUBJECT: AWARD OF BIDS

ITEM A

ISSUE: Request Board approval of the \$30,056 cost for installation of a Videoconferencing System which includes an extended four (4) year warranty from Stage Front Presentation Systems for Chatham County District Attorney.

BACKGROUND: The District Attorney's office concluded the use of the Videoconferencing (VTC) technology will represent both short-term and tremendous long-term cost savings to Chatham County.

FACTS AND FINDINGS:

1. One of the benefits of the technology is that interviews can take place in a comfortable and safe environment which can minimize stress and trauma.
2. Bids were publicly advertised and a mandatory pre-bid conference was conducted. The only vendor to submit a bid was Stage Front Presentation Systems. The bid was opened on 21 July 2011.
3. Staff believes the total cost of \$30,056 for the Teleconference System is fair and reasonable.

FUNDING: General Fund / M & O - District Attorney
 (1002200 - 54.25001) \$15,056
 General Fund / M&O - Grand Jury
 (1002700 - 54.25001) \$15,000

ALTERNATIVES:

1. Board approval of the \$30,056 cost for installation of a Teleconference System which includes an extended four (4) year warranty from Stage Front Presentation Systems for Chatham County District Attorney.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide up-to-date equipment that is essential to the daily operation of the using department.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
 GLORIA SAUGH

ITEM B

ISSUE: Request Board approval of a one (1) year extension of the independent case management service contract with Norda Evans at \$38.40 per hour for the District Attorney's Office.

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

FACTS AND FINDINGS:

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

2. Under the provisions of this contract the contractor will provide an accurate statement of hours worked to the District Attorney or designee for verification and approval on a weekly basis. The maximum of 20 per week is allowed, not to exceed 12 months. For a total not to exceed \$39,936. The contract will be for one (1) year unless otherwise amended for additional services.
3. Staff believes the negotiated fee of \$38.40 per hour to be fair and reasonable.

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

ALTERNATIVES:

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

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
TOM DRANE

ITEM C

ISSUE: Request Board approval of the \$30,914 contract with Georgia Power to install electrical transformers at the Memorial Stadium for lights.

BACKGROUND: This project included replacing two (2) power transformers and the addition of one (1) power transformer to service the field lights replacement.

FACTS AND FINDINGS:

1. Lighting is required for safety purposes. The transformers must be supplied by Georgia Power. The total cost of installation is \$30,914.
2. Staff believes the total cost of \$30,914 for the three (3) transformers to be fair and reasonable.

FUNDING: CIP - Memorial Stadium
(3506100 - 54.13001 - 35031307)

ALTERNATIVES:

1. Board approval of the \$30,914 contract with Georgia Power to install electrical transformers at the Memorial Stadium for lights.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve contracts with utility providers when necessary for construction projects.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM D

ISSUE: Request Board approval of Change Order No. 6, in the amount of \$350 per month, to add to the scope additional services at the Records Center, to the annual contract with R.I.T. Janitorial Services of Savannah.

BACKGROUND: On 20 July 2007, the Board approved a janitorial services contract with R.I.T. Janitorial Services of Savannah.

FACTS AND FINDINGS:

1. On 11 February 2011, the Board approved a change order to add to the scope janitorial service for the Administrative Services portion of the Records Center.
2. Once the Superior Court records section moved into the Records Center it was realized that janitorial services for that portion were necessary.

3. R.I.T. Janitorial Services provided a quote for the additional area which includes four (4) desk add-on areas, two (2) bathrooms and a reception area. The change in scope was effective 1 May 2011.
4. Contract history is as follows:

Original Contract Amount (07-20-07)	\$14,400/Year
Change Order No. 1 (11-16-07)	\$ 30,600/Year
Change Order No. 2 (7-25-08)	\$ 2,250/Year
Change Order No. 3 (10-03-08)	\$ 7,560/Year
Change Order No. 4 (03-13-09)	\$ 3,600/Year
Change Order No. 5 (02-11-11)	\$ 12,180/Year
Change Order No. 6 (Pending)	\$ 4,200/Year
Revised Contract Amount	\$ 74,790/Year

FUNDING: General Fund/M & O - Facilities Maintenance
(1001565 - 52.21301)

ALTERNATIVES:

1. Board approval of Change Order No. 6, in the amount of \$350 per month, to add to the scope additional services at the Records Center, to the annual contract with R.I.T. Janitorial Services, of Savannah.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM E

ISSUE: Request Board approval of an amendment to the existing contract with Scotty's Potty's, to recognize the name change to A-OK Portables, LLC.

BACKGROUND: On 6 June 2011, the Board approved an annual contract with Scotty's Potty's to provide and service portable toilets at specified Parks and Recreational Facilities and at three (3) Recycle/Drop-Off Centers.

FACTS AND FINDINGS:

1. Staff was notified by A-OK Portables, LLC, of the change on 2 August 2011.
2. There will be no changes to the terms and conditions of this contract.

FUNDING: N/A

ALTERNATIVES:

1. Board approval of an amendment to the existing contract with Scotty's Potty's, to recognize the name change to A-OK Portables, LLC.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to amend contracts that require any changes made to the name, terms, and conditions.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM F

ISSUE: Request Board approval to award an annual contract, with automatic renewal options for four (4) additional one (1) year terms, in the total amount of \$432,433, to Boan Mechanical Services, Inc., to provide HVAC maintenance services at the Judicial Courthouse.

BACKGROUND: Providing regularly scheduled maintenance to the HVAC system at the Judicial Courthouse will extend the life of the system and aid in promoting a healthier work environment for the staff and citizens who enter the Judicial Courthouse.

FACTS AND FINDINGS:

1. Preventive maintenance is necessary to improve system efficiency, reduce the cost of overall operating

expenses, and extend the life of the equipment.

2. In addition to performing preventive and predictive maintenance, the new contract will contain the added responsibility of chemical treatment, which was previously performed under a separate contract.
3. The bid was properly advertised and two (2) bids were received and opened on 28 July 2011. Please see attached page 17 for the breakdown of yearly cost and percentage mark up on materials proposed by each firm.

Boaen Mechanical Services, Inc. \$432,433/ five year total
Savannah, GA

Erickson Associates, Inc. \$472,279/ five year total
Savannah, GA

4. Staff reviewed the bid and references submitted by Boaen Mechanical Services, Inc. and believes their bid to be fair and reasonable. Boaen Mechanical Services has previously performed work for the County by installing the new HVAC system in the Administrative/ Legislative Courthouse.

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

ALTERNATIVES:

1. Board approval to award an annual contract, with automatic renewal options for four (4) additional one (1) year terms, in the total amount of \$432,433, to Boaen Mechanical Services, Inc., to provide HVAC maintenance services at the Judicial Courthouse.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM G

ISSUE: Request Board approval of a \$24,750 sole source purchase from Gorrie-Reagan for 2,250 additional licenses for the ID badge software used to identify local labor for the Chatham County Detention Center Expansion Project.

BACKGROUND: Hunt-Mills, the general contractor for the jail expansion project committed to local employee participation of 76%. In order to verify the percentage of local labor, staff is utilizing an ID badge system software which is compatible with the existing ID badge system utilized at the Detention Center. Additional licenses are needed as it has become apparent that over the course of the project, there may be as many as 3000 unique employees requiring badges.

FACTS AND FINDINGS:

1. The software provides custom employee demographic reporting and is compatible to current systems in place at the Sheriff's Office.
2. The selected general contractor will provide monthly participation reports throughout the duration of the project. Staff will use the combined data to monitor/verify information to ensure the protocol mandated in the bid process is followed.
3. In addition to tracking local participation, the ID system is used to maintain onsite security and integrity of the jail. The Sheriff's Office will know at any given time which contracting staff is on-site.

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

ALTERNATIVES:

1. Board approval of a \$24,750 sole source purchase for additional software licenses from Gorrie-Reagan for the Chatham County Detention Center Expansion Project.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve contract modifications when it is in the best interest of the county.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
TOM DRANE

ITEM H

ISSUE: Request Board approval to amend the consulting contract for federal lobbying services with Hurt, Norton and Associates, Inc., for change in the terms and conditions of the contract.

BACKGROUND: On 27 February 2009, the Board approved to enter into an agreement with Hurt, Norton and Associates, Inc., to provide consulting services for federal "stimulus package" funding and other funding opportunities from various authorizations forthcoming.

FACTS AND FINDINGS:

1. After the initial contract term of six (6) months, the County extended the contract on a month to month basis.
2. The compensation for the lobbying services was a not to exceed amount of \$8,000 per month.
3. Hurt, Norton and Associates, Inc., is proposing to continue their work on behalf of the County without charge to the County.
4. Hurt, Norton and Associates, Inc., is requesting that they be reimbursed for any County approved travel expenses in accordance with the standard County practice.
5. Hurt, Norton and Associates, Inc., will provide their service on a month to month basis and may terminate at any time with 30 days written notice.
6. Staff believes, given the current fiscal year budget, it would be in the best interest of the County to recognize the change in compensation for the lobbying services.

FUNDING: General Fund/M & O - Commissioners
(1001110 - 52.39001)

ALTERNATIVES:

1. Board approval to amend the consulting contract for federal lobbying services with Hurt, Norton and Associates, Inc., for change in the terms and conditions of the contract.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM I

ISSUE: Request Board approval of the \$18,575 purchase of a replacement vehicle for CNT, from Fairway Lincoln Mercury and authorize the disposal of two(2) vehicles to be used as trade-ins. The value of the trade-ins will equal the purchase price of the vehicle.

BACKGROUND: The purchase of this vehicle will be used to replace a unit that is no longer useful to the CNT operation.

FACTS AND FINDINGS:

1. To meet CNT needs, a standing request for "good" used cars is in place with local dealers and they are encouraged to let us know when they have something they feel we should consider. Staff checked with local car dealers that normally respond to bids and came back with proposal. This provides CNT with maximum flexibility.
2. The Fleet Manager and a representative from CNT selected the following vehicle based on utility and value.
3. The vehicle selected was:

Fairway Lincoln Mercury	1 vehicle	\$ 18,575
Less trade-in	2 vehicle	(\$18,575)
Total Purchase		\$ 0

FUNDING: No funding required

ALTERNATIVES:

- 1. Board approval of the \$18,575 purchase of a replacement vehicle for CNT, from Fairway Lincoln Mercury and authorize the disposal of two(2) vehicles to be used as trade-ins. The value of the trade-ins will equal the purchase price of the vehicle.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of replacement vehicle for law enforcement activities.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM J

ISSUE: Request Board approval of a \$19,900 purchase of a replacement vehicle from Fairway Lincoln Mercury for the Police Department.

BACKGROUND: The purchase of this vehicle will be used to replace a unit that is no longer useful to the Police Department.

FACTS AND FINDINGS:

- 1. To meet the Police Department needs, a standing request for "good" used cars is in place with local dealers and they are encouraged to let us know when they have something they feel we should consider. Staff checked with local car dealers that normally respond to bids and came back with a proposal. This provides the Police Department with maximum flexibility.
- 2. The Fleet Manager and a representative from the Police Department selected the following vehicle based on based on utility and value.
- 3. The vehicle selected was:

Fairway Lincoln Mercury	1 vehicle	\$19,900
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FUNDING: CIP - Vehicle Replacement
(3501567 - 54.22001 - 3503068A)

ALTERNATIVES:

- 1. Board approval of a \$19,900 purchase of a replacement vehicle from Fairway Lincoln Mercury for the Police Department.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of replacement vehicle for law enforcement activities.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM K

ISSUE: Request Board approval of a \$12,817 repair to the undercarriage on an excavator for Public Works from Yancey Brothers, Pooler, Georgia.

BACKGROUND: Due to wear and tear the excavator's link track assemblies needs to be replaced. The excavator is a key piece of equipment for Public Works.

FACTS AND FINDINGS:

- 1. Quotes were requested from three (3) vendors for the needed repairs. Responses are as follows:

Flint Equipment Savannah, GA	\$7,976
Yancey Brothers Savannah, GA	\$12,817

Port City Industrial Repair LLC. \$14,572
Bloomingtondale, GA

- 2. The low bid from Flint Equipment did not meet specifications. They were unable to quote on the complete work to be performed,
- 3. Staff believes the low responsible, responsive bid from Yancey Brothers, is fair and reasonable.

FUNDING: General Fund/M & O - Fleet Operations
(1001567 - 52.22100)

ALTERNATIVES:

- 1. Board approval of a \$12,817 repair to the undercarriage on an excavator for Public Works from Yancey Brothers, Pooler, Georgia.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the repair of equipment.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM L

ISSUE: Request Board approval of Change Order No. 8, to the annual contract with Paper Chemical Supply Company (WBE firm), of Savannah GA, to provide various paper and chemical supplies for various departments within Chatham County to recognize a manufacturers' imposed price increase on brown multifold paper towels.

BACKGROUND: On 11 May 2007, the Board approved the award of an annual contract with automatic renewal options for four (4) additional one (1) year terms, to Paper Chemical Supply Company.

FACTS AND FINDINGS:

- 1. Paper Chemical Supply Company has recently provided a notification of a price change associated with the manufacturer imposed price increases due to the escalating costs in energy, transportation, packaging and raw material. As a result it has raised the price of the item listed below. Paper Chemical Supply Company has provided documentation to support the manufacturer imposed price increases.
- 2. New price will be as follows:

Description	Old Price	New Price
1-ply Brown Multi-fold paper towels 4,000/cs	\$14.70	\$16.80

- 3. Staff believes Paper Chemical Supply Company's request for the County to contractually recognize the manufacturer imposed price increases to be fair and reasonable.

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

ALTERNATIVES:

- 1. Board approval of Change Order No. 8, to the annual contract with Paper Chemical Supply Company (WBE firm), of Savannah GA, to provide various paper and chemical supplies for various departments within Chatham County to recognize a manufacturers' imposed price increase on brown multifold paper towels.
- 2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM M

ISSUE: Request Board approval of Change Order No. 4, in the *deductive* amount of \$48,119, to the annual contract for canal and landfill mowing, with Myers and Son, Inc., for Public Works and Park Services.

BACKGROUND: On 22 June 2007, the Board approved an annual contract with an option to renew for four (4) additional one (1) year terms, with a 4% increase per fiscal year, with Myers and Son, Inc.

FACTS AND FINDINGS:

- 1. The current contract amount with all Change Orders is \$259,780. Additional mileage to be added to the canal mowing contract will include: The Main Street Canal located in the town of Bloomingdale totaling 0.6 miles. Also to be added is The Yemassee Branch located in the unincorporated area totaling 0.6 miles. Total mileage between the two (2) canals is 1.2 miles. The total added cost is \$2,012.
- 2. Environmental Protection Division (EPD) is strictly enforcing site maintenance requirements at Water and Sewer sites. The current mowing cycle at the Pine Barren Waste Water Treatment facility is for three (3) cycles only. An additional four (4) months of mowing is required at an added cost of \$3,520. The added cost for the mobilization is \$600. The total added cost of both the mowing and mobilization will be \$4,120.
- 3. While all the cities in and those with Chatham County executed their intergovernmental agreements, the City of Savannah was the only exception. The City of Savannah has existing resources and currently provides many of the services currently included in the County's existing contract. Therefore, staff has determined a deduction of 32.35 miles to be in the best interest of the County. The cost savings per mowing, per mile, per cycle will be a deduction of \$54,251.
- 4. The total deductive change order is \$48,119.

Current Contract	\$259,780
Change Order No. 4 (pending)	<u>\$(48,119)</u>
Revised Contract Amount	\$211,661

FUNDING: General Fund/M & O - Public Works
(1004100 - 52.21411)
Water & Sewer
(5054400 - 52.39001)

ALTERNATIVES:

- 1. Board approval of Change Order No. 4, in the *deductive* amount of \$48,119, to the annual contract for canal and landfill mowing, with Myers and Son, Inc., for Public Works and Park Services.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve all Change Orders to existing contracts.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM N

ISSUE: Request Board approval to extend the contract for an additional one (1) year term with Sapp's Wrecker Service, to provide wrecker services to Chatham County and "head-out" services for the Savannah-Chatham Metropolitan Police Department (SCMPD) in the unincorporated areas of the County.

BACKGROUND: Board approved, at their meeting of 21 July 2006, a contract with Sapp's Wrecker Service to provide towing of all County vehicles and equipment, as well as meeting the towing needs of the Savannah-Chatham Metropolitan Police Department (SCMPD) in the unincorporated areas of the County.

FACTS AND FINDINGS:

- 1. Sapp's Wrecker Service has agreed to honor an additional one (1) year term extension to the contract with all pricing, terms and conditions remaining the same.
- 2. County owned vehicles, are and will continue to be towed at no cost to the County. This arrangement saves the County thousands of dollars in annual towing fees by providing free towing of all County vehicles and equipment. This service is absolutely critical to the County's operation.
- 3. Staff believes all pricing to be fair and reasonable.

FUNDING: No funding is required.

ALTERNATIVES:

- 1. Request Board approval to extend the contract for an additional one (1) year term with Sapp's Wrecker

Service, to provide wrecker services to Chatham County and "head-out" services for the Savannah-Chatham Metropolitan Police Department (SCMPD) in the unincorporated areas of the County.

- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to promote efficiency, improve service delivery and hold costs to the County to a minimum.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM O

ISSUE: Request Board approval of Change Order No. 1, in the amount of \$267,214, to the construction services contract with Hunt / Mills, A Joint Venture for the Chatham County Detention Center Expansion.

BACKGROUND: The Board approved a construction contract, with Hunt/Mills, A Joint Venture, on 17 December to construct approximately 396,000 square feet of new construction and renovation, to include an additional 1,136 inmate beds in two and four level housing pods. Project includes general construction, HVAC, plumbing, fire protection, security and technology, and electrical work.

FACTS AND FINDINGS:

- 1. Change Order No. 1 compensates the contractor for work not included in and outside the scope of the original construction documents.
 - a. Relocate and Add Light Poles. A conflict between the location of Georgia Power poles and site lighting poles required modifications to be made. The location of Georgia Power poles could not be changed. Since site lighting is now to be maintained by the Sheriff's Department and not Georgia Power, the site lighting poles had to be moved out of the Georgia Power easement. (\$26,703)
 - b. New Security Fence at Unit 3. In the original project scope, the security fence was not affected by construction and was to remain in place with new security electronics to maintain a homogenous security system. This applied to three large fence zones. Due to the high cost involved for new fence at all three zones, the Sheriff's department elected to have new fence installed for only one zone. (\$217,580)
 - c. Raise 8" Water Main to clear Storm Pipe. Due to lack of as-builts, the elevation of the existing 8" water main was not known. A 36" storm line is in conflict with the water main, requiring the water line to be raised. (\$4,430)
 - d. Extend Pavement Limits. In the original project scope, pavement affected by utility work was to be cut and patched. The road in front of the new Pre-Booking building is crossed by several utilities. The limits of pavement are being extended for a clean finish. (\$18,501)

- 2. Contract history:

Original Contract (12/17/10	\$70,734,000
Change Order No. 1 (pending)	267,214
Revised Contract Amount	\$71,001,214

FUNDING: CIP - Detention Center Expansion
(3803355 - 54.13009 - 38060407)

ALTERNATIVES:

- 1. Board approval of Change Order No.1 in the amount of \$267,214 to the construction services contract with Hunt / Mills, A Joint Venture for the Chatham County Detention Center Expansion.
- 2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

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. UPDATES TO THE CHATHAM COUNTY REVENUE ORDINANCE.

Chairman Liakakis said, there's no action – Updates to the Chatham County Revenue Ordinance, see attached memo to Commissioner Farrell regarding recreation fees. There's no action on that today.

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XII. SECOND READINGS

Chairman Liakakis said, no second readings.

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XIII. INFORMATION ITEMS

Chairman Liakakis said, everybody has received the information on information items in their book.

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

ACTION OF THE BOARD:

A status report was attached as information.

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

AGENDA ITEM: XIII-2
AGENDA DATE: August 12, 2011

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Baseball and softball umpires for June 6 - June 23, 2011	Public Works and Park Services	Greater Savannah Umpires Association (Sole Source)	\$4,205	General Fund/M & O - Park Services
Accident repairs to Sheriff's Unit 760 - information provided to Risk Management	Fleet Operations	Higdon's Collision Center, Inc.	\$4,805	General Fund/M & O - Fleet Operations
Annual support service and licensing agreement renewal for Taxspak Plus	Tax Commissioner	Call Processing Systems, Inc. (Sole Source)	\$8,700	General Fund/M & O - Tax Commissioner
Replace mother board for card reader system at Detention Center	Detention Center	RISG International (Sole Source)	\$3,645	General Fund/M & O - Detention Center

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Annual maintenance on Datadomain for I.C.S. Data Center	I.C.S.	Veristor Systems, Inc. (Sole Source)	\$3,750	General Fund/M & O - I.C.S.
Annual maintenance contract renewal for card reader	Detention Center	RISG International (Sole Source)	\$5,585	General Fund/M & O - Detention Center
Signs for Animal Control Facility	Special Projects	Doug Bean Signs, Inc.	\$3,180	DSA Bonds - Animal Control Facility

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EXECUTIVE SESSION

Chairman Liakakis said, so now we will recess to Executive Session.

County Manager Abolt said, personnel and litigation.

Chairman Liakakis said, personnel and litigation.

ACTION OF THE BOARD:

Chairman Liakakis declared the Commission would recess into Executive Session for personnel and litigation. The Board recessed at approximately 11:25 a.m.

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ITEMS FROM EXECUTIVE SESSION

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

ACTION OF THE BOARD:

Motion was made by Commissioner Shay 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 Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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- 2. SETTLEMENT OF HAYES/SEDA/JCB LITIGATION**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the settlement of the claim of Hayes/SEDA/JCB litigation case as follows: 2005 tax refund in the amount of \$6,142 to settle the claim. As to the 2006 tax refund issue, the amount of \$7,909.00 to settle the claim. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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- 3. SETTLEMENT OF CLAIM OF MARIE BURNS**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the settlement of the claim of Marie Burns in the amount of \$5,500.00. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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ADJOURNMENT

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 12:00 pm.

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APPROVED: THIS _____ DAY OF AUGUST, 2011.

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

JANICE E. BOCOOK, CLERK OF COMMISSION