

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, FEBRUARY 10, 2012, 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 9:36 a.m. on Friday, February 10, 2012.

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II. INVOCATION

Chairman Liakakis said, I call on Commissioner Dave Gellatly for the Invocation.

Commissioner Gellatly said, hands over our hearts. Oh, the Invocation? I'm sorry.

Chairman Liakakis said, the invocation.

Commissioner Gellatly said, all right. I can do that too. Bow our heads.

Dear God, our Heavenly Father, please protect our first responders, fire fighters, our police officers. Our troops that are in foreign countries on foreign battlefields. And – and bring them home safely to us. Also, please help this Commission today and – and forevermore make quality decisions that are in the best in – interest of our constituents and all those that we serve. Amen.

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III. PLEDGE OF ALLEGIANCE

Chairman Liakakis said, and of course, since you started for the Pledge of Allegiance –

Commissioner Gellatly said, you want me to do that too?

Chairman Liakakis said, we'd like for you to do that also.

Commissioner Gellatly said, all right. Hands over our heart.

Commissioner Gellatly led all in the Pledge of Allegiance to Flag of the United States of America.

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IV. ROLL CALL

Chairman Liakakis said, I call on our county clerk, Janice, 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

1. INTRODUCTION OF TELFAIR MUSEUM CEO/EXECUTIVE DIRECTOR LISA GROVE. MILLS FLEMING, BOARD OF TRUSTEES CHAIR, WILL BE PRESENTING.

Chairman Liakakis said, the next item is proclamations and special presentation. Under item 1, the introduction of Telfair Museum Chief Executive Officer and Director Lisa Grove, and Mills Fleming for the Board of Trustees. And they will be doing a presentation on the museum this morning.

Mr. Mills Fleming said, thank you Mr. Chairman. My name is Mills Fleming. I am the Chair of the Telfair Museum of Art, and it is my high pleasure to introduce Lisa Grove as our new Executive Director and President. Lisa [Grove] comes to us from the Contemporary Art Museum in St. Louis. She's originally from Kansas. Highly qualified and after a national search where we involved many in the community, as well as our team members at the Telfair and our Board, she was the unanimous choice. She graduated from Stanford University. Also has a MBA from the University of London and a Masters in Art History from the Courtauld Institute in London. And we just could not be more excited and pleased to have her with us. I also want to introduce Fran Wilson, who is the President of the Friends of African American Arts. It was an initiative that the Telfair began several years ago, and she's just done a tremendous job in that role. And of course, Tammie Mosley as well, whom I know you know, who is another Board member and just contributes so much to this community and so much to the Telfair. And we want to thank you again for the support that you have given the Telfair. Last year we had over 180,000 people come through our museum, and it has really turned into quite an economic engine for this community. We also want to recognize Commissioner Thomas for the Summer Bonanza program that she has started that the Telfair supports. We have a number of the youth that come through there so we really embrace the community and want to support those programs going forward as well. So thank you, Commissioner Thomas.

Commissioner Thomas said, thank you.

Mr. Fleming said, and I now want to introduce Lisa Grove.

Ms. Lisa Grove said, thank you Mills [Fleming], and thank you to the Commission for enabling me to be here today. I'm just one month on the job and just couldn't be more delighted to be here in Savannah. And what a wonderful opportunity it is to be Director of this wonderful institution that's 125 years old, and to have the opportunity to lead it into its next 125 years. As you all know, the Telfair Museums is actually three museums in one. There is the Telfair Academy which was the original home of the Telfair family that now is this wonderful institution that houses 18th and 19th century art. There is the Owens-Thomas House which operates as a house museum and is one of the finest examples of regency architecture in America and is really a true gem for the City of Savannah. One of the most visited tourist sites and historic homes in town, and I'm so proud to have that a part of the institution. And then of course there's the most recent addition to the Telfair family of museums which is the Jepson Center for the Arts which opened in 2006, and thank you to the – the County for all of the support in making the – the building construction of that museum possible. I know there was the SPLOST initiative that contributed a significant amount of funding towards the building of the museum, and we're very grateful for that. In many ways I see the opening of the Jepson Center as sort of a – a new start for the museum and really a signal to the community that it was – how critical it was to ensure that the museum and the arts were for all people in our – in our community. Arts and education is core – central to what we do. And the Jepson Center is one of the very few museums in the country that has a space dedicated to art education. The ArtZeum which is there in – in – given prominent space inside the Jepson Center is a hands on place for kids to come in and – and do art and learn about art, and that's really ahead of its time and a real leader in the field. In addition we welcomed 10,000 K through 12 kids through our doors every year giving them access to art, giving them hands on opportunities to learn about art.

Ms. Grove said, as Mills [Fleming] mentioned, we provide services to the community. We go out into the community. We go out and do summer programs, the Summer Bonanza program. We also have a teen advisory counsel, which was modeled after the youth commission here, and so we're real – really grateful to have the opportunity to bring youth into the museum and help set it on its course for the next 125 years. I'll just close by just saying what an honor it is to have the – have been chosen to lead this institution, and it's critical to me to know that we are able to work with the County, work with our community to ensure that arts are a big part of what we do here. They contribute so much to our quality of life, making Savannah such a great place for people to live and work and visit. And I look forward to working with you over the coming years to continue all the great work that's already been done. Thank you so much. It's a pleasure to have the opportunity to talk to you today.

Chairman Liakakis said, Lisa [Grove], thank you very much for coming to Savannah. We've got a great city. As you probably already know, we have the largest historic district in the country. We have the first planned city, and there's been wonderful that we've had the Telfair – the Telfair Museum of Art in our community 'cause it has brought a lot of great things to our community, and we didn't have that before, and the – the different art items that are brought to the Telfair for the people to enjoy and to look at, and especially with the Jepson Center now, all of the things that you were talking about. It's really great for our culture and our community, and this helps us to bring a lot of tourists into our community. Because we look at 2010, estimates that were given to us by the Convention and Visitor's Bureau that we had approximately 11 million tourists coming into Savannah that spent \$1,800,000,000. So, you see this is a great part of the economy in our community and bringing people here. And when they see the great things like the Jepson Center, the Telfair Museum and many other things, a lot of people that come here as tourists, they decide, well, I want to move to that great City of Savannah. And this helps with that. The other thing I'd like you to – you mentioned about the other two members of the Telfair, if you would have them stand so everybody can see them also.

[NOTE: Ms. Fran Wilson and Ms. Tammie Mosley stand. Applause.]

Chairman Liakakis said, thank you very much. Appreciate it.

Mr. Fleming said, thank you.

Ms. Grove said, thank you.

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CHATHAM YOUTH COMMISSION

Chairman Liakakis said, next item that we have – before I do that, I’m going to introduce our Chatham County Youth Commissioners that are here today representing the Chatham Youth Commission. And on my far left is Kenneth Johnson, who is a representative of Jenkins High School. In the middle is Samantha Zellner, who is the Youth Commissioner for Savannah High School, and Richard Jackson, who is representing Beach High School today. Thank you for the three of you coming today.

Youth Commissioner Kenneth Johnson said, thank you.

Youth Commissioner Richard Jackson said, thank you.

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2. RECOGNITION OF SAVANNAH CHRISTIAN STATE CHAMPIONSHIP FOOTBALL TEAM. COACH DONALD CHUMLEY.

Chairman Liakakis said, next we have another great item here, the recognition of Savannah Christian State Championship football team. And we’ll have Coach Donald Chumley to come forward with his members. If they can stand around because we’d like for all of you to come up at the podium.

Coach Donald Chumley said, thank you. We didn’t bring them all. We didn’t figure they’d all get in here, but we did bring – we did bring all the senior class along with our headmaster and principal. And it’s truly been a – I’ve been truly blessed to have the opportunity to work with such fine young men at – at such a school as Savannah Christian, where it’s not just about football it – it’s about life. And I can assure you with all the battles we played – that we were in this passed year in 15 games, these young men not only distinguished themselves with honor, but their families, their – their school, but also the City of Savannah. They are a first class bunch, and they’re going to be the future leaders of not only Savannah but the nation. So we’re extremely honored for – for y’all to have us here today. Thank you.

Chairman Liakakis said, well Coach I’m gonna give you as I read – when I finish reading this proclamation I’m going to present that to you and what I’ll also do, we have the names of all 80 members of your football team, and they’ll have their names on the special proclamation also. So I’ll give those to you to distribute that.

Coach Chumley said, yes, sir.

Chairman Liakakis said, but now for the proclamation.

Chairman Liakakis reads the proclamation as follows:



WHEREAS, Chatham County is fortunate to have educational facilities for our youth that provide education in a family atmosphere with caring, loving, nurturing faculty and staff, and in that spirit, we salute with pride, Savannah Christian Preparatory School; and

WHEREAS, Savannah Christian Preparatory School was established on September 17, 1951 and is the largest private Christian School in the Savannah-Chatham County area. They started their football program in 1972. In 2008, the Atlanta Journal and Constitution voted them the best in the State; and

WHEREAS, the Raiders made three straight trips to the state championship game with the third time being the charm. The Raiders claimed their first Georgia High School Association (GHSA) state football

championship with a 20-3 win and finished their season with a perfect 15-0 record.

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

**SAVANNAH CHRISTIAN PREPARATORY SCHOOL'S
RAIDER FOOTBALL TEAM**

for winning their first GHSA and applaud their coaches, Donald Chumley, Toni Orsini, Carl Carter, Tom Corbin, Barry Moore, Carl Womble, Jamie Fetterman, Galen Houston, Kevin Jackson, Alex Demaio and Mike Bashlor; training staff, Joey Wilson, Kelly Singletary and Reggie Horton for their skills and leadership making it possible for the team to achieve this high honor.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 10th day of February 2012.

Pete Liakakis

Pete Liakakis, Chairman
Chatham County Commission

ATTEST:

Gail F. Gordon

Gail F. Gordon, Administrative
Assistant to the Chairman

Chairman Liakakis said, and Coach Chumley we thank you very much. And one thing I'd like to say too, we can look at the history of here and around the country that when you have students and young people that get into athletics and become really dedicated and loyal to it, you don't see them in the crime statistics. The majority of them don't get involved because they want to do great in their athletic things, and that is really good. So when we can have more and more great teams, you know, and put more and more of our youth in athletics and many other things, then we can see we can reduce the situation that we have unfortunately with crime in our youth commission. So with this I present to you this proclamation from Chatham County, Coach, and here are the proclamations with each of your men here, you know, to receive one of these proclamations.

Coach Chumley said, thank you so much.

Chairman Liakakis said, you're welcome.

Coach Chumley said, thank you. We have a gift for you for – for the Chairman, and this is the autograph state football champs. This is D'Angelo Brown who will be going to Louisville next – next year on football scholarship. Go ahead D'Angelo [Brown].

Mr. D'Angelo Brown said, we want to present you on behalf of Savannah Christian Preparatory School this is the autograph game ball.

Chairman Liakakis said, thank you very much. I really appreciate that, and I'll put it in a prominent place in my office.

Mr. Brown said, all right.

Chairman Liakakis said, thank you.

Coach Chumley said, thank you very much.

Chairman Liakakis said, congratulations to all of you. [Applause.]

Commissioner Kicklighter said, before – before y'all leave –

Commissioner Gellatly said, Pete [Liakakis], Pete [Liakakis] –

Commissioner Kicklighter said, Mr. Chairman, before they leave –

Commissioner Gellatly said, Pete [Liakakis] – Pete [Liakakis] –

Commissioner Kicklighter said, – I'd like to say a couple of things.

Commissioner Gellatly said, other people want to talk.

Chairman Liakakis said, okay. Go ahead.

Commissioner Kicklighter said, thank you, Mr. Chairman. I just want to congratulate this team and let it be known the pride that although it says Savannah Christian on the jackets, they are Garden City through and through 'cause when I was Mayor of Garden City I annexed them into Garden City. Coach Chumley there is a Garden City product. Played

football actually with my brother. An outstanding man. Trainer Kelly Singletary another good man, right there from Garden City. These athletes, Jonathan Chamblee's a Pooler guy, the quarterback, and I'm just very proud. This is a Savannah, if not a coastal empire team, athletes from all over the place. But what's really impressive, that I think if I were you seniors and everybody, I'd take a lot of pride in is you guys actually changed the structure of football in the State of Georgia. These guys are so good, Mr. Chairman, that the State of Georgia actually changed the entire playoff system from this point forward because Savannah Christian put it on them. And there was some people that whined to our state lawmakers, and just like that the lawmakers followed through, changed the structure. Although it's not fair in the future, the way they've done it, take great pride that y'all changed it. That – that – that'll happen once; it will never happen again and you guys made history. So congratulations to y'all. [Applause.]

Chairman Liakakis said, Priscilla [Thomas]?

Commissioner Thomas said, I too want to congratulate the team and the Coach and – as well as the school. I have followed your career for a long, long time, and having been in the Eighth district for some time, I want you to know that I have been very supportive. When you won that championship, believe it or not, and this is a true story, my husband can attest to this. I was in the bed, rooting, rooting, rooting, and when you – when you went across that final line and – and – and you became champions, I forgot where I was and I fell out the bed. And my – and this is a true story, and my husband looked around and he says, well, my Lord, you know, is it that bad? And I said, well, help me up, you know, and – but anyway, I was so excited and – and very happy for you. You – you make us all very proud. Thank you so very much. Keep up the good work, and we know that you're going to continue to do very well in your future endeavors.

Commissioner Kicklighter said, and the headmaster's behind you. I don't know if he wants to speak or not. Mr. Yancey's back there.

Chairman Liakakis said, Dave [Gellatly].

Commissioner Gellatly said, Pete [Liakakis], first of all I'd like to make an observation. With you contrasted with the football team behind you, I never realized how short you are. That's – that's an observation. And also I – I too, I'm extremely proud of – of this team for a variety of reasons, not the least of which I have a granddaughter, Sarah Windeknecht, who is a junior at Savannah Christian, and is always on the headmaster's list, and – and she is one of the strongest supporter's of your team ever. And I – I just appreciate this school. It's a quality school, and I've been familiar with – with the school and school operations since she was in grade school, and they don't come any better than – than you and your – your team is the best of the best. Thank you.

Chairman Liakakis said, and now I'd like to introduce another coach who did a great job with students and children over the years, and that's Commissioner Coach James Holmes.

Commissioner Holmes said, thank you, Chairman. Coach Chumley let me say our congratulation to you, and I want to personally thank you for participating in our first annual Chatham County football clinic last year at Memorial Stadium.

Coach Chumley said, yes, sir, very good.

Commissioner Holmes said, it's a personal thank and I hope you come back this year.

Coach Chumley said, absolutely.

Commissioner Holmes said, but on a note about the youth, I had the privilege of attending several of you all game, and knowing what I'm looking at and what I'm looking for, you guys exemplify exactly that. You are fundamentally sound. You're physical, you were fast, you were intelligent, and you have exemplified what really a team concept is about. The fun that you all had on the – on the team, the fun that you all had in the game, it also tells you that you enjoy what you was doing. You know I notice you when you're on the field and I notice you when you come off the field. And I'm observing what I'm seeing here now looking at each one of you all face. Let me ask you one question, how many of you all are already signed to move on to higher education. Angelo [sic] – oh no. Okay. Have you signed one yet?

Member of Savannah Christian football team said, no, sir.

Commissioner Holmes said, you?

Member of Savannah Christian football team said, no.

Commissioner Holmes said, how many of them going to sign?

Coach Chumley said, how many of y'all are going to sign?

[NOTE: Several football players raise their hands.]

Commissioner Shay said, there you go.

Commissioner Holmes said, now that's what I want to here. That's what I want to hear. Running back, am I right?

Mr. Will Austin nodded his head yes.

Commissioner Holmes said, you scored the first touchdown in the championship game?

Mr. Austin nodded his head yes.

Commissioner Thomas said, all right, now.

Commissioner Holmes said, good, congratulations. Congratulations guys. Keep the good work up, and I hope you a whole lot of luck in your next steps.

Chairman Liakakis said, Helen [Stone]?

Commissioner Stone said, I just want to concur with everything that's been said. And for someone who is very concerned about the population in our jails and our prisons, you all are role models, and I hope that for the audience that are watching this, it inspires them to participate in sports and to higher their education and to stay out of jail. Thank you.

Chairman Liakakis said, okay. Here's one of our Chatham County Youth Commissioners that would like to make a statement.

Youth Commissioner Kenneth Johnson said, as a Herschel V. Jenkins football player, I would like to congratulate y'all on representing Savannah so well and winning the championship.

Chairman Liakakis said, all right.

Commissioner Shay said, here. Here.

Chairman Liakakis said, thank you.

Coach Chumley said, thank you very much. [Applause.]

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3. ANNOUNCEMENT FOR WALK GEORGIA PROGRAM. JACKIE OGDEN, COOPERATIVE EXTENSION DIRECTOR, WILL BE PRESENTING.

Chairman Liakakis said, next on the agenda, item 3, announcement for the Walk Georgia program and Jackie Ogden, who is the Cooperative Extension Director for Chatham County will be presenting this.

Ms. Jackie Ogden said, good morning Mr. Chairman. Good morning Commissioners. It is a great opportunity to be with you this morning and following such a great presentation. The next program that Cooperative Extension has on our books is for our Walk Georgia program. This is a program that encourages all citizens to be active, to move more and live more, and this program is a free program offered to all citizens. I'm happy to report this morning that our school district has embraced this program, as well as our work force here in Chatham County with Tamala Fulton, as well as we do have a lot of clubs, organizations, civic and community groups, and we encourage you and all of your family to be involved as well. The website to register for this free program is going to www.walkgeorgia.org, and registration will go through all the way from now up until Saint Patrick's Day on the 17th of March. And this is an opportunity where we encourage people to be active, to do the sports that they love, whether it's walking, swimming, dancing, doing yoga, or even gardening. All that physical activity they will enter into their computer as an individual or in teams of four, and it will take them through a virtual walk through Georgia where they can go through the north Georgia mountains or here on the coast, and they can actually find out how that activity is converting into miles.

Ms. Ogden said, one other unique feature of this program is Cooperative Extension is sharing an informative newsletter that will include recipes, information about Georgia food products, also a lot about our State parks and a lot of facilities that are available for citizens to enjoy throughout the State. But even locally here our Parks and Recreation Department with Chatham County have embraced this program and are promoting it at all of the various venues where we have our parks and recreations for the citizens to enjoy throughout the County. So again we encourage your support. We hope you personally will participate, and this is another program brought to you by your Chatham County Extension office. Thank you for your time this morning in allowing us to promote this wonderful venue.

Chairman Liakakis said, Jackie [Ogden], thank you very much because you being the Director for many years for the Cooperative Extension, we have like the Bamboo Farms and many other things that you have headed up, you and your staff and we really appreciate that because it's really a great situation for the people of all of County – Chatham County.

Ms. Ogden said, thank you, Mr. Chairman, and we thank the Chatham County Commission for all of your continued support with our 4-H, our Family and Consumer Science, and our Ag and Natural Resource programs. I might just put another note in that our 4-Hers went to competition last week, and I believe we have five of our Chatham County students that will be going to state congress. And I know Dr. Thomas being a master 4-Her, you know the importance of that program. So again, thank you so much for all of your support to help with this new initiative, Walk Georgia.

Commissioner Thomas said, Jackie [Ogden], just want to emphasize the fact that we want to make sure that we're working together for the National County Government Month that's going to be coming up in April. Since the emphasis will be on, you know, healthy persons, we want to make sure that we get the Cooperative Extension Agency to work along with us with this project and to work with the children, you know, Summer Bonanza and other youth groups.

Ms. Ogden said, Dr. Thomas, you can be assured that it's always a pleasure for Cooperative Extension to be a part of County Government week and month, as well as activities for Summer Bonanza. So know that we will embrace that yet once again and look for great things to happen.

Commissioner Thomas said, yeah, we – this – this is going to work just well because we want to make sure that we touch upon as many different agencies and organizations that will help us to be very successful this year.

Ms. Ogden said, yes. I might also mention that we've come up with, you know, 21st century technology here and on the back of the brochure, you can actually use your – your technology with your phone to actually register with just a snap of your – or push of that – that button. So, any way, there's a lot of great ways that you can involve, as well as contacting your local county extension office. Thank you so much –

Commissioner Thomas said, thank you.

Ms. Ogden said, – for your support.

Commissioner Thomas said, thank you.

Chairman Liakakis said, thank you. Hold on just a minute. Samantha [Zellner] would like to talk with you.

Ms. Ogden said, yes, Samantha [Zellner]?

Youth Commissioner Samantha Zellner said, I'd just like to state that Youth Commission has participated in Walk for Georgia before and we would like to do so again.

Ms. Ogden said, that is wonderful and we are so delighted to hear of the Youth Commission's support of that and encourage the young folks within our community at all our local public and private schools and home school programs, as well as for the Youth Commission. You have helped in past years, and we look forward to that support again in the coming year with this program. So thank you, Samantha [Zellner] and team.

Youth Commissioner Zellner said, thank you.

Chairman Liakakis said, okay. Thank you.

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PERSONAL PRIVILEGE – YOUTH COMMISSION

Chairman Liakakis said, next we have the – under Chairman's items, the Board – oh, excuse me, Richard [Jackson]?

Youth Commissioner Richard Jackson said, oh, may I make a short, brief announcement? I said may I make a short, brief announcement?

Chairman Liakakis said, sure.

Youth Commissioner Jackson said, on Saturday, February 25th at Sol C. Johnson High School from 9:00 a.m. to 3:00 p.m. parents and students are encouraged to be a part of Mega Genesis. Mega Genesis is a college and career awareness event. This program is designed to inform students and parents about college and career opportunities. The college fair and career event will start at 9:00 a.m. Motivational speaker, Dr. Otis Johnson, former mayor, will speak at 10:30 a.m. Career workshops will start at 1:00 p.m. Lunch will be served to all attending – all attendees. Be a part of this free event on Saturday, February 25th, at Sol C. Johnson High School. For more information please contact Mr. Zeke Zimmerman at 912-359-3400.

Chairman Liakakis said, well, Richard [Jackson], so that you'll know this, you might not know it, right now we are being – on our Channel 16 television, and people that were watching the program heard, you know, your request and information about that, and it'll be played two or three more times, so the citizens that watch our government channel 16 will be able to, you know, get that information so that'll encourage other people to come to it also.

Youth Commissioner Jackson said, yes, sir.

Chairman Liakakis said, thank you.

Youth Commissioner Jackson said, you're welcome.

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VI. CHAIRMAN'S ITEMS

1. SET BOARD BUDGET RETREAT.

Chairman Liakakis said, all right, under the budget retreat, we'll have that – that'll be distributed to all of the members. You should have that in the next couple of days.

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VII. COMMISSIONERS' ITEMS

1. PREVENT ANYONE WHO COMMITS A VIOLENT ASSAULT ON LAW ENFORCEMENT OFFICER FROM RECEIVING FIRST OFFENDER STATUS. (COMMISSIONER GELLATLY).

Chairman Liakakis said, under item 7, Commissioners' Item, item 1, prevent anyone who commits a violent assault on a law enforcement officer from receiving First Offender status. Commissioner Gellatly.

Commissioner Gellatly said, thank you, Mr. Chairman. I wanted that on the agenda just to – for a couple of reasons. I – I think right now we all know the State's going through some rather severe budget problems. They've got all kinds of committees trying to figure out ways to get people that should be in prison out of prison early and make sure they don't go to prison to begin with, and I want – I want to make really sure that people who assault and severely injure, and sometimes, obviously if they murder a police officer that's not a problem, but as far as the sentencing is concerned, but anything short of that, I want to make sure that they stay in prison where they belong and that they're exempted from this, and I'm – I'm asking that we come up with a resolution and send it to the appropriate authorities on how we feel about it.

Commissioner Stone said, I'll second that.

Chairman Liakakis said, all right.

Commissioner Gellatly said, and that's a motion.

Chairman Liakakis said, all right. All right. We have a motion on the floor –

Commissioner Odell said, may I – may I just –

Chairman Liakakis said, – to have the resolution. Go ahead.

Commissioner Odell said, yeah, I think we're voting on different concept. If you injure a police officer I don't think you should be released from jail early but that's not what First Offender is. First Offender is where a person whose never committed a crime is given the opportunity – they enter a plea, the plea is withheld. They are placed on probation normally or given a sentence and if they complete that sentence, then the charge is dismissed. That's First Offender. It has nothing to do with being released early or what have you from jail. Just so that you'll know what you vote on.

Commissioner Gellatly said, okay, well let me – those are – that's an excellent point, but my position would be the same. I – I don't think that someone who has severely injured or hospitalized a police officer should be put in the First Offender category and that – that's my position.

Commissioner Odell said, yeah, and – and I'm – I'm not differing –

Commissioner Gellatly said, but I appreciate the correction on that.

Commissioner Odell said, – I'm not differing with that David [Gellatly]. My only concern is that I think in Georgia the likelihood if you injured a police officer of your being given First Offender, and that would be a felony, which would be handled by a Judge of Superior Court, I think the likelihood of that ever happening is slim to none. I – I – I think it – there's just no way that you're going to get a First Offender for committing a felony or an aggravated misdemeanor on a police officer. But the decision now is within the sound discretion of a Superior Court Judge, who hears all of the evidence, all of the facts, and makes a decision, and he can – the Judge has a right to always refuse to accept a negotiated plea. But we – we had the sentencing guidelines that were set down by the federal government and which you went through a detailed grid system as far as sentencing, and the problem with that was that – and they just have changed that, it – we elect Superior Court Judges to be Superior Court Judges. And it's within their discretion. I will support the resolution for two reasons. One is, we have one of the living legend as far as law enforcement, who I've had the privilege to be seated next too, and if it's good enough for him, it's good enough for me, but I – I think it's a – we're – we're doing a resolution and I'm not certain if any Superior Court who – Judge who would have to stand for re-election would ever release on First Offender someone who injures a cop. As you all know, nothing we do herein shall ever impact or change the federal government or the federal judicial system. This would have no impact, but that's just information and –

Commissioner Gellatly said, I – I appreciate those comments also. And – and – and I think that we have outstanding Judges in our County, but I'm – I'm looking at the whole State, 159 counties, and I think that in some of those counties that we may have Judges that are not that outstanding. And also in this mix, I'm including in County jails where we have guards are some – in – in – in our case they're certified police officers, they also get knocked around and – and get trips to the hospital and things of this nature, and I think that it ought to be common knowledge in the – in the group of people that are – have a tendency to take a – to hurt law enforcement officers that there's serious ramifications if

you do so, and – and I – I would just like that resolution to go forward and – and maybe if they – even if they tweak it a little bit and make it a little tougher, why I think we'll have accomplished something.

Chairman Liakakis said, okay, we have a motion on the floor and a second – go ahead James [Holmes].

Commissioner Holmes said, let's see if I – I want to make sure I'm getting clarification on this. Commissioner Gellatly, what you're saying is if we vote on this today, the First Offender, you're telling the Judge to uphold this. That's what we telling the Judge to do?

Commissioner Gellatly said, well, what we're asking is they're – they're making an adjustment to – to the law or what have you state – state-wide, there's one under consideration. And the law enforcement community, including the Fraternal Order of Police and several other law enforcement agencies are – are requesting that First Offender privileges not be given to someone that has hospitalized a police officer, and has – or – or worse, and as – as Harris [Odell] pointed out, I'm not worried about this happening in this County but there's 159 other counties, and I'm aware of some of the Judges that are in these other counties, and they scare the heck out of me.

Commissioner Holmes said, mm-mmm. So are we going to ask them to probably look at it and critique some of the – what you just mentioned just now?

Commissioner Gellatly said, yes.

Commissioner Holmes said, okay.

Commissioner Odell said, James [Holmes]?

Commissioner Holmes said, uh-huh?

Commissioner Odell said, if I might just answer his question?

Commissioner Gellatly said, all right.

Commissioner Odell said, okay. First Offender – if you are charged with aggravated assault, and you are fortunate enough to get First Offender, you enter a plea but the plea is withheld. So – so the plea is – is – is not rendered a judgment of the court. You go through probation, whatever the requirement – whatever the sentence if it be jail or what have you, and then, if you complete it successfully, the charge is literally dismissed as if it never happened. What is the impact of that? The impact of that is that if I'm 18 years old and I get hit with this, then forever and a day, I'm going to be a felon. But if you're given First Offender, and you complete the sentencing program, you complete the sentencing program, and they can send you as much – sentence you to as much as ten years, so many hours of community service, so many hours of this – if you complete that program, you will be able to put on your application after you successfully completed the program, I'm not a convicted felon. And you will not be a convicted felon. That's the impact of First Offender, and that's the history of why it was originally created. So that when you're 18, you do not – and you make one mistake, that when you're 40 you don't have to continue to pay for that mistake. That's First Offender.

Chairman Liakakis said, okay. Helen [Stone]?

Commissioner Holmes said, thank you.

Commissioner Stone said, well I just have a question and a comment. The first comment is that I – I agree with Commissioner Gellatly that we need to do something because if not what is the incentive for young men and women to go into law enforcement without any penalties for them putting their lives at risk every day. On the second hand, Commissioner Gellatly, would you be amenable to seeing the wording of this Resolution before we vote on it going forward so that it is correct and your point is made and that we don't do something that is in any way, shape or form not the intent of what you're trying to accomplish.

Commissioner Gellatly said, I – I would be in agreement with that.

Commissioner Stone said, okay.

Chairman Liakakis said, so, Helen [Stone], when you're talking about tweaking it –

Commissioner Stone said, I just –

Chairman Liakakis said, – you know, adding something to it –

Commissioner Stone said, no, no. I'm just talking about looking at the resolution before we vote on it. Whether to send it –

Commissioner Gellatly said, looking at it, reading exactly what we're voting on before we vote on it.

Commissioner Stone said, yeah.

Commissioner Gellatly said, I think that makes perfect sense.

Commissioner Stone said, okay.

Chairman Liakakis said, okay.

Commissioner Odell said, excellent idea.

Chairman Liakakis said, so you withdraw – go ahead.

Commissioner Shay said, well, with the permission of the movers, I would like to make a motion that we place this on the table until the next meeting –

Commissioner Thomas said, good.

Commissioner Shay said, -- so that we can actually have the language in front of us.

Commissioner Thomas said, great.

Commissioner Stone said, that was going to be my next step.

Commissioner Shay said, there you go. Sorry.

Commissioner Stone said, that's all right.

Commissioner Gellatly said, second.

Commissioner Stone said, okay.

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

ACTION OF THE BOARD:

Commissioner Shay moved to place the item on the table for review of the proposed resolution. Commissioner Gellatly seconded the motion and it carried unanimously.

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2. SPECIAL POLICE GRADUATION AND PROMOTIONAL EVENT, 3:00 THIS AFTERNOON (COMMISSIONER GELLATLY).

Chairman Liakakis said, next item, also with Commissioner Gellatly. Special police graduation and promotional event, 3:00 o'clock this afternoon. Commissioner Gellatly.

Commissioner Gellatly said, thank you, Mr. Chairman. I – I just want to point out that what – what's occurring this afternoon is in my opinion a really big deal. The Metropolitan Police Department in this County is – if you compared it to all the other law enforcement agencies in this State would be in the top 5% as far as the largest law enforcement agency in this entire state. They've made some tremendous strides, I think, in the last couple years under Chief Lovett's leadership. You read in the paper just recently they've put in a very sophisticated – one of the most sophisticated 9-1-1 systems in the entire United States and it's up and running. Today they're going to graduate 20 new police officers. And – and that – that's significant, but what's more significant than that is they're going to have 23 promotions. That's the largest number of police officers promoted at one time probably in this County's history and probably anywhere else in the State at one time. Two of those promotions are going to be to the rank of Major, which is a deputy chief of police. That means they would take over if the chief wasn't able – able to be in charge, and again, I don't think that there's ever in the – in the history of that department where two majors were made at the same time. So this is a really big deal, and I – I'm hoping that the media sees fit to cover it. They certainly cover a lot lesser and sometimes negative events that involve police, so it would be good for them to pay close attention to that. Also, not the least of which they – they – they're having a very distinguished and dynamic speaker at that ceremony, and that in and of itself is – is worthy of going. So if you have a chance, and certainly my fellow Commissioners, this'd be one that you shouldn't miss. Thank you.

Commissioner Odell said, David [Gellatly], it is at the Armstrong Auditorium?

Commissioner Gellatly said, it's at the Armstrong Center, the one that used to be a – I think it was a Publix grocery store.

Commissioner Odell said, yeah.

Commissioner Gellatly said, okay.

Commissioner Odell said, at what, 3:00 o'clock?

Commissioner Gellatly said, at 3:00 o'clock.

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3. BONAVENTURE CEMETERY (COMMISSIONER SHAY).

Chairman Liakakis said, okay, next item. Bonaventure Cemetery. Commissioner Shay.

Commissioner Shay said, yes, sir, Mr. Chairman. I've been really proud over the last 20 years to represent the area in and around Bonaventure Cemetery as a – as a Chatham County Commissioner. I remember one night being down in the basement of this building with our – our fearless County Manager Russ Abolt eating MRE's and watching the rain come in. We had 10, 12 inches of rain that night. And we waited with real fear to hear from the national guard whether or not the many people that were living in that area at that time had been successfully evacuated. I think that was the one part of that night where we worried deeply that there might be casualties from –

County Manager Russ Abolt said, yes, sir.

Commissioner Shay said, – from – from that particular rain event. And so for a long time after that we focused on the Placentia Canal and how to make sure that that basin became a lot safer from a human habitation standpoint. We also about I think five years ago, this Commission passed a Historic Preservation Ordinance which allowed for the creation of historic districts within the unincorporated area of Chatham County, and I think also in that ordinance appointed a board who has the ability to look at issues surrounding the creation and maintenance of historic districts that are – that are in that area. And then we have also since that time I believe created the Resource Protection Council, which is also devoted to not just historic sites but to significant environmental resources. So I know the controversy over the construction of a mausoleum in that area has been something that's been at the forefront of the community, and I think it's ironic, I guess that – that we had all the tools in the tool in the toolkit in order to sort some of the issues out in advance but because we weren't focused on it, we hadn't ever as a community decided to create a historic district in that area, or taken it up that I'm aware of specifically with the Resource Protection issues, then, you know, somebody came forward from the private sector, followed the right process and was able to get a – a building permit.

Commissioner Shay said, I've had a chance to go over there, I hope some of you have too, and – and look at the – the site. I – I – I was not as overwhelmed with the – the – the impact on the historic but I haven't seen the building, so I'll – I'll hold my judgment on that. But I did see that in the area where the building is going to be built there were a lot of, you know, there were a lot of trees that were cut down and they were not all, you know, giant, monumental live oaks, but they were, you know, serious trees. So, the reason I had this put on the agenda today is I feel like it might be worthwhile for us to ask the Historic Preservation Commission that we have in – in Chatham County, that oversees the creation and maintenance of historic districts and also the Resource Protection Council to work in conjunction with the Metropolitan Planning Commission, have excellent preservation staff and resources there, and perhaps also, engage the Historic Savannah Foundation and the Savannah Tree Foundation to see if there's not a way to learn from what has happened and see if there's not a way that we can in the future allow the process to engage the citizens more. I'm not saying that we should stop it. What I'm saying is that that process would have allowed some of the people who felt ambushed by it after it was pretty much already happened the opportunity to have – to comment in advance before something else is done in the area of Bonaventure Cemetery that would affect it as a historic or environmental resource on a – on a going forward basis. And I'm not sure the appropriate way to disseminate that other than what I've just said. And I – I do see that Tom Thomson's here. I've read memoranda to him from his staff and so forth. I think everybody wants to see this event work out for the best that we can make out for today but also to learn whether or not we want to go forward.

Commissioner Shay said, one of the things that's very complex about this is that Bonaventure Cemetery, although it is not in the City of Savannah is actually owned by the City of Savannah, and our ordinance was set up so that the property owners had the right to petition but that we didn't force on them anything in particular. We aren't, you know, telling private citizens what they have to do, but we created the opportunity for them to come forward and – and ask for these kinds of protections themselves. So we might also want to engage the City of Savannah and finding out whether or not as the property owner that they would be interested in actually creating a historic district in and around Bonaventure Cemetery.

Chairman Liakakis said, well, what I did, I went by the area yesterday, and in this plot they have taken down all the trees in that particular plot right there and – and it looked really bare, and so what I did was, I had called to speak to Larry [Nikola] who is the – one of the owners with his son, Larry Nikola, and – to talk with him about maybe trying another area in the cemetery with the assistance of Savannah. And Kyle [Nikola] his son came to the phone, said, I'm one of the owners of there and I'll do the talking. And I wanted to speak to his father, but he kept on, and I discussed with him the probability of let's finding another area so that at the entrance of the Bonaventure Cemetery that – that they could move that particular spot and do it somewhere else. That they could have their mausoleum there. They're talking about right at the entrance is like putting a big building right there almost. A thirty-five foot mausoleum at that particular location. And as you come into the entrance of the Bonaventure Cemetery, it's right on the right, right on the left is the mausoleum, proposal on that. So what I did was I have spoken to the County Attorney and discussed with him, especially for this not happening in the County again, that any historic district in Chatham County in the unincorporated area that we set up a protection for the historic districts and a similar – a – a way to do that so that it isn't something that will harm the historic district like this could possibly do. And the County Attorney is going to be getting with the – the Historic Preservation Commission that was brought up by Commissioner Shay and we all voted on that, and they've done an excellent job, to work with them, to work with the MPC and any other historic group so that they could come up for the protection of our historic area in our community, which is really important.

Chairman Liakakis said, a number people have called me, they were really upset because on the land right next to them is County – it's in the unincorporated area of the County, and they felt – I mean some people said this is going to be a monstrosity, and people were using some vile language against those people with Forest Lawn. It was incredible about all of the contacts that were made with me about that situation. And there was an elderly lady, and she almost broke into tears and – you know, when she said how do they want to destroy the Bonaventure Cemetery which is so important to our community and really is a historic cemetery. So the County Attorney is going to be working with that. He's instructed one of his other attorneys to work with him on that right away.

Commissioner Shay said, and Mr. Chairman, I – I see my friend Daniel Carey is here. He and I have been playing the most amazing and furious game of phone tag over the last 48 hours, and I didn't have a chance to speak to him about this, but Daniel [Carey] did you have anything that you would like to say to us or – or report? I – I don't want to put you in a difficult situation but it – but it is an historic site and I – I suspect it in my heart that you might have an interest in its preservation. Please?

Mr. Daniel Carey said, thank you, Mr. Chairman, Commissioner Shay. Daniel Carey with Historic Savannah Foundation. What I left in one of the messages Commissioner Shay is that we at the Historic Savannah Foundation reached out to the owner of the property, Mr. Nikola, and we're going to have a meeting next Friday afternoon at 3:00 p.m., and you would be most welcome to – to look at the design of the building. There are a number of issues with this parcel of property as you've already pointed out, but the ultimate design and construction of the building is a – is a – is a major issue because that is what we will live with for decades to come. So we've just offered technical assistance and design assistance in trying to come up with something that's most suitable for that site. And – and Mr. Nikola has agreed to that and seems to be a willing participant and I think would welcome the assistance.

Commissioner Shay said, is that meeting going to be at your office?

Mr. Carey said, it is.

Commissioner Shay said, okay.

Mr. Carey said, 3:00 p.m., Friday the 17th at HSF, yes, sir.

Commissioner Shay said, I – I appreciate that and I will try and attend and some of the other Commissioners may be interested in attending as well. But I would also hope that if we learn from this and we want to actually create a historic district that you would be willing to help us make sure that that was a reasonable and successful effort as well.

Mr. Carey said, certainly. Be happy to work with Ellen Harris and others at MPC.

Commissioner Shay said, thank you so much for being here. And I apologize for 15 phone calls in the middle of the night that we all just passed like ships in the night.

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4. NATIONAL COUNTY GOVERNMENT MONTH (COMMISSIONER THOMAS).

Chairman Liakakis said, okay. Next item, National County Government Month. Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman, members of the Commission, ladies and gentlemen. We're excited about getting started with our annual National County Government month which will be held in April of 2012. As you know, last year we had a very successful event all month long. Yesterday I met with the co-chair, Sandra Smalls, and others who will be working with me on this committee to start looking at activities and organizations and agencies that we would like to have to participate in the observance of this particular month. So we wanted to make you aware that we have begun to reach out and to get persons and activities that we will be doing all during the month of – of April and at our next meeting we will have a full report on all of the activities, the agencies and organizations that will be participating with us. But we wanted to give you a head start to let you know that this is forthcoming, and we hope that all of the Commissioners will also be available to help us, you know, work with this this year as well. And if there are any questions or concerns, we welcome them. Are there any questions about anything at this point? And I'd like to thank Ms. Sandra Smalls, Danielle Hillery and Tamala [Fulton] from our health department – to – I mean the County's health wellness program that worked with us on yesterday. Thank you.

Chairman Liakakis said, thank you.

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CHATHAM AREA TRANSIT AUTHORITY

Chairman Liakakis said, all right next on the agenda we will recess as the Chatham County Commission and convene as the Chatham Area Transit Authority. And hopefully that won't last very long, but we will reconvene as soon as that meeting is over with. So if all of the participants from the Chatham Area Transit Authority that's not on the Board here please come up. The Board recessed as the County Commission at 10:32 a.m., and convened as the Chatham Area Transit Authority.

Following adjournment of the Chatham Area Transit Authority, the Board reconvened at 11:10 a.m., as the County Commission.

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VIII. TABLED/RECONSIDERED ITEMS

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

Chairman Liakakis said, okay, let's have your attention please, we're starting the meeting again right now. We're reconvening as the Chatham County Commission. There are no Items under Item 8, Tabled or Reconsidered Items.

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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) IN THE GENERAL FUND M&O TRANSFER \$3,500 FROM CONTINENCY TO CHATHAM EMERGENCY MANAGEMENT AGENCY (CEMA) BUDGET, 2) RESTRICTED COURT FEES FUND: INCREASE REVENUES AND EXPENDITURES \$10,000 TO RECOGNIZE REVENUE RECEIVED FROM THE SAVANNAH CHATHAM METROPOLITAN POLICE DEPARTMENT, 3) SALES TAX IV FUND: TRANSFER \$185,000 FROM THE CHATHAM COUNTY OPEN SPACE AND GREENWAY PROJECT TO THE SALT MARSH MITIGATION BANK PROJECT, 4) SALES TAX V FUND: APPROVAL OF REVISED REVENUE PROJECTIONS AND PROJECT BUDGETS, AND 5) MULTIPLE GRANT FUND: INCREASE REVENUES AND EXPENDITURES \$444,283 FOR A HOMELAND SECURITY GRANT TO CHATHAM EMERGENCY MANAGEMENT AGENCY (CEMA).**

Chairman Liakakis said, next we have under item 9, some Individual Action. One, to Request Approval of the Following Budget Amendments and Transfers: 1) General Fund M&O Transfer \$3,500 from Contingency to Chatham Emergency Management Agency Budget, 2) Restricted Court Fees Fund: increase Revenues and Expenditures \$10,000 to Recognize Revenue Received from the Savannah Chatham Metropolitan Police Department, 3) Sales Tax Fund IV: Transfer \$185,000 from the Chatham County Open Space and Greenway Project to the Salt Marsh Mitigation Bank Project, 4) Sales Tax V Fund: Approval of Revised Revenue Projections and Project Budgets, and 5) Multiple Grant Fund: Increase Revenues and Expenditures of \$444,283 for a Homeland Security Grant to Chatham Emergency Management Agency. Need a motion on the floor –

Commissioner Stone said, so moved –

Chairman Liakakis said, – for those actions.

Commissioner Stone said, – Mr. Chairman.

Commissioner Holmes said, second.

County Manager Abolt said, Mr. Chairman?

Chairman Liakakis said, we have a motion on the floor. Let's see here, too, just a minute here. What CEMA's going to do is they got that grant because one of the grant – this is a – a mobile command center that they will be purchasing. It won't cost the County any money. It will be great for the citizens of Chatham County and other areas for emergency operations and all, and here is a plan how it's been set up by our Executive Director for CEMA who's done an outstanding job, and if you will pass these down, it shows that. And we need – let's go on the board. We have a motion on the floor for these items. Okay. All right. We've got it now.

County Manager Abolt said, Mr. Chairman, I would just like to –

Chairman Liakakis said, motion passes.

County Manager Abolt said, – I would just like to join you and have the minutes reflect what an outstanding job Mr. Scott has done in bringing that capability to the emergency management operation. The fact that he reached out and was able to work closely with Homeland Security to get that free for nothing grant as far as local dollars to us is a real plus for the safety of the citizens of Chatham County.

ACTION OF THE BOARD:

Commissioner Stone moved to approve the following budget Amendments and Transfers 1) in the General Fund M&O Transfer \$3,500 from Contingency to Chatham Emergency Management Agency (CEMA) Budget, 2) Restricted Court Fees Fund: Increase Revenues and Expenditures \$10,000 to Recognize Revenue Received from the Savannah Chatham Metropolitan Police Department, 3) Sales Tax IV Fund: Transfer \$185,000 from the Chatham County Open Space and Greenway Project to the Salt Marsh Mitigation Bank Project, 4) Sales Tax V Fund: Approval of Revised Revenue Projections and Project Budgets, and 5) Multiple Grant Fund: Increase Revenues and Expenditures \$444,283 for a Homeland Security Grant to Chatham Emergency Management Agency (CEMA) . Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: IX-1**AGENDA DATE: February 10, 2012**

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) General Fund M&O: transfer \$3,500 from contingency to Chatham Emergency Management Agency (CEMA) budget, 2) Restricted Court Fees Fund: increase revenues and expenditures \$10,000 to recognize revenue received from the Savannah Chatham Metropolitan Police Department, 3) Sales Tax IV Fund: transfer \$185,000 from the Chatham County Open Space and Greenway Project to the Salt Marsh Mitigation Bank Project, 4) Sales Tax V Fund : approval of revised revenue projections and project budges, and 5) Multiple Grant Fund: increase revenues and expenditures \$444,283 for a Homeland Security Grant to Chatham Emergency Management Agency (CEMA).

FACTS AND FINDINGS:

1. The Emergency Management Agency Director has requested additional funds in the amount of \$3,500 for participation in the 2012 statewide Hurricane Exercise (HURREX). Correspondence and a resolution are attached.
2. The Office of the District Attorney received a check in the amount of \$10,000 from the Savannah Chatham Metropolitan Police Department to provide partial funding for a Violence Intervention Program Coordinator. The City agreed to pay \$60,000 total towards the program using federal grant funds. The position is budgeted in the Restricted Court Fees Fund. Correspondence and a resolution to amend the Restricted Court Fees Fund are attached.
3. The County Engineer has requested a transfer from the Chatham County Open Space and Greenway project to establish funding for the Salt Marsh Mitigation Bank Project. Correspondence is attached.
4. Because of continuing slow revenue collections in the State Tax V Fund, the Finance Director is requesting that revenue projections be reduced \$13.8 million to reflect an 85% collection rate over the referendum period. Project adjustments are outlined in the attached SPLOST revenue analysis. Adjustments include a \$6 million decrease to the Detention Center - Debt Service on G.O. Bonds project. Other County projects will remain funded at current budget levels. A resolution is attached.
5. The Department of Homeland Security (DHS) has awarded a \$444,283 grant to the Chatham Emergency Management Agency (CEMA) for the purchase of a mobile command Center. Correspondence and a resolution to amend the Multiple Grant Fund are attached.

FUNDING: Funds are available in the General Fund M&O and Sales Tax IV funds for the transfers. The budget amendment will create funding in the Restricted Court Fees, the Sales Tax V and the Multiple Grant Funds.

ALTERNATIVES:

1. That the Board approve the following:

GENERAL FUND M&O

Transfer \$3,500 from contingency to Chatham Emergency Management Agency budget.

RESTRICTED COURT FEES FUND

Increase revenues and expenditures \$10,000 for the Violence Intervention Program in the District Attorney's Office.

SALES TAX IV FUND

Transfer \$185,000 from the Chatham County Open Space and Greenway Project to the Salt Marsh Mitigation Bank Project.

SALES TAX V FUND

Approve the revised revenue and project budgets totaling \$13,842,557.

MULTIPLE GRANT FUND

Increase revenues and expenditures \$444,283 for a Homeland Security Grant to Chatham Emergency Management Agency.

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: Estelle Brown

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2. TRANSMITTAL OF FISCAL YEAR 2012 SECOND QUARTER REPORT DATED DECEMBER 31, 2011, TO THE BOARD FOR INFORMATION.

Chairman Liakakis said, item two, transmittal of fiscal year 2012 second quarter report dated December 31, 2011, to the Board for information.

County Manager Abolt said, Mr. Chairman I'd like to have Ms. Cramer come forward and give this to you. This is our mid-year report in the current fiscal year. We are seeing some extremely good signs which given our – our track of several months now, it is very refreshing to see this. As Linda [Cramer] comes forward I want to do something special. Ms. Cramer as our finance director has succeeded in securing for the County for the 23rd year in a row a outstanding budget award from the Government Finance Officers' Association. Once the – the plaque is here we'll have a special presentation before you, but as I said to you a few days ago, you know, that's one shy of two dozen, and that's flat amazing, and Linda [Cramer] is doing a super job. For that I want to tell her thank you and to also let you know – I don't want to take away from her what she's going to tell you, there is one item in particular that – that you have been very forthright – forth – forthright on relative to collecting for housing prisoners from other municipalities. And you'll notice in the bottom fifth of the front page, it says finance has invoiced the City of Savannah for housing prisoners during December. All invoices have been paid. [Applause.] I want to – I want to recognize Linda [Cramer], the Sheriff, the Court, City of Savannah. That is just flat outstanding.

Commissioner Odell said, that doesn't include the State of Georgia.

County Manager Abolt said, we had a return to sender on those invoices, sir.

Commissioner Odell said, we did not get \$30 million.

County Manager Abolt said, I would – I would like to have Linda [Cramer] come up.

Commissioner Shay said, in recognition of those 23 years that Linda [Cramer] has put up all those plaques on the wall, I'd like to just say that, you know, she must have been 12 years old when she got the first one. So.

Chairman Liakakis said, go ahead Linda [Cramer.]

Ms. Linda Cramer said, this is a good report. We're seeing a little bit of a turn around from last year. The sales taxes are up from the prior year. Most of the revenue numbers are up from the prior year. You know last year we had a lot of refunds that were going on back to – to tax payers through the Tax Commissioners' office, and – and that trend is not occurring. So, you know, overall it's a good report. We're continuing, you know, some of the funds that we've had problems with in the past couple of years are looking pretty good here at mid year. So I can't – can't say anything really negative. It's looking good. So hopefully we're seeing a turn around locally in the economy.

Chairman Liakakis said, thank you very much, Linda [Cramer]. But you mentioned sales tax and I want everybody to know this that what happens is all the businesses whatever it might be places that are required to pay – to send in a report, the collections they make on sales tax, they have to send that in on a monthly basis. It goes directly to the Revenue Department in Atlanta and then Atlanta gets those and then they send that back, the money to the cities and the counties, especially to the counties and then what the County does, they make out a check for those monies that come in. And when we had the negotiations with all of the other seven cities when – we had a lot of negotiations and all, but I promised all the seven cities and the Town of Vernonburg that what we would do in the future, we would make sure that on a monthly basis, as soon as those monies come into Chatham County, we would distribute it to them. And that is what has been happening, I get the checks and make sure that they get them. But one of the problems that we did have, on November the 5th, last year, we had the Rock 'N Roll marathon in our community. And so when I looked at the check that comes in, especially, I used the City of Savannah, that check was like about \$2,200,000, which was collected in previous months, and I couldn't understand that because I checked with the Convention and Visitor's Bureau, Visit Savannah now, and I asked them, and they told me between 50 and 60,000 people came to Savannah. They had just under 20,000 people that participated in it, but a lot of people that follows these races around the country came in, a lot of family members and friends came in, you know, with them. So between 50 and 60,000 people that

came into our community and they had the exact amount – almost the exact amount of money that we previously had been collecting was way out of order. So I have talked to our staff and our County Attorney for him to put something together so that we can if we have to, that we're going to get an open records policy – information from them by requesting that because how they only sent us that amount of money when we had between 50 and 60,000 people coming into our community. There's a big problem with that. Jon [Hart]?

County Attorney R. Jonathan Hart said, yeah, we – we put that together and that open records request went out this morning.

Chairman Liakakis said, okay. Very good. Thank you. And that shows how efficient you are, Jon [Hart], when you we make requests and how you take care of things for the Commission and plus our people. Yes?

Commissioner Stone said, Mr. Chairman, I think it was brought up at one point in time and maybe the County Attorney knows that we suggested that local sales tax be collected locally and then the portion go to the State. I – for the life of me I don't understand why it has to be the other way around. Is there anything that we can do about that?

County Attorney Hart said, all that would have to be changed through the State legislature and there's no incentive for the Department of Revenue to do that.

Commissioner Stone said, but it's our money.

County Attorney Hart said, I – I realize that but the way the thing is written it behooves them to collect the money because they get a fee for it.

Chairman Liakakis said, yeah, they get that fee –

Commissioner Stone said, so our tax payers pay that fee for us to get our money back?

County Attorney Hart said, yes, ma'am. If we collect SPLOST funds it goes to Atlanta, a fee is charged for administering the SPLOST funds and then they send it back to us.

Commissioner Stone said, okay. Thank you.

Commissioner Odell said, isn't that wonderful?

Commissioner Stone said, mm-mmm.

Chairman Liakakis said, yeah. Okay, thank you very much, Linda [Cramer]. We appreciate your hard work and of course you're the best Finance Director in the USA and beyond.

County Manager Abolt said, universe, sir. Universe. [Applause.]

ACTION OF THE BOARD:

For information only.

AGENDA ITEM: IX-2
AGENDA DATE: February 10, 2012

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

ISSUE: To present the Fiscal Year 2012 Second Quarter Report dated December 31, 2011 to the Board for information.

BACKGROUND: Financial reporting conveys information concerning the position and activities of the County to its citizens and other interested parties. Interim financial reports generally are prepared for use by professional government managers and board members. Such reports monitor levels of year-to-date operations and determine compliance with budgetary limitations.

FACTS AND FINDINGS:

- 1) The Second Quarter Report covers various county funds and activities, presenting budget-to-actual comparisons. Adopted and amended fund budgets are presented as well as variance data. Prior year numbers are presented for comparison on the General Fund and Special Service District Summary reports.
- 2) Amended budgets shown herein represent budget transfers approved through December 31, 2011. In some cases, subsequent adjustments have occurred. Year-to-date expenditure and

project balances are presented. Open purchase orders and outstanding contractual obligations are not included in the year-to-date or project expenditure amounts.

3) Notable items include the following:

General Fund M&O

- The General Fund received revenues of \$83.9 million during the first half of fiscal 2012 and expended \$77.5 million, a difference of \$6.4 million. This represented 56.24% and 51.36% of budgeted amounts respectively. Year-to-date General Fund revenues exceeded 2011 levels by \$1.8 million while expenditures were \$1.2 million below prior year amounts. Cash balances were positive.
- General property tax revenues were \$67.6 million as the second installment real property tax billings were collected. General property tax collections were at 57.3% of budget levels, slightly higher than the 56.8% collected a year ago.
- Real and personal property refunds returned to more normal levels during the year. This is especially evident in the personal property revenue category, which has exceeded budget. Comparative data for the two year period is:
 - Real Property – 2011 refunds were \$1.2 million. 2010 refunds were \$1,800,772.
 - Personal Property – 2011 refunds were \$664,935. 2010 refunds were \$2,770,860.
- Sales and use taxes were 52.7% of budget at mid-year, an increase of \$421,163 from the fiscal 2011 period. \$5.6 million was collected.
- The Other taxes category represents bank occupation taxes. These revenues are not due until the third quarter.
- Penalties and interest on delinquent taxes remain strong at almost 60% of budgeted amounts.
- Finance has invoiced the City of Savannah for housing prisoners through December 2011. All invoices have been paid.
- Low investment income reflects low cash balances in the fund through most of the first half of the year and low market investment rates.
- The expenditure variance in the Other Financing Uses category was caused by interfund transfers at the first of the year.
- Unusual expenditure variances for the following departments are explained below:
 - County Commissioners – 27.74% – Encumbered funds for management consultant services and for the County's legislative liaison have not been fully expended.
 - Board of Equalization – 65% – Activity in the department is cyclical and should taper off in the next two quarters.
 - Tybee Pier & Pavilion – 34.45% – Actual repairs and maintenance costs have been below budgeted amounts.
 - Community Outreach – 32.38% – Low expenditure level results from a favorable salary variance.

Special Service District (SS)

- At mid-year the SSD Fund had received revenues of \$15.9 million, 62% of budgeted amounts. Expenditures of \$13.7 million were recorded, representing approximately half of the annual expenditure budget. Cash balances were positive.
- General property tax collections were \$10 million or 60% of budget estimates as second installment billings were collected. Collections exceeded prior year amounts by \$313,771.
- Personal property refunds decreased from calendar 2010 levels. This is reflected in the favorable revenue variance for personal property taxes. Comparative data on refunds were:
 - Personal Property – 2011 refunds were \$44,776. 2010 refunds had been \$782,614.
- Within the Other Taxes category, the County received insurance premium taxes of \$3.7 million from the State of Georgia.
- Revenue from Licenses and Permits were below budget since most business licenses are collected within the third quarter of the year.
- The favorable variance in the Charges for Services category resulted from collection of false alarm fees and permits under the County's false alarm ordinance.
- Investment income in the fund trended low during the first six months of the year due to cash flow trends in the fund and low market investment rates.
- The expenditure variance in the Other Financing Uses category was caused by interfund transfers at the first of the year.

Multiple Grant Fund

- Grant drawdowns should eventually offset the difference between fund revenues and expenditures.

Solid Waste Management Fund

- Collections for the solid waste service fee were 94% of budget or \$869,413. Expenses were showing a favorable variance at mid-year.

Capital Project Funds

- Project accounting schedules are shown herein for all of the County's capital project funds, including the SPLOST funds.
- The County's SPLOST collections are shown on page 59. Through December collections in the Sales Tax V Fund are \$180.4 million or \$30 million below initial budget estimates. It is proposed that revenue and project budgets be decreased to an 85% collection level. The proposed budget amendment is listed on the February 10, 2012 omnibus report.

Health Insurance Fund

- Medical costs are currently running close to budget. For the six month period, the County has spent \$9.2 million on retiree and employee health care claims and administrative costs. Retiree health costs for the six month period were \$2.5 million.

FUNDING: N/A

POLICY ANALYSIS: Interim financial reports provide revenue and budgetary oversight by comparing actual receipts or expenditures against budgeted amounts.

ALTERNATIVES: N/A

RECOMMENDATION: For information only.

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3. PRESENT AN UPDATED HOSPITAL AUTHORITY REFINANCING TASK LIST; TO REQUEST BOARD APPROVAL OF A TRANSACTION FRAMEWORK FOR THE PROPOSED SERIES 2012 HOSPITAL AUTHORITY REFUNDING BONDS, INCLUDING COVENANTS AND CONTRACTUAL PROVISIONS; AND TO REQUEST CLARIFICATION ON THE SENSITIVITY ANALYSIS IDENTIFIED WITHIN THE TASK LIST.

Chairman Liakakis said, Item 3, present an updated Hospital Authority refinancing task list; to request Board approval of a Transaction Framework for the proposed Series 2012 Hospital Authority refunding bonds, –

County Manager Abolt said, Mister –

Chairman Liakakis said, – including covenants and contractual provision; and to request clarification on the sensitivity analysis identified within the task list.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, Commissioner Stone, Gentlemen, I would like to have our award-winning Finance Director come back up to the microphone. We really are making progress on this, and that's due to the cooperation of many, including certainly the hospital folks. But I – I want to recognize Ms. Cramer; I want to recognize Jon Hart and – and the team on – on our end that are listening and working with it. That we're going to ask you in effect approve what they refer to as a transition framework. We continue to move on those various tasks assigned. There's – there's one particular area, and I talked to some of you in passing and mentioned it to you in the pre-meeting, but I would because we're getting so close, I would ask Memorial's staff to again sit down with the Sheriff and see what might be done more beyond what they – they proposed to help the tax payer minimize their load to cover the cost of the jail expansion. I – I know that Memorial is doing what they can, but I would ask at this juncture, particularly in light of what all the County is doing and the tax payers are about to do to help in – in their financial difficulties, which I realize are all ours, if they would between now and the next meeting sit down with Sheriff St. Lawrence and go back over it and visit it and see what they might be able to do so offset what will eventually be a several million dollar expansion of the tax load borne by the general tax payers.

County Manager Abolt said, but again I want Ms. Cramer to explain where you are right now with this. Again we're making progress and with each week that goes by, we're showing that we are truly sincere about this and want to make it happen. Linda [Cramer.]

Ms. Cramer said, yes, I think the most challenging thing about this staff report is trying to figure out where to start in the discussion. So because there was a lot of information here, and – and I hope you've all had time to read it. We've provided you an overview of where we are as of really officially last Friday. We have had some discussions with the hospital and the financial advisors since that time to try to continue to work on the bond covenants and the contractual provisions that will be in the bond structure. I mean basically we're looking at about a hundred and six – 86 million dollar bond issue that will save the hospital \$26 million. Most of that is over the first five year – five years of the restructuring, and the hospital will be able to take those funds and put them into capital improvements and grow and expand their services. And – and that was on page three. That's what Russ [Abolt] is eluding to. You see there the value of services that the hospital has offered to us, and those are also discussed on page four, which is that same task list that we've been using, and, you know, every meeting we come back and we've added more small print to that page. I'm sorry for the small print, but it does give you a lot of information. I think we've made a lot of progress on – on the governance structure. I think the Hospital Authority and the Hospital Board have agreed to the revised governance structure pending the – the completion of the bond refinancing.

Ms. Cramer said, we also have just going down – working down this task list, we've valued the services that the County has asked for. We are working now on the structure of the transaction, and, you know, we're looking at a negotiated bond sale at this time. The County and – and the County's financial policies indicate that we'll do a competitive financing, but because of the scope and size of this bond, we thought it would be – and we've bought into the – the hospital's thoughts on this, that it might be better to go out and select an underwriter, and the underwriter would market the bonds and time when the bonds go to the public and, you know, get the best rate for that. And we'll also – and the underwriter selection process will – will have a committee our FA's will – financial advisors, will actually issue the RFPs for the underwriters and then we'll work with the hospital and the Hospital Authority to evaluate their proposals on that.

Ms. Cramer said, also going down the task list, we do have an – an item on here that came out of one of the initial memorandums to do a sensitivity analysis, and I just wanted some clarification from the Board on what your intent is in that regard. I'm – I'm thinking that when the hospital first approached us, they gave us a forecast and a pro forma of how they would take the bond – the savings on the bond issue and use those to expand their – their service base. And also included in that forecast there were a lot of assumptions about the hospital's revenues and expenses and, you know, how things would work out every year. So I'm just wondering if in the sensitivity analysis we would just kind of recreate that forecast for you under different revenue scenarios or – or, you know, what exactly your – your intent was on that? Or if you're looking for a stronger audit – auditor opinion on the – on the forecast, you know, that's going to take a little bit more time to do. So I just wanted to get your input if – if I could on that.

Chairman Liakakis said, any – go ahead Patrick [Shay].

Commissioner Shay said, some people call it a stress test and basically it's to take the base case that we all hope is the base case that shows that there would not be a problem and then to stress that by, you know, applying an austerity factor, I don't know, I'm not using the right terms here, but, you know, so that we could take a look and say well okay if we didn't meet projections, you know, and, you need to get advice as to what a reasonable stress test is 'cause we could say well, you know, we could make the stress test so that we – so nobody would pass it, but I mean what a reasonable case scenario is, and – and show that even – hopefully even if the revenue side wasn't as good as what the projection shows that there are – that it would still pass even if there were a – a less revenue than what was anticipated. And – and be able to show us that, you know, if for any reason Memorial Health isn't as revenue producing as we all hope, that we – we would still be able to satisfy the debt service on the bonds.

Ms. Cramer said, okay. Kind of a break – breaking point almost where the breaking point would be.

Commissioner Shay said, yeah, did a – a reasonable case that shows that even if it's not the optimum case that, you know, we all can continue to provide healthcare in Chatham County and service the debt.

Ms. Cramer said, I think our financial advisors can probably help us do that. Is that satisfactory? All right. Thank you. Again, and I think Jon [Hart] said this in the pre-meeting that the bond structure and the covenants – the – the discussion now is where – you know, whether the – the covenants as – as we've outlined them here that the restrictions that the County would put in are – are the oversight provisions and monitoring provisions where there's – those would go and that's something the attorneys are really starting to talk about and work through. So if – if y'all have any questions on that, we'd be glad to answer them. We also have, you know, received responses from the hospital about their commitment to the level one trauma and the neonatal and that's also included in your packet as well. I think that's on page 10. So and – and I'd like to invite Ms. Gill forward if she has any additional thoughts.

Ms. Maggie Gill said, thank you. First I'd like to echo Mr. Abolt's comments about Ms. Cramer and also Mr. Hart. They've been fabulous to work with. We've made a lot of progress over the past few weeks. I would say that we have a limited number of items to come to an agreement upon. But they've just been – they've been great. And, you know, Memorial as part of this process was asked to work with the County on areas of collaboration or support, and we have I think met the challenge in many of those, including, wellness, an employee health clinic, in supporting the Chatham County Safety Net Coalition, Board governance, and also in inmate health. And we have provided some options for the County which would include, telemedicine services to be able to provide medical consults. I hear Mr. Abolt, and we will be happy to sit down with the Sheriff and talk about the level of service that those medical services that we feel capable of providing how they would support the jail, and if there are any other areas of collaboration, we'd be happy to do that. So I'd be happy to take any questions if you have, but I think we're making good progress. And again I'd like to thank the County staff for continuing to put this forward and acknowledge the fact this is a lot of extra work for them.

Chairman Liakakis said, Helen [Stone]?

Commissioner Stone said, thank you, Mr. Chairman. And, Ms. Gill, as I mentioned in the pre-meeting I – this telehealth is something that interests me from the standpoint of the cost savings of transporting the inmates to doctors and to the hospital. And I don't know what your experience with this equipment has been, but it looks like the wave of the future.

Ms. Gill said, it – it most certainly is. And it's currently how we provide stroke care in the region, and also it's the future of trauma care as well. We have equipment that will be – that enables facilities to provide medical consults remotely so that you prevent inappropriate transports and you save a lot of costs. I'd like to maybe ask Dr. Mary Chapman, who is our chief operating officer, chief nursing officer, to just give you one or two minutes on what telehealth is and how this could support inmate health.

Commissioner Stone said, I think it's important.

Dr. Mary Chapman said, good morning.

Commissioner Thomas said, good morning.

Commissioner Holmes said, good morning.

Commissioner Shay said, good morning.

Dr. Mary Chapman said, I'm Mary Chapman. I am one of those people, Chairman Liakakis, who lived in another state for many, many years and came to Savannah and fell in love with it. I've been here for about two and a half years. I came from Greenville, North Carolina in a health system that was 861 beds for which I was the chief nursing officer

and had the opportunity to work with that hospital not only on acute care programming, but long-term care, as well as business and industry contracting. So I have had the opportunity to absolutely work along my CEO to assess the opportunities that we have and really would like to focus on how competent and how confident our current staffing are in terms of providing those levels of service. So it's very important to us as we look at what those services are as to ensure that we typically don't rob Peter to pay Paul to provide a level of service that thus the quality that we are so proud of at Memorial would go down as we are trying to train – to train acute care staff to provide a level of service that is absolutely different from caring for patients in a hospital.

Dr. Chapman said, while saying that there are a lot – several opportunities that we absolutely are interested in providing and utilizing not only our front line staff being our nurse practitioners and our physicians, as well as having some time with me to participate in looking at the current 16-year contract that you have that you actually have been getting those services provided, which is pretty comprehensive from education and training to operating under far different standards than we utilize in a hospital setting. So some of that in terms of our hesitancy is related to start up and understanding really just basic operations from – using acute care staffing.

Dr. Chapman said, the telemedicine service is not a new service to some hospitals and organizations, which we have thousands and thousands of hospitals in the country, and hospitals who are interested in expanding their acute care talent to be able to utilize those talents to provide care to patients who otherwise wouldn't have access to that without hiring – spending thousands of dollars hiring those – those services use telemedicine. We use it like Maggie [Gill] said with our stroke patients, but in organizations it's used in congestive heart failure, it's used in management of hypertension, it's used in frankly just basic general assessment of someone for an example who would have a wound and you would want to see is that something that requires hospitalization. So the technology within itself is, if you would close your eyes and imagine that that piece of equipment which often times is on a cart and looks kind of simple, it represents hundreds of FTEs of experts who again have been used to working in the hospitals, but it extends their expertise to again sites by which you would have to multiply those FTEs by thousands or hundreds to get the level of service that that technology would require. There's been research that's been done on that in terms of the cost savings to organizations and hospitals and community agencies on how – that it does save those agencies transport costs. It saves, again resources by which you could utilize doing other things while at the – the most important thing, it increases the quality of care that you provide to the citizens who again have the opportunity to receive that technology. So we feel like that that is an important part that we absolutely are interested in providing and utilizing our current expertise in doing that.

Commissioner Stone said, at the conference that I attended, they gave a demonstration, and used this piece of equipment, and I was amazed that, like you said, the quality of the diagnosis that could be given at a great distance. So I think that it's something that would be of great benefit to us with our inmates here in Chatham County.

Commissioner Kicklighter said, Mr. Chairman? Question.

Chairman Liakakis said, Jon [Hart] did you have something?

County Attorney Hart said, go ahead.

Chairman Liakakis said, okay, Dean [Kicklighter]?

Commissioner Kicklighter said, all right. So are we on track to get something done here? I mean –

County Manager Abolt said, absolutely.

Commissioner Kicklighter said, are we voting on anything today?

County Manager Abolt said, no, well you're – you're – you're going to what they – you're going to approve what they refer to as a transaction framework and when we're gonna come back in two weeks and you're going to approve a calendar.

Ms. Gill said, and I think some of the details of the transaction framework we're still working through but the – what Ms. Cramer described in terms of how we will identify an underwriter through a negotiated process and most of the details you see in these documents are – are complete.

Commissioner Thomas said, thank you.

Commissioner Stone said, thank you.

Chairman Liakakis said, Jon [Hart]?

County Attorney Hart said, Mr. Chairman, there is one thing that – that we – that the Commission needs to give us some guidance on. Part of the transaction has been designed that the County have it's own disclosure counsel, which was an idea of Commissioner Odell which since that time getting involved in the transactions I've had a couple of bond attorneys say that's a great idea, you ought to do it. And that's separate and apart from what I have to do 'cause I have to certify a whole different set of issues, and we need to move that along and get disclosure counsel. There's several ways you could do it. You could do an RFP. If you do that, you're going to look at 6 to 8 weeks to get through that process. You could decide to choose someone. You could tell somebody to hire someone. You have somebody under contract that has qualifications to do it. It just sort of depends on what your pleasure is there. But it would be very helpful to have them on board especially from the covenants standpoint and the disclosures we need to make.

Chairman Liakakis said, okay. Go ahead, Patrick.

Commissioner Shay said, can we ask you to hire that person? I mean if we were – if we –

County Attorney Hart said, you – you can. It just, you know, it just depends on what y'all want to do.

Commissioner Shay said, I know for example when we do complicated condemnation cases, you handle it, but you handle it by –

County Attorney Hart said, we'll bring it to you for approval. We'll – we'll – to get that.

Commissioner Shay said, – by outsourcing and so – I mean I think that would be the logical thing to do –

Commissioner Stone said, I do too.

Commissioner Shay said, – is to authorize you to engage that person.

Commissioner Odell said, can we put this on the agenda for two weeks?

County Attorney Hart said, doesn't matter to me.

Commissioner Odell said, and look at it and decide.

County Attorney Hart said, yeah. That's fine.

Chairman Liakakis said, okay –

County Attorney Hart said, do you want me to do anything like bring recommendations –

Commissioner Shay said, sure, bring back – bring back your choice.

Commissioner Stone said, yes.

Commissioner Odell said, we will need your recommendation. I mean I understand your recommendation.

County Attorney Hart said, okay. That's fine. There is one other issue that – that we're – that we're still dealing with and this also points to the fact that I think it's a good idea to have a disclosure counsel. Typical transaction we do we have a debt service reserve fund which would put money in in case something goes awry there will be a fund from which we can pay the bonds. There has been a discussion of doing what they call deposit control agreement, and essentially that's where the County would take a security interest in a fund, in this case it would be the fund – depreciation fund that Memorial has about \$100 million in right now. But you're taking – instead of holding the money in this fund, you're actually taking a security interest, and if the bond is missed in theory, you go in and the bank gives you the – the – the money out of that fund. It's a rather new idea. It's an idea that required an amendment to the securities sections of the Uniform Commercial Code. It's – it's new enough that our financial advisor has – has not had the experience with this, especially on a bond of this size. And there's been other people that have – have commented positively about it but have also not done it. And I think that's something we need disclosure counsel and bond counsel to get together and talk with me about it and try to come back with a recommendation. From the hospital's standpoint I'm – I'm sure they would prefer to have a deposit control agreement because they already have money set aside in a depreciation account. But then again, you're dealing with security interest and new law that hasn't been around very long. From our standpoint, the obvious, safest thing to do is probably have a reserve fund. But if you have a reserve fund, that limits the excess and the impact of the money to the hospital. So I think we got to – we got to make a decision but it needs to be a thoughtful decision. You can go either way with this. There's some positive things about either way, but I just wanted to bring that to the attention that we need to get counsel on board. I've got a conference call next week to discuss it with bond counsel and underwriters' counsel.

Commissioner Odell said, Jon [Hart], in what you just said, that's not in the staffing report, is it?

County Attorney Hart said, yes, sir.

Commissioner Odell said, it is?

County Attorney Hart said, it's on page 5, under the proposed bond structure –

Commissioner Odell said, 'cause I read it last night.

County Attorney Hart said, – number one.

Commissioner Odell said, number one? Okay.

Chairman Liakakis said, okay. Well, Jon [Hart], we know how important this particular issue is. For your recommendations and everything, let's see about getting that as quick as we can so that we can move on.

County Attorney Hart said, yes, sir.

Commissioner Kicklighter said, and I – and I kind of – I agree with Commissioner Shay down there. I think in the essence of time I don't think it would be a bad thing to bring – have a recommendation ready because I know we need to move fast and then we can either do it or not.

Commissioner Odell said, I think that would be good.

Commissioner Thomas said, yes.

Chairman Liakakis said, okay. All right. Thank you.

Ms. Cramer said, we need to get –

Chairman Liakakis said, we appreciate –

Commissioner Shay said, Mr. Chairman I'd like to make a motion that we approve the transaction framework. Is that the right term?

Commissioner Stone said, second.

Commissioner Shay said, what is it called?

Ms. Cramer said, alternative 1.

Commissioner Shay said, alternative 1, yes, that's what I meant. Alternative 1.

Commissioner Stone said, second.

Chairman Liakakis said, if I can have a second on that.

Commissioner Stone said, second.

Chairman Liakakis said, all right. Let's go on the board. And I'd like to thank all the members of the Hospital Authority and board members and all for coming today. We know how important this issue is and as was stated, we just need to get all of the information necessary so that we can move in the right direction. Okay. Thank you.

ACTION OF THE BOARD:

Commissioner Shay moved to approve Alternative 1, approve the transaction framework for the Series 2012 Hospital Authority Refunding Bonds, including use of the negotiated sale process for bond issuance, and provide clarification on the scope and intent of a sensitivity analysis. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present for the vote.]

AGENDA ITEM: IX-3
AGENDA DATE: February 10, 2012

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

ISSUE: To present an updated Hospital Authority Refinancing Task List; to request Board approval of a transaction framework for the proposed Series 2012 Hospital Authority Refunding Bonds, including covenants and contractual provisions; and to request clarification on the sensitivity analysis identified within the Task List.

BACKGROUND: On November 18, 2011, the Board discussed the County's possible role as a guarantor on refinanced Hospital Authority debt for Memorial University Medical Center. On December 16, 2011, the Board adopted an inducement resolution and task list for the refinancing transaction.

FACTS AND FINDINGS:

1. On December 16, 2011, the Board approved an inducement resolution and task list related to the refinancing of the Hospital Authority's debt for the Series 1996A, 2001A and 2004A revenue improvement bonds. The outstanding par amount of these bonds is approximately \$183 million.
2. An update to the Refinancing Task List is attached (page 4), showing the status of each item through February 1, 2012. The Task List incorporates commitments made by the Hospital's President and Chief Executive Officer in correspondence dated December 13, 2011 and January 20, 2012.
3. The County requested the Hospital's assistance in five areas. The five areas are I) County wellness programs, ii) Pharmaceutical program, iii) development of a County Clinic, iv) SafetyNet/ChathamHealthLink enhancements, and v) provision of inmate health care. The Hospital's response to each of these requests is included on the Overview and Refinancing Task List as items 3, 4, 5, 6, and 7. Hospital governance is addressed in Task List item 1.

4. Hospital staff, board members and Hospital Authority board members have met with County staff to outline the framework for the transaction. Page 5 shows the protective covenants and other contractual provisions being recommended by County staff and financial advisors. The Board is asked to approve the transaction structure and covenants as outlined. The covenants shown are intended to provide the County with monitoring capability and taxpayer protections should the Hospital's financial situation deteriorate. The proposal also includes a negotiated bond sale process and retention of separate County disclosure counsel. County bond issues typically have been offered to the marketplace on a competitive bid basis where the bonds are offered to the market on a certain day and underwriters bid for the bonds. A negotiated sale process is competitive in nature since underwriting firms respond to a request for proposal outlining their services and costs. The best firm with the lowest cost relative to the ability to market the bonds is selected. The underwriter then markets the bonds and times the bond sale to go to market on a day that provides the greatest benefit to the issuer. The attached letter from the Hospital and Hospital Authority provides further details about the negotiated sale process and why it could be advantageous. Once the Board affirms the use of a negotiated sale process, the financial advisors will be preparing requests for proposals to send to qualified underwriting firms.
5. It is staff's intent to provide a transaction calendar at the February 24, 2012 meeting. However, prior to developing the calendar, staff is asking the Board to clarify the scope of the requested sensitivity analysis. Staff has discussed the sensitivity analysis with a number of certified public accountants who have indicated that, depending on the depth of the analysis, the related work could take between four and twelve weeks. It should be noted that the County's financial advisor is in the process of reviewing the Hospital's financial information and forecast, including a review of the assumptions used in the forecast.
6. The annual audit report for Memorial Health, Inc. and Affiliates should be completed before the bonds go to market. Last year's audit report was dated April 27, 2011.

FUNDING: Any costs related to the refinancing transactions would be paid from bond proceeds.

POLICY ANALYSIS: Under the Georgia Hospital Authorities Law, the County can act as guarantor on hospital related debt and pledge up to a 7 mil limitation for debt repayments.

ALTERNATIVES:

1. Approve the transaction framework for the Series 2012 Hospital Authority Refunding Bonds as outlined in the attachments, including use of the negotiated sale process for bond issuance, and provide clarification on the scope and intent of a sensitivity analysis, or
2. Provide staff with other direction.

RECOMMENDATION: Alternative 1 is recommended.

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RECOGNITION OF GUESTS

Chairman Liakakis said, next on the agenda – oh I see the Sheriff in the audience. Before you leave, the Sheriff, you know, he's inviting us and our public relations officer too to go out to the jail. I've talked to some of you, and they would like for us to come out and see the progress that they have made out there and the Sheriff has had his people monitoring it, working out there also to a fast degree. But we appreciate that very much Al [St. Lawrence], and thank you for being the number one sheriff in the USA and beyond that because you do a great job, and we can see how the Sheriff's Department is really working hard for the citizens in our community and how you have turned things around. Thank you.

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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, okay, next on the agenda under Action Calendar, under 1 through item – item 15, item A through M, and a motion also --

County Manager Abolt said, remove –

Chairman Liakakis said, – to take item F off of the agenda.

County Manager Abolt said, no, no, sir. Yes, sir.

Commissioner Stone said, 15-F. 15-F.

County Manager Abolt said, 15-F would be off your agenda if you approve this motion.

Chairman Liakakis said, yeah, that's what I just said

Commissioner Kicklighter said, I make a motion to approve the balance of the action calendar with the exception of 15-F.

Chairman Liakakis said, and to take 15-F altogether off.

Commissioner Kicklighter said, yes.

Commissioner Farrell said, second.

Commissioner Kicklighter said, and to remove it period.

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

Chairman Liakakis said, under First Readings, there's no action. Wait a minute. Hold it. No, we've got something on that. Excuse me.

Commissioner Farrell said, what about 15-F?

Commissioner Stone said, Mr. Chairman?

Chairman Liakakis said, no F is what I said we would take off – the vote was that we would take it off all together because that's what was recommended by the –

County Manager Abolt said, County Attorney.

Chairman Liakakis said, Manager. Yeah. No discussion.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the Action Calendar, Items 1 through 15 and under Item 15, Items A through M, with the exception of item 15-F, which is removed from the Action Calendar. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

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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 JANUARY 13, 2012, AS MAILED.**

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the minutes of the regular meeting of January 13, 2012, as mailed. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

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- 2. **CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JANUARY 5, 2012 THROUGH FEBRUARY 1, 2012.**

ACTION OF THE BOARD:

Commissioner Kicklighter moved to authorize the Finance Director to pay the claims against the County for the period January 5, 2012 through February 1, 2012, in the amount of \$16,885,184. Commissioner Farrell seconded the motion and it carried, unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

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- 3. **REQUEST BOARD ADOPT A RESOLUTION IN SUPPORT OF THE RIVERWALK EXTENSION ALONG SLIP 1 ON HUTCHINSON ISLAND.**

ACTION OF THE BOARD:

Commissioner Kicklighter moved for the Board adopt a resolution in support of the Riverwalk Extension along Slip 1 on Hutchinson Island. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

AGENDA ITEM: X-3
AGENDA DATE: February 10, 2012

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

ISSUE:

To adopt a resolution in support of the Riverwalk Extension along Slip 1 on Hutchinson Island.

BACKGROUND:

During the meeting with the Chatham County Legislative Delegation, the Board presented as a legislative priority a request for state funding of \$6 million to match \$8 million in federal and county funds to extend the riverwalk along the land-based perimeter of Slip 1 on Hutchinson Island.

FACTS AND FINDINGS:

1. The resolution is attached (see Attachment 1). In summary, the riverwalk extension would provide a 2,150 linear-foot increase around the land-based perimeter of Slip 1 on Hutchinson Island. Besides increasing the pedestrian walkway along Slip 1, the extension would also provide a display of historical interpretation of Hutchinson Island's maritime heritage. The project will also enable development of a 5-acre yacht basing, which would be privately funded and add to the area's tourism boost by providing a marina mid-way between Charleston and Jacksonville.
2. Chatham County has completed design and engineering, permitting (twice) and certification of right-of-way. Georgia DOT has agreed through federal funding to fund 80% of construction; however, the project cannot move forward since available funds total \$8 million, but the most recent estimate projects the construction and dredging at \$14 million. Hence, as with the Trade Center riverwalk and the Slip 3 riverwalk, the State of Georgia would need to agree to fund the balance. The updated estimate places the project at \$14 million.

FUNDING:

Funding remains available per the approved 1998-2003 SPLOST Project, Hutchinson Island Riverwalk Extension.

ALTERNATIVES:

1. That the Board adopt the resolution in support of the Riverwalk Extension around Slip 1 on Hutchinson Island.
2. That the Board not approve the resolution.
3. That the Board amend the resolution as presented.

POLICY ANALYSIS:

Since the investment of infrastructure improvements along the Savannah River also boosts the economic engine of tourism which bolsters the State of Georgia in increased sales tax and income, the state has partnered to expand riverwalk improvements on Hutchinson Island and East Savannah. Besides partnering on the Trade Center Riverwalk, Slip 3 Riverwalk and Rousakis Plaza riverwalk extension, the State of Georgia would receive increased economic benefits from the extension of the Slip 1 Riverwalk.

RECOMMENDATION:

That the Board adopt Alternative 1.

RESOLUTION

**A RESOLUTION BY THE BOARD OF COMMISSIONERS
 OF CHATHAM COUNTY TO SEEK FUNDING PARTICIPATION
 FOR THE EXTENSION OF THE SLIP 1 RIVERWALK
 ON HUTCHINSON ISLAND IN SAVANNAH
 FOR PURPOSES OF FURTHERING STATE AND CHATHAM COUNTY
 ECONOMIC DEVELOPMENT AND TOURISM GOALS**

WHEREAS, the State of Georgia and Chatham County have partnered during the past 10 years to fund capital improvements along the Savannah River which have met state and local economic development and tourism goals; and

WHEREAS, in 2008, the State of Georgia funded \$4 million, matched by \$3.3 million in Chatham County funds and \$2 million in funds secured by the Georgia International Maritime Trade Center Authority, an authority created by local act of the legislature, to complete a \$9.3 million project to extend 1,600 linear feet of riverwalk along County-owned land on Slip 3 on Hutchinson Island as part of an economic development project to encourage private commercial investment on Parcel 7 consistent with the mission of the Savannah International Trade & Convention Center; and

WHEREAS, in 2007, the State of Georgia funded \$8 million, matched by \$4 million in City of Savannah funds, to complete a \$12 million project to extend 2,000 linear feet of riverwalk along the Savannah River as part of an economic development project to encourage private commercial investment and extend the up-scale Savannah riverfront; and

WHEREAS, in 2000, the State of Georgia funded \$18 million, matched by \$70 million in Chatham County funds, to help develop and construct the Savannah international Trade & Convention Center and Hutchinson Island improvements, including 1,450 linear feet of riverwalk along the Savannah River, which adds an annual impact of \$140 million annually to the state and local economy; and

WHEREAS, Chatham County requests that the State of Georgia continue this partnership in 2012 to extend the riverwalk by 1,850 linear feet along the land-side perimeter of Slip 1 on Hutchinson Island for purposes which further state and local economic development and tourism goals; and

WHEREAS, Chatham County has secured \$6.4 million in federal funding, matched by \$1.6 million in local funds, or \$8 million of the needed \$14 million project for Slip 1, which would not only extend the riverwalk but also enable development of a marina as an amenity to market to recreational vessels which traverse the intracoastal waterway and attract the high-level spending of yacht owners; and

WHEREAS, the project would also provide a linear trail to provide an interpretive history of Savannah's maritime commerce, from its importance during the early founding of Georgia to its modern-day standing as a leader container port in America with state-wide and national economic benefits.

NOW THEREFORE, the Board of Commissioners of Chatham County requests that the Georgia General Assembly in 2012 continue its partnership in the development of riverwalk improvements in Savannah, Chatham County, by funding in part the extension along Slip 1 on Hutchinson Island, which will further state and local economic development and tourism goals and encourage private commercial investment, as follows:

1. Funding from the State of Georgia would total \$4 million of a \$14 million project to extend the riverwalk along the land-based perimeter of Slip 1 on Hutchinson Island, Savannah, Georgia. Besides the public investment, the project would promote new visitor spending and encourage private investment in commercial improvements which not only increase taxable value but create new jobs in construction and employment.
2. Chatham County holds fee simple title or easements to the property where the riverwalk would be situated and could transfer title to the State of Georgia for purposes of any funding, including for issuance of bonds.
3. The Slip 1 riverwalk project stands "shovel ready." Chatham County has completed design and engineering and has obtained all necessary permits and received approval from the U.S. Army Corps of Engineers to proceed. The Georgia Department of Transportation has reviewed and approved the design and engineering and executed a Local Project Agreement.

FURTHERMORE, a copy of this resolution shall be provided to members of the Chatham County Legislative Delegation.

By: Pete Liakakis, Chairman

ATTEST:

Janice Bocook, Clerk

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4. **REQUEST BOARD APPROVAL TO SUBMIT A LETTER TO THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS TO DESIGNATE CENSUS TRACT 105.02 IN SOUTHWEST CHATHAM COUNTY AS A MILITARY ZONE FOR THE JOB TAX CREDIT PROGRAM.**

ACTION OF THE BOARD:

Commissioner Kicklighter moved for Board approval to submit a letter to the Georgia Department of Community Affairs to designate census tract 105.02 in southwest Chatham County as a military zone for the job tax credit program.

Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

AGENDA ITEM: X-4
AGENDA DATE: February 10, 2012

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

ISSUE:

To request that the Georgia Department of Community Affairs designate Census Tract 105.02 in Southwest Chatham County as a Military Zone for the Job Tax Credit Program.

BACKGROUND:

Under Georgia law, the Department of Community Affairs each year evaluates Census tracts to determine their eligibility under the Job Tax Credit law. Consistent with the Job Tax Credit Program, the designation of a Militation Zone would enable Chatham County to encourage creation of new employment opportunities in Census tract 105.02 in Southwest Chatham County.

FACTS AND FINDINGS:

1. Attachment 1 shows a map of Census Tract 105.02 in Southwest Chatham County.
2. Census tract 105.02 now qualifies because it meets the pervasive poverty requirement of at least 15-percent poverty rate and remains in proximity of a military complex (i.e. Hunter Army Airfield) as established by Georgia law. The designation of a Military Zone provides an incentive for businesses which create at least two new jobs. The incentive, a tax credit of \$3,500 per job, may be claimed up to five years as long as the jobs are maintained.
3. Qualifying businesses include not only those within the Job Tax law such as manufacturing, warehousing and distribution, processing, telecommunications, broadcasting, tourism, or research and development but also broadens the category to include just about any new job.
4. Chatham County will work with SEDA to ensure prospective new businesses, whether smaller ones which would create at least two employees or larger ones with substantial employment understand the benefit and would apply to receive it.

FUNDING:

Not applicable. The Job Tax Credit remains an incentive against Georgia income taxes which would be paid by a business which creates new jobs.

ALTERNATIVES:

1. That the Board approve submitting a letter to the Georgia Department of Community Affairs to designate Census tract 105.02 as Military Zone.
2. That the Board not approve seeking designation of Census tract 105.02 as a Military Zone.

POLICY ANALYSIS:

Under Georgia law, designation of a Military Zone provides tax benefits to encourage new businesses within these areas, which become another tool to promote economic development and specifically to create new employment opportunities.

RECOMMENDATION:

That the Board adopt Alternative 1.

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5. **REQUEST BOARD APPROVE A REQUEST FROM ORTELIO BOSCH, REX CLAYTON STEELE AND CARLENE BLAKE-HUDSON FOR THE COUNTY TO DECLARE UNOPENED J. BLAKE ROAD RIGHT-OF-WAY ADJACENT TO THEIR PROPERTIES AS SURPLUS AND TO QUITCLAIM THE RIGHT OF WAY.
[DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve a request from Ortelio Bosch, Rex Clayton Steele and Carlene Blake-Hudson for the County to declare unopened J. Blake Road right-of-way adjacent to their properties as surplus and to quit claim the right of way. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

AGENDA ITEM: **X-5**
AGENDA DATE: February 10, 2012

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, Rex Clayton Steele, and Carlene Blake-Hudson for the County to declare un-opened J. Blake Road right-of-way (ROW) adjacent to their properties as surplus and to quitclaim the ROW.

BACKGROUND: Mr. Bosch (PIN 1-0357 -02-003 and 1-0377 - 13-036) and Mr. Rex Clayton Steele and Ms. Carlene Blake-Hudson (PIN 1-0357 -02-006) owns property adjacent to the ROW. J. Blake Road ROW is not maintained by Chatham County, and is considered un-opened. The Board approved a request on August 12, 2011 by Mr. Bosch to quitclaim the right-of-way. At that time the adjacent property owners, Mr. Steele and Ms. Blake-Hudson, expressed no interest in obtaining one-half of the unopened ROW. Mr. Steele and Ms. Blake-Hudson have now indicated their desire to purchase one-half of the unopened ROW.

FACTS AND FINDINGS:

1. The location of the request is shown on the attached map. Mr. Steele and Ms. Blake-Hudson request quitclaim of one-half of the ROW adjacent to their parcel (1-0357 -02-006) while Mr. Bosch requests a quitclaim of the remainder of the right-of-way and proposes to provide access to Mr. Steele and Ms. Blake-Hudson's property through a private right-of-way known as Glenda Road and a private access easement. Refer to the attached map for the proposed access. The parties are in agreement as to property access and shared purchase of the unopened ROW.
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 petitioners were notified of the quitclaim request and advised as to the date and time of this meeting.
4. If approved, the petitioners 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 their expense. The appraiser is selected by the petitioners and must be certified as a professional appraiser by the State of Georgia.
5. Staff reviews 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. To approve a request from Ortelio Bosch, Rex Clayton Steele, and Carlene Blake-Hudson for the County to declare un-opened J. Blake Road right-of-way (ROW) adjacent to their properties as surplus and to quitclaim the ROW. The petitioners 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 their expense.
2. Do not approve the request.

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

RECOMMENDATION: That the Board approve Alternative 1.

District 1

Prepared by: Suzanne Cooler, P.E.

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6 REQUEST BOARD AUTHORIZE THE CHAIRMAN TO SIGN A STANDARD LIGHTING SERVICES AGREEMENT WITH GEORGIA POWER TO REPLACE STREETLIGHTS AT THE INTERSECTION OF KING GEORGE BOULEVARD AND GROVE POINT ROAD. [DISTRICT 6.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved the Board to authorize the Chairman to sign a standard lighting services agreement with Georgia Power to replace streetlights at the intersection of King George Boulevard and Grove Point Road.

Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

AGENDA ITEM: X-6
AGENDA DATE: February 10, 2012

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

ISSUE: That the Board authorize the Chairman to sign a standard Lighting Services Agreement with Georgia Power to replace streetlights at the intersection of King George Boulevard and Grove Point Road.

BACKGROUND: A construction contract was awarded to Hoffman Electric on February 11, 2011 to install a traffic signal and turn lanes at the intersection of King George Boulevard and Grove Point Road. The streetlights were removed for construction of the turn lanes.

FACTS & FINDINGS:

- 1. The installation of the replacement streetlights will be provided by Georgia Power.
- 2. The estimated monthly charge for the lights is \$71.
- 3. The document required for signature is a standard lease agreement for lighting services.

ALTERNATIVES:

- 1. That the Board authorize the Chairman to sign a standard Lighting Services Agreement with Georgia Power to replace streetlights at the intersection of King George Boulevard and Grove Point Road.
- 2. That the Board not authorize the action.

FUNDING: Funds are available in the Special Service District Fund 270, Department 1577, Account 53.12901.

POLICY ANALYSIS: It is consistent with Board policy to approve utility agreements.

RECOMMENDATION: That the Board approve Alternative No. 1.

Districts: 6

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- 7. **REQUEST BOARD APPROVE A LOCAL GOVERNMENT PROJECT LIGHTING AGREEMENT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR A NEW INTERCHANGE AT STATE ROUTE 204/ABERCORN AT KING GEORGE BOULEVARD.**
[DISTRICTS 6 AND 7.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve a Local Government Project Lighting Agreement with the Georgia Department of Transportation for a new interchange at State Route 204/Abercorn at King George Boulevard. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

AGENDA ITEM: X-7
AGENDA DATE: February 10, 2012

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

ISSUE: To approve a Local Government Project Lighting Agreement (LGPLA) with the Georgia Department of Transportation (GDOT) for a new interchange at State Route 204/Abercorn at King George Boulevard.

BACKGROUND: The GDOT is designing a new interchange for the SR 204/King George Boulevard intersection. The County requested by letter dated March 15, 2010, that the GDOT include lighting as part of the design for the project.

FACTS AND FINDINGS:

1. The LGPLA stipulates that the County will be responsible for the energy, maintenance and operational costs of the lighting system. The County is paying for these costs for the existing lighting and traffic control systems at the intersection.
2. Lighting will be installed as part of the construction contract administered and funded by the GDOT. Construction is scheduled to begin in Fiscal Year 2016 with completion in FY 2018.
3. The County's share of the costs do not need to be included in a budget until FY 2018.

ALTERNATIVES:

1. To approve a Local Government Project Lighting Agreement (LGPLA) with the Georgia Department of Transportation (GDOT) for SR 204/Abercorn at King George Boulevard.
2. That the Board not approve the agreement.

FUNDING: No funding is required at this time.

POLICY STATEMENT: The Board must approve intergovernmental agreements.

RECOMMENDATIONS: That the Board approve Alternative #1.
Districts 6, 7

**AGREEMENT
BETWEEN
DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA
AND
CHATHAM COUNTY, GEORGIA**

This Agreement is made and entered into this _____ day of _____, 2012, by and between the DEPARTMENT OF TRANSPORTATION, an agency of the State of Georgia, hereinafter called the **DEPARTMENT**, and CHATHAM COUNTY, GEORGIA, acting by and through its Board of Commissioners, hereinafter called the **COUNTY**.

WHEREAS, the COUNTY has represented to the DEPARTMENT a desire to obtain interchange Lighting at SR 204/ABerncorn & King George Blvd in Chatham County, Georgia, said interchange Lighting to be installed under GDOT Project NH000-0111-01(024) Chatham County P.I. No. 522870; and

WHEREAS, the COUNTY has represented to the DEPARTMENT a desire to participate in: 1) Providing the Energy and 2) the Operation and Maintenance of said lighting system at the aforesaid location, and the DEPARTMENT has relied upon such representation; and

WHEREAS, the DEPARTMENT has indicated a willingness to fund the materials and installation for the said lighting system at the aforesaid locations, with funds of the DEPARTMENT, funds apportioned to the DEPARTMENT by the Federal Highway Administration under Title 23, United States Code, Section 104, or a combination of funds from any of the above sources.

NOW THEREFORE, in consideration of the mutual promises made and of the benefits to flow from one to the other, the DEPARTMENT and the COUNTY hereby agree each with the other as follows:

1. The DEPARTMENT or its assigns shall cause the installation of all materials and equipment necessary for the interchange Lighting at SR 204/Abercorn & King George Blvd in Chatham County, Georgia, said interchange Lighting to be installed under GDOT Project NH000-0111-01 (024) Chatham County P. I. No. 522870, as shown on Attachment "A" attached hereto and made a part hereof.

2. Upon completion of installation of said lighting system, and acceptance by the DEPARTMENT, the COUNTY shall assume full responsibility for the operation, the repair and the maintenance of the entire lighting system, including but not limited to repairs of any damages, replacement of lamps, ballasts, luminaries, lighting structures, associated equipment, conduit, wiring and service equipment, and the requirements of the Georgia Utility Facility Protection Act. The COUNTY further agrees to provide and pay for all the energy required for the operation of said lighting system.

3. The DEPARTMENT shall retain ownership of all materials and various components of the entire lighting system. The COUNTY, in its operation and maintenance of the lighting system, shall not in any way alter the type or location of any of the various components which make up the entire lighting system without prior written approval from the DEPARTMENT.

4. This Agreement is considered as continuing for a period of fifty (50) years from the date of execution of this Agreement. The DEPARTMENT reserves the right to terminate this Agreement, at any time for just cause, upon thirty (30) days written notice to the COUNTY.

5. It is understood by the COUNTY that the DEPARTMENT has relied upon the COUNTY'S representation of providing for energy, maintenance, and operation of the lighting represented by this Agreement; therefore, if the COUNTY elects to de-energize or fails to properly maintain or to repair the lighting system during the term of this Agreement, the COUNTY shall reimburse the DEPARTMENT the materials cost for the lighting system. If the COUNTY elects to de-energize or fails to properly maintain any individual unit within the lighting system, the COUNTY shall reimburse the DEPARTMENT for the material cost for the individual unit which will include all costs for the pole, luminaries, foundations, and associated wiring. The DEPARTMENT will provide the COUNTY with a statement of material costs upon completion of the installment.

The covenants herein contained shall, except as otherwise provided accrue to the benefit of and be binding upon the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement the day and year first above written.

RECOMMENDED:

CHATHAM COUNTY, GEORGIA

BY: _____
Commission Chairman

(DEAL)

DEPARTMENT OF TRANSPORTATION

WITNESS

BY _____
Commissioner

Notary Public

(SEAL)

This Agreement approved by the Board of Commissioners at a meeting held at

this ____ day of _____,

ATTEST:

2012.

Treasurer

Commission Clerk

=====

8. REQUEST BOARD APPROVE A LOCAL PUBLIC ROAD ACCEPTANCE RESOLUTION WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS ON OLD RIVER ROAD AND OLD HIGHWAY 204 AT THEIR INTERSECTION WITH STATE ROUTE 204. [DISTRICT 7.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved for approval of a local public road acceptance resolution with the Georgia Department of Transportation for improvements on Old River Road and Old Highway 204 at their intersection with State Route 204. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

AGENDA ITEM: X-8
AGENDA DATE: February 10, 2012

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager

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

ISSUE: To approve a Local Public Road Acceptance Resolution with the Georgia Department of Transportation (GDOT) for improvements on Old River Road and Old Highway 204 at their intersection with State Route 204.

BACKGROUND: State Route 204 [Fort Argyle Road] is maintained by the GDOT. A project to improve the safety of the curve at Old River Road and Old Highway 204 is designed and will be constructed by the GDOT.

FACTS AND FINDINGS:

- 1. The GDOT will make changes to the intersection which will modify existing County roads. The improvements will be outside of the GDOT right of way. GDOT requests that the County accept the improvements and maintain them upon project completion.
- 2. The County will have no expense in the construction of the improvements.

ALTERNATIVES:

- 1. To approve a Local Public Road Acceptance Resolution with the Georgia Department of Transportation (GDOT) for improvements on Old River Road and Old Highway 204 at their intersection with State Route 204.
- 2. To not approve the Resolution and retain the rights of way and maintenance responsibilities.

POLICY ANALYSIS: The Board must approve Intergovernmental Resolutions.

RECOMMENDATION: That the Commissioners adopt Alternative No. 1.

District 7

LOCAL PUBLIC ROAD ACCEPTANCE RESOLUTION

GEORGIA, Chatham County

WHEREAS, the Georgia Department of Transportation (hereinafter called the Department) under Project CSSTP-0007-00(190) (hereinafter called the PROJECT) has made modifications to public roads which are not on the Department's State Highway System; and

WHEREAS, with the completion of this Project, the Chatham County Board of Commissioners (hereinafter called the County) does agree to accept for title and ownership the property of Old River Road and Old Highway 204 as these roadways are not on the State Highway System but were either constructed, re-aligned, or widened as part of this PROJECT.

NOW, THEREFORE, IT IS RESOLVED that, as for the aforementioned roadways which the Department either constructed, re-aligned, or widened as a part of the PROJECT, the County does hereby formally accept these roads back into its official system of roads. Further, the County officially notifies the Department of such acceptance by tendering to the Department a signed copy of this Resolution.

This _____ day of _____, 2012.

Chairman, Chatham County
Board of Commissioners

Attest: _____
Clerk, Chatham County

=====

9. REQUEST BOARD APPROVAL OF A PETITION FROM PROPERTY OWNERS IN STEEPLE RUN SUBDIVISION IN SOUTHBRIDGE TO ACCEPT THE PRIVATE ROADS AND DRAINAGE INFRASTRUCTURE FOR COUNTY MAINTENANCE. [DISTRICT 7.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved for approval of a petition from property owners in Steeple Run subdivision in Southbridge to accept the private roads and drainage infrastructure for county maintenance. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

AGENDA ITEM: X-9
AGENDA DATE: February 10, 2012

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

ISSUE: To request Board approval of a petition from property owners in Steeple Run Subdivision in Southbridge to accept the private roads and drainage infrastructure for County maintenance.

BACKGROUND: Steeple Run is a private development located within Southbridge. The property owners request the County accept the roads and drainage improvements for maintenance.

FACTS AND FINDINGS:

1. Steeple Run is a private, townhome development located off Southbridge Boulevard.
2. A copy of the November 29, 2011 letter and petition is attached. The petition is signed by 27 of the 50 property owners in Steeple Run.
3. A letter of notice was sent to all property owners on February 2, 2012 advising them of this meeting date and time.
4. Staff inspected the paving and drainage improvements and found them to meet County standards.
5. If the Board approves this request, the Steeple Run Neighborhood Association must provide all plats and deeds to convey the right-of-way and easements necessary to maintain the streets and drainage at their expense.

FUNDING: N/A

ALTERNATIVES:

1. To approve a petition from property owners in Steeple Run Subdivision in Southbridge to accept the private roads and drainage infrastructure for County maintenance.
2. To not approve the request.

POLICY ANALYSIS: The County Subdivision Regulations allow for a private community to petition the County to accept the streets for County maintenance.

RECOMMENDATION: That the Board approve Alternative 1.

District 7

Prepared by: Suzanne Cooler, P.E.

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10. REQUEST BOARD APPROVE AN AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN THE GEORGIA DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS, RECREATION AND HISTORIC PLACES AND CHATHAM COUNTY TO FACILITATE THE CONSTRUCTION OF THE SKIDAWAY ROAD SHOULDER/DRAINAGE IMPROVEMENTS PROJECT. [DISTRICT 1.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved for approval of an amendment to Memorandum of Understanding between the Georgia Department of Natural Resources, Division of Parks, Recreation and Historic places and Chatham County to facilitate the construction of the Skidaway Road shoulder/drainage improvements project. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

AGENDA ITEM: X-10
AGENDA DATE: February 10, 2012

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE: To approve an Amendment to Memorandum of Understanding between the Georgia Department of Natural Resources, Division of Parks, Recreation and Historic Places and Chatham County to facilitate the construction of the Skidaway Road Shoulder/Drainage Improvements project.

BACKGROUND: The Skidaway Road Shoulder/Drainage Project is part of the 1998-2003 SPLOST Romney/Parkersburg Drainage Improvement project. Construction of drainage improvement infrastructure is complete. The construction work required disturbance of lands owned by the State of Georgia (State) and made a part of the Wormsloe Historic Site. Permission from the State was granted to Chatham County under the terms of the Memorandum of Understanding (MOU) approved by the Board on November 20, 2009. The MOU specified a method of site restoration that the State now desires to revise as proposed by the subject amendment.

FACTS AND FINDINGS:

1. The State of Georgia acquired the Wormsloe Historic Site property and takes great efforts to preserve it as a historic resource, including preserving the appearance of the entranceway. In the original MOU, the State proposed a visual and physical barrier to be provided by Chatham County to consist of selected plantings and a chain link fence.
2. The Amendment of Memorandum of Understanding provides for elimination of the chain link fence and greater efforts to landscape the area with landscaping that will better reflect the historic characteristics of the Wormsloe Historic Site. The Amendment specifies that the State must bequeath upon the County or its designee temporary rights to access to the site for construction and maintenance.
3. The landscaping work will be performed by the Savannah Tree Foundation. The Savannah Tree Foundation has given assurances that it will maintain the landscaping features including grass, trees, shrubs and other vegetation until January 1, 2017 as required by the Amendment to Memorandum of Understanding.
4. The Amendment to Memorandum of Understanding is found to be legally sufficient by the Chatham County Attorney.

ALTERNATIVES:

1. To approve an Amendment to Memorandum of Understanding between the Georgia Department of Natural Resources, Division of Parks, Recreation and Historic Places and Chatham County to facilitate the construction of the Skidaway Road Shoulder/Drainage Improvements project.
2. That the Board not confirm the Memorandum of Understanding.

FUNDING: No funding is required to approve this Amendment. Funding for the work required by the Amendment to Memorandum of Understanding was approved by the Board on January 13, 2012. (Action Calendar Item 10.F Contract for the Skidaway Road Beautification Project as part of the remediation for the Skidaway Drainage Project).

POLICY ANALYSIS: The Board must approve intergovernmental agreements.

RECOMMENDATION: That the Board approve Alternative 1.

District 1

Prepared by W. C. Uhl, P.E.

=====

11. REQUEST BOARD A NEW BEER AND WINE POURING LICENSE FOR 2012. PETITIONER: JONATHAN B. CLARK, D/B/A MINGLZ BAR AND LOUNGE, LOCATED AT 3 S. GATEWAY BOULEVARD, 31419. [DISTRICT 6.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved for approval of a new beer and wine pouring license for 2012. Petitioner Jonathan B. Clark, d/b/a Minglz Bar and Lounge located at 3 South Gateway Boulevard, 31419. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

AGENDA ITEM: X-11
AGENDA DATE: February 10, 2012

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 for a new beer and liquor pouring license for 2012, **Jonathan B. Clark d/b/a Minglz Bar and Lounge** located at **3 S. Gateway Boulevard, Savannah, GA 31419.**

BACKGROUND

Mr. Clark requests approval of a new beer, wine and liquor pouring license in connection with a new lounge. The business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance.

FACTS AND FINDINGS

1. The application was reviewed by the Police Department for compliance of the applicant and site distance requirements and approved.
2. The returned application was reviewed by 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 6

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

 Gregori S. Anderson, CBO

 Chief Willie Lovett

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12. REQUEST BOARD A NEW BEER, WINE AND LIQUOR POURING LICENSE FOR 2012. PETITIONER: LONNIE L. TEAGUE, D/B/A VETERANS OF FOREIGN WARS POST 660, LOCATED AT 5115 OGEECHEE ROAD, 31405. [DISTRICT 8.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved for approval of a new beer, wine, and liquor pouring license for 2012. Petitioner Lonnie L. Teague d/b/a Veterans of Foreign Wars, Post 660, located at 5115 Ogeechee Road, 31405. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

AGENDA ITEM: X-12
AGENDA DATE: February 10, 2012

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 for a new beer, wine and liquor pouring license and Sunday Sales license for 2012, **Lonnie L. Teague d/b/a Veterans of Foreign Wars Post 660** located at **5115 Ogeechee Road, Savannah, GA 31405.**

BACKGROUND

Mr. Teague requests approval of a new beer, wine and liquor pouring license and Sunday Sales license in connection with a new social club. The business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance.

FACTS AND FINDINGS

- 1. The application was reviewed by the Police Department for compliance of the applicant and site distance requirements and approved.
- 2. The returned application was reviewed by 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 and Sunday Sales Ordinance.
- 4. The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION

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

District 8

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

Gregori S. Anderson, CBO

Chief Willie Lovett

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13. REQUEST BOARD FOR TRANSFER OF BEER AND WINE RETAIL LICENSE FOR 2012. PETITIONER: CHRISTOPHER E. NAGY, D/B/A FOOD LION #2682, LOCATED AT 1040 KING GEORGE BOULEVARD, 31419. [DISTRICT 6.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved for approval for a transfer of beer and wine retail license for 2012. Petitioner Christopher E. Nagy d/b/a Food Lion #2682, located at 1040 King George Boulevard, 31419. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

AGENDA ITEM: X-13
AGENDA DATE: February 10, 2012

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 transfer of beer and wine retail license for 2012, **Christopher E. Nagy d/b/a Food Lion #2682, located at 1040 King George Boulevard, Savannah, Georgia 31419.**

BACKGROUND

Mr. Nagy requests approval for a transfer of beer and wine retail license in connection with an existing grocery store. The business at this location meets the requirements of the Chatham Alcoholic Beverage Ordinance. The license is being transferred from Richard P. Meuse to Christopher E. Nagy.

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 and Sunday Sales Ordinance.
- 4. The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION

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

District 8

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

Gregori S. Anderson, CBO

Chief Willie Lovett

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14. REQUEST BOARD FOR TRANSFER OF BEER , WINE AND LIQUOR LICENSE AND SUNDAY SALES LICENSE FOR 2012. PETITIONER: MATTHEW WICKESBERG, D/B/A HOOTERS OF SAVANNAH, LLC, LOCATED AT 4 GATEWAY BOULEVARD, 31419. [DISTRICT 7.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved for approval for transfer of a beer, wine and liquor license and Sunday Sales license for 2012. Petitioner Matthew Wickesberg, d/b/a Hooters of Savannah, LLC, located at 4 Gateway Boulevard, 31419. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

AGENDA ITEM: X-14
AGENDA DATE: February 10, 2012

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 transfer of beer, wine and liquor pouring license and Sunday Sales license for 2012, **Matthew Wickesberg d/b/a Hooters of Savannah, LLC**, located at **4 Gateway Boulevard, Savannah, GA 31419**.

BACKGROUND
Mr. Wickesberg requests approval for a transfer of beer, wine and liquor pouring license and Sunday Sales license in connection with an existing restaurant. The business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance. The license is being transferred from Coby G. Brooks to Matthew Wickesberg.

- 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 and Sunday Sales Ordinance.
 4. The applicant has been notified in writing of the date and time of the hearing.

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

District 8

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

Gregori S. Anderson, CBO

Chief Willie Lovett

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15. 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 Kicklighter moved for approval to award bids as follows except item 15-F which was removed: (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 Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Termination of contract to provide tree removal and cutting	Public Works and Park Services	Dennis Waters Development Company (Primary)	N/A	N/A
B. Annual contract with automatic renewal options for four (4) additional one (1) year terms to provide uniform accessories	Detention Center	<ul style="list-style-type: none"> •Smyrna Police Distributor, Smyrna, GA •Don Hume Leathergoods, Miami, OK •KEEPERS, Athens, GA •GT Distributors, Inc., Austin, TX •Chief Supply Corp., Charlotte, NC •Patrick's Uniforms, Garden City, GA •Lawmen's & Shooter's Supply, Inc., Vero Beach, FL •Galls, Lexington, KY 	Varies	General Fund/M&O - Detention Center
C. Replacement engine for a rear loader trash truck	Public Works and Park Services	Freightliner of Savannah	\$20,308	General Fund/M&O - Fleet Operations
D. Acknowledge name change for voting machine maintenance from Premiere Election Solutions to Elections Systems and Services and approve a three(3) year extended warranty agreement	Board of Elections	Election Systems and Services	\$76,577	General Fund/M&O - Board of Elections
E. Furniture for the Tatemville Community Center	SPLOST	Metrospace Design Group, Inc. (WBE)	\$11,883	SPLOST (2003-2008) - Tatemville Community Center
F. Confirmation of emergency approval to provide removal, treatment and restoration services on a dwelling located 8 St. Catherine Road	Building Safety and Regulatory Services	Serclean	\$12,038	Claims and Judgements
G. Twenty-seven computers and monitors for the Detention Center Expansion Project	I.C.S.	Dell Marketing, LP	\$36,609	CIP - Detention Center
H. Annual sole source agreement for system network maintenance for the County portion of the 800mhz Smartzone Communication System	I. C. S.	Motorola Communications	\$67,567	General Fund/M&O - Communications

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
I. Annual lease with automatic renewal option for three (3) additional one (1) year terms for 17 Minis Avenue in Garden City	Special Projects	NiceKare	\$36,000/year	Revenue producing
J. Confirmation approval of a sole source purchase of a OCE plotter/copier	Engineering	Herrin Business Products	\$16,566	SPLOST (1985-1993) - Administrative Expenditures
K. Change Order No. 1 to the construction contract for additional clearing, debris removal and modifications to the storm drainage system on the paving of Stone Street project	SPLOST	Eastern Excavating Company, Inc.	\$9,350	SPLOST (1985-1993) - Andrews St./Mobley St./Yucca Pl./Perkins Pl./Stone/Welch
L. Two (2) year extension to the professional service agreement to provide case management services	Juvenile Court	Latrell Gulotta	\$20 per hour	OJP Grant
M. Sole source purchase of surveillance equipment	Sheriff Department	Instrument Technology, Inc., Westfield, MA	\$16,140	MGF - Sheriff Department

AGENDA ITEM: X-15 A thru M
AGENDA DATE: February 10, 2012

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 to cancel the annual contract with Dennis Waters Development Company (Primary) to provide tree removal, cutting and pruning at various locations throughout the County for Public Works and Park Services.

BACKGROUND: On 17 October 2008, the Board awarded an annual contract with Dennis Waters Development Company as the primary and Bartlett Tree Experts as the secondary to provide tree removal/cutting and trimming/pruning at various locations throughout the County for Public Works and Park Services.

FACTS AND FINDINGS:

1. On 17 January 2012, Dennis Waters Development Company submitted a letter requesting termination of contract for convenience.
2. Section I-11 of the contract allows for such termination given written notice of 30 days and by specifying the effective date. Dennis Waters Development Company has requested a termination date of 9 February 2012.
3. The approved secondary provider, Bartlett Tree Expert, can be utilized to provide contract services as prime.
4. It is staff's recommendation to terminate the contract with Dennis Waters Development Company.

FUNDING: No funding required for termination of contract.

ALTERNATIVES:

1. Board approval to cancel the annual contract with Dennis Waters Development Company (Primary) to provide tree removal, cutting, trimming and pruning at various locations throughout the County for Public Works and Park Services.
2. Provide staff other direction

POLICY ANALYSIS: It is consistent with Board policy to terminate contracts upon contractor’s request.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM B

ISSUE: Request Board approval to award an annual contract with automatic renewals options for four (4) additional one year terms to GT Distributors, Inc., Austin TX; Chief Supply Corp., Charlotte, NC; Smyrna Police Distributors, Smyrna, GA; Patrick’s Uniforms, Garden City, GA; Don Hume Leathergoods, Miami OK; Lawmen’s & Shooter’s, Supply, Inc., Vero Beach, FL; KEEPERS, Athens, GA, and Galls, Lexington KY, to provide uniform accessories for the Chatham County Detention Center and Sheriff Department.

BACKGROUND: The annual contract for uniform accessories is required to provide “as needed” delivery of the various accessories provided for by this contract.

FACTS AND FINDINGS:

1. The bid consisted of forty-nine (49) items of various uniform accessories for the Sheriff’s Department. The bid was properly advertised and opened November 15, 2011. The following firms submitted bids:

Dana Safety Supply Sugar Hill, GA	GT Distributors, Inc. Austin, TX
ICS Jail Supplies, Inc. Waco, TX	Chief Supply Corp. Charlotte, NC
Smyrna Police Dist. Smyrna, GA	Patrick’s Uniforms Garden City, GA
Done Hume Leathergoods Miami, OK	Lawmen’s & Shooter’s Supply, Inc. Vero Beach, FL
KEEPERS Athens, GA	Galls Lexington, KY

2. The low bidder meeting the specifications was selected for each line item. Please see attached bid tab for the assortment of items (pages 16-30).
3. On 27 March 1998, the Board approved a “local preference” policy which, when a firm from outside Chatham County submits the “lowest bid”, the policy allows the lowest local vendor to match that “lowest” bid. If the local firm does match the “lowest”bid, the local firm is awarded the purchase. A non-Chatham County firm offered the “lowest low” bid. The Chatham County firm was asked if they would match the outside firms bid. Patrick’s Uniforms was unable to match the non-local lowest bidding suppliers.

FUNDING: General Fund/M & O - Detention Center
(1003326 - 53.17001)

ALTERNATIVES:

1. Request Board approve to award an annual contract with automatic renewals options for four (4) additional one year terms to GT Distributors, Inc., Austin TX; Chief Supply Corp., Charlotte, NC; Smyrna Police Distributors, Smyrna, GA; Patrick’s Uniforms, Garden City, GA; Don Hume Leathergoods, Miami OK; Lawmen’s & Shooter’s, Supply, Inc., Vero Beach, FL; KEEPERS, Athens GA, and Galls, Lexington KY, to provide uniform accessories for the Chatham County Detention Center and Sheriff Department.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve contracts that offer the best value to the County.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM C

ISSUE: Request Board approval of a \$20,308 sole source purchase of a replacement engine from Freightliner of Savannah for a rear loader trash truck for Public Works.

BACKGROUND: The truck is a 2005 Freightliner M2106. The engine has failed and is beyond repair.

FACTS AND FINDINGS:

1. This piece of equipment is a high priority truck that is essential to Public Works daily operation.
- 2.. The truck was sent to the dealer for an evaluation to see what options were available to save the engine. The engine is beyond repair and must be replaced.
3. Staff believes the cost of a new replacement engine for \$20,308 to be fair and reasonable.

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

ALTERNATIVES:

1. Request Board approve a \$20,308 sole source purchase of a replacement engine from Freightliner of Savannah for a rear loader trash truck for Public Works.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve requested necessary for equipment repair.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM D

ISSUE: Request Board approval of an amendment to the existing maintenance agreement with Premiere Election Solutions to acknowledge a name change to Election Systems and Services (ES&S) and also approve a \$76,182 annual cost for a three (3) year extended warranty agreement with Election Systems and Services (ES&S) for the Board of Elections.

BACKGROUND: On 23 May 2008, the Board approved an annual "sole source" maintenance agreement with automatic renewal options for four (4) additional one (1) year terms to Premier Election Solutions, Allen, Texas to provide voting equipment maintenance. Premier Systems was a division of, and has been absorbed by Election Systems and Services, which has been providing service under the former agreement. In the current renewal notice, ES&S reduced the unit cost and is extending an offer to further reduce the unit cost in exchange for a commitment to a three year extended warranty agreement.

FACTS AND FINDINGS:

1. Staff was notified by ES&S on October 1, 2011 of the name change to Elections Systems and Services.
2. The previous extended warranty agreement was for \$89,182 annually to cover 663 Touch Screen units; 220 ExpressPoll units; and 8 Optical Scan units.
3. ES&S has extended an offer to reduce the cost to \$76,577 in exchange for the County committing to a three year extended warranty agreement, a 10% reduction, saving an additional \$8,509. The extended warranty agreement would continue to be payable on an annual basis.
4. Staff believes the annual cost of \$76,577 for a three (3) year extended warranty to be fair and reasonable.

FUNDING: General Fund/M&O - Board of Elections
(1001400 - 52.22001)

ALTERNATIVES:

1. Request Board approval of an amendment to the existing maintenance agreement with Premiere Election Solutions to acknowledge a name change to Election Systems and Services (ES&S) and also approve a \$76,182 annual cost for a three (3) year extended warranty agreement with Election Systems and Services (ES&S) for the Board of Elections.

- 2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM E

ISSUE: Request Board approval of a \$11,883 purchase of furniture for the Taterville Community Center addition, from MetroSpace Design Group, Inc., a WBE firm.

BACKGROUND: The existing community center was developed and built in 2000. The center is 4,700 square feet and provides several spaces for activities and programs implemented by the City of Savannah. The multi-purpose addition can be segregated from the existing building. The space has a separate entrance, stand-alone heating and air conditioning and does not require additional staffing resources. The addition gives the community usage flexibility that they had to go off site to obtain.

FACTS AND FINDINGS:

- 1. The 2,380 square foot addition is a multi-purpose area that will provide space for social gatherings and limited sports events. The seating is banquet style with capacity to accommodate 175 - 250 people.
- 2. The furniture for the addition will include 200 folding chairs, 22 folding tables, chair and table trucks and a lectern.
- 3. Staff solicited a request for quote and responses are as follows:

*The Office Leader Brooklyn, NY	\$6,294
Mason, Inc. Savannah, GA	\$7,104
Upbeat Inc. St. Louis, MO	\$7,915
*VIP Office Savannah, GA	\$10,697
*MetroSpace Design Group, Inc. Las Vegas, NV	\$11,883
*ATD American Wyncote, PA	\$12,270
Quill Corporation Lincolnshire, IL	\$13,016
Office Services Savannah, GA	\$14,285
Business Interiors by Staples Atlanta, GA	\$16,736
*Infopro Concepts, Inc. Jacksonville, FL	\$21,378

*WBE

- 4. The four (4) low quotes were not considered since they did not meet specifications in regards to durability and quality.
- 5. On 27 March 1998, the Chatham County Board of Commissioners adopted a "Local Vendor" Preference Ordinance that gives the lowest Chatham County vendor the opportunity to match the lowest price offered by an out-of-county vendor. If the County vendor confirms in writing within 24 hours, the award will be made to the Chatham County vendor. Office Services declined to match the quote submitted by MetroSpace Design Group, Inc.
- 6. Staff believes the low quote by MetroSpace Design Group, Inc. meets specifications and is fair and reasonable.

FUNDING: SPLOST - (2003-2008) - Tatemville Community Center
(3234980 - 54.13011 - 32370263)

ALTERNATIVES:

1. Board approval of a \$11,883 purchase of furniture for the Tatemville Community Center addition, from MetroSpace Design Group, Inc.
2. Provide staff other direction

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM F

ISSUE: Request Board confirmation of the \$12,038 contract with Serclean to provide removal, treatment and restoration services on a dwelling located at 8 St. Catherine Road.

BACKGROUND: Due to a court order issued by Judge Stokes, Recorders Court, for eviction of the occupant of 8 St. Catherine Road, emergency approval to contract for the assessment, removal of contents and treatment of the dwelling was signed by the Chairman. The housing of over ten dogs on the interior of the dwelling and the accumulation of furniture, items and debris rendered the dwelling a health hazard and property maintenance violation.

FACTS AND FINDINGS:

1. At their 13 January 2012 meeting, the Board was briefed on the condition of the property and the court order for County abatement.
2. Staff requested pricing from several local vendors to expedite the process. The quotes are as follows:

Serclean Savannah, GA	\$12,038
Servpro Savannah, GA	\$13,868
ServiceMaster Savannah, GA	\$28,395
3. On 25 January 2012, staff requested emergency approval from the Chairman due to the nature and magnitude of the property maintenance ordinance, housing code violations and urgency in response to the court ordered abatement. The Chairman concurred (see attached page 31) and directed staff to seek Board confirmation at their next scheduled meeting.

FUNDING: Claims and Judgements
(6259925 - 57.30101)

ALTERNATIVES:

1. Board confirmation of the \$12,038 contract with Serclean to provide removal, treatment and restoration services on a dwelling located at 8 St. Catherine Road.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to confirm emergency purchases when public safety is involved.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM G

ISSUE: Request Board approval of a \$36,609 purchase of twenty seven (27) computers (CPU) and monitors from Dell Marketing, LP for the Detention Center Expansion Project. The pricing is from the State of Georgia Contract.

BACKGROUND: These computers are needed for the Detention Center Expansion for monitoring and workstation areas.

FACTS AND FINDINGS:

1. The County has standardized on Dell Computers due to their quality and reliability.
2. The systems are comprised of Dual processors, 4gb ram, 256mb video card on the standard computers, dual CD & DVD read/writer, Windows XP Pro and Windows 7 Operating System and five (5) year next business day warranties on the computers and monitors.
3. Staff believes the State of Georgia total contract price of \$36,609 is fair and reasonable.

FUNDING: CIP - Detention Center
(3803355 - 54.23001 - 38060407)

ALTERNATIVES:

1. Board approval of a \$36,609 purchase of twenty seven (27) computers (CPU) and monitors from Dell Marketing, LP for the Detention Center Expansion Project. The pricing is from the State of Georgia Contract.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
LYNN STENNETT

ITEM H

ISSUE: Request Board approval of the \$67,567 sole source annual agreement for system network maintenance with Motorola Communications for the County portion of the 800mhz Smartzone Communication System.

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

FACTS AND FINDINGS:

1. The sole source manufacturer and service provider, Motorola Communications, provides contractual services locally through Savannah Communications, the only company technically qualified and authorized by license to maintain the communication system.
2. Over the last several years additional components have been added. Currently, the value of the entire networked communication system is more than \$15 Million.
3. This maintenance agreement represents an extended warranty on the recently acquired System equipment for the Smartzone Communication System.
4. Staff Believes the cost of \$67,567 to be fair and reasonable.

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

ALTERNATIVE:

1. Board approval of the \$67,567 sole source annual agreement for system network maintenance with Motorola Communications for the County portion of the 800 MHZ Smartzone Communication System.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM I

ISSUE: Request Board approval of a \$3,000 per month annual lease with automatic renewal option for three (3) additional one (1) year terms for 17 Minis Avenue in Garden City with Nicekare, Inc. to provide services to citizens with physical disabilities.

BACKGROUND: In 1994, Chatham County acquired, financed and developed health service centers as part of a plan to partner with the Board of Health to create satellite offices to extend health services throughout Chatham County. While changes in state law restructured the delivery of the services, the buildings remain as branch offices for health services. Among these, 17 Minis Avenue in Garden City has previously served Tideland, Gateway, and SABHC (Savannah Area Behavioral Health Collaborative). Nicekare, Inc., a non-profit agency organized under the laws of the State of Georgia, wants to lease 17 Minis Avenue to offer programs and services to those with physical disabilities.

FACTS & FINDINGS:

1. Chatham County issued bonds in 1994 for the development of the health centers, the lease of properties such as 17 Minis Avenue should be limited to other governmental agencies and non-profit organizations. Nicekare would provide programs and services at this location to those with physical disabilities.
2. 17 Minis Avenue includes two buildings. Nicekare would lease approximately 6,000 square feet. Based on a market rate of \$6 per square foot, the annual lease rate would be \$36,000 with a monthly rate of \$3,000, effective March 1, 2012 (the agency would be able to move and set up its offices prior to the effective date of the lease). Nicekare would be responsible for utilities, lawn care, routine maintenance and janitorial services.
3. The lease period would be for an initial year but with three automatic renewals (total of four years) unless the County as landlord or the tenant took action otherwise to terminate on the annual renewal.
4. The County Attorney's Office has reviewed the lease and agreed to its form and format.

FUNDING: Debt Service Fund
(410 - 38.10001)

ALTERNATIVES:

1. Board approve leasing 17 Minis Avenue in Garden City to Nicekare on an annual lease for an initial year plus three annual renewals. Rate will be \$36,000 annually, payable monthly at \$3,000. Nicekare would be responsible for utilities, maintenance, janitorial and lawn care.
2. Board opt not to lease 17 Minis Avenue in Garden City to Nicekare.
3. Provide staff other direction.

POLICY ANALYSIS: Chatham County developed several properties during an era when Tideland served under the authority of the Board of Health. State law recognized this relationship as a government-to-government, which enabled tax-exempt financing through bonds. Regardless of changes in state law which have reorganized these services, and the legal status of who provides them, Chatham County must abide by federal bond regulations to ensure the requirements of the-pre-existing financing.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM J

ISSUE: Board confirmation of a \$16,566 sole source purchase from Herrin Business Products for an OCE plotter/copier for Engineering.

BACKGROUND: A large format copier is used by staff daily to scan construction plans and subdivision plats into an electronic format. The previous unit was an OCE brand product. The unit was at the end of its service life and parts for the unit are difficult to find.

FACTS AND FINDINGS:

1. Staff received a demonstration unit from Herrin Business Products during the time that the previous unit was under repair. Parts were always on backorder to repair the unit. Time was of the essence to provide

a unit that would allow for uninterrupted production. Herrin Business Products provided the demonstration unit with minimal turnaround.

- 2. The unit is the same brand as previously used by staff. Minimal training was required to utilize the new unit.
- 3. Herrin Business Products provided the unit with the requested options below GSA pricing. GSA pricing for the unit and the options was \$20,884.
- 4. Staff believes the cost of \$16,566 for an OCE plotter/copier to be fair and reasonable.

ALTERNATIVES:

- 1. Board confirmation of a \$16,566 sole source purchase from Herrin Business Products for an OCE plotter/copier for Engineering.
- 2. Provide staff other direction.

FUNDING: SPLOST (1985-1993) - Administrative Expenditures
(3204210 - 54.25001 -32059032)

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of essential equipment for the using department..

RECOMMENDATION: Staff recommends approval of Alternative #1.

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM K

ISSUE: Request Board approve of Change Order No.1 in the amount of \$9,350 to the construction contract with Eastern Excavating Company, Inc. for additional clearing, debris removal and modifications to the storm drainage system on the paving of Stone Street project.

BACKGROUND: On October 7, 2011 the Board awarded a construction contract to Eastern Excavating Company, Inc. for \$355,113 for clearing, grading, drainage, base and paving improvements on Stone Street.

FACTS AND FINDINGS:

- 1. Additional clearing was required to install the curb and gutter in accordance with the construction drawings. The clearing was coordinated with the County Arborist.
- 2. The storm drainage system was modified in the field to save an existing live oak within the Stone Street right of way. A new storm structure was installed to straighten a section of curved pipe. Approximately 72 linear feet of storm pipe was relocated due to an error on the construction drawings. Staff believes that the price quoted for the work is fair and reasonable.
- 3. Contract History:

Original Contract (10-07-11)	\$ 355,113
Change Order No. 1 (Pending)	\$ 9,350
Revised Contract Amount	\$ 364,463

FUNDING: 1985-1993 SPLOST (1985-1993) - Andrews St./Mobley St./Yucca Pl./Perkins Pl./Stone/Welch
(3204220 / 52.12003 /32056177)

ALTERNATIVES:

- 1. Board approval of Change Order No. 1 in the amount of \$9,350 to the construction contract with Eastern Excavating Company, Inc. for additional clearing, debris removal and modifications to the storm drainage system on the paving of Stone Street project.
- 2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM L

ISSUE: Request Board approval of a two (2) year extension to the Professional Service Agreement with Latrell Gulotta at \$20.00 per hour for the Chatham County Juvenile Court Family Dependency Treatment Court (FDTC).

BACKGROUND: On 11 February 2011, the Board approved the Professional Service Agreement with Latrell Gulotta under the terms of Department of Justice FY 10 Family Drug Court Programs awarded to Chatham County on September 17, 2010.

FACTS AND FINDINGS:

- 1. Latrell Gulotta has been filling the position as the Case Manager for the Chatham County Juvenile Court-Family Dependency Treatment Court.
- 2. Latrell Gulotta will continue to function as an independent contractor providing case management duties to the FDTC, and agrees that she is an independent contractor.

FUNDING: OJP Grant
(250260052-52.12099-25020252)

ALTERNATIVES:

- 1. Board approval of a two (2) year extension to the Professional Service Agreement with Latrell Gulotta at \$20.00 per hour for the Chatham County Juvenile Court Family Dependency Treatment Court (FDTC).
- 2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
LYNN STENNETT

ITEM M

ISSUE: Request Board approval of a \$16,140 sole source purchase for surveillance equipment for the Sex Offender Registry & Tracking Unit (S.O.R.T.) from Instrument Technology, Inc., Westfield MA.

BACKGROUND: The S.O.R.T. unit was awarded a grant in FY 2008/2009 through U.S. DOJ/COPS in the amount of \$418,131.

FACTS AND FINDINGS:

- 1. The grant covered limited salaries and various equipment. The grant requires only that pre-approved items may be purchased with the funds. The surveillance equipment was specified in the grant to be purchased.
- 2. Staff believes the total cost of a \$16,140 for the purchase of the surveillance equipment to be fair and reasonable.

FUNDING: MGF - Sheriff's Department
(2503300 -54.25001 - 25024032)

ALTERNATIVES:

- 1. Board approval of a \$16,140 sole source purchase for surveillance equipment for the Sex Offender Registry & Tracking Unit (S.O.R.T.) from Instrument Technology, Inc., Westfield MA.
- 2. Provide Staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve expenditures necessary for law enforcement activities.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
LYNN STENNETT

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.

[NOTE: Item 2 was taken at this time.]

1. **THE PETITIONER WILLIAM NELSON IS REQUESTING TO AMEND THE FOLLOWING SECTIONS OF THE CHATHAM COUNTY ZONING ORDINANCE AS RELATED TO OUTDOOR AMUSEMENT: SECTION 2 (DEFINITIONS), SECTION 4-5.1 ("C AND R" USE SCHEDULE), SECTION 3-12.4A.4 AND SECTION 3-12.4B.3 (VISUAL BUFFERS AND SCREENING), AND SECTION 6-3 (OFF STREET PARKING REQUIREMENTS). ISSUE: THE PETITIONER PROPOSES AN AMENDMENT TO THE CHATHAM COUNTY ZONING ORDINANCE TO ALLOW OUTDOOR AMUSEMENT AS A PERMITTED USE, SUBJECT TO APPROVAL BY THE CHATHAM COUNTY ZONING BOARD OF APPEALS, IN THE R-A (RESIDENTIAL-AGRICULTURE) DISTRICT SUBJECT TO USE CONDITIONS HEREIN DEFINED. MPC RECOMMENDS APPROVAL. MPC FILE NO. Z-111208-00076-1 TEXT AMENDMENT.**

Chairman Liakakis said, the petitioner William Nelson is requesting to amend the following sections of the Chatham County Zoning Ordinance as related to outdoor amusement, section 2, definitions; section 4-5.1, "C and R" use schedule; section 3-12.4A.4 and section 3-12.4B.3, visual buffers and screening; and section 6-3, off street parking recommendations. Issue: the petitioner proposes an amendment to the Chatham County Zoning Ordinance to allow outdoor amusement as a permitted use, subject to approval by the Chatham County Zoning Board of Appeals in the R-A, residential-agricultural district subject to use conditions herein defined. MPC recommends approval. And that's file number Z-111208-00776-1 [sic]. Text Amendment. And that's item 1. Of course we know on first reading there's no discussion on it.

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2. **PROPOSED NO SMOKING ORDINANCE.**

Commissioner Stone said, Mr. Chairman? Mr. Chairman?

Chairman Liakakis said, okay. Yes, Helen [Stone]?

Commissioner Stone said, under the First Reading if I may –

Chairman Liakakis said, listen, folks.

Commissioner Stone said, I would like to make a motion that the County Attorney be directed to amend the No Smoking Ordinance that is on our agenda for the First Reading so as to modify it to reflect the original proposed Ordinance that came before the Commission for discussion and to place it back into the – and to place back into the ordinance the provisions that we directed the County Attorney to take out. And save and except – and except those items that the County Attorney recommended be left out or redirected. These items to be put back would include the no smoking in bars, retail tobacco shops, the E-cigarettes and similar devices, and have the ordinance be prepared for the consideration at the next meeting.

Chairman Liakakis said, need a second.

Commissioner Holmes said, second.

Chairman Liakakis said, we have a second. Any discussion? All right. Let's go on the Board. Motion passes. Who didn't vote?

Commissioner Farrell said, oh.

Chairman Liakakis said, okay. Got it now. Okay. Motion passes. And as everybody heard what Commissioner Stone was that we'll have that back up at the next meeting. Thank you all for coming 'cause I know a number of people were coming here for that particular item today. And I thank our Executive Director for the Chatham County Health Department for being here today on – on this particular subject, and he'll be back here along with some others when we have that discussion.

County Attorney Hart said, Mr. – Mr. Chairman for purposes of clarification – Mr. Chairman, for purposes of clarification of the record, could you read into the record the title of the ordinance so that we have it documented that we did have a first reading.

Chairman Liakakis said, yes. The petition – you mean the petitioner – read that?

County Manager Abolt said, both – both – both of them.

Chairman Liakakis said, okay. The petitioner William Nelson is requesting to amend the following sections of the Chatham County Zoning Ordinance – no, no, no, no.

County Attorney Hart said, that's –

Chairman Liakakis said, wait a minute.

Commissioner Kicklighter said, it's just proposed No Smoking Ordinance.

County Attorney Hart said, it's under First Readings.

Chairman Liakakis said, okay.

Commissioner Stone said, but we still have to do the – the first one.

Chairman Liakakis said, oh, okay.

County Manager Abolt said, you have to read both of them.

Chairman Liakakis said, all right.

[NOTE: Item 1 was read into the record at this time.]

Chairman Liakakis said, Item 2, proposed No Smoking Ordinance. And that's it. No action on that either today.

County Attorney Hart said, yes, sir, and page 8 of your staff report that Ordinance is entitled An Ordinance to Restrict – Restrict Smoking in Places of Public Accommodation to Repeal all Other Ordinances in Conflict Herewith and for other purposes.

Commissioner Kicklighter said, that – that wasn't stated. The – all the stuff wasn't just stated by no one but the motion or the second. And if we want to open this into a long, drawn out discussion we can. I mean it was not stated.

Chairman Liakakis said, Jon [Hart]?

County Attorney Hart said, what was not stated?

Commissioner Kicklighter said, I tried to just stick with the – the part about outdoors and all was not made a part of the motion, just the E-cigarettes and the other was. Nothing was mentioned about the –

Commissioner Stone said, it was mentioned to go back –

Chairman Liakakis said, I thought it was to go back to the original.

Commissioner Stone said, – it was to go back to the original proposed ordinance.

Chairman Liakakis said, Jon [Hart]?

County Attorney Hart said, I think the motion – the motion –

Commissioner Kicklighter said, if that part was stated then – then that is the case.

Commissioner Holmes said, yeah. That was mentioned.

County Attorney Hart said, yeah, the motion originally was to go back to the original ordinance.

Commissioner Kicklighter said, okay. That's –

Commissioner Thomas said, yeah she said original.

Commissioner Kicklighter said, – then I stand corrected and that's fine.

County Attorney Hart said, and I think Commissioner Stone then came up with a list of –

Commissioner Stone said, right, and then I listed some of –

County Attorney Hart said, – four or five specifics.

Commissioner Stone said, right.

Commissioner Thomas said, yeah, she said original.

Commissioner Stone said, I said the original proposed ordinance.

Chairman Liakakis said, okay.

ACTION OF THE BOARD:

Commissioner Stone moved that the County Attorney be directed to amend the No Smoking Ordinance so as to modify it to reflect the original proposed Ordinance that came before the Commission for discussion and to place back into the ordinance the provisions that the County Attorney was directed to remove save and except those items that the County Attorney recommended be left out or redirected and that the ordinance be prepared for consideration at the next meeting. Commissioner Holmes seconded the motion and it carried in a 5-1 vote. Chairman Liakakis, Commissioners Stone, Holmes, Farrell and Thomas voted yes; Commissioner Kicklighter voted no. [NOTE: Commissioners Shay and Gellatly were not present for the vote.]

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XII. SECOND READINGS

Chairman Liakakis said, there are no second readings today.

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XIII. INFORMATION ITEMS

Chairman Liakakis said, you've had information on a number of items that was proposed to us – or just giving us general information.

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.)**

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>
One (1) high capacity cross shredder	Human Resources and Services	VIP Printing & Office Supply (WBE)	\$2,650	General Fund/M&O - Human Resources
One (1) color laser printer with four (4) year warranty for Tax Assessor	I.C.S.	Entre Solutions (MBE)	\$4,401	General Fund/M& O - Tax Assessor
Removal and disposal of shed for Fleet Operations relocation	Facilities Maintenance and Operations	Land-Co Landscaping, LLC.	\$5,450	CIP - Facilities Maintenance and Operations
Seven (7) 25 year service rings	Detention Center	Terryberry Company, Inc.	\$3,148	General Fund/M&O - •Detention Center - \$2,238 •Sheriff - \$910
One (1) computer and two (2) monitors for Engineering Department	I.C.S.	Dell Marketing, L.P.	\$2,738	CIP - Engineering
Automotive outside repair to replace computer module in Unit 150 06 Ford F350	Fleet Operations	Roberts Truck Center, Inc.	\$2,706	General Fund/M&O - Fleet Operations

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
Automotive outside repair to replace EGR cooler in Unit 983 06 Ford F250	Fleet Operations	Roberts Truck Center, Inc.	\$3,135	General Fund/M&O - Fleet Operations
Four (4) 55 gallon drums of detergent	Detention Center	Paper Chemical (WBE)	\$3,760	General Fund/M&O - •Detention Center - \$1,880 •Sheriff - \$1,880
Mailing and postage for 2012 tag renewals	Tax Commissioner	World Marketing	\$5,051	General Fund/M&O - Tax Commissioner
One (1) cellular monitoring system for Wylly Island lift station	Public Works and Park Services	Pump & Process (Sole Source)	\$2,768	Water and Sewer
Keep America Beautiful training and certification	Public Works and Park Services	Keep America Beautiful, Inc. (Sole Source)	\$4,000	Solid Waste Restricted
14 toner cartridges and related accessories for printer	Sheriff	Direct Technology Group, Inc.	\$3,956	Child Sexual Assault Grant
Automotive outside repair of emission system in Unit 293 09 Freightliner M2106	Fleet Operations	Freightliner of Savannah, Inc.	\$2,686	General Fund/M&O - Fleet Operations
Automotive outside repair of track adjuster in Unit 83 03 Kobelco MSK250LC Excavator	Fleet Operations	Yancey Brothers Company, Inc.	\$3,714	General Fund/M&O - Fleet Operations
2500 file boxes for records storage	Administrative Services	Creative Packaging, Inc.	\$4,317	General Fund/M&O - Administrative Services
Four (4) 55 gallon drums of floor finish	Detention Center	Paper Chemical (WBE)	\$3,560	General Fund/M&O - Detention Center
Repairs and operations at the Peeler Shelter	Commissioners	Economic Opportunity Authority	\$5,000	General Fund/M&O - Commissioners
One (1) ICOP in-car video system	Sheriff	West Chatham Warning Devices, Inc.	\$4,000	General Fund/M&O - Sheriff
Janitorial cleaning supplies	Detention Center	Paper Chemical (WBE)	\$3,667	General Fund/M&O - •Detention Center - \$1,834 •Sheriff \$1,833
Automotive outside repair of track adjuster and stick cylinders in Unit 86 97 John Deer 200LC Front End Loader	Fleet Operations	Flint Equipment Company	\$3,666	General Fund/M&O - Fleet Operations

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EXECUTIVE SESSION

Chairman Liakakis said, and so we need a motion on the floor now for an executive session for –

County Manager Abolt said, personnel – personnel, litigation, land acquisition.

Commissioner Stone said, so moved, Mr. Chairman.

Chairman Liakakis said, need a second.

Commissioner Holmes said, second.

Chairman Liakakis said, all right. All in favor go on the board.

ACTION OF THE BOARD:

Commissioner Stone moved to recess to executive session to discuss the matters of personnel, litigation and land acquisition. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Gellatly were not present for the vote.] The Board recessed at approximately 11:50 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:

Commissioner Thomas moved to approve a motion to authorize the Chairman to execute an Affidavit that the Executive Session was held in compliance with the Open Meetings Act and the motion carried unanimously.

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- 2. **Dismissal of Counterclaim in re: Daniel Smith, et al. v. Al. St. Lawrence, et al.**

ACTION OF THE BOARD:

Commissioner Shay moved to authorize dismissal of the counterclaim filed by Defendants/Counterclaim Plaintiffs. Commissioner Thomas seconded the motion and it carried unanimously.

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- 3. **Settlement re: Daniel F. McNeely**

ACTION OF THE BOARD:

Commissioner Shay moved to authorize an amount not to exceed \$500 in regard to settlement of the case involving Daniel McNeely, Jr. Commissioner Thomas seconded the motion and it carried unanimously.

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4. APPOINTMENTS

Metropolitan Planning Commission

ACTION OF THE BOARD:

Commissioner Shay moved to approve the reappointment of Mr. Shedrick Coleman and Mr. Ben to serve on the Metropolitan Planning Commission with terms to expire December 31, 2014. Commissioner Gellatly seconded the motion and it carried unanimously.

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Chatham County Board of Health

ACTION OF THE BOARD:

Commissioner Shay moved approve the appointment of Dr. Kelly Erola and Mr. Roger Moss to serve on the Chatham County Hospital Authority with terms to expire December 31, 2017 and December 31, 2016 respectively. The motion was seconded by Commissioner Odell and carried unanimously.

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ADJOURNMENT

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 12:50 pm.

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APPROVED: THIS _____ DAY OF FEBRUARY, 2012.

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

JANICE E. BOCOOK, CLERK OF COMMISSION