

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, FEBRUARY 24, 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 9:20 a.m. on Friday, February 24, 2012.

=====

II. INVOCATION

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

Commissioner Gellatly said, thank you, Mr. Chairman. Bow our heads.

Dear God, our Heavenly Father, please give this Commission the ability to make sound and just decisions that will be in the best interest of all the citizens in our community. Amen.

=====

III. PLEDGE OF ALLEGIANCE

Chairman Liakakis said, I call on Commissioner Dean Kicklighter to lead us in the Pledge of Allegiance.

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

=====

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

=====

V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. PROCLAMATION DECLARING MARCH 2012 AS “PROFESSIONAL SOCIAL WORK MONTH” IN CHATHAM COUNTY. PAT MOONEY WILL BE PRESENT TO ACCEPT.

Chairman Liakakis said, the next on the agenda, proclamation and special presentation. First item, proclamation declaring March 2012 as Professional Social Work Month in Chatham County. Pat Mooney will be present to accept and if Pat [Mooney] you can bring anybody else that you like if – is Pat [Mooney] in here?

County Manager Russ Abolt said, Mr. Chairman, we just got a note from Mr. Mooney. He is on the way. He works just across the street, so you may want to do the other two items and then by that time he will be here.

Chairman Liakakis said, okay.

[NOTE: Items 2 and 3 were taken at this time.]

Chairman Liakakis said, now we go to the item, proclamation declaring March 2012 as Professional Social Work month in Chatham County. And Pat Mooney is here now to accept that proclamation.

Chairman Liakakis reads the proclamation as follows:



WHEREAS, social workers are dedicated to the successful functioning of American society; and
WHEREAS, social workers inspire community action that improves life for all people; and
WHEREAS, social workers have the right education and experience to guide individuals, families and communities through complex issues and choices; and
WHEREAS, social workers stand up for others to make sure everyone has access to the same basic rights, protections, and opportunities; and
WHEREAS, social workers have been the driving force behind important social movements in the United States; and
WHEREAS, social workers help resolve systemic issues that negatively affect community life; and
WHEREAS, social workers believe there are no limits to human potential; and
WHEREAS, social workers work through private practices, agencies and organizations, hospitals, the military, government and educational institutions to provide resources and guidance that support social functioning; and
WHEREAS, social workers are on the front lines, responding to such human needs as homelessness, poverty, family break-up, mental illness, physical and mental disability, substance abuse, domestic violence and many other issues; and
WHEREAS, social workers make a wide range of social contributions throughout their careers; and
WHEREAS, a social work career is one filled with purpose and possibilities; and
WHEREAS, social workers help millions of Americans lead more rewarding lives.

NOW, THEREFORE, in recognition of professional social workers and their commitment and dedication to individuals, families, and communities everywhere through service delivery, research, education and advocacy, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim the month of March 2012 as:

PROFESSIONAL SOCIAL WORK MONTH

in Chatham County and call upon all citizens to join with Chatham County, the National Association of Social Workers and the Clinical Social Work Association of Chatham County in celebration and support of social workers and the social work profession.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed this, the 24th day of February 2012.

Pete Liakakis, Chairman, Chatham County Commission

ATTEST:

Janice E. Bocook, Clerk of Commission

Chairman Liakakis said, and I'm glad to present this to a local organization and to Pat [Mooney] because we can look and many of us know what social workers have done. Of course there are a number of people in the community don't realize all of the activities and the things that they do to help individuals in our community. So I'm glad on behalf of the Chatham County Commission that I can, you know, give this to Pat [Mooney] so that he can have this at their facility, and congratulate you for all that you do Pat [Mooney] too.

Mr. Pat Mooney said, thank you. Thank you Chairman Liakakis and the County Commission and the citizens of Chatham County. I'd like to introduce Michael Mack, who's the vice president of the Clinical Social Work Association of Savannah, and he came here, and between the two us, on behalf of the social workers and our agencies and the clients we serve, which are the citizens of Chatham County and – and the rest of the world, actually. Thank you for this recognition and it helps – the recognition helps sort of fuel the desire to continue to do this because, you know, it's – it's hard work sometimes. A lot of social workers work thanklessly and work behind the scenes and you would never

know what they do. But the fact that the Commission recognizes social work and March as social work month is very gratifying. So, thank you all. [Applause.]

=====

2. PROCLAMATION HONORING DEACON RUFUS PETERS AS THE FIRST AFRICAN AMERICAN TOMOCHICHI IN RECOGNITION OF BLACK HISTORY MONTH (COMMISSIONER THOMAS ASSISTED BY JAKARI FLOWERS).

Chairman Liakakis said, item 2 then, proclamation honoring Deacon Rufus Peters as the First African American Tomochichi in recognition of Black History Month. Commissioner Thomas will handle this item. You want to call them up?

Commissioner Thomas said, good morning and thank you Mr. Chairman. It is my distinct pleasure and honor to have the opportunity to make this presentation this morning. Assisting me today will be Jakari Flowers, who is a third grader at Butler Elementary School. He is also a member of Fairlawn Baptist Church where he is very active. I'm going to ask Jakari [Flowers] to come up, and while Jakari [Flowers] is coming up, I want to say that Jakari [Flowers] is accompanied by his grandmother, who is our first lady of Fairlawn Baptist Church, Mrs. Sandra Edwards, and other members of Fairlawn Baptist Church. So while Jakari [Flowers] is coming up, I'm going to – come on Jakari [Flowers]. I'm going to say that once Jakari [Flowers] is – has finished then I will officially present the proclamation to Deacon Peters. Jakari [Flowers]?

Master Jakari Flowers said, a salute to Fairlawn's own. Deacon Rufus Peters was born on January 28, 1915 to Mrs. Mary Peters. He had one sister and two brothers. While in the Army he met and married Bernice Roberts of Macon, Georgia. They were blessed with four children. He worked for Savannah Sugar Refiner [sic] for 30 years as a quality control inspector. Deacon Peters received his high school diploma from the Alfred E. Beach High School. Education has always been important to Deacon Peters. He stressed that importance to his children and was able to see them all graduate from college. After high school, he joined the Army and is a veteran of World War II. As a young man Deacon Peters became active in politics and the civil rights movement. He had the privilege of personally meeting great civil rights activists, such as Reverend Martin Luther King, Jr. and Julian Bond. He became a lifetime member of the NAACP. He will always remember and cherish (inaudible).

Commissioner Thomas said, he is unveiling a picture of Deacon Peters portraying Tomochichi. [Applause].

[NOTE: Master Flowers reveals a portrait of Deacon Peters as Tomochichi].

Master Flowers said, he visited classrooms each year and looked forward to the children's smiles and their questions for the great Tomochichi for 29 years. Next to his love for God and family is Fairlawn Baptist Church where he has been a member since 1932. Deacon Peters has served the church in several capacities, Sunday School Superintendent, FBC Adult Choir President, FBC Male Chorus, Deacon's Ministry and Deacon's Ministry Chairperson. In November 2000, Fairlawn Baptist Church honored Deacon Peters by naming the newly erected multi-purpose building in his honor. Today he holds the distinct title of Deacon Emeritus and the oldest member of the church. Even in retirement he is still very active in his church and community.

Commissioner Thomas said, great job Jakari [Flowers]. Thank you. [Applause]. And I'm going to ask Deacon Peters to come forward, along with his daughter and his son and also Mr. Gordon Varnedoe, who is the – who was General Oglethorpe at the time and he'll be bringing some remarks afterwards. They're good friends. Deacon Peters?

Deacon Rufus Peters said, yes?

Commissioner Thomas said, on behalf of the Chairman, Pete Liakakis, and the Board of Commission – Commissioners of Chatham County, we recognize you on this special day. We are just so happy that we have this opportunity to salute you for all that you have done and we want you to take this proclamation and remember that we love you and we appreciate everything that you have done. We have attest [sic] on this day the 24th day of February, signed Pete Liakakis, Chairman. Priscilla D. Thomas, Vice-Chair, District 8 Representative. Congratulations and may God continue to bless you.

Deacon Peters said, thank you. Thank you. [Applause]. Jakari [Flowers]. Thanks for being here today, and I've known a lot of these faces I've known for years and years and I just hope that I could have been here longer to do more for you. I'm the 2nd Tomochichi since the Georgia Day Pageant began. Second – I'm the second one. We had first and second and I'm third in that honor. So we appreciate being here this morning. Thank you very much.

Commissioner Shay said, thank you, sir.

Commissioner Farrell said, thank you.

Chairman Liakakis said, thank you. [Applause].

Commissioner Thomas said, I'm going to get – Deacon Peters, let your daughter and son to take this because – isn't that beautiful [Commissioner Thomas shows the Board the portrait of Deacon Peters as Tomochichi]? That is really nice.

Commissioner Shay said, yep.

Commissioner Thomas said, and it was their idea to do this for Deacon Peters. I think it's wonderful. Jakari [Flowers], you are okay.

Deacon Peters said, thank you so much.

Commissioner Thomas said, we want you to take this and she'll take it for you. Okay? And now we'll have some words –

Deacon Peters said, General Oglethorpe for many years.

Mr. Gordon Varnedoe said, they asked me to say a few words about Tomochichi. You think he's buried out there in Wright Square, but this man brought Tomochichi back to life, and he was Tomochichi for more than 25 years. He looked like the portrait of Tomochichi when they took him to the Royal Court in England. We used to go to 19 schools in a week. And this man to thousands of school children, he was Tomochichi. They call me George Washington on occasion, but they always knew Tomochichi. And he would say a prayer at the schools, which was nonsensical. It was

(unintelligible) and then the lady that had taken us around would interpret that in about ten minutes. Oh he means planting corn and raising your kids and, you know, all this other stuff. He had a bear skin coat that he wore. The kids loved to come up and feel the bear skin clothes. But he was amazingly popular. And one thing I can say about Rufus Peters, he – when we would get to the platform down there and the ceremony was over, he would say, let’s go see the kids on the Gadsden bus. The – the handicapped children. And he would take – we would go on the bus where the kids were in wheel chairs. He’s got a heart as big as a school bus. And the last thing I would say was just ironic, he asked me – Tomochichi asked General Oglethorpe do you eat venison? I said, yes I would. So he asked me to come out to house and Tomochichi gave General Oglethorpe a piece of venison, and I thought that was wonderful. God bless you Rufus [Peters].

Deacon Peters said, thank you.

Mr. Varnedoe said, terrific. Really wonderful man to work with and everybody loved him.

Deacon Peters said, thank you. [Applause.]



WHEREAS, Black History Month is an annual celebration of achievements by black Americans and a time for recognizing the role of African Americans in local and U.S. history. Today, we salute one that has made history in Chatham County, Deacon Rufus Peters; and

WHEREAS, education has always been important to Deacon Peters. He attended Alfred E. Beach High School and after graduating, joined the army and is a veteran of World War II; and

WHEREAS, he became active in politics and the Civil Rights Movement at a young age. He had the privilege of personally meeting great civil rights activists such as Rev. Dr. Martin Luther King, Jr. and Julian Bond. He is a lifetime member of the NAACP; and

WHEREAS, he will always be remembered and cherished for his role as Savannah’s first African American “Tomochichi” in the city’s annual Georgia Day Celebration and played that role with much distinction for twenty-nine years. He visited classrooms each year and looked forward to the children’s smiles and questions; and

WHEREAS, Deacon Peters has been a member of Fairlawn Baptist Church since 1932. In November, 2000, Fairlawn Baptist Church honored him by naming their multi purpose building in his honor. He now holds the title of Deacon Emeritus and is the oldest member of the church.

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

DEACON RUFUS PETERS

for being the first African American to portray “Tomochichi” in Chatham County and extend our appreciation for the education and enjoyment he gave while playing this historic role.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of Chatham County, Georgia to be affixed this the 24 day of February 2012.

Pete Liakakis, Chairman
Chatham County Commission

ATTEST:

Dr. Priscilla D. Thomas, Vice Chair
District 8 Representative

=====

3. PROCLAMATION CONGRATULATING CARVER STATE BANK ON ITS 85TH ANNIVERSARY AND MR. ROBERT “BOB” JAMES FOR SERVING AS PRESIDENT FOR 40 YEARS (COMMISSIONER THOMAS).

Chairman Liakakis said, next item, proclamation congratulating Carver State Bank on its 85th anniversary and Mr. Robert “Bob” James for serving as president for 40 years. And Commissioner Thomas will also do that proclamation. So, Bob [James] if you will come up with your family members, anybody else that might be with you.

Commissioner Thomas said, he is accompanied by his lovely wife and his son. Do you have staff members here?

Mr. Robert James said, no. They're working.

Commissioner Thomas said, again, Mr. Chairman and Members of the Board of Commissioners, staff, ladies and gentlemen, this is another great moment in Black History. When I went to the celebration that they had several weeks ago, and I thought about all of the contributions that they have made throughout this county for so many years and that this is one of the oldest banking institutions here in Savannah, and I guess, in the country. And I thought what would be, you know, more fitting than to give them a citation to acknowledge all of the hard work and your leadership. So today I would like to present this proclamation and read it thusly.

Commissioner Thomas reads the proclamation as follows:



WHEREAS, Carver State Bank was established on February 23, 1927, and was then known as the Georgia Savings and Realty Corporation. It served as a private bank as well as a real estate investment and property management company for its founder, Louis B. Toomer, his friends and many of his contemporaries; and

WHEREAS, on April 29, 1947, the corporate charter of Georgia Savings and Realty Corporation was amended and the private bank was converted to a state bank under the supervision of the Georgia Department of Banking. At that time, the name was changed to The Carver Savings Bank; and

WHEREAS, Robert "Bob" E. James, a native of Hattiesburg, Mississippi, has been the President and Chief Executive Officer of Carver State Bank of Savannah, Georgia since December 1, 1971. He holds the distinction of being the African-American with the longest tenure of service as president of a commercial bank in America; and

WHEREAS, he is one of only two bankers to serve as Chairman of the National Bankers Association on two (2) occasions. He was chairman in 1978 and again in 1990. James has been a director of numerous local, state and national organizations and received many citations, honors and awards for his business success and community leadership.

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

CARVER STATE BANK

for providing 85 years of service to the citizens of Chatham County and congratulate:

ROBERT "BOB" E. JAMES

for 40 years of distinct service as the president of this very noteworthy institution.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of Chatham County, Georgia to be affixed this the 24th day of February 2012.

Pete Liakakis, Chairman
Chatham County Commission

ATTEST:

Dr. Priscilla D. Thomas, Vice Chair
District 8 Representative

Commissioner Thomas said, congratulations to you and your family. [Applause.]

Mr. Robert James said, thank you very much, Dr. Thomas and – and Chairman Liakakis and members of the Commission for this distinct honor, and I feel kind of secondary to being here with – with Deacon Peters because he knows all of this history, and I have been around with him for years and years. But I – I thank you for this honor and I thank you for your service to this community. I know that – that most of you have – have – have really done a wonderful – all of you have done a wonderful job as servants of this community, and I commend you on your leadership. And I want to thank Mr. Abolt and all of the county staff that have had – county departments and funded departments – agencies of the county that have had depository relationships with this bank for many, many years. Because of your support we have been able to keep thriving and provide service in this community. And I want to acknowledge the presence of my wife, who has allowed me to be around for 40 years and has – has been my friend and associate and – and lover and everything else you could think of for 40 years. And for my son, Robert James, II. Thank you very much.

Chairman Liakakis said, Bob [James], hold it. Don't leave yet. You know, many of the people in the community know about you being president of the bank but not 40 years and the – you have the distinction of having that president of

that bank more than anybody else in the country, no matter what bank it might be. And that is a great situation. But going beyond that, you and your family have been involved in many charitable and civic things in this community, and that 's really important. Because I know like we look at one of the poverty organization, Step Up, you being Chairman of that and helping out so that those that are least among us in this community are able to have opportunities where they can better themselves and become supporting citizens in our community, 'cause that's really important. And of course your wife like she's the Chairman of the Black History Month, and she's put a lot of time and effort, but she also works on many civic and charitable things in our community and that's great. And they've got a great son with Robert [James, II], right there. He's an outstanding attorney and a lot of people use him and his firm because of his ability to give people good representation. But again, thanks to you, and of course, to your family for the things that you have done in our community. Because no matter whether it was the March of Dimes, whether it was the cancer society, or heart fund, or many of those other things, Bob [James], you have just been outstanding. And that shows your love for this community.

Mr. James said, thank you, Mr. Chairman.

Commissioner Thomas said, thank you all so much. [Applause.]

[NOTE: Item 1 was taken at this time].

=====

VI. CHAIRMAN'S ITEMS

1. SET BOARD BUDGET RETREAT.

Chairman Liakakis said, next on the agenda is Chairman's item. And the first item is set budget retreat. That'll be on March the 26th at 10:00 a.m., and we will give the location to that to all of the Commissioners, and that's really important because we start out to take care of the items on the budget, and of course, some people don't realize that the County Commission is on a fiscal year. Our fiscal year runs from July the 1st to June the 30th, and of course, the Commissioners get together here three or four months ahead with our County Manager and his staff so that we can go over that and present that once we vote on it to our community.

=====

2. 3D TECHNOLOGY FOR INDUSTRIAL RECRUITMENT.

Chairman Liakakis said, the next is the – item 2, technology for industrial recruitment. Maybe some of you might have seen in the Savannah Morning News about Bryan County's, it was the headline in there, for their Interstate Center goes 3-D, and, of course, they're the first one in our area that has set up this 3-D technology. And what it's going to be good because we will be working – have our people in our SAGIS division and see that they will be putting things together and this 3-D technology that was written in the newspaper and Bryan County now has that in their – their industrial parks is that even a person that wants to look at that particular area, what they can do with this technology is put say a designed building something that comes from a prospective developer that wants to come in their particular area that it will show where it would fit in a certain area in that industrial park or other areas also. And it's real to life because it's in three dimension. And this is an excellent technology. And I spoke a little to our county manager, and I would like to see that we can be – do whatever we can. And in this where they did it in Bryan County is that the EMC, the electrical units that has electric – that provides electrical power all – in many parts of the state, they funded this for Bryan County. Since we have Georgia Power in our community, we'll be asking them if they will support this financially so that we can have this particular method for our SEDA people so that it will help them in securing other clients from around the country. Because some people might not come but with this 3-D technology and showing them how the infrastructure is set up and where they can be placed over there, and it has many, many advantages. So this is something that I think in the future will really and truly be good for our industrial solicitation.

=====

3. RESOLUTION FOR JUDGE STOKES AS RECORDER'S COURT CHIEF JUDGE.

Chairman Liakakis said, there is a resolution that we have, and I'll call on our county attorney, and this is the Resolution for Judge Stokes as Recorder's Court Chief Judge.

County Attorney R. Jonathan Hart said, as you are aware yesterday City Council appointed Judge Stokes as chief counsel [sic]. I have prepared a resolution that – that does likewise for the Judge appearing before the County Commission. As you are aware, the – the way that that works in Recorder's Court is the oldest sitting senior judge, that's had the longest term, and by operation of law would become the Chief – Chief Judge. It's written in the – in the law that created that court. And Judge Stokes, with the death of Judge Dillon, is now the longest sitting Judge in that court and therefore by operation of law would in fact be the Chief Judge, and we have prepared a resolution and would like for you to adopt it for protocol purposes acknowledging that. And I have the Resolution prepared for the execution by the Chairman. We'll – we'll need a motion to adopt that Resolution.

Commissioner Odell said, I make a motion.

Chairman Liakakis said, need a motion on the floor for adoption.

Commissioner Farrell said, second.

Chairman Liakakis said, go ahead, Helen [Stone].

Commissioner Stone said, is there any chance we could read the resolution?

County Manager Abolt said, it's in your packet. We – we sent –

Commissioner Stone said, okay, I'm sorry. I didn't see it.

Commissioner Odell said, it basically just tracks the code section.

Commissioner Stone said, I understand. I just –

Commissioner Odell said, and when Jon [Hart] said oldest, he didn't meant in terms of years, he meant in terms of service.

County Attorney Hart said, if you want it read, we can read it. Basically boils down to Judge Stokes went on the bench, and as a result of that he [sic] went on before the other sitting judges and that – by operation of law, that's the way it works. It's kind of a unique provision.

Commissioner Stone said, okay. Thank you.

Chairman Liakakis said, we have a motion on the floor and a second for the resolution for Judge Stokes as Recorder's Court Chief Judge. Let's go on the Board. Motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved to adopt the Resolution naming Judge Stokes as Chief Judge of Recorder's Court. Commissioner Farrell seconded the motion and it carried unanimously.

AGENDA ITEM: VI-3
AGENDA DATE: February 24, 2012



WHEREAS, the Board of Commissioners of Chatham County met in open meeting on February 24, 2012.

WHEREAS, at said public meeting of the Board of Commissioners an agenda item was raised under the Chairman's Items relating to the designation of the Chief Judge of the Recorder's Court of Chatham County;

WHEREAS, the local legislation set forth at Ga. Laws 1993 p. 4326 provides that the "judge of the Recorder's Court of Chatham County, Georgia, who has served for the longest period of continuous time as Recorder's Court judge shall be designated as the Chief Judge of the Recorder's Court";

WHEREAS, with the death of Chief Judge Larry Dillon, there is a vacancy in the office of Chief Judge of the Recorder's Court of Chatham County;

WHEREAS, Judge Tammy Stokes has served the longest period of continuous time as Recorder's Court Judge, having been sworn in November 24, 2004, the Board of Commissioners recognizes that by operation of law, that Judge Stokes shall be designated as the Chief Judge of the Recorder's Court of Chatham County;

NOW, THEREFORE, BE IT RESOLVED that the Chatham County Board of Commissioners in open meeting dated February 24, 2012, recognize that the Honorable Tammy Stokes, by operation of law, shall be designated Chief Judge of Recorder's Court of Chatham County;

IN WITNESS WHEREOF, this Resolution has been duly adopted by the governing authority of Chatham County, Georgia on the ____ day of _____, 2012.

CHATHAM COUNTY, GEORGIA

BY: _____
Pete Liakakis
Chairman, Board of Commissioners

ATTEST: _____
Janice E. Bocook
Clerk of Commission

[SEAL]

=====

4. RECORDER'S COURT JUDGE.

Chairman Liakakis said, I need a motion on the floor to add the Chairman's items a matter concerning Commissioner Harris Odell.

Commissioner Kicklighter said, I make a motion to amend the agenda to add the topic Recorder's Court Judge to the agenda.

Commissioner Stone said, second.

Chairman Liakakis said, need a second. Let's go on the board. And now I call on Commissioner Priscilla Thomas to read the motion.

Commissioner Thomas said, thank you, Mr. Chairman, members of the Commission. Again, this is my distinct honor to read this motion. The motion to adopt resolution and concurrence of appointment. I make a motion to adopt a resolution that in keeping with the Mayor and Aldermen of the City of Savannah's vote to appoint Harris Odell to Recorder's Court Judge, that the Board of Commissioners of Chatham County adopt this motion of concurrence with the City of Savannah with the appointment of Harris Odell to be the Recorder's Court Judge of Savannah, Chatham County, Georgia.

Commissioner Kicklighter said, second.

County Attorney Hart said, and I would like to –

Chairman Liakakis said, we have a motion on the floor and a second by Commissioner Kicklighter.

County Attorney Hart said, and I would like to make one friendly amendment to that, upon being sworn in –

Commissioner Thomas said, yes.

County Attorney Hart said, – to be added to the end of that sentence.

Commissioner Thomas said, yes.

Commissioner Kicklighter said, and I amend my second to go along with that.

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

Commissioner Odell said, Jon [Hart], should I abstain from that?

County Attorney Hart said, yes, you should recuse yourself.

Commissioner Thomas said, yes. [Applause.]

ACTION OF THE BOARD:

- a. Commissioner Kicklighter moved to add the topic Recorder's Court Judge to the agenda. Commissioner Stone seconded the motion and it carried unanimously.
- b. Commissioner Thomas moved to adopt a Resolution in concurrence with the City of Savannah to appoint Harris Odell as a Recorder's Court Judge of Savannah, Chatham County, Georgia upon being sworn in. Commissioner Kicklighter seconded the motion and it carried in an 8-1 vote. [NOTE: Commissioner Odell abstained from the vote.]

AGENDA ITEM: VI-4
AGENDA DATE: February 24, 2012



WHEREAS the Board of Commissioners of Chatham County met in open meeting on February 24, 2012; and

WHEREAS, at said public meeting of the Board of Commissioners an agenda item was raised under the Chairman's Items relating to the Mayor and Aldermen of the city of Savannah's appointment of Harris Odell, Jr. to fulfill the unexpired term of Chatham County Recorder's Court Judge Larry Dillon.

WHEREAS, at their open meeting on February 23, 2012, the Mayor and Aldermen of the City of Savannah appointed Harris Odell, Jr. to fulfill Judge Larry Dillon's unexpired term as Judge of Chatham County Recorder's Court;

NOW, THEREFORE, BE IT RESOLVED that the Chatham County Board of Commissioners in open meeting on February 24, 2012, concur with the Mayor and Aldermen of the City of Savannah's appointment of Harris Odell, Jr. that upon being sworn in, will fulfill the unexpired term of Judge Larry Dillon of the Chatham County Recorder's Court.

IN WITNESS WHEREOF, this Resolution has been duly adopted by the governing authority of Chatham County, Georgia on the _____ day of _____, 2012.

CHATHAM COUNTY, GEORGIA

BY: _____
Pete Liakakis
Chairman, Board of Commissioners

ATTEST: _____
Janice Bocook
Clerk of Commission
[SEAL]

=====

VII. COMMISSIONERS' ITEMS

1. NATIONAL COUNTY GOVERNMENT MONTH (COMMISSIONER THOMAS).

Chairman Liakakis said, okay. Next item under Commissioner's Items, National County Government Month. Commissioner Thomas who has headed this up in the last few years. It started out as being a week, recognize National County Government, but with the National Association of County Commissioners, they decided that because it stretched and was involved in many, many things the County Government that they have set it up as National County Government Month. And now I call on Commissioner Priscilla Thomas for that item.

Commissioner Thomas said, thank you again Mr. Chairman, members of the Commission. I'm excited about this year's event and really happy that I have as my co-chairs again this year, Ms. Danielle Hillery and others and Danielle [Hillery] is here this morning and she will give the report. Danielle [Hillery]?

Ms. Danielle Hillery said, thank you, Dr. Thomas. Good morning Mr. Chairman, members of the Board and Mr. Abolt. It is my pleasure to serve again as – on your County Government Month committee. National County Government Month will be celebrated during the month of April and this year's theme is Healthy Counties, Healthy Families. And tying in with this year's theme, we have partnered with St. Joseph/Candler Health Systems, Community Cardiovascular Council, the Health Department, just to name a few, as well as the support of our wellness program and our – and that division. So far we have scheduled for April the 14th to hold the second – second Annual Take a Soldier Fishing tournament at Lake Mayer from 7:00 a.m. to 4:00 p.m. During this event, 12 soldiers and 12 anglers will compete in a catch and release bass tournament. We will have departmental displays. There will be food and music, and we'll also have a mobile unit out there to give a few health screenings, as well as representation from our departments. We are asking that the Board of Commissioners attend the weigh-in ceremony which will take place at 1:30 that afternoon at Lake Mayer. The second event that we have scheduled so far is April the 20th. We will also have a health slash government fair day at the Oglethorpe Mall in Macy's court. During this event we will also have health screenings, exhibits, dancing, and other activities throughout – throughout that day. And we also will have throughout the month, some aerobic – water aerobic classes held at the health – or at the Chatham County Aquatic Center. And we would like to thank our Park Services Division for that.

Ms. Hillery said, we're still working on finalizing some other events, which we will keep you posted as those are finalized. And at this time I just want to thank Sandra Smalls, Tamala Fulton, Jerrell McRell, Jackie Ogden, Pete Nichols, and others who have sat and helped in planning our – these events. But we will keep you posted on others to come. Thank you.

Commissioner Odell said, may – may I ask a question? If I may?

Commissioner Thomas said, excuse me, one other thing. In addition we want to also – to include Memorial Hospital. They will be participating, okay?

Ms. Hillery said, yes, absolutely.

Chairman Liakakis said, go ahead.

Commissioner Odell said, that answered my question.

Ms. Hillery said, okay. Thank you.

Chairman Liakakis said, okay. Thank you.

ACTION OF THE BOARD:

For information only.

AGENDA ITEM: VII-1
AGENDA DATE: February 24, 2012

To: Board of Commissioners
Thru: R. E. Abolt, County Manager
From: Sandra S. Smalls, Administrative Assistant

Issue:
To provide information to the Board about the scheduled events for National County Government Month.

Background:
National County Government Month (NCGM) was created by the National Association of Counties to raise public awareness and understanding about the roles and responsibilities of the nation's 3,068 counties. The

community outreach events held during this month will help residents better understand how Chatham County serves the community.

Counties play an important role in protecting and enhancing the health, welfare and safety of its residents in sensible and cost-effective ways. The theme for this year is “Healthy Counties, Healthy Families,” and will be observed during the month of April 2012. During this year’s celebration, Chatham County will highlight essential county government healthcare services and programs, and encourage citizens and employees to live healthier and active lives.

In addition to showcasing the departments within Chatham County, such as Public Works and Park Services and our Wellness Program, there will be highlights of the Chatham County Health Department and Cooperative Extension Services for the services they provide to citizens.

Facts and Findings:

1. On February 10, 2012, NCGM Chairperson Dr. Priscilla D. Thomas announced plans for the upcoming celebration of National County Government Month.
2. A meeting was held with Commissioner Thomas and staff to discuss various events to schedule.
3. The scheduled events are:
 - a. April 14th at 7:00 a.m. - 4:00 p.m. - 2nd Annual “Take A Soldier Fishing” - Wounded Warriors Bass Tournament at Lake Mayer from 7:00 a.m. - 1:00 p.m., with the Weigh-in and Awards Ceremony beginning at 1:30 p.m. During this event, twelve wounded soldiers will compete in a “catch and release” bass fishing tournament.

Citizens are encouraged to come and bring their flags to show their support as honor will be given to our Vietnam Veterans. Commissioners are requested to be present for the Awards Ceremony at 1:30 p.m.
 - b. April 20th at 10:00 a.m. - Chatham County Health/Government Fair Day at the Oglethorpe Mall, located at 7804 Abercorn Street (Macy’s Court), to include free mammograms, blood pressure checks, departmental and health exhibits, dance classes, entertainment, give-a-ways and more. Chatham County has coordinated with St. Joseph’s/Candler Health Systems, Chatham County Health Department, Let’s Dance Savannah and Community Cardiovascular Council.
 - c. Thanks to the Chatham County Cooperative Extension Services, throughout the month of April, the Walk Georgia initiative will still be underway. For those employees who have signed up, they can log and track their activities through the Walk Georgia’s website (www.walkgeorgia.org) to earn miles. For those who have not signed up, this will be another way Chatham County is making it possible for employees to become more active.
 - d. Thanks to Public Works and Park Services, Human Resources and Services (Wellness Division) and the Aquatic Center, physical fitness and water aerobic classes have been set during lunch hours at the Aquatic Center, located at 7240 Sallie Mood Drive, for employees to participate at no charge. This offer will be during the entire month of April.
4. The National Association of Counties will be notified of the scheduled events by February 25, 2012.

Policy Analysis:

The County Commission’s goal is to provide all citizens the best place to live, work and play by establishing and maintaining recreational services and facilities community-wide, as well as a promote wellness. The events scheduled for National County Government Month will allow Chatham County to show citizens how we are achieving the goal.

Recommendation:

For information only.

=====

CHATHAM AREA TRANSIT AUTHORITY

Chairman Liakakis said, at this point we will recess as Chatham County Commission and convene for a special called meeting for the Chatham Area Transit Authority. And this – this particular item will not take very long. We just got one part of business on the agenda for that. The Board recessed as the County Commission at 10:00 a.m., and convened as the Chatham Area Transit Authority.

Following adjournment of the Chatham Area Transit Authority, the Board reconvened at 10:14 a.m., as the County Commission.

=====

VIII. TABLED/RECONSIDERED ITEMS

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

- * 1. **PREVENT ANYONE WHO COMMITS A VIOLENT ASSAULT ON A LAW ENFORCEMENT OFFICER FROM RECEIVING FIRST OFFENDER STATUS (COMMISSIONER GELLATLY). ITEM WAS TABLED AT THE FEBRUARY 10, 2012, MEETING SO THAT THE RESOLUTION COULD BE REVIEWED.**

Chairman Liakakis said, under Tabled/Reconsidered items, we have is – and this is to prevent anyone who commits a violent assault on a law enforcement officer from receiving First Offender status. Commissioner Gellatly brought that up. Item was tabled on February the 10th meeting so that the resolution could be reviewed. It was – all of the Commissioners have that particular Resolution and have had time to look it over. Is there any –

County Manager Abolt said, Mr. Chairman, you have to take it off – take it off the table first –

Commissioner Stone said, table.

County Manager Abolt said, – please, Mr. Chairman.

Commissioner Stone said, right.

Chairman Liakakis said, excuse me?

County Manager Abolt said, motion to take it off the table, please.

Commissioner Stone said, I'll – so moved.

Commissioner Farrell said, second.

Commissioner Thomas said, second.

Chairman Liakakis said, okay. Let's go on the Board. Motion passes. And so do we have any questions on this particular resolution? Al [St. Lawrence]?

Sheriff Al St. Lawrence said, I haven't had a talk – chance to talk to Commissioner Gellatly. I hope this involves corrections officers. I know you said law enforcement.

Chairman Liakakis said, all law enforcement.

Commissioner Gellatly said, all – all POST certified officers.

Sheriff St. Lawrence said, good because my assaults are certainly going up.

Commissioner Gellatly said, that was – that was one of the things I brought up last meeting –

Sheriff St. Lawrence said, very good.

Commissioner Gellatly said, – that it's certainly a problem. They – they all should be included.

Sheriff St. Lawrence said, okay. Thank you.

Chairman Liakakis said, well thank you, Al [St. Lawrence]. Of course, probably people might not know him, but I'm just kidding. This is Al St. Lawrence the Sheriff of Chatham County who's the number one Sheriff in the USA. We thank him for his many years of service. Okay we have a motion on the floor and a second. Let's go on the board.

Clerk said, we don't have a motion.

County Attorney Hart said, we don't have a motion.

Commissioner Stone said, yeah, I didn't. I don't know that there was a –

Clerk said, we don't have a motion.

County Attorney Hart said, we do not have a motion.

Commissioner Gellatly said, I make a motion we go ahead and –

Commissioner Stone said, second.

Commissioner Gellatly said, – proceed with the resolution.

Commissioner Stone said, second.

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

Commissioner Shay said, good catch.

ACTION OF THE BOARD:

- a. Commissioner Stone moved to take the item, to prevent anyone who commits a violent assault on a law enforcement officer from receiving First Offender status. Commissioners Farrell and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present for the vote.]
- b. Commissioner Gellatly moved to adopt the resolution preventing anyone who commits a violent assault on a law enforcement officer from receiving First Offender status. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: VIII-1
AGENDA DATE: February 24, 2012

The County of Chatham Georgia

Resolution

WHEREAS, the Board of Commissioners of Chatham County met in open meeting on February 24, 2012; and

WHEREAS, at said public meeting the Board of Commissioners reviewed the proposed amendment (Senate Bill 231) to the provisions of O.C.G.A. §42-8-60, et seq., commonly referred to as the "First Offenders Act", to preclude courts from sentencing as First Offenders, defendants who have committed an act of violence against a law enforcement officer (i.e. certified peace officers) resulting in that officer suffering serious injuries and/or requiring the hospitalization of a law enforcement officer;

WHEREAS, at said public meeting the Board of Commissioners unanimously agreed to support efforts to have the First Offenders Act amended to render persons who injure police officers, while engaged in the performance of their official duties, ineligible for First Offender privileges;

WHEREAS, the Board of Commissioners recognize that law enforcement officers risk their lives daily in order to protect and serve their respective communities and recognize that persons who cause serious injury to law enforcement officers should not be eligible to reap the benefits of the special consideration afforded by the provisions of the First Offenders Act. It is the Board of Commissioners' belief that amending the First Offenders Act as proposed will send the message to potential offenders that there are serious ramifications for injuring law enforcement officers and will convey to our law enforcement officers that the legislature and the community recognize the risks that they take in order to serve the community;

NOW THEREFORE BE IT RESOLVED that the Chatham County Board of Commissioners in open meeting dated February 24, 2012, does unanimously declare unto the Governor, the State Legislature of Georgia that amending the First Offenders Act as suggested herein will reduce the incidents of violence against our law enforcement officers;

BE IT FURTHER RESOLVED, that the Board of Commissioners of Chatham County unanimously requests that the proposed amendment to the First Offenders Act be passed and enacted into law in order to reduce the incidents of violence against law enforcement officers;

IN WITNESS WHEREOF, this Resolution has been duly adopted by the governing authority of Chatham County, Georgia on the _____ day of _____, 2012.

CHATHAM COUNTY, GEORGIA

BY: Pete Liakakis
Chairman, Board of Commissioners

ATTEST: Janice E. Bocook
Clerk of Commission

[SEAL]

=====

IX. ITEMS FOR INDIVIDUAL ACTION

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

- 1. TO REQUEST APPROVAL OF THE FOLLOWING BUDGET AMENDMENTS AND TRANSFERS: 1) INCREASE REVENUES AND EXPENDITURES \$28,351 IN THE MULTIPLE GRANT FUND FOR GRANTS AWARDED TO THE SHERIFF'S DEPARTMENT, AND 2) TRANSFER \$140,000 FROM THE SOUTH ANNEX PROJECT TO THE ANIMAL CONTROL PROJECT IN THE DSA SERIES 2005 BOND FUND.

Chairman Liakakis said, items for individual action. One, to Request Approval of the following budget amendments and transfers: 1) increase revenues and expenditures \$28,351 in the Multiple Grant Fund for grants awarded to the Sheriff's Department, 2) Transfer \$140,000 from the South Annex Project to the Animal Control project in the DSA Series 2005 Bond Fund. We need a motion on the floor.

Commissioner Stone said, so moved.

Commissioner Holmes said, second.

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

ACTION OF THE BOARD:

Commissioner Stone moved to approve the following budget Amendments and Transfers: 1) increase revenues and expenditures \$28,351 in the Multiple Grant Fund for grants awarded to the Sheriff's Department, and 2) Transfer \$140,000 from the South Annex Project to the Animal Control project in the DSA Series 2005 Bond Fund. 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 24, 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) increase revenues and expenditures \$28,351 in the Multiple Grant Fund for grants awarded to the Sheriff's Department, and 2) Transfer \$140,000 from the South Annex Project to the Animal Control project in the DSA Series 2005 Bond Fund.

FACTS AND FINDINGS:

1. The Sheriff's Department has been awarded two grants through the Georgia Emergency Management Agency that total \$28,351. Correspondence and a resolution to amend the Multiple Grant Fund are attached.
2. The Assistant County Manager is requesting a transfer of \$140,000 from the South Annex project to the Animal Control project in the DSA Series 2005 Bond Fund. Correspondence is attached.

FUNDING: Funds are available in the DSA Series 2005 Bond Funds. The budget amendment will establish funding in the Multiple Grant Fund.

ALTERNATIVES:

1. That the Board approve the following:

MULTIPLE GRANT FUND

- a) Increase revenues and expenditures \$7,000 for a GEMA grant to the Sheriff's Department.
- b) Increase revenues and expenditures \$21,351 for a GEMA grant to the Sheriff's Department.

DSA SERIES 2005 BOND FUND

Transfer \$140,000 from the South Annex project to the Animal Control project.

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

=====

2. PRESENTATION BY CONTRACTOR HUNT/MILLS ON LOCAL PARTICIPATION FOR THE CHATHAM COUNTY DETENTION CENTER.

Chairman Liakakis said, item two, presentation by contractor Hunt/Mills on local participation for the Chatham County Detention Center project.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, Commissioner Stone, Gentlemen, this is our monthly slot on your agenda to have in this case Mr. D. J. McGlothorn of Hunt Mills to make the presentation as far as experience to date in local participation in construction that is going on famously and we believe it's at or beyond – earlier than initially predicted as far as completion. We're very pleased with the construction that's going on. Mr. McGlothorn please? D. J. [[McGlothorn]]?

Mr. McGlothorn said, thank you, Mr. Abolt, Chairman Liakakis, members of the Commission. Thank you for the opportunity to be in front of you this morning to give you a brief update on the – on the local participation element of the project. And – and before I get into that, I do want to say that the project is – in many, many phases of the project, there are a few that are running right on schedule and there are some that are running well ahead of schedule. There are none that are running behind. The project from a cost standpoint, there have been so few if any architectural changes to deal with, your budget, from our perspective seems to be in tact and the quality of the project, there are no deficiencies that are outstanding that – that haven't been addressed. So we – we think that from your contractor's perspective your project is going very well.

Mr. McGlothorn said, regarding the local participation, there's basically two elements there that we have been attempting to satisfy targets that were committed to at the onset of the project. And that that had to do with signing up local companies, vendors, and subcontractors and suppliers, even at the prime level working directly for Hunt/Mills and those that would be working at lower tier levels, that continues to go very well. The target was some 66%. We're at 68 – excuse me, 68%, and I don't think those latest numbers include some – some most recent awards of some

\$270,000 – additional dollars that have been awarded to a local painting contractor. And so if anything that local participation – participation level at the vendor and company level will continue to increase.

Mr. McGlothorn said, now regarding the other issue of local participation by the workers on site. The target there was some 76% and to date we are still falling in my opinion significantly short of that. We are hovering around 44, 45%. There's been a lot of reasons discussed. I would rather – of why that might be, but I can tell you that the effort is there. The – the attention level to – to the need to have greater participation at – at – at the – with the Chatham County residents being able to be gainfully employed at that – at that project is still a very key element, and we continue to work on it. We work on it with job fairs. Most recently we've done some training. We were fortunate enough to use this room for some training about three weeks ago that we had – it was very well attended, and the emphasis there on training, the – the question of – of capability has come up and we want to do our part to if – if there's some that are being deemed not capable of doing the task at hand, then we expect – accept some level of responsibility to try to train some while – while we're here working on your project.

Mr. McGlothorn said, a lot of it has to do with the timing of what's being done at the project. Now for any of you that have had the opportunity to drive by and – and look at the new facility, you see so much of the big precast going up. And that truly is specialty work. The crane operators that are erecting that precast, are hoisting the precast, the iron workers that are out there putting it in place and welding it in place. I – I'm – I apologize for reporting to you, but most of those guys doing that element of work are from out of the area. By the same token, the local iron workers that – that were doing what we refer to as rod busting, putting in the reinforcing bars and the foundations and the slabs, 100% of those as I understand were local. And for right now, that phase of the job is – is a little bit behind us. And so you – you say well that that was local is behind us, that that's going on right now is – has a higher concentration level of – of specialty workers that travel with those big cranes to different parts of the country and there's little opportunity to get around that. But what's on the horizon? And I would suggest to you that the – the degree of finishes that are going to be introduced into those buildings – some of the larger buildings are now to the point where we're quote unquote drying them in and we allow finish trades to come in prosecute their work, a high degree of that work most certainly has already been awarded to local subcontractors and – and we have a high level of confidence that those local subcontractors will use residents of – of Chatham County to – to do that work.

Mr. McGlothorn said, there's only one other element that I want to explain to you today that I think is factoring in. So many – the question has always been raised, well, why has the local subcontractors that we've hired, why aren't they using a higher degree of – of local workforce, and I think it has a lot to do with the current stage of the economy. If – if they were flush with work and this work – this project was a new project for them, and they needed to hire people, I don't think they would have any hesitation to hire those that are capable in the area to add onto their crew. But most of our subcontractors are not flush with work, they have this project, and they have employees that they've already retained for years and years, and they have a strong hesitancy to lay off or discharge those company employees for sake of rehiring some from the county. Now I bring that up because many of those subcontractors, and I won't dare mention any of them by name, but most of you know a lot of the local subs that are working out there, it is my opinion that when they ramp up – 'cause for every one of these buildings that we bring out of the ground from foundations to big frame and the workers go inside the work to put all of the piping up in – above the ceiling and in the walls and what have you, a great amount of work to be done, I would be of the opinion that our subs are finally going to be to the point that they need to hire. And we have a high level of confidence that when they go in a hiring mode, they have been more than coached, they are being held accountable that when they are in a hiring mode, to hire local. So I think that those percentages where they are hovering around 45 and we're targeting to – to get them up, the effort is there. I know that you folks would much – much rather monitor the results than – than the effort that I might explain, but I – I come to you this morning with a great degree of confidence that we're going to be able to improve on those percentages.

Chairman Liakakis said, let me ask you this particular issue. When you're talking about subcontractors that are local, those are – most of their employees, are they local? Because we're not looking, you know, to fire them, but all of their employees are they from out of town somewhere?

Mr. McGlothorn said, the report would mostly answer your question but for me to offer my understanding of it, a good many of the local subcontractors, their current workforce is a mix of Chatham County and surrounding county employees. And – and it's their choice that they're using some of the out of those county area that's a little difficult for us to – to go to them and tell them they should lay those people off and – and rehire those from Chatham County. So I hope I've answered your question.

Chairman Liakakis said, well here's what I'd like for you to do. Please bring back to this Commission how many employees of these subcontractors live out of town, not saying to fire them or anything, and tell us how many of those subcontractors have local employees and those that are out of town. I'd like to know those figures so that all of our Commissioners can see that. 'Cause that's very important. We've been talking about this from day one. This is a \$100 million – a little over \$100 million project. The largest construction project that this County has ever had. And in that, you know, we're looking to see about as many local people because we have quite a number of people. We got organized, you know, labor. We've got lots of people in our community that still don't have jobs, and obviously getting a percentage of them, you know, from around the country. Some of them have come from around the country, not just, you know, surrounding areas, and this is really important because this is the third time that we've had that conversation about local people, and you telling us this 44, 45% in there. So some effort, and especially when you've got these people that when you hire additional subcontractors, you ask them that question. It should be how many do you have and that, and then you look at maybe you got another subcontractor in the community that, you know, has more local people instead of 90% of them that live, you know, around the country. That's the situation. We need to look at all avenues because this has been going on. I know we can see, you know, some progress that has been made out there, but the situation is that a lot of our County Commissioners and I've had phone calls and notes and all of that, when are we going to have more people in this \$100 million contract – you know, contract that we have with Hunt/Mills that we're going to have people in there?

Mr. McGlothorn said, yes, sir.

Chairman Liakakis said, that's important because this situation, when somebody calls me up, and I've had multitudes and I know that some of these other Commissioners have too, and say, listen, I pay taxes in this community. I pay sales tax but beyond the sales tax, I've – I've been living here 30, 40 years or 10 years, whatever the case might be, and, you know, I have to pay taxes on my home, and – and it's tough for me to pay my mortgage payment because I don't have a job. And anyway, with all of this amount that's done, we would like to see, 'cause some of the

Commissioners have talked to me about it, and we need to see more of an effort on Hunt/Mills to do a better than have this thing 45%.

Mr. McGlothern said, yes, sir.

Chairman Liakakis said, Harris [Odell], and then Helen [Stone], and Priscilla [Thomas].

Commissioner Gellatly said, and – and me.

Commissioner Odell said, and David [Gellatly].

Chairman Liakakis said, David [Gellatly].

Commissioner Odell said, when we initially bid the contract, you were part of the Hunt/Mills bid team, is that true?

Mr. McGlothern said, yes, sir.

Commissioner Odell said, okay. And the 76% local participation was part of the pre-bid information. Is that also true?

Mr. McGlothern said, yes, sir.

Commissioner Odell said, okay. So it – it doesn't come as a surprise to you that this Commission, not only just wanted to build a place to hold bad guys, but we wanted it to be an employment opportunity. When you made a bid, you understood that, did you not?

Mr. McGlothern said, yes, sir.

Commissioner Odell said, okay. Now, it is unacceptable to me we are this far in the program and you're here telling us locally it's 44%. And I do think that's Hunt/Mills' fault. And I'm not attempting to blame, but the purpose of this project was two-fold, construct a jail so that bad people could be housed so that people who are not, our regular citizens, could be safe. But also to be an economic boom. Economic boom for Chatham County.

Mr. McGlothern said, yes, sir.

Commissioner Odell said, I really respect and care about the people who live across the bridge in South Carolina. They're not constituents of anyone on this Commission.

Mr. McGlothern said, yes, sir.

Commissioner Odell said, so it was our intent – we initially thought about doing a best value so that price was not the sole factor, the sole factor would have been other things, like local participation. But we ended up doing it this way with bottom line price being the sole factor, which concerned me then, concerned me now, and the reason it concerned me, if you do it solely on the low bid, we can be spooned along and the program will be over, and people can come before us and say we can't find good people in Chatham County. To me that's a self-fulfilling prophecy. To me when you entered the bid, you knew those obstacles when you submitted the bid. So late and afterwards saying we can't find people, the subs want to bring people. The subs do not have the money. This Commission has the money.

Mr. McGlothern said, yes, sir.

Commissioner Odell said, we're happy that the subs want to hire people from Jacksonville, Florida. Their desires are secondary to the desires of the citizens here in Chatham County. I – I really don't know what we can do to emphasize how serious it is that we're churning along on a project and the number that we wanted was 76% and the number we're given is 44% and saying that you cannot find it is not an acceptable excuse. To me it's not an acceptable excuse. And I'm – I don't know you, and it's no personal reflection on you.

Mr. McGlothern said, yes, sir.

Commissioner Odell said, but citizens of my district voted for SPLOST which in fact funded this in hopes that we could not put on the back of tax payers the construction of a new jail which the Sheriff solely needs. We need a new jail. But that this would be an economic opportunity for people in my community and all of our communities. And so far it's not. So far it is a great opportunity to some of the outlying areas because the subs that you have selected they come in, they want to bring their guys from Bryan County, the guys from Hilton Head or Bluffton. That's fine. That's not our agreement with you. Our agreement with you was you give us six – 76% and we'll give you this money.

Mr. McGlothern said, yes, sir.

Commissioner Odell said, and in exchange you do the building. I'm – I'm really concerned, and I – I know that you and Arneja [Riley] have been working desperately trying to solve this problem, and it's not a easy problem to solve, but we need better numbers than 44 out of 76.

Mr. McGlothern said, I appreciate you recognizing those efforts and – and I can tell you –

Commissioner Odell said, yeah, yeah. I know. This has been a nightmare for you. We should pay you more money for it. It's been a nightmare. I recognize that, and I recognize that you all have been – you're in a tight situation. You have a relatively low bid, limited cushion, you have defined subs who can do the work, the subs are saying if we have to do a, b, and c, I got a crew that can do a, b, and c, but you're telling me I'm going to have to dump my crew and get new people, and the time to do that same job is going to escalate, it's going to cost me more. Can't be done. You either –

Mr. McGlothern said, Commissioner Odell I appreciate your comments, and I don't want to give you false hope, but I can assure you that with the precast direction wrapping up in the next six to seven weeks, because that's where the high concentration of out of area work force is, and as it wraps up, that's about the same time that we will start applying lots of finishes to your job. So that that's – that's being a burden to us with out of the area folks is going to go away

about the same time that the finishes are going to be allowing for – for the local residents. So it – it could – the – the curve will then correct itself in a – in a very positive manner in the near future – future.

Commissioner Odell said, in that I've said some things which by some could be viewed as negative, let me say something that's positive. The progress we're making is exceptional. I mean they're working like bees in a beehive out there. It – I go out there at least a couple of times a week, and we are – and Al [St. Lawrence] is here and can comment, we are making substantial progress, and we have to credit y'all for that. We are getting the facility.

Mr. McGlothern said, thank you.

Commissioner Odell said, and thank you. And –

Chairman Liakakis said, Helen [Stone], and then Priscilla [Thomas] and Dave [Gellatly].

Commissioner Stone said, thank you, Mr. Chairman. I do want to recognize the fact that in discussions with the Sheriff that he is pleased with the progress that's going on out at the jail. But that does not negate the fact that what has already been mentioned here earlier was that the contract stipulated that we wanted as much local participation as possible. And on that front, I'm very curious as someone who is pushing for more vocational and technical training in our schools, I would like to hear from these subcontractors if they cannot find employees that are trained for these skills, I would like to know what's lacking in this community so that we can try to fix it.

Mr. McGlothern said, yes, ma'am.

Commissioner Stone said, and I think we have an obligation to prepare a workforce for these jobs that come along. And I understand – it – it still doesn't make it correct, but I understand that possibly this is where the – the issue is with your subcontractors maybe they're not available.

Mr. McGlothern said, that is part of it.

Commissioner Stone said, but that is what I would like to try to fix and so that we can take care of our own, we can employ our own because this is one of the biggest contracts that's been let in Chatham County. And so, I would really like by the next – I guess you're going to come again next month, to find out from these subcontractors what the issue is. There's got to be an answer and – and of course you went through the economy and they don't want to lose the people that they have, but there's got to be a better answer for me to understand why we are not hiring our own and stimulating the work force in this community for the tax payers that put forth the money for this project.

Mr. McGlothern said, the subs have alleged that that's been one of the parts and pieces that have caused the numbers to be there they are and – and we'll be glad to address it directly.

Commissioner Stone said, I – I would like to see that.

Mr. McGlothern said, yes, ma'am.

Commissioner Stone said, thank you.

Chairman Liakakis said, Priscilla [Thomas].

Commissioner Thomas said, thank you, Mr. Chairman. First of all let me thank you for doing a good job thus far that you're either on time or ahead of time and all of that.

Mr. McGlothern said, thank you.

Commissioner Thomas said, and the efforts that you have put forth in it. I too like my colleagues, I am livid because every year that I have sat up here on this County Commission, and we have let contracts for various jobs and etcetera, it's the same story over and over again that Chatham County do not have the work force that are needed to complete certain jobs and etcetera. I, like Commissioner Stone, I want to know because I am concerned about the work force training. If we are delinquent in training people for various jobs here in Chatham County, we need to know what they are. I cannot sit here and foresee that over and over again be it not Hunt or whatever contractor that we have dealt with, it's the same story over and over. So I'm asking you. I would like to see – I want to know what those areas are.

Mr. McGlothern said, yes, ma'am.

Commissioner Thomas said, and – and what are the problems that we cannot find people here in Chatham County. I have been working very closely with Savannah Technical College in other areas trying to see how many people are enrolled in various technical situations, and I can't understand if we are enrolling quite a few people and we are graduating people, but yet when these jobs become available, I mean, we keep hearing contractors saying, you know, we don't have them locally. I too want to see some additional progress, and I want to see a list of those areas that you're having difficulty in, and, you know, we'll go from there.

Mr. McGlothern said, yes, ma'am.

Commissioner Thomas said, but I appreciate what has been done. But it is not enough.

Mr. McGlothern said, thank you.

Commissioner Thomas said, thank you.

Chairman Liakakis said, Dave [Gellatly].

Commissioner Gellatly said, thank you, Mr. Chairman. I too would like to start – first start out with complimenting you. I – I – I go back 36 years in this – 32 years in this County and I – almost all public construction sites come in over budget and – and seem like they never get done. So you – you – you certainly – doing a real good job on that part.

Mr. McGlothern said, thank you.

Commissioner Gellatly said, the other part was when we gave you a contract and wanted 76% local labor force to be utilized, that was not a suggestion. That was part of your contract. And I think – and – and I for one Commissioner, I – I think you need to start taking this Commission seriously.

Mr. McGlothern said, yes, sir.

Commissioner Gellatly said, this was not a request it was an instruction by a constituted – legally constituted body that represent the citizens of Chatham County. And I – I – I – I really hope we see some marked improvement in the – in the months to come. I – I'm concerned about this 44%. I bet you if we do a survey you're going to find that 44% are also among the lowest paid people in that site out there. That tends to be what – what occurs also. And, you – you know, there's been debate, you know, should you include Effingham County and Bryan County 'cause they're the metropolitan area, I'm not going to get into that debate, but if you were to include them, you'd still be far off of your 76% I think.

Mr. McGlothern said, yes, sir.

Commissioner Gellatly said, and I – I – I – I want you to take us seriously number one.

Mr. McGlothern said, we do.

Commissioner Gellatly said, and I want, as the other Commissioners said, if we're lacking with our local labor force, I mean we have some outstanding technical schools and technical colleges right in this county and if – if they're not producing qualified people I – I want you to get this from your subcontractors, just where are we lacking, and I want you to create a document, that's going to become a public document, exactly where are we lacking, you know. And – and I too have sat back for decades in this county and every time there's a public construction job awarded, why we get a lot of lip service, yeah, yeah, there's going to be local participation and when it comes down to it that never, ever materializes, and that's true with this job too. And it's one of the largest ones that we've ever had in this county if not the largest. And I'm looking right at you as a representative of your company, and we are holding you directly and personally responsible. It was not a suggestion; it was an order, and we want you to carry that out. Thank you.

Mr. McGlothern said, yes, sir.

Chairman Liakakis said, and as you had what the Commissioners said, there's a formula that was put in there, and next month, we'd like for you to come back, you or another representative and, you know, some of these questions that have been, you know, asked that they be addressed.

Mr. McGlothern said, yes, sir.

Chairman Liakakis said, because we – we cannot be going on and on, you know, it's going to take another year, little longer than that to complete this job, whatever the time element might be, but we don't want to hear the same story over and over again, other than we see some concrete evidence what Hunt/Mills has done to make sure there's best there can possibly be about getting local people on this job. Okay. Thank you very much.

Commissioner Odell said, can they report every Commission meeting?

Chairman Liakakis said, oh, excuse me. I'm sorry. Hold it. Dean [Kicklighter]?

Commissioner Kicklighter said, thank you. Just a question. I heard your explanation in the beginning. I'm just wondering do you feel as if you'll meet your requirement by the end of the – by completion of the job?

Mr. McGlothern said, there will be months that we'll hit that 76, I'm confident of that because of the high degree of finishes that – that will begin within the next six weeks, some of them – they're – we're starting to paint out there now in various buildings and what have you. And the – the degree – I guess the issue – this goes back to some of the other questions, when we were making our commitments to do this, and we – we – we spent excessively premiums to sign up local subs, and we've satisfied that. We were of the opinion and understanding when we were hiring local subs it would probably also take care of the local participation. We've got more than a bump in the road to deal with there. But those subs that we have signed up for dry wall, for painting, for ceilings, all of those finishes, the efface that goes on the outside of some of the non-precast buildings, all of those subs are local and – and those subs are hiring and using Chatham County residents. So, so yes, I have a high degree of confidence that we'll – we'll get up and hit that 76% on some months of the project. And – and some in the near future.

Commissioner Kicklighter said, at completion when you take it over all on an average, will you be in your opinion close?

Mr. McGlothern said, may be somewhat in jeopardy because of some of the specialty trades that we are using, particularly the hours that are being expended erecting the precast right now, which is short lived. When we're done erecting the last of the precast in the middle of April then all of those specialty operators and iron workers that are handling it – handling – it's a safety concern. I don't have to share with you that – that they are a little cautious about who they put up there erecting the precast and certainly who they put in the seat of the crane. But as that gets behind us, and we get into these high degree of finishes and the local participation. I think it'll – it'll drastically improve.

Commissioner Kicklighter said, so, we did not word a penalty into the contract for not meeting a minimum undoubtedly or did we? Jon Hart or anybody that did the contract?

County Manager Abolt said, there's – there's penalties.

Commissioner Kicklighter said, is there an actual penalty worded into this contract if – if the local participation's not met?

County Attorney Hart said, no, not in so far as local participation.

Commissioner Kicklighter said, not what?

County Attorney Hart said, not so far as the local participation.

Commissioner Kicklighter said, okay. Well like maybe we can do that on future projects. Where, you know. I appreciate you trying to get it there and – and – and I'm not going – they've all said everything that needs to be said –

Mr. McGlothern said, well with or without penalties, we take you seriously.

Commissioner Kicklighter said, – and if you can hit a 100% for a few months, maybe you can finish it up around that point. And we appreciate it.

Mr. McGlothern said, yes, sir.

Commissioner Kicklighter said, thank you.

Chairman Liakakis said, okay. James [Holmes]?

Commissioner Holmes said, that – that's the same question I was going to ask, what Dean [Kicklighter] just asked just now. Sir, how – how long would it take you to get to the 77%? Approximately?

Mr. McGlothern said, I appreciate you qualifying it as approximate. It – it – it is a formula of – of looking through those specialty trades are – they're gone and the finish trades that come in that are primarily local residents then it can – in those given months it can spike up, and – and again I would anticipate probably in the next – what I know about the project, in the next 45-60 days we'll – as one – and I hate to keep repeating myself, but as one factors out as – that's the burden to us and the other one factors in that's the salvation, then it will begin to correct itself in the 45-60 day period.

Commissioner Holmes said, how long more we have on the project?

Mr. McGlothern said, well, it's by contract its – it goes out to the late – late part of 2013, and we're hoping to finish it in about September of that year. So.

Commissioner Holmes said, I think that what you heard today, I would like to suggest that this Commissioners be on the front end of the percent other than on the back end.

Mr. McGlothern said, yes, sir.

Commissioner Holmes said, now we done missed a part of the front end, but I wouldn't want to see the percentage to 77 the last three months on the project.

Mr. McGlothern said, we want to see it –

Commissioner Holmes said, I – I would consider that's a loss to us. But if you're looking at the remaining of it and work as rapidly as you can to try to increase that percentage so we can get the bulk of the money returned back to our citizen and our work force here in Chatham County.

Mr. McGlothern said, that's well said because if we all wait for it to be in the latter end of the project –

Commissioner Holmes said, exactly.

Mr. McGlothern said, – then what happens if it doesn't. And I – we would rather get it up in the next 45 or 60 days and stand here with a little – little bit of a smile on our face that we've – we've delivered.

Commissioner Holmes said, thank you, sir.

Commissioner Kicklighter said, Mister – Mr. Chairman –

Chairman Liakakis said, Pat [Farrell]?

Commissioner Kicklighter said, oh, sorry.

Chairman Liakakis said, Pat [Farrell] and then Harris [Odell] and then you.

Commissioner Farrell said, Russ [Abolt], this is certainly not the first building project that the County has undertaken and it certainly will not be the last, and as we develop policies and procedures for our building construction projects, I – I'd like to see at the end of this job that we – that we do have a comprehensive score, if you will, as to when you add up the poor participation months and you add up the really good ones that we see where we are, so that we can have that data available for the Commissioners on future jobs to try to craft policy and procedures that will optimize our goal. You know this is the first project where we're – we're using more data to quantify what's actually happening 'cause in the recent past and in the – this report of 68% local participation would have – would have looked really good, but with the – with the actual data of the number of workmen on the – on the premises actually doing construction work down at 45% it – it – it – it peels a layer off of the – off the onion of what's going on out there and all the dust and things moving around on a daily basis. So the more data that we have as a Commission as to what's really going on and how it's affecting our community will help us better shape policy and procedures going forward.

County Manager Abolt said, in responding to that and – and I've said this before, what – what y'all are doing right now is going set some standards not just for Chatham County but for local governments across the nation. You remember how long it took us to get to the point of best value and what all that meant and that the different values that you put in from the standpoint of what you wanted to see done. And that is very unique. And I mentioned to my staff and mentioned to the sheriff as recently as yesterday, so far it's looking very good from the standpoint of the quality of product and when all is said and done, there are going to be lessons learned with transfer, just like you've asked for, but that can be shared with municipalities and – and other local governments throughout the country. And – and the fact that you set aside, you know, each month this time says something about the value you put on it because never before have I seen – and not just County Commissioners but City Councils and the School Board willing to take the time that you do each month to receive this report. And so there is lots of stuff – I want – I want to explain – not explain but underscore what you just said a few moments ago. But part of the lessons learned is so much emphasis is put on

local contractors and you're seeing that in the implementation of that emphasis on local contractors, the local contractors in the sub category to Hunt/Mills have hiring decisions that are affecting the overall outcome month to month. That's what's happening.

Chairman Liakakis said, all right. Harris [Odell].

Commissioner Farrell said, exactly.

Chairman Liakakis said, oh, excuse me.

Commissioner Farrell said, exactly, and one of the – one of the outcomes of this project and hopefully many projects to come in the future would be that the – the organization that has the best data driven track record can take that information and go around this – this City, this State and this country, and use that to also market what they're able to do that puts them head and shoulders above, you know, how business has been done for – for all the – the known past. So, you know, there is a great incentive, although there's not a financial incentive to – to do what we're working on – or a penalty, but there's an enormous incentive to – for each company that we deal with to be able to at the end of the job, show – you know, have their comprehensive score and then go out and market that to other places and that would – I think that would be of value too.

Mr. McGlothorn said, we recognize that and we take that very serious.

County Manager Abolt said, if you'll permit – just to comment on what he said, this is – this is again part of what you all have done. So much of the technology, you know, what – and you took the lead, along with your fellow Commissioners in putting this stuff in place. We – we don't copyright it and it – it's stuff that's going to be used future. And Hunt/Mills given – given their desire number one to stay in Chatham County, but also to market their business nationwide can take this non-copyrighted stuff and say, okay, this is how we can show whether we're doing a good job or not. I – I think you're – I say it often but you are really to take great credit for making this all happen.

Chairman Liakakis said, Harris [Odell] and then Dean [Kicklighter].

Commissioner Odell said, I just got a couple. I'm unclear as to at the end of the project whether or not your answer to Dean Kicklighter's question that you will meet the 76% goal, and I think your answer, and if you can answer yes we will or no we will not. You can explain until the cows come home, but I need to know at the end of this project is it your opinion as you stand there now that you, your company, will meet the 76% local participation overall? Is that a yes or no?

Mr. McGlothorn said, depending on how it's measured, whether it's measured in dollars – whether it's measured in dollars or work hours or whatever, it depends on how it would be – be measured, or – or number of total workers on the project. But anyway you measure it, Commissioner Odell, I think it's going to be a little bit of a – little bit more than a stretch to – to get to that 76%. I cannot deny that.

Commissioner Odell said, I – I think it is. And, you know, we do not want to admit but we do have challenges here locally with our work force. We have challenges at the lower end, the laborers, and that is strong work ethics, willing to come to work, that kind of things. We have some challenges but in that we're going to spend close to \$100 million with you all, and you came and you made a commitment and you signed a legally binding contract, there's some information that we're going – we're going to get as a result of this. And I hope that it does not take to – a month for you to provide the information. You've identified your inability to meet the contracted goal of

76%. I'd like to have that stated and that is your reasons, along with our local – our person, define that.

Mr. McGlothorn said, yes, sir.

Commissioner Odell said, these are the reasons we have not to date; this is the plan of action and this is the time table that we will take to achieve these goal. And here's why I ask you to do that. See I don't want us to be 95% of the project and we have regrets and regrets but we're 95% of the project and there's little that can be done. So as – within the next two weeks I would like to see you all in a two page document, not a whirl of fluff, but a two-page document where you specifically address. You state and define the problem, you identify what you've done to reach a conclusion that this is the problem, you identify what you have done to identify solutions. You identify what actions and the time of those actions that you're going to take to resolve the problem. And if you could do that in two weeks and provide all of us a written copy of that. And again I say not a – you know, we get enough stuff to read and often somebody will send us 150 pages that it could have been said in two paragraphs.

Mr. McGlothorn said, yes, sir.

Commissioner Odell said, I don't want – I got enough stuff to read, you know. I want it in a two-page executive summary, something like you get in an auditor's report.

Mr. McGlothorn said, yes, sir.

Commissioner Odell said, an extension report?

Mr. McGlothorn said, substance.

Commissioner Odell said, right and we would – we appreciate that we're on time, but we really need to be on time with our people because our people voted for this. We said that it would happen. We made a commitment to them. You made a commitment to us. And we just want to make certain that everybody honors all of their commitments.

Chairman Liakakis said, Dean [Kicklighter]?

Commissioner Kicklighter said, thank you, Mr. Chairman. I'd just like to state that my question pertaining to whether or not we could level some type of penalty or fine was just asking about one avenue of possible action to get the job completed as requested and agreed to in the contract. But make no mistake about it, and I'm answering, I guess, from one of the Commissioners stated about that on there, I do realize, I just simply didn't state it earlier, and I know this gentleman realizes. He seems as if he's trying to achieve the goal and I think the message is clear, but I think that he

understands at this point that although there is no direct penalty for that, that there's still – if there was a blatant disregard for what he signed legally to uphold that we could terminate the agreement based off something like that. So ultimately there would be some type of accountability that's there, not just because the penalty, but the gentleman seems to be trying, and we appreciate you bringing forth all the information that everyone's requesting.

Mr. McGlothern said, thank you.

Commissioner Kicklighter said, thank you.

Chairman Liakakis said, okay. All right. Thank you very much. Appreciate you coming today. I think you've heard our voice and we are very, very concerned about it, and – and we don't want to be up here every month or every two months talking about the same thing.

Mr. McGlothern said, yes, sir.

Chairman Liakakis said, thank you, sir.

Mr. McGlothern said, have a good day.

Chairman Liakakis said, appreciate that.

ACTION OF THE BOARD:

For information only.

AGENDA ITEM: IX-2
AGENDA DATE: February 24, 2012

TO: Board of Commissioners
 THRU: R. E. Abolt, County Manager
 FROM: Michael A. Kaigler, Assistant County Manager/HR&S Director

Issue: To provide a Local Participation update for the Chatham County Detention Center Expansion Project.

Background: In December of 2010, Hunt/Mills submitted an all inclusive plan for local participation for the construction of the Chatham County Detention Center Expansion Project. For accountability, Hunt/Mills is required to submit monthly local business, as well as local labor utilization reports, with each request for payment.

Facts and Findings:

1. This update reports progress made at month 10 of 32 and represents dollars paid through the present date. The total contract, including alternates and change orders, is \$71,092,251.
2. We are projecting at least **66%** local and minority business participation. However, Hunt/Mills has placed their commitment at **68%**, as of today. To be included as local in the report, firms are required to have a local street address in Chatham County.
3. Local Participation reports are included with every request for payment. The Local Participation report was designed to illustrate which local firms are working and distinguish local small businesses, local large businesses, local minority and local women owned businesses. Furthermore, it states the size of each contract and which firm is getting paid each month. The report further states how much of their contract has been earned to date.
4. Hunt/Mills is prohibited from making changes without due cause. Therefore, Engineering does not proceed with payment until we review the monthly report for unexpected changes in dollars awarded to local contractors.
5. As per their contract, Hunt/Mills is required to report local labor utilization, as well. Hunt/Mills has committed to hiring 76% local workers from the Chatham County. However, the local labor still remains at 45%. The ID Card system allows us to track local labor demographics, and we can report approximately 150 Chatham County Workers and 175 non-Chatham County workers during the months of October, November and December.
6. The Contractor, Hunt/Mills, has been faced with challenges associated with finding local labor. In letters received from the contractor, issues include: limited skilled Chatham County workers, several individuals cannot pass a background check and a need for highly skilled licensed individuals.

Funding: N/A

Recommendation: This item is for informational purposes only.

=====

3. PRESENT AN UPDATED HOSPITAL AUTHORITY REFINANCING TASK LIST FOR PROPOSED SERIES 2012 HOSPITAL AUTHORITY REFUNDING BONDS.

Chairman Liakakis said, next, present an updated Hospital Authority refinancing task list for the proposed Series 2012 Hospital Authority refunding – refunding bonds.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, Commissioner Stone, Gentlemen, as always, and this is on an every two-week cycle, we're bringing you up to date. I'll defer to Ms. Cramer in a moment, but we are on schedule. We have given you a day ago the transaction calendar that was planned. We are very close to in effect looking at the month of March for the time in which you will finally make the decision based on information gathered as to whether or not you want to consummate what amounts to this – this ongoing relationship with Memorial. Cooperation between respective staffs has been excellent. The staff from Memorial Medical Center met with Sheriff St. Lawrence this week. I met with Sheriff St. Lawrence yesterday. You did get in your mail last night, I believe, the letter from Memorial as to what their evaluation is on the detention center healthcare. I've asked Sheriff St. Lawrence and the health director, health department to give comments on that. But things are proceeding well. Many, many moving parts. A lot of issues out there that though identified have yet to be resolved, but again, I'm confident that come March you're going to be in a position to decide whether or not you wish to consummate a formal relationship with Memorial regarding the bonds. And I want –

Commissioner Odell said, is that the first meeting in March?

County Manager Abolt said, well, I'll defer to Ms. Cramer but from the standpoint of the transaction calendar we're looking at the second meeting in March.

Commissioner Odell said, well is – is there any objection to moving that to the first meeting in March?

County Manager Abolt said, let me –

Commissioner Odell said, is there any reason why we cannot do that?

County Manager Abolt said, I must defer to Mr. Hart and Ms. Cramer.

Commissioner Odell said, Mr. Hart, is there any reason we could not do it the first meeting in March?

County Attorney Hart said, you can set it on the calendar for whatever time and we'll try to be ready for it.

Commissioner Odell said, okay.

County Attorney Hart said, there are some issues that we need to work out.

Commissioner Odell said, absolutely. And Linda [Cramer], is there any reason we could not do this the first meeting in March?

Ms. Linda Cramer said, I – I think on the first meeting in March you could go ahead and assign the 7 mil pledge and that would be your commitment. We would not have the underwriter selection ready until the second meeting in March. So our intent was just to roll those two items together for your – for your approval.

Commissioner Odell said, yeah, yeah. I put this on the calendar way back when.

Ms. Cramer said, oh yeah.

Commissioner Odell said, and for the record so that people think that politicians do things simply because of favor, I have no relatives that work at Memorial. I have no relatives who are being treated at Memorial. I am not a contract employee of Memorial, and I have not been employed at Memorial for 35 years. But on the real side, Memorial provides an essential service to not only people of this community but people of the surrounding community. This is a major opportunity for us to do something – we're supposed to protect and serve, and this is an opportunity for us to protect. And a healthy Memorial means a healthy St. Joe's/Candler. And in that I put this on the agenda and we have gone through the holy land to get to where we are now, I'd like to go over in the promised land and vote on this before I leave to go somewhere else. And Linda [Cramer], you'd like for me to do that. I know you would. So –

Ms. Cramer said, I – I think the real question would be if the Board's comfortable with the – the partnership that we've – you know, working out with Memorial.

Commissioner Odell said, right. And – and –

Ms. Cramer said, that would be the question.

Commissioner Odell said, we could just speed things up and rather than the second meeting, we could do it the first meeting.

Ms. Cramer said, we'll certainly bring an agenda item to you next meeting. That's fine.

Chairman Liakakis said, Patrick [Farrell]?

Commissioner Farrell said, got a couple of questions. What – what was the amount of money that was going to be freed up from Memorial's holdings that they would have access to – to stimulate the local construction economy hopefully with expansion? What was that dollar figure?

Ms. Cramer said, the – the savings on the bond refinancing was the \$26 million present value savings. So they're going to save \$26 million by refinancing the bonds and –

Commissioner Farrell said, over what period of time?

Ms. Cramer said, that's over about the first five years mainly. And I think, you know, their intent is to put most of that in the capital market – you know in their capital construction, and Maggie [Gill] could address that.

Commissioner Farrell said, all right. So that's the reduction in the bond percentage that they're paying now to what they'll be paying in the near future?

Ms. Cramer said, over the – over the period of the bond, yes.

Commissioner Farrell said, so there's \$26 million in savings over a five-year period? So roughly five million a year in lower interest payments in essence? Maggie [Gill]?

Ms. Maggie Gill said, there's a combination of things the – a lot of the savings comes from the deference of principal payments for the first five years which would facilitate cash flow to invest in capital projects. There is a change in the interest rate which will result depending on the interest rate the day that we sell the bonds between 1 and \$2 million a year over the course of the 20 years. So what Linda [Cramer] quoted correctly is the \$26 million is the net present value savings over the whole 20-year bond issue. But in terms of the cash flow that's freed up the first 5 years, now that's got to be paid back over the last 15 years, it's – it's a little bit more than that it's actually about – about \$50 million.

Commissioner Farrell said, okay. I mean because of the different regulations governing the bond issue, you're able to use some of your cash reserve cash that you're – on hand now –

Ms. Gill said, yes.

Commissioner Farrell said, and that's the 50 million?

Ms. Gill said, it's a combination of the deference of principal, a change in the debt service reserve fund, and the ability to use some of our existing funds. A combination of those three things.

Commissioner Farrell said, okay. And what are your intentions if this were to go through in the next – what's your five-year plan for having this extra money?

Ms. Gill said, we're – we're still finalizing what the five-year plan would look like, but I can share with you the – that projects include expansion and renovation of the emergency department, which hasn't – which is severely undersized. We see about 97,000 patients a year. It was sized back in the late '80s for 45,000. We have a distinct need to expand some of our in-patient beds. Our sickest patients, critical care patients and intermediate care patients are – don't have enough space at Memorial. So we'd be expanding our bed size there. There's also some additional growth projects, infrastructure, IT. IT is going to be a very big deal for hospitals going forward, so there will be some money invested there. So a combination between technology, medical equipment, and capital equipment.

Commissioner Farrell said, yes, I can attest that on Tuesday afternoon, when I was in the emergency room briefly, there was what I would have thought was the reception area and hallway was loaded down with gurneys and people on them.

Ms. Gill said, yes.

Commissioner Farrell said, they were not in –

Ms. Gill said, yes.

Commissioner Farrell said, – nice little rooms –

Ms. Gill said, yeah.

Commissioner Farrell said, – to –

Ms. Gill said, and that's how it is unfortunately every day, and we have to change that.

Chairman Liakakis said, okay.

Commissioner Odell said, don't let – don't let Maggie [Gill] walk away. Maggie [Gill] tell them too that there are a lot of programs that Memorial, a lot of services that Memorial provides that isn't the business model –

Ms. Gill said, no.

Commissioner Odell said, – we provide them because they're a necessary service but we know that we're going to lose money on those services. We know that those are not for profit services. This will allow the services that are not profit making to provide some cushion and does not put such a greater strain on those services that there is financial viability.

Ms. Gill said, that's exactly right, Commissioner Odell – excuse me, Judge Odell, we – for – behavioral health is a perfect example of that. We subsidize behavioral health services by about \$6.5 million every year. It is a necessary service. We're the only in-patient hospital, behavioral health provider and we main – we continue the service. We've continued it through our most challenging financial times. But this does give us an opportunity to be able to expand in areas we need to expand which support those social services. High risk obstetrics is another area. We're the only hospital for 150 miles that provides high risk OB services. We continue to do that. It's the right thing to do. Our community needs it. And those are just two examples of services that we support as an organization that if you were in the business of just being profitable you would not continue.

Chairman Liakakis said, any other questions for Maggie [Gill]? Okay. You have anything else, Linda [Cramer]?

Ms. Cramer said, no, sir.

Chairman Liakakis said, okay, then, we've had a request from Robert Bush, who is with Georgia Legal Services to make some comments on this issue.

Mr. Robert Bush said, yes, and I was requested to be here this morning and I'm – I'm grateful to have had the request, Mr. Chairman and members of this Commission, and congratulations, Commissioner Judge Odell.

Commissioner Odell said, thank you.

Mr. Bush said, but my name is Robert Bush and I am an attorney with Georgia Legal Services, and I've been involved in health care issues in our community for about 20 years now. I would like what I'm about to say to be framed in the discussion that occurred just prior to this with Hunt/Mills and the great illustration that that is that regardless of whom we contract with and the good work that they do, sometimes it's necessary to have provisions to hold them accountable.

Because I think that's what we need with Memorial because Memorial does excellent work in our community. Sometimes they get off track like all institutions do, and I think that they have in relation to a portion of their indigent care policy. On April 3rd of last year Memorial implemented a new policy intended to save money for the hospital. The policy stated that elective surgeries for indigent patients will no longer be performed. Elective carries an unusual meaning under this policy and can refer to surgery necessary to save one's life. As a blanket measure intended to save money, the policy did its job. In Memorial's recent financial reports Memorial management reported, due to measures implemented by senior leadership, specifically in elective services, the hospital uninsured patient volume has declined 11.3%. I've given you a handout and it has that portion in there. But this policy which was implemented by senior management and not the hospital's board of trustees, allowed indigent patients to qualify for surgery only if the surgery was needed immediately to save a life or within the subsequent six hours. That was it. So that if a patient presented with gastrointestinal bleeding or intense pelvic pain he or she would be denied surgery because she – they would not die immediately or risk serious permanent injury if the surgery weren't performed within six hours.

Mr. Bush said, when the six-hour denial policy was implemented last year, many of us were concerned about its consequences. One consequence again has been that Memorial has saved money. Another is that there have been patients who have gone without potentially life-saving treatments. The particular patient who has spoken to me had an ovarian cyst and was referred to a physician affiliated with Memorial. The patient was told that before she would be able to see a physician that she would have to pay a deposit for the surgery and an office fee of approximately \$1200. A community effort raised that money and the patient went to the physician. The day after visiting the physician, the patient was told by Memorial that she did not qualify for indigent care coverage even though she had been laid off and only had unemployment income. The patient was told that she would have to come up with almost \$3,000 more before she could have the surgery. Meanwhile the patient's cyst was growing, there are cancer markers, and her physician felt that there was a good likelihood that she had cancer. The patient then asked Memorial to refund the money that she had paid for the surgery up front and the agent seemed surprised and stated that it will take some time. When asked for specifics, the patient was told months. This patient was shut out by Memorial's policy and Memorial's involvement was to take her deposit, to deny her indigent care coverage, to ask for additional money before agreeing to surgery, and then to refuse surgery –

Commissioner Kicklighter said, point of order.

Mr. Bush said, and to hold onto the money –

Commissioner Kicklighter said, point of order. Point of order, Mr. Chairman. What does this have to do with anything?

Commissioner Odell said, yeah, why are we even listening to this?

Commissioner Kicklighter said, we could – we could stand up million people that – that Memorial Hospital's saved their life, you know. This has absolutely nothing to do with what's going on at this point, and, you know.

Mr. Bush said, I mean, actually I think it –

Commissioner Gellatly said, I agree.

Mr. Bush said, I think.

Commissioner Kicklighter said, I really think not.

Chairman Liakakis said, hold it just a minute.

Mr. Bush said, I think –

Chairman Liakakis said, let him answer that question, Dean [Kicklighter], and then we'll take it from there.

Commissioner Kicklighter said, can you answer that question –

Mr. Bush said, there was a suggestion –

Commissioner Kicklighter said, – with – with – with what's pertinent to this subject?

Mr. Bush said, certainly.

Commissioner Kicklighter said, thank you.

Mr. Bush said, there was a suggested resolution passed by this body some months ago that included a provision that this policy be rescinded by Memorial if it's signed to have those bonds issued on its behalf. In addition to that they were instructed to rejoin the cancer and aid program, and so in recent iterations of this, those provisions have not been included. What we're asking today is giving you evidence, reasons why this should be included and asking that it be included.

Commissioner Kicklighter said, thank you. That – that would have been great just right off the bat.

Chairman Liakakis said, okay. Maggie [Gill], would you come forth then?

Commissioner Odell said, yeah.

Commissioner Farrell said, I think we're –

Commissioner Odell said, listen –

Chairman Liakakis said, wait a minute.

Ms. Gill said, I – I just –

Chairman Liakakis said, wait a minute. Wait a minute, Maggie [Gill].

Commissioner Odell said, point of order . Point of order.

Chairman Liakakis said, Maggie [Gill] before – let me do this. Maggie [Gill] instead of responding to it, I suggest that you get with Georgia Legal Services, Mr. Bush, go over some of those things, get the information –

Commissioner Kicklighter said, oh, I would love for her to respond.

Chairman Liakakis said, and then take it from there as opposed to, you know, you responding right now to this because we could go back and forth about specific items that have occurred, and that's – we're looking into a different situation at this point. So, Robert [Bush], if you will get with her, you know, and go over that and so that we can have that –

Commissioner Farrell said, I think after that she should be able to say something.

Commissioner Odell said, yeah. I don't have a problem with that.

Commissioner Kicklighter said, Mr. Chairman, I have two quick questions off of that. Yeah. The – the subject you were just speaking of, has it gone to trial?

Mr. Bush said, no.

Commissioner Kicklighter said, okay. So thank you. There's been nothing gone to trial, there's no verdict one way or another, that's just – that's just this great country we live in where the people has the freedoms to sue when you spill hot coffee on yourself at McDonalds. So after trial, give us that verdict and – and it might be worth looking at.

Mr. Chairman said, well, Maggie [Gill], I have two Commissioners that have asked me to have you respond at this point because of the request of the two Commissioners.

Ms. Gill said, I will be succinct and just say that what has been said today has never been discussed with me privately. It's taken out of context and does not reflect the practices of Memorial, and I'll just leave it at that.

Commissioner Kicklighter said, thank you.

Chairman Liakakis said, okay. Thank you very much, and if you will get with them.

Mr. Bush said, thank you for asking me to speak today. I reassert the request that that be included in the bond agreement so that it can be enforced just as the provisions were enforced against the – the Hunt/Mills prior to this.

Commissioner Odell said, have you talked to Jon Hart?

Commissioner Shay said, thank you.

Mr. Bush said, no.

Commissioner Odell said, he's the County Attorney. Have you talked to Jon [Hart] Robert [Bush]?

Mr. Bush said, no. No, but I knew that you had put these provisions earlier into the agreement and I was interested in – we were interested presenting to the Commission since you have the power to put these – these provisions in the agreement.

Commissioner Odell said, that was one of the privisos that initially I had placed in the resolution.

Chairman Liakakis said, okay, anyway –

Mr. Bush said, but thank you very much. I appreciate your asking me to speak today.

Chairman Liakakis said, thank you very much, and then you have something then – then you meet with the CEO at Memorial.

ACTION OF THE BOARD:

For Information Only.

AGENDA ITEM: IX-3
AGENDA DATE: February 24, 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 for the proposed Series 2012 Hospital Authority Refunding Bonds.

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. On February 10, 2012, the Board approved a transaction framework that included a negotiated sale of the bonds.

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 3), showing the status of each item through

February 17, 2012. There has been little change to the task list since the last meeting. The focus of the transaction is now on developing the request for proposal to distribute to underwriting firms. The financial advisors and staff of both the Hospital and the County are involved in developing the document.

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. *(Note: Memorial representatives are meeting with Sheriff St. Lawrence and his staff as this report is being written. More will come as to results).* 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. It is staff's intent to provide a transaction calendar by the February 24, 2012 meeting. This calendar is currently being developed with the assistance of the financial advisor and bond counsel, and will be forwarded to the Board upon completion. The financial advisors anticipate a ten week process from now until the bond closing.
5. In March the Board will be asked to affirm the selected underwriting form after County staff, the financial advisors and the Hospital representatives have thoroughly evaluated response to the request for proposals. At that time the Board will also be asked for a final decision to proceed or not proceed with the bond issuance.
6. The County Attorney's office will contact Memorial's legal counsel and inquire as to information available concerning potential and outstanding litigation/claims or other matters that should be disclosed by Memorial as part of the bond transaction. The scope of inquiry can only be to the extent that the information is contained in public records as disclosed by Memorial.

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. For information only.

RECOMMENDATION: For information only.

=====

4. CNT MONTHLY REPORT GIVEN VERBALLY BY DIRECTOR RAGAN.

Chairman Liakakis said, okay. Next item. CNT monthly report given verbally by Director Ragan.

CNT Director D. Everett Ragan said, good morning ladies and gentlemen. Sorry – I really missed being up here last month and it's kind of like getting a root canal but –

Commissioner Farrell said, and we missed you.

Director Ragan said, – but hey, there was only one meeting last month I really missed it so I'm really looking forward to this morning.

Chairman Liakakis said, and now did they take a lot of your teeth out?

Director Ragan said, oh, no, sir.

Chairman Liakakis said, oh, okay.

Director Ragan said, for the month of January we're looking at 114 investigations that were initiated; 22 arrests were made. We recovered five guns. Again, was a – a short month for arrests but let me just say that what we had were good quality arrests again. You'll see one photograph in there of methamphetamine that was arrested – we arrested two guys for the methamphetamine. They were distributing downtown in – in nightclubs and neighborhood bars. They were getting their methamphetamine out of – actually your report says South Carolina but it was out of Atlanta. We recovered almost 2 ounces of that meth – methamphetamine and it is crystal meth, it's the crystal ice. It's the very pure. It's not what we're seeing when they make the one pot method here. This is very pure, very, very potent methamphetamine, and we arrested those two and charged them with trafficking. Still working on the supplier that is in Atlanta we're working with –

Chairman Liakakis said, you're working the Atlanta –

Director Ragan said, working with DEA.

Chairman Liakakis said, – drug people?

Director Ragan said, yes, sir. Looking – just a quick comparison over some of last year's stats and – and what we're seeing this year. When we're looking at what type of drugs we have seen a – a definite increase on, we've tripled the amount of methamphetamine seized in the – in the County. Where in 2010 we had 488 and we're looking 300 – 3,114.7 grams of methamphetamine received this year. Looking also in the prescription medications, we've doubled what we have seized in 2010, and again this is going along with the growing trends that we have now, increased methamphetamine and with – with the use and misuse of prescription narcotics. Been in Atlanta recently, we were up there with the chiefs conference, and we're pleased to report we're looking at – there were a couple of bills that are going through legislation that would really help us – actually sponsored and a lot of research done with Vernon Keenan and the GBI that we wholeheartedly support that was on the spice and bath salts that we have. As – we started our initiative and – a couple months ago, and looking at what the state law had last year, we had nine compounds that make up – that made up the spice that was actually illegal when – when within the year chemists had come up with 364. So we were only covering nine compounds and they have 364 compounds that make up the bath salts. All they have to do is change one and it was legal. That was one of the issues we – we found in a couple of our under cover sales was we would go into the store, buy the spice, have it analyzed at the crime lab, it was not the illegal type. So

– however, the new law that’s been dropped and – and is already in – in committee and should pass with flying – flying colors will take care of that issue so that it will all be illegal and we can get it off the shelves, the spice and the bath salts that’s being sold. So that’s something we’re really – coming out of Atlanta that’s really going to help us in our investigations. So. That’s all I have so far for this month, and –

Commissioner Kicklighter said, thank you, sir.

Chairman Liakakis said, okay.

Director Ragan said, – any questions?

Chairman Liakakis said, but it’s still federal people that are involved in – especially in drugs, they have made a comment, a number of them, and they continue to do this that’s Chatham County has the best operation as far as a drug squad to any other areas where they have worked. And I think one of those particular people with the federal DEA, the drug – the drug office, stated that they’d been in six different areas and this drug operation that we have here in metropolitan Chatham County with the County CNT is just outstanding the way it’s operated and has many, many successes the way that they operate. And we thank you very much for your leadership on this because we can see the results from last year that it was outstanding, of course. We hope and pray that some day that we won’t have this problem with the situation with drugs, but as long as we have the drug agents, and of course, with your leadership and everything’s done and the funding by the County, hopefully that we can reduce it to a very minor amount.

Director Ragan said, yeah, the cooperation within this County with the local chiefs of police and the – all the governments, municipal governments through – throughout this County is one of the reasons – success stories that we have with CNT. There’s a very good working cooperation with all the municipalities within this County and they all seem to be happy and – with the service that we’re able to provide to all the municipalities and – and it’s due in most part and in 99.9% part of the men and women who serve on CNT.

Commissioner Odell said, and – and I think part of that is due to this gentleman here –

Director Ragan said, oh yes.

Commissioner Odell said, – who started the local municipal association where we get together every so often and we set down and talk, and what we’ve found is that by doing that, people who didn’t know you who might be suspicious because you look like a character on TV, we don’t have that anymore. They know you. You can talk, so it creates an environment of cooperation and that cooperation in Chatham County has to be linked to the efforts of our Chairman, Pete Liakakis. And I’m leaving as a Commissioner. I don’t have to suck up to him anymore.

Director Ragan said, any other questions? Thank you very much.

Chairman Liakakis said, all right. Thank you, Everett [Ragan].

AGENDA ITEM: IX-4
AGENDA DATE: February 24, 2012

**Chatham~Savannah
 Counter Narcotics Team
 January, 2012**

NARCOTICS INVESTIGATIONS	
Investigations Initiated During the month	114
Total Number of Investigations Cleared (Arrest, E.C., Unfounded)	26

DRUGS SEIZED			
Drug Type	Value	Approx. Weight	Approx. Total Value
Powder Cocaine	\$100 per gram*	1.10 Grams	\$110.00
Crack Cocaine	\$100 per gram*	2.10 Grams	\$210.00
Methamphetamine	\$100 per gram**	51 Grams	\$5,100.00
Marijuana	\$140 per ounce*	55.40 Ounces	\$7,756.00
Heroin	\$250 per gram*	0 Grams	\$.00
Ecstasy	\$25 Dosage Unit	0 D/U	\$.00
Misc. Pills	\$30 Dosage Unit	265 D/U	\$7,950.00
Hallucinogens	\$10.00 per gram *	0 Grams	\$.00
Synthetic (Steroids)	\$10.00 per ml *	0 ml	\$.00

1999*Source: Office National Drug Control Policy
 ** Source: Established regional average price
 ***Source: IAW National Drug Standards – One marijuana plant equals 2 pounds of processed marijuana.

DRUGS SEIZED—YEAR TO DATE		
Drug Type	Approx. Weight	Approx. Total Value
Powder Cocaine	1.10 Grams	\$110.00
Crack Cocaine	2.10 Grams	\$210.00
Methamphetamine	51 Grams	\$5,100.00
Marijuana	55.40 Ounces	\$7,756.00

Heroin	0 Grams	\$.00
Ecstasy	0 D/U	\$.00
Misc. Pills	265 D/U	\$7,950.00
Hallucinogens	0 Grams	\$.00
Synthetic (Steroids)	0 ml	\$.00

DRUGS PURCHASED			
Drug Type	Value	Approx. Weight	Approx. Total Value
Powder Cocaine	\$100 per gram*	68.71 Grams	\$6,871.00
Crack Cocaine	\$100 per gram*	2.90 Grams	\$290.00
Methamphetamine	\$100 per gram**	5.34 Grams	\$534.00
Marijuana	\$140 per ounce*	77.49 Ounces	\$10,849.00
Heroin	\$250 per gram*	0 Grams	\$.00
Ecstasy	\$25 Dosage Unit	0 D/U	\$.00
Misc. Pills	\$30 Dosage Unit	15 D/U	\$45000

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

WEAPONS SEIZED	
Firearms (including hand guns and long guns)	5
Year To Date Totals	5

PERSONS ARRESTED	
Felony*	9
Felony Sales/Trafficking	9
Misdemeanor	1
Felony Non-Drug**	3
Total Arrests	22
Year To Date Totals	22

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

ADOPTION CASES FROM OTHER AGENCIES		
DATE	AGENCY	OFFENSE
1/22/12	SCMPD	POSSESSION OF CONTROLLED SUBS/OXY

DRUG COMPLAINTS INVESTIGATED		
Drug Complaints	Received	Assigned
Project Log/Official Complaints	2	2
Hot Line / Call-In Complaints	9	9
Green Sheets/ Outside Agencies	2	2
Crime Stopper Complaints	29	29
DRUG COMPLAINTS—YEAR TO DATE	42	42

DRUG INVESTIGATIONS HOURS WORKED BY ZONE

SCMPD – All Precincts	2,583
Municipalities	433
(Unincorporated Chatham County—224 hours)	
TOTAL	3,016

Administrative Hours	640
Case Administration	649
Pharmaceutical Diversions	320
Central Intelligence	480
Out of County (Task Force Operations, etc.)	374
Assistance Rendered to Outside Agencies	16
Training	224
Court Hours	46
TOTAL	2,749

Total Hours Worked	5,765
---------------------------	--------------

SIGNIFICANT EVENTS

1. During the month of January 2012, seven (7) defendants pled guilty to their involvement in a previous Major Case Title III investigation (KESLER/HAMM wires). To date, a total of 11 defendants have pled guilty with the remaining eight (8) scheduled to plea in February 2012.
2. During the month of January 2012, CNT agents in a joint investigation with the Bulloch County Drug Suppression Unit arrested two subjects in Bulloch County on charges of sale of Methamphetamine, possession of meth with the intent to distribute and possession of pseudoephedrine with the intent to distribute. During the joint investigation the subjects traded finished methamphetamine for pseudoephedrine tablets with a CNT informant. After the transaction, the subjects led agents back to their residence where a lab was discovered in Bulloch County. A search of the residence and property yielded items used to manufacture meth, finished methamphetamine, and marijuana.
3. During the month of January 2012, a recent Major Case investigation (FOWLER) was adopted and indicted in the Federal court system. The FOWLER investigation resulted in the seizure of over \$109,000 in currency, numerous vehicles, a residence, firearms, a distillery, a gambling and bar operation, and a large amount of pharmaceutical drugs. Five subjects were indicted and now will be prosecuted in Federal court.
4. During the month of January 2012, CNT agents assisted deputies from the Bryan County Sheriff's Department in the execution of numerous arrest warrants on a subject living on Walker Road in Bryan County. The subject (Raymond WARREN) had been fleeing from deputies for months. CNT was familiar with WARREN due to previous meth investigations and later made contact with him, hiding in the kitchen at his parent's residence. WARREN was arrested without incident and seven warrants were served on him.
5. During the month of January 2012, a cocaine trafficker pleaded guilty to a ten year prison sentence. This was a joint investigation with CNT agents, the Beaufort County Drug Task Force and the Department of Homeland Security (ICE). The investigation involved a Hispanic male who was in the U.S. illegally and upon completion of the jail sentence will be deported. Additional subjects were arrested in Beaufort and have since pleaded guilty as well.
6. On January 19, 2011, CNT agents arrested two subjects for trafficking methamphetamine. During the investigation it was discovered that one suspect was local and he was being supplied by another suspect in South Carolina. After a month long investigation, the local suspect and his supplier were arrested and CNT agents seized 51 grams of methamphetamine.
7. During the month of January, CNT agents arrested two subjects for obtaining a controlled substance by fraud. Both subjects worked for separate local medical doctors and were obtaining prescription pain medication fraudulently by using their employer's prescription authority. These subjects are not associated with each other.

=====

X. ACTION CALENDAR

<p>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.</p>

Chairman Liakakis said, okay, next on the item, Action Calendar. We have items 1 through item 12, and under items 12, we have items that come under that category A through K. We need a motion on the floor for these particular items unless you have an item –

Commissioner Farrell said, so moved.

Chairman Liakakis said, – that you'd like to hold out for –

Commissioner Stone said, second.

Commissioner Holmes said, second.

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

ACTION OF THE BOARD:

Commissioner Farrell moved to approve the Action Calendar, Items 1 through 12 and under Item 12, Items A through K. Commissioners Stone and Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present for the vote.]

=====

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

=====

1. **APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF FEBRUARY 10, 2012, AS MAILED.**

ACTION OF THE BOARD:

Commissioner Farrell moved to approve the minutes of the regular meeting of February 10, 2012, as mailed. Commissioners Stone and Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present for the vote.]

=====

2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD FEBRUARY 2, 2012 THROUGH FEBRUARY 15, 2012.

ACTION OF THE BOARD:

Commissioner Farrell moved to authorize the Finance Director to pay the claims against the County for the period February 2, 2012 through February 15, 2012, in the amount of \$3,992,099. Commissioners Stone and Holmes seconded the motion and it carried, unanimously. [NOTE: Commissioner Shay was not present for the vote.]

=====

3. REQUEST BOARD APPROVAL OF REVISED FINANCIAL POLICIES FOR DEBT MANAGEMENT AND FOR FUND BALANCE CLASSIFICATION AND DISBURSEMENT.

ACTION OF THE BOARD:

Commissioner Farrell moved for the Board to approve revised Financial policies for debt management and for fund balance classification and disbursement. Commissioners Stone and Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present for the vote.]

AGENDA ITEM: X-3
AGENDA DATE: February 24, 2012

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

ISSUE: Board approval of revised financial policies for debt management and for fund balance classification and disbursement.

BACKGROUND: In 2004 the Board adopted financial policies which included the debt management policy. In January 2011 the Board adopted a policy for fund balance classification and disbursement.

FACTS AND FINDINGS:

1. In 2004 the Board adopted a set of financial policies to provide guidance to the organization, and these policies included a debt management policy. Over the past year the County has been working with an arbitrage rebate consultant and bond counsel to calculate any related liabilities for County bond issues. As part of the arbitrage review, bond counsel has recommended that the County adopt a policy outlining responsibilities related to post bond issuance compliance. The County's debt management policy has been amended to incorporate the recommendation by counsel (see Reporting Practices #5).
2. During the fiscal 2011 audit process, the independent auditor made suggestions on fund balance classification and disbursements. The policy for fund balance classification and disbursement has been amended to incorporate the suggested changes. The main change is the classification of fund balance relating to adopted financial policy reserve levels, identifying these amounts as committed fund balance instead of assigned fund balance. Definitions of committed and assigned fund balance have been modified, and the fund balance disbursement explanation has been expanded.

FUNDING: N/A

POLICY ANALYSIS: Adopted financial policies should be used to frame major policy initiatives. Policies should be reviewed and, if necessary, updated to ensure continued relevance.

ALTERNATIVES:

1. Approve the revised financial policies for debt management and for fund balance classification and disbursement.
2. Provide staff with other direction.

RECOMMENDATION: Adoption of Alternative 1 is recommended.

=====

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

AGENDA ITEM: X-4
AGENDA DATE: February 24, 2012

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

ISSUE:

To authorize a right of entry for the Corps of Engineers to access Chatham County easements in Jasper, South Carolina, for work on a fresh water canal system.

BACKGROUND:

Dating to the time when Chatham County served as local sponsor for the Savannah harbor, the County holds easements to five tracts in Jasper County, South Carolina. The Corps of Engineers needs access to the tracts for the construction, operation and maintenance of a fresh water supply canal. The right-of-entry would authorize the Corps access to the property for completion of the work.

FACTS AND FINDINGS:

1. The right of Entry is attached. It includes a map which shows the area of the fresh water canal, but the location of the five tracts remain insignificant since they are situated within dredged containment areas.
2. The Right of Entry would enable the Corps of Engineers to maintain the fresh water canal. Work would be completed within two years.

FUNDING:

Not applicable.

ALTERNATIVES:

1. That the Board authorize the Right of Entry to enable the U.S. Army Corps of Engineers access to County easements on Tracts 501-E, 502-E, 504-E, and 505-E in Jasper County, South Carolina, per the attached agreement.
2. That the Board take no action.

POLICY ANALYSIS:

Georgia law, further codified in the Enabling Act, provides the Board with the authority to enter into contracts and agreements. The Right-of-Entry would provide access to maintain an area by another government.

RECOMMENDATION:

That the Board adopt Alternative 1.

=====

5. REQUEST BOARD APPROVAL TO AMEND THE LEASE WITH THE STATE OF GEORGIA FOR THE ADOLESCENT RESIDENTIAL TREATMENT CENTER (LAKESIDE).

ACTION OF THE BOARD:

Commissioner Farrell moved for approval to amend the lease with the State of Georgia for the Adolescent Residential Treatment Center. Commissioners Stone and Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present for the vote.]

AGENDA ITEM: X-5
AGENDA DATE: February 24, 2012

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

ISSUE:

To amend the lease with the State of Georgia for the Adolescent Residential Treatment Center (Lakeside).

BACKGROUND:

At the March 26, 2010 meeting, the Board approved extending the lease for four additional years for the Adolescent Residential Treatment Center (Lakeside) to the State of Georgia. The State of Georgia has requested an amendment to the lease to allow cancellation with 60 days' notice.

FACTS AND FINDINGS:

1. The lease now requires annual renewal with termination by either the County or the State of Georgia exercising the option. The State has requested an amendment to allow cancellation with 60 days' notice. While the State did not provide a specific reason, it can be presumed the request can be tied to funding constraints.
2. The Adolescent Center provides 14 bedrooms within 10,062 square feet on a 5-acre parcel. It was specifically designed to meet the needs of adolescent services. The State of Georgia began to lease the facility to the State of Georgia after it closed the adolescent wing at Georgia Regional Hospital.
3. The lease rate totals \$8,000 monthly, or \$96,000 annually. This translates into \$9.54 per square foot.
4. In 1993, Chatham County developed, designed and constructed the Adolescent Residential Treatment Center on five acres which the County owned at 600 DOT Barn Road in Bloomingdale. Chatham County developed the project in concert with Tideland, then part of the Health Department, as an alternative program for youth treatment. When the State of Georgia reorganized mental health and substance abuse services, Gateway assumed lease of the building in May 2000. When Gateway ceased adolescent services, in 2006, the County began to lease the property to the Georgia Department of Human Resources (DHR).

FUNDING:

Not applicable. These revenues fund the Hospital Authority Bonds (1993) in an amount equal to principal and interest payments and a maintenance fee for capital repairs and replacement. The base rate (amount equal to annual debt service) totals about \$5,500 monthly or \$66,000. The balance of the lease amount funds repairs and maintenance.

ALTERNATIVES:

1. That the Board amend the lease for the Adolescent Residential Treatment Center to the State of Georgia/DHR, by allowing termination with 60 days' notice, and authorize the Chairman and Clerk to execute the necessary documents.
2. That the Board take other action, as it deems appropriate.

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 regulations to ensure the requirements of the pre-existing financing. Leasing to the State of Georgia remains consistent with this requirement.

RECOMMENDATION:

That the Board approve Alternative 1.

=====

6. REQUEST BOARD APPROVE A SPECIAL EVENT PERMIT FOR A RECEPTION AT THE OLD COURTHOUSE FOR THE MARCH MEETING OF HISTORIC SAVANNAH FOUNDATION.

ACTION OF THE BOARD:

Commissioner Farrell moved the Board to approve a Special Event Permit for a reception at the Old Courthouse for the March meeting of the Historic Savannah Foundations. Commissioners Stone and Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present for the vote.]

AGENDA ITEM: X-6
AGENDA DATE: February 24, 2012

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

ISSUE:

To approve a Special Event Permit for a reception at the Old Courthouse.

BACKGROUND:

Historic Savannah Foundation has accepted an invitation to hold its March meeting at the Old Courthouse. County staff will be providing a brief history of the building and offer tours after hours. As part of the meeting, a business has offered to host a reception.

FACTS & FINDINGS:

1. Historic Savannah Foundation will be meeting at the Old Courthouse for its March meeting. County staff will provide a brief history of the building and offer tours after hours.
2. A local business has offered to host a reception following the meeting. The business desires to offer wine and beer. Under the County Code, the Board must approve by Special Event Permit the possession and consumption of alcoholic beverages on county property except at boat ramps and fishing piers.

FUNDING:

Not applicable.

ALTERNATIVES:

1. That the Board approve a Special Event Permit for a reception at the Old Courthouse for the March meeting of Historic Savannah Foundation.
2. That the Board deny the proposed Special Event Permit.

POLICY ANALYSIS:

Under the County Code, the Board must approve by Special Event Permit the possession and consumption of alcoholic beverages on county property except at boat ramps and fishing piers.

RECOMMENDATION:

That the Board approve Alternative No. 1.

=====

7. REQUEST BOARD AUTHORIZE THE CHAIRMAN TO EXECUTE AN AGREEMENT BETWEEN CHATHAM COUNTY AND LAMAR OUTDOOR ADVERTISING FOR VEGETATION MANAGEMENT. [DISTRICT 5.]

ACTION OF THE BOARD:

Commissioner Farrell moved to authorize the Chairman to execute an Agreement between Chatham County and Lamar Outdoor Advertising for vegetation management. Commissioners Stone and Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present for the vote.]

AGENDA ITEM: X-7
AGENDA DATE: February 24, 2012

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Robert W. Drewry, Director of Public Works and Park Services

Issue: Board authorize the Chairman to execute an agreement between Chatham County and Lamar Outdoor Advertising for Vegetation Management.

Background: In 2004 the County purchased properties owned by Edwin J. Feiler, Jr. in the vicinity of the Westlake/Springfield Drainage Improvement Project. The property is bordered on the north by the Lynes Parkway. Immediately east of the County property is an advertising billboard owned by Lamar Outdoor Advertising. Lamar desires to have the advertising billboard visible to vehicular traffic on the parkway. In order to retain the visibility, Lamar wishes to maintain the vegetation on the County owned property.

Facts and Findings:

1. Lamar will pay the County \$400 annually to maintain the vegetation on the County owned property so that the billboard can be visible from the Lynes Parkway.
2. Lamar had a similar agreement with Mr. Feiler for the same amount of annual payment.
3. Staff has drafted an agreement and is attached. The County Attorney and Risk Manager have reviewed the agreement.

Funding: Lamar Outdoor Advertising will pay the County \$400 annually.

Policy Statement: Board approval is required to authorize the Chairman to execute an agreement.

Alternatives:

1. Board authorize the Chairman to execute an agreement between Chatham County and Lamar Outdoor Advertising for Vegetation Management.
2. Board provide staff with other direction.

Recommendations: That the Board approve Alternative #1.
District 5

STATE OF GEORGIA)
COUNTY OF CHATHAM)

VEGEGATION REMOVAL AGREEMENT

This Agreement, made this _____ day of _____ by and between the BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, a political subdivision of the State of Georgia, hereinafter referred to as the County, and the Lamar Outdoor Advertising, Co., hereinafter referred to as Lamar.

W I T N E S S E T H :

WHEREAS, the County owns certain real property hereinafter described as

0000 McLaws St.
Feiler TCT Parcel B Pt. of Lamarville Subd + Part of Parcel A
PIN 1-0702-08-008
and included in this agreement shown as Exhibit "A"

WHEREAS, Lamar owns and maintains an advertising billboard adjacent to the County property as described, immediately east of said tract; and

WHEREAS, Lamar desires to have the advertising billboard visible to vehicular traffic traveling eastbound on I-516 also known as the Lynes Parkway; and

NOW, THEREFORE, the parties hereto agree, as follows:

1.

The County hereby grants to Lamar, its employees, agents and contractors, the right to ingress and egress the described property for the purpose of vegetation management as needed to provide visibility of the advertising billboard.

2.

Lamar agrees to remove any and all debris resulting from the cutting of vegetation. Further, Lamar agrees not to use herbicides or pesticides to control vegetation.

3.

For this consideration, Lamar agrees to pay the County compensation in the amount of \$400 annually, payable July 15 of each year, for a term no longer than five (5) years from the date of execution of this agreement.

4.

To the extent provided by the laws of the State of Georgia, the term of this Agreement shall be for one year terms with automatic renewals for up to five (5) years, save and except that the Chatham County Commission reserves the right to take action to terminate the Contract at the end of each year.

5.

It is expressly agreed that Lamar shall not have the right to assign this contract or any right thereunder without the prior written consent of Chatham County which shall be done only by written amendment to this contract.

6.

Lamar shall provide a Certificate of Insurance in the amount of \$1,000,000 Commercial General

Liability and, if applicable, Workers' Compensation with Statutory Limits and Employers' Liability limits of at least \$500,000 for Each Accident, Disease - Each Employee, and Disease - Policy Limit. If vehicles are included in the performance of the lease, Automobile Liability - Any Auto with a Combined Single Limit of \$1,000,000 is required.

7.

In executing this agreement, Lamar agrees to protect, defend, indemnify, and hold harmless Chatham County, Georgia, its commissioners, officers, agents, and employees from and against any and all liability, damages, claims, suits, liens, and judgments, of whatever nature, including claims for contribution and/or indemnification, for injuries to or death of any person or persons.

IN WITNESS WHEREOF, County has by its Chairman executed this agreement and authorized the seal of the County to be placed hereon, and Lamar pursuant to a approval of its authorized officers, has affixed its hand and seal by on the day and year first written above.

Signed, sealed and delivered the _____ of _____, 2012,
In the presence of:

CHATHAM COUNTY, GEORGIA

Witness

By: _____
Chairman, Board of Commissioners

Notary Public

ATTEST: _____
Clerk of Commission
(Seal)

Signed, sealed and delivered the _____ of _____, 2012, in
the presence of:

Witness

By: _____

Notary Public

ATTEST: _____

=====

8. REQUEST BOARD APPROVAL OF THE STATEWIDE MUTUAL AID AGREEMENT BETWEEN CHATHAM COUNTY AND THE GEORGIA EMERGENCY MANAGEMENT AGENCY TO ALLOW THE STATE OF GEORGIA AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY TO ASSIST CHATHAM COUNTY DURING DISASTER EVENTS.

ACTION OF THE BOARD:

Commissioner Farrell moved for approval of the statewide Mutual Aid Agreement between Chatham County and the Georgia Emergency Management Agency to allow the State of Georgia and the Federal Emergency Management Agency to assist Chatham County during disaster events. Commissioners Stone and Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present for the vote.]

AGENDA ITEM: X-8
AGENDA DATE: February 24, 2012

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

FROM: Clayton S. Scott, Director, Chatham Emergency Management Agency

ISSUE: To Request Board Approval of the Statewide Mutual Aid Agreement between Chatham County and the Georgia Emergency Management Agency.

BACKGROUND: The Statewide Mutual Aid Agreement allows the State of Georgia and the Federal Emergency Management Agency (FEMA) to assist Chatham County during disaster events.

FACTS AND FINDINGS:

1. Every five years, the Georgia Emergency Management Agency (GEMA) renews Statewide Mutual Aid Agreements (SWMAA) between political jurisdictions throughout Georgia.
2. This Agreement is compliant with the Georgia Emergency Management Act (Articles I through III, Chapter 3, Title 38, Official Code of Georgia Annotated).
3. This Agreement has been vetted through legal representatives with the Association of County Commissioners and the Georgia Municipal Association.
4. This Agreement has also been requested from each municipal government in Chatham County.

ALTERNATIVES:

1. Sign the Statewide Mutual Aid Agreement.
2. Do not sign the Statewide Mutual Aid Agreement.

FUNDING:

No County funds required.

POLICY ANALYSIS:

It has always been the policy of this Commission to place the highest priority on the safety of its residents. The CEMA mission is to assure this safety and to coordinate response to major emergencies within our community.

RECOMMENDATION:

That the Chairman select Alternative No. 1.

GEORGIA EMERGENCY MANAGEMENT AGENCY-HOMELAND SECURITY

STATEWIDE MUTUAL AID AND ASSISTANCE AGREEMENT

The State of Georgia is vulnerable to a wide range of natural or man-made disaster/emergencies. The Georgia Emergency Management Act, as amended (The Act) gives the local governments of the State the authority to make agreements for mutual aid assistance in emergencies and through all such agreements to ensure the timely reimbursement of costs incurred by the local governments, which render such assistance. Under the Act the Agency has authority to coordinate assistance between local governments during emergencies and to provide available resources where needed. This mutual aid agreement is entered pursuant to authorities contained in Articles I through III Chapter Title 38, Official Code of Georgia Annotated, including O.C.G. §15-3-29, specifically.

ARTICLE 1

STATEMENT OF AGREEMENT, DEFINITIONS AND AUTHORITIES

This Agreement is made and entered into between the participating Political subdivisions, which approve and execute this agreement, hereinafter called "Participating Parties" and the Georgia Emergency Management Agency-Homeland Security (GEMA Homeland Security). For purposes of this agreement, the following terms and expressions shall apply:

- (1) "Agreement" means this agreement, sometimes called the "Statewide Mutual Aid Agreement" (SWMAA).
- 2) "Assistance" includes personnel, equipment, facilities, services, supplies and other resources furnished to a Requesting Party pursuant to this agreement during an emergency or disaster.
- (3) "Assisting Party" means a Participating Party provides assistance pursuant to this agreement during a disaster or emergency,
- (4) "Authorized Representative" means a Participating Party's elected or appointed official or employee who has been authorized in writing by that party to request, to offer, or otherwise to provide assistance or an employee of GEMA-Homeland Security designated by its terms of this agreement,
- (5) "Participating Parties" means the several counties and municipalities of the State of Georgia or combinations thereof that have become parties to this agreement by their approval and execution of this agreement.
- (6) "Requesting Party" means Participating Party that requests assistance pursuant to this agreement during a disaster or emergency.

Any term or expression not defined in this agreement shall have the meaning specified in the Georgia Emergency Management Act (the Act) as amended and rules promulgated thereunder, unless used in a context that clearly suggests a different meaning.

ARTICLE II
GENERAL PURPOSE

The purpose of this agreement is to provide for mutual assistance between the Participating Parties in managing any

emergency or disaster that is duly declared by the governing authority of any political subdivision that is a Participating Party, whether arising from natural disaster, technological hazard, human caused disaster, civil emergency aspects of resource shortages, community disorders, insurgency, enemy attack, acts of terrorism, other significant events or a national security activity.

ARTICLE III
ACKNOWLEDGEMENT OF PRINCIPLES

The prompt, full and effective utilization of resources of the Participating Parties, including any resources on hand or available from the State or Federal Government or any other source, that are essential to the safety, care and welfare of the people in the event of any locally declared emergency or emergency declared by the Governor shall be the underlying principle on which all articles of this agreement shall be understood.

In the event a conflict between any provision of this agreement and any existing intrastate mutual aid agreement, affecting a Participating Party, the provisions of this agreement shall be controlling.

On behalf of the governing authority of each political subdivision of this State participating in the agreement, the Director of emergency management of such political subdivision will be responsible for formulation of the appropriate mutual aid plans and procedures necessary to implement this agreement.

ARTICLE IV.
PARTICIPATING PARTY RESPONSIBILITIES

(a) It shall be the responsibility of each Participating Party to formulate procedures and programs for intergovernmental cooperation in the performance of the responsibilities listed in this article. In formulating such plans, and in carrying them out, each Participating Party, insofar as practical, shall:

(1) Protect and assure uninterrupted delivery of services, medicines, water, food, energy and fuel, search and rescue, and critical lifeline equipment, services, and resources, both human and material.

(2) Inventory and set procedures for the loan and delivery of human and material resources, together with procedures for reimbursement.

(b) Whenever a Participating Party declares a local emergency and such disaster or emergency is too great to be dealt with unassisted, for which a state of emergency has been declared, the authorized representative of the Requesting Party for such Participating Party or his/her authorized representative may request assistance from another Participating Party by contacting the Director of the GEMA-Homeland Security. The provisions of this agreement shall only apply to requests for assistance made by and to authorized representatives. Requests may be verbal or in writing. If verbal, the request shall be confirmed in writing within 30 days of the verbal request. Requests shall provide the following information:

(1) A description of the emergency service function for which assistance is needed, such as but not limited to fire services, law enforcement, emergency, medical, transportation, communications, public works and engineering, building inspection, planning and information assistance, mass care, resource support, health and medical Services, damage assessment, volunteer and donated goods and search and rescue.

(2) The amount and type of personnel, equipment, materials and supplies needed, and a reasonable estimate of the length of time they will be needed.

(3) The specific place and time for staging of the assisting party's response and a point of contact of that location.

The Assisting Party will (a) maintain daily personnel time records, material records and a log of equipment hours (or miles, if appropriate) and (b) report work progress to the Requesting Party at mutually agreed upon intervals.

ARTICLE V
LIMITATIONS

Any Participating party requested to render mutual aid shall take such action as is necessary to provide and make available the resources covered by this agreement in accordance with the terms hereof; provided that it is understood that the Participating Party rendering aid may withhold resources to the extent necessary to provide reasonable protection for such political subdivision.

Emergency forces will continue under the command and control of their supervisors, but the organizational units will come under the operational control of the emergency services authorities of the Requesting Party unless the Director of GEMA-Homeland Security or his/her authorized representative approves an alternative. These conditions may be activated, as needed, in any disaster or emergency for which a state of emergency has been declared and shall continue so long as the state of emergency or disaster remains in effect or loaned resources remain in the Requesting Party's jurisdiction(s), whichever is longer.

ARTICLE VI
LIABILITY AND IMMUNITY

(a) In accordance with O.C.G.A. § 38-3-35(a), no political subdivision or the state, nor the agents or representatives of the state or any political subdivision thereof shall be liable for personal injury or property damage sustained by any person appointed or acting as a volunteer emergency management worker or member of any agency engaged in emergency management activity. The foregoing shall not affect the right of any person to receive benefits or compensation to which he might otherwise be entitled under Chapter 9 of Title 34, Code Section 30-3-30, any pension law, or any act of Congress.

(b) In accordance with O.C.G.A. 438-3-35(b), no political subdivision of the state nor, except in cases of willful misconduct, gross negligence, or bad faith, the employees, agents, or representatives of the state or any political subdivision thereof, nor any volunteer or auxiliary emergency management worker or member of any agency engaged in any emergency management activity complying with or reasonably attempting to comply with Articles I through 3, Chapter 3, Title 38, Official Code of Georgia Annotated; or any order, rule, or regulation promulgated pursuant to Articles I through 3 of title, or pursuant to any ordinance relating to precautionary measures enacted by any political provisions of Articles I through 3 of said chapter and title, or pursuant to any ordinance relating to precautionary measures enacted by any political subdivision of the state shall be liable for the death of or the injury to person or for damage to property as a result of any such activity.

(c) It is the express intent of the parties that the immunities specified above shall be construed in accordance with

O.C.G.A. § 38-3-35 and shall apply in addition to any other immunities provided by statutory or case law.

ARTICLE VII
RIGHTS AND PRIVILEGES

In accordance with O.C.G.A. §38-3-30(a), whenever the employees of any Assisting Party or political subdivision are rendering outside aid pursuant to this agreement and the authority contained in Code Section 38-3-27, the employees shall have the same powers, duties, rights, privileges and immunities as if they were performing their duties in the political subdivisions in which they are normally employed.

ARTICLE VII
REIMBURSEMENT

In accordance with O.C.G.A. §38-3-30(b), the Requesting Party shall be liable for any loss of or damage to equipment used or placed within the jurisdiction of the Requesting Party and shall pay any expense incurred in the operation and maintenance thereof. No claim for the loss, damage or expense shall be allowed unless, within 60 days after the same is sustained or incurred, an itemized notice of the claim under oath is served by mail or otherwise upon the chief fiscal officer of the Requesting Party, The Requesting Party shall also pay and reimburse the Assisting Party for the compensation paid to employees furnished by the Assisting Party during the time of the rendition of the aid and shall defray the actual traveling and maintenance expenses of such employees while they are rendering the aid. The reimbursement shall include any amounts paid or due for compensation due to personal injury or death while the employees are engaged in rendering the aid. The term "employee," as used herein, shall mean, and this provision shall apply with equal effect to, paid, volunteer and auxiliary employees and emergency management workers. Expenses that are to be reimbursed by the Requesting Party shall include the following:

- (1) Labor costs, which shall include all usual wages, salaries, compensation for hours worked, mobilization and demobilization, the Assisting Party's portion of payroll taxes (as employer), insurance, accrued paid leave and other fringe benefits, but not those amounts paid or due as a benefit to the Assisting Parties personnel under the terms of the Georgia Workers Compensation Act.
- (2) Equipment costs, which shall include the fair rental, the cost of fuel and other consumable supplies, service and repairs. If the equipment is damaged while in use under this agreement and the Assisting Party receives payment for such damage under any contract for insurance, the Requesting Party may deduct such payment from any item or items invoiced.
- (3) Material costs, which shall include the total reasonable cost for the use and consumption of any and all consumable supplies delivered by the Assisting Party for the benefit of the Requesting Party.
- (4) Meats, lodging and other related expenses, which shall include charges for meals, lodging and other expenses relating to the provision of assistance pursuant to this agreement shall be the actual and reasonable costs incurred by the Assisting Party,

The Assisting Party shall maintain records and submit invoices within 60 days for reimbursement as specified hereinabove and the Requesting Party shall pay the invoice no later than 30 days following the invoice date.

ARTICLE IX
IMPLEMENTATION

- (a) This agreement shall become operative immediately upon its approval and execution by the GEMA-Homeland Security and any two political subdivisions of this State; thereafter, this agreement shall become effective as to any other political subdivision of this State upon its approval and execution by such political subdivision.
- (b) Any Participating Party may withdraw from this agreement by mailing notice of withdrawal, approved by the governing authority of such political subdivision, but no such withdrawal shall take effect until 30 days after the governing authority of the withdrawing political subdivision has given notice in writing of such withdrawal to the governing authorities of all other Participating Parties. Such action shall not relieve the withdrawing political subdivision from obligations assumed hereunder prior to the effective date of withdrawal.
- (c) Copies of this agreement shall, at the time of their approval, be deposited with each of the Participating Parties and with the GEMA-Homeland Security.

ARTICLE X
GEORGIA EMERGENCY MANAGEMENT AGENCY-HOMELAND SECURITY

GEMA-Homeland Security shall act as the coordinating entity under this agreement. Nothing herein shall limit any authority of the Governor or the Director of the GEMA-Homeland Security under articles I, II, or III of Chapter 3, Title 38, Official Code of Georgia Annotated. In the event the Governor should declare a State of Emergency, any and all provisions of this agreement which may conflict with actions taken pursuant to such declarations shall be superseded by any such act or actions.

ARTICLE XI
TERM OF AGREEMENT

This agreement shall expire on March 1, 2016. Agreement of the Participating Parties to extend the term of this agreement at any time during the last year of its original term or the last year of any subsequent four-year term shall extend the term of this agreement for four years. Each four-year extension shall constitute a separate agreement.

ARTICLE XII
VALIDITY

This agreement shall be construed to effectuate the purposes stated in Articles II and III hereof. If any provision of this agreement is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of this agreement and the applicability thereof to other persons and circumstances shall not be affected thereby.

Agreed:

CHATHAM COUNTY
Authorized Representative

Date

Director of CEMA
or Authorized Representative

Director of GEMA-Homeland Security
or Authorized Representative

Date

Date

=====

9. REQUEST BOARD TRANSFER OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2012. PETITIONER: GEORGE T. THOMPSON, JR., D/B/A FOREST CITY GUN CLUB, LOCATED AT 9203 FERGUSON AVENUE, 31416. [DISTRICT 1.]

ACTION OF THE BOARD:

Commissioner Farrell moved for approval of transfer of beer, wine and liquor pouring license for 2012. Petitioner: George T. Thompson, Jr., d/b/a Forest City Gun Club, located at 9203 Ferguson Avenue, 31416. Commissioners Stone and Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present for the vote.]

AGENDA ITEM: X-9
AGENDA DATE: February 24, 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 approval for a transfer of beer, wine and liquor pouring license for 2012, **George T. Thompson, Jr., d/b/a Forest City Gun Club**, located at **9203 Ferguson Avenue, Savannah, GA 31416**.

BACKGROUND

Mr. Thompson requests approval for a transfer of beer, wine and liquor pouring license in connection with an existing private club. The business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance. The license is being transferred from Dexter E. Elliott to George T. Thompson, Jr.

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 1

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

Gregori S. Anderson, CBO

Chief Willie Lovett

=====

10. REQUEST BOARD A NEW LIQUOR POURING LICENSE FOR 2012. PETITIONER: GUNNARD CUNNINGHAM D/B/A FRANKLIN CREEK ACTIVITY CENTER (THE LANDINGS CLUB), LOCATED AT 900 FRANKLIN CREEK ROAD, 31411. [DISTRICT 4.]

ACTION OF THE BOARD:

Commissioner Farrell moved for approval of liquor pouring license for 2012. Petitioner Gunnard Cunningham, d/b/a Franklin Creek Activity Center (The Landings Club), located at 900 Franklin Creek Road, 31411. Commissioners Stone and Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present for the vote.]

AGENDA ITEM: X-10
AGENDA DATE: February 24, 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 liquor pouring license and Sunday Sales license for 2012, **Gunnard Cunningham d/b/a Franklin Creek Activity Center (The Landings Club)**, located at **900 Franklin Creek Road, 31411**.

BACKGROUND

Mr. Cunningham requests approval of a new liquor pouring license and Sunday Sales license in connection with an existing private 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 4

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

Gregori S. Anderson, CBO

Chief Willie Lovett

=====

11. REQUEST BOARD FOR TRANSFER OF BEER AND WINE RETAIL LICENSE FOR 2012. PETITIONER: MARK BULOVIC D/B/A SAVANNAH YACHT CLUB, INC., LOCATED AT 830 BRADLEY POINT ROAD, 31410. [DISTRICT 6.]

ACTION OF THE BOARD:

Commissioner Farrell moved for approval for a transfer of beer and wine retail license for 2012. Petitioner Mark Bulovic, d/b/a Savannah Yacht Club, Inc., located at 830 Bradley Point Road, 31410. Commissioners Stone and Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay was not present for the vote.]

AGENDA ITEM: X-11
AGENDA DATE: February 24, 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, **Petitioner: Mark Bulovic, d/b/a Savannah Yacht Club, Inc.**, located at **830 Bradley Point Road, 31410**.

BACKGROUND

Mr. Bulovic requests approval for a transfer of beer, wine and liquor pouring license and Sunday sales license in connection with an existing private club. The business at this location meets the requirements of the Chatham Alcoholic Beverage Ordinance. The license is being transferred from E. Craig Meyer to Mark Bulovic.

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 1

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

Gregori S. Anderson, CBO

Chief Willie Lovett

=====

12. 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 Farrell moved for approval to award bids as follows: (Please note that new purchase thresholds of \$10,000 or more have been enacted; however, contracts and change orders of a lesser amount still will appear.) Commissioners Stone and Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present for the vote.]

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Annual contract with four (4) automatic renewal options for notices of assessment processing	Board of Assessors	SouthData Innovation Solutions, Mt. Airy, NC	120K-\$50,184 125K-\$52,000 130K-\$53,560 135K-\$55,723	General Fund/M&O - Assessor
B. Construction contract for the fencing of Remington Ditch as part of the Forest City Gun Drainage Outfall improvement project	SPLOST	R.W. More Fence	\$28,020	SPLOST (2003-2008) - Queensbury Drainage Improvements
C. Resurface a section of Walthour Road	SPLOST	Carroll and Carroll, Inc.	\$53,810	SPLOST (2008-2014) - Road Resurfacing
D. Sole source contract to provide potable water testing and related services	Public Works and Park Services	Georgia Environmental Protection Division (EPD)	\$17,941	Water and Sewer Enterprise Fund
E. Declaration of unserviceable vehicles as surplus and approval to sell at public auction or dispose as scrap material	Fleet Operations	N/A	N/A	Revenue Producing
F. Construction contract for the construction of the Basin Road Bike Path	SPLOST	Sandhill ALS Construction	\$795,262	SPLOST (2008-2014) - Unincorporated Projects - Roads, Coastal Georgia Greenway
G. Special testing and inspections services for construction of the Oglethorpe Government Building	Special Projects	Whitaker Laboratory	Not to exceed \$20,000	205 DSA Series Bond/ south Annex

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
H. Change Order No. 1 to the contract for the Mathilda Beasley Pavillion project for structural additions to change veneer to brick	Special Projects	R.L. Construction	\$16,525	SPLOST (2003-2008) - Mother Mathilda Beasley Park
I.. 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
J. Professional services contract for technical consulting services	ICS	Tony Lucento	\$40/hour not to exceed \$9,600	ICS Budget
K. Approval to transfer title to the SAFE KIDS van to the Chatham County Hospital Authority	Special Projects	N/A	N/A	N/A

AGENDA ITEM: X-12 A thru L
AGENDA DATE: February 24, 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 award an annual contract with automatic renewal options for four (4) additional one year terms to SouthData Innovation Solutions of Mt. Airy, NC, for the preparation and mailing of Notices of Assessment for the Board of Assessors.

BACKGROUND: This contract provides the preparation and mailing of Notices of Assessment for Chatham County residents on an annual basis. This service is needed to have the notices sent out in a timely manner.

FACTS AND FINDINGS:

- The notices are generated in house and stored as electronic PDF batch files. The vendor will provide services to include: printing, folding, presort, tri-fold, stuffing, and pressure sealing. Once the above work is accomplished the vendor will then place postage on the notices and mail them.
- Bids were properly advertised and mailed to nine (9) vendors and opened December 21, 2011. Pricing was requested for various quantities of notices since exact quantities are not known at this time. The bid responses are as follows:

SouthData Innovation Solutions Mt. Airy, NC	120K 125K 130K 135K	\$50,184 \$52,000 \$53,560 \$55,723
SureBill Duluth, GA	120K 125K 130K 135K	\$51,960 \$54,125 \$56,290 \$58,455
FTB Printing & Mailing Fresno, CA	120K 125K 130K 135K	\$52,946 \$55,125 \$57,284 \$59,387
High Cotton Direct Mktg Birmingham, AL	120K 125K 130K 135K	\$53,352 \$55,563 \$57,772 \$59,981
PBD WorldWide Duluth, GA	120K 125K 130K 135K	\$53,400 \$55,652 \$57,720 \$59,940

Datamatx	120K	\$55,800
Atlanta, GA	125K	\$58,125
	130K	\$59,800
	135K	\$62,100
* PIN Presort	120K	\$58,940
San Jose, CA	125K	\$61,376
	130K	\$63,811
	135K	\$66,246
Harris Computer Services	120K	\$60,000
Statesboro, GA	125K	\$62,500
	130K	\$65,000
	135K	\$67,500
Cass Data & Mailing, Inc	120K	\$68,100
Ft. Walton Beach, FL	125K	\$70,938
	130K	\$73,775
	135K	\$76,613

* WBE

- Staff reviewed the bids and believes the cost from SouthData Innovation Solutions to be fair and reasonable.

FUNDING: General Fund/M & O - Assessor
(1001550 - 52.32005)

ALTERNATIVES:

- Board approve to award an annual contract with automatic renewal options for four (4) additional one year terms with SouthData for the preparation and mailing of Notices of Assessment for the Board of Assessors.
- Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide essential services contracts with a responsive bidder.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM B

ISSUE: Request Board approval of a construction contract in the amount of \$28,020 with R. W. Moore Fence for fencing for Remington Ditch as part of the Forest City Gun Club Drainage Outfall improvement project.

BACKGROUND: The Forest City Gun Club Drainage Outfall project is part of the 2003-2008 SPLOST Drainage Program. Problems being addressed include inadequate drainage capacity caused by drainage infrastructure inadequately sized and not maintained due to lack of access.

FACTS AND FINDINGS:

- Standing water is a common problem on residential streets and yards in the residential area abutting the eastern boundary of the Forest City Gun Club. The problem typically exists for several days following rain events. The problem is attributed to inadequate drainage capacity and lack of access for maintenance.
- The County acquired drainage easements from Forest City Gun Club to address the drainage problems. The Special Conditions attached to the easements included installing fencing along the perimeter of the project. This contract award will accomplish the fencing requirement for drainage improvements recently constructed in the vicinity of Remington Drive.
- The project was properly advertised and five (5) bids were received and opened 25 January 2012. The bids are as follows:

R. W. Moore Fence Savannah, GA	\$28,020
HFC, LLC Stockbridge, GA	\$33,248
First City Utilities, LLC* Savannah, GA	\$34,045
Savannah Paving Co. Brooklet, GA	\$39,160
E & D Contracting Services, Inc.* Savannah, GA	\$39,417

*WBE firm

FUNDING: SPLOST (2003-2008) - Queensbury Drainage Improvements
(323450 - 54.14021 - 32380470)

ALTERNATIVES:

1. Board approval of a construction contract in the amount of \$28,020 with R. W. Moore Fence for fencing as part of the Forest City Gun Club Drainage Outfall drainage improvement project.
2. Provide staff other direction.

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

RECOMMENDATION: Approval of Alternative #1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM C

ISSUE: Request Board approval to award a \$53,810 contract to Carroll and Carroll Inc., of Savannah, Georgia to resurface a section of Walthour Road for Public Works and Park Services.

BACKGROUND: Walthour Road from Johnny Mercer Boulevard to the bridge over Betz Creek has numerous pavement distresses that require a new surface treatment.

FACTS AND FINDINGS:

1. Staff selected the Walthour Road route for resurfacing due to the numerous surface defects and the need to insure the road remains serviceable as a connecting route for the traveling public.
2. The overall length of this effort is approximately 2,590 linear feet, which includes 42 tons of leveling material, 7,482 square yards of 1.25 inch asphalt overlay, and striping the full length of the project site.
3. There will be a pre-construction meeting shortly after the notice to proceed is issued to review procedures, traffic control, resident notification and other topics. The contractor is required to notify residents of the pending work which will be confirmed by the Superintendent or Assistant Superintendent of Road Maintenance.
4. This project was properly advertised and three (3) bids were received and opened on 19 January 2012. The bid responses are as follows:

Carroll and Carroll, Inc. Savannah, GA	\$53,810
Baker Infrastructure Group Garden City, GA	\$60,880
* Ricky Jeffcoat Construction, LLC Savannah, GA	\$67,194

*WBE firm

FUNDING: SPLOST (2008-2014) - Road Resurfacing
(3244220 - 54.14001 - 32456767)

ALTERNATIVES:

1. Board approval to award a \$53,810 contract to Carroll and Carroll Inc., of Savannah, Georgia to resurface a section of Walthour Road for Public Works and Park Services.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
LYNN STENNETT

ITEM D

ISSUE: Request Board approval of a new \$17,941 sole source contract to provide potable water testing and related services from Georgia Environmental Protection Division (EPD) for Public Works and Park Services.

BACKGROUND: On 17 September 2010, the Board approved the award of a \$16,310 three (3) year sole source annual service contract to provide potable water testing and related services to Georgia Environmental Protection Division.

FACTS AND FINDINGS:

1. Effective this calendar year, EPD notified its customers of an increase in their fees for testing services due to increased operating expenses for the EPD laboratory and requested customers to sign a new service contract. At the time of notification, the County was in the second year of a three year contract with EPD. The new contract will have the same time duration.
2. Chatham County utilizes EPD's laboratory because of its ability to perform the wide variety of testing required as well as meeting the various reporting schedules that are required.
3. The sites serviced are: Little Neck Plantation, Modena Island, West Chatham County, Glen of Robin Hood, Montgomery Area, Runaway Point, Tom Triplett Park, Islands Expressway and Savannah Port Authority
4. Due to the sheer magnitude of the number of tests required by EPD, as well as the varying scheduling required for testing, it is neither cost nor time effective to attempt to out-source the protocols. EPD remains the best one-stop testing facility for Chatham County to contract with to meet all the testing and time requirements to maintain the compliance for each system.
5. Staff has reviewed the new service contract including the price increase and believes the price to be fair and reasonable.

FUNDING: Water and Sewer Enterprise Fund
(5054400 - 52.39001)

ALTERNATIVES:

1. Board approval of a new \$17,941 sole source service contract to provide potable water testing and related services from EPD for Public Works and Park Services.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve essential service contracts.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM E

ISSUE: Request Board declaration as unserviceable surplus and approval to sell at a public auction or to dispose as scrap material older vehicles which cannot be economically repaired. The listed items attached can no longer be beneficially or advantageously used by the County.

BACKGROUND: Fleet Management and the various departments to whom the vehicles and equipment were assigned are in agreement that the identified items are unserviceable and should be disposed.

FACTS AND FINDINGS:

1. The attached (page 15) list of vehicles to be disposed of at the auction or as scrap material.
2. These items will be disposed of as appropriate for condition, value and circumstance. By far, the most common method will be a public auction, as prescribed by the Purchasing Ordinance and Procedures Manual. Some items, however, without a reasonable resale value, will be sold as scrap.
3. The date, time and location at which these vehicles will be auctioned will be publicly advertised to give citizens an opportunity to bid on these vehicles and equipment.

FUNDING: N/A - Revenue Producing

ALTERNATIVES:

1. Board declaration as unserviceable surplus and approval to sell at a public auction or to dispose as scrap material older vehicles which cannot be economically repaired. The listed items attached can no longer be beneficially or advantageously used by the County.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve disposal of surplus County property through a public auction.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM F

ISSUE: Request Board approval to award a construction contract in the amount of \$795,262 to Sandhill ALS Construction, Inc., for the construction of the Basin Road Bike Path Project.

BACKGROUND: The project involves grading, milling approximately 10,050 square yards of asphalt, installing a new box culvert and constructing a new bike path along Basin Road and a portion of Canebrake

Road. The bike path is proposed to be a 10' wide asphalt path. The project is part of the Coastal Georgia Greenway that will provide connectivity and pedestrian access between the Bamboo Farm, the Chatham County Wetland Mitigation Bank and Kings Ferry Boat Ramp. The contractor has 120 days after the notice to proceed is issued to complete construction

FACTS AND FINDINGS:

1. This project was properly advertised and five bids were received and opened February 15, 2012. The bids are as follows:

Sandhill ALS Construction, Inc.* Pt. Wentworth, GA	\$795,262
Carroll & Carroll Savannah, GA	\$829,326
Seaboard Construction Brunswick, GA.	\$841,563
E&D Contracting Services, Inc. ** Savannah, GA	\$914,988
Baker Infrastructure Group, Inc. Garden City, GA.	\$1,074,711

* MBE firm ** WBE firm

FUNDING: SPLOST (2008-2014)-Unincorporated Projects-Roads, Coastal Georgia Greenway (3244224 - 52.12003 - 32456647)

ALTERNATIVES:

1. Board approval of a construction contract in the amount of \$795,262 to Sandhill ALS Construction, Inc. to complete construction of the Basin Road Bike Path Project.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
LYNN STENNETT

ITEM G

ISSUE: Request Board approval to award a contract with Whitaker Laboratory for special inspections and materials testing for the Oglethorpe Government Building construction.

BACKGROUND: For large construction projects, the County requires independent special inspections and testing of materials to ensure they conform with design and engineering documents. The list includes concrete and masonry quality, steel fabrication and welds and soil density by certified inspectors. Because of the need for independent verification of the contractor or subcontractor's work, special inspections and materials testing become a service and cost to the owner (Chatham County).

FACTS AND FINDINGS:

1. Staff requested Lott + Barber, the project architect, to develop specifications and seek proposals for special inspections services based on the projected work which would be needed and the certification for work quality. The following local firms responded:

Whitaker Laboratory	\$15,202 plus mileage
HSA	\$32,246 no mileage
WPC/Terragon	\$34,635 plus mileage

Whitaker Laboratory provided lower pricing in all but two categories. While the work could be split, the difference remains so inconsequential that it would be to the project's advantage for one firm to handle the complete scope of work.

2. Whitaker has served in a similar capacity on other county projects and has performed well.
3. The purchase order will be processed for \$20,000, which will allow draws against actual work and include reimbursable expenses (e.g. mileage). The pricing allowed for an estimated number of inspections, but the paid amount will be based on actual inspections. At the completion of the project, any unspent funds from the purchase order will be returned to the project account.

FUNDING: 2005 DSA Series Bond/South Annex (3703355 - 54.13011 - 37032117)

ALTERNATIVES:

1. Board authorize a purchase order in the amount of \$20,000 to Whitaker Labs to invoice against for special inspections and materials testing for the Oglethorpe Government Building project.
2. Board opt not to award a contract and direct staff to re-bid the project.

POLICY ANALYSIS: As a purchase in excess of \$10,000, the County's Purchasing Ordinance and Procedures Manual requires Board approval.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
LYNN STENNETT

ITEM H

ISSUE: Request Board approval of Change Order No. 1 in the amount of \$16,525 to the construction contract with R.L. Construction for the Mother Mathilda Beasley Pavillion

BACKGROUND: The Board has awarded a contract to R.L. Construction for construction of the pavillion at Mother Mathilda Beasley Park. Concurrent with the award of contract, the Board approved a change in the construction documents to replace cast stone river rock veneer with a brick to match the park's existing columns. The decision came based on a recommendation from Historic Savannah Foundation to keep the building within the historical context of the Beach Institute neighborhood, whose buildings reflect extensive use of brick but not river rock (based on interpretation of railroad depot).

FACTS AND FINDINGS:

1. While replacing the cast stone river rock with brick did not change any material costs, the contractor contends structural modifications will be needed. The cast stone veneer would have required minimal structural support because of its light weight, while the full brick will require full structural backing, a ledge and cap because of its weight and vertical height on columns and the base. The contractor has quoted a cost of \$14,250, which the architect/engineer considers reasonable.
2. In addition, when construction begin, the contractor noted that irrigation system for the fields remained within the work site. The contractor relocated 140 feet of irrigation pipe, various sprinkler heads and a number of control boxes. The contractor has quoted a price of \$2,275, which the architect/engineer considers reasonable.
3. Contract history:

Original Contract (11-04-11)	\$334,267
Change Order No. 1	\$ 16,525 (pending)
Revised Contract Amount	\$350,792

FUNDING: SPLOST (2003-2008) - Mother Mathilda Beasley Park
(3234150 - 53.17009 - 32370082)

ALTERNATIVES:

1. Request Board approve Change Order No. 1 in the amount of \$16,525 to the construction contract with R.L. Construction for the Mother Mathilda Beasley Pavillion
2. Board opt not to approve the Change Order and return back to the original design of the river rock stone veneer.

POLICY ANALYSIS: As a purchase in excess of \$10,000, the County's Purchasing Ordinance and Procedures Manual requires Board approval.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM I

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, Records 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

- 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 16) and directed staff to seek Board confirmation at their next scheduled meeting.

FUNDING: Claims and Judgements
(6259925 - 57.30101)

ALTERNATIVES:

- 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.
- 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 J

ISSUE: Request Board approval to award a professional services contract to Michael Tony Lucento to provide technical consulting services for the I.C.S. department. The County-wide computer infrastructure and application areas and the security to protect those areas are affected.

BACKGROUND: Tony Lucento has been with Chatham County ICS for four (4) years and provides a valuable source of knowledge. Mr. Lucento is leaving for a 36% increase in salary and his contractual services are needed to finish a major project, the Eastern Judicial Court Data Exchange (EJCDE) and to train the new employee.

FACTS AND FINDINGS:

- Mr. Lucento will work until the EJCDE project is completed and his vacated position is filled and trained. He will continue to be responsible for all of the duties he currently holds.
- Under provisions of the contract, Mr. Lucento will provide consulting services under the direct supervision of the Assistant ICS Director.
- Mr. Lucento will be working for \$40/hour, 10 hours/week, not to exceed 24 weeks and \$9,600.

FUNDING: General Fund/M&O - ICS
(1001535 - 52.11001)

ALTERNATIVE:

- Board approve to award a professional services contract to Michael Tony Lucento to provide technical consulting services for the I.C.S. Department. The County-wide computer infrastructure, application areas and security to protect those areas are affected.
- Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide necessary contract consulting when necessary.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM K

ISSUE: Request Board approval to transfer the title for the SAFE KIDS van to the Chatham County Hospital Authority.

BACKGROUND: Because of funding constraints the SAFE KIDS program will be moved from the Chatham County Health Department to Memorial University Medical Center. As part of the change in service provider, a van acquired by a grant will need to be transferred.

FACTS & FINDINGS:

- 1. Chatham County cannot transfer title of an asset except to another body politic. This means the transfer of the van would be to the Chatham County Hospital Authority, which can then vest title to Memorial University Medical Center. Georgia law does not bind authorities or other body politic to the same requirements as city and counties for the transfer of property.
- 2. Chatham County became awarded the van as part of a competitive grant from the National Safe Kids Campaign. If the County changed as lead agent, the grant requires transferring title to the new lead agent, which would be Memorial University Medical Center.

FUNDING: N/A

ALTERNATIVES:

- 1. Board approve the transfer of the SAFE KIDS van to the Chatham County Hospital Authority.
- 2. Board deny the transfer of the SAFE KIDS van.

POLICY ANALYSIS: Transfer of the SAFE KIDS van to the Chatham County Hospital Authority, which would then convey title to Memorial University Medical Center, would be consistent with Georgia law.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

PREPARED BY _____
PURCHASING AGENT

=====

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.

Chairman Liakakis said, there are no first readings today.

=====

XII. SECOND READINGS

- 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, second reading. The Petitioner William Nelson is requesting to Amend the Following Section of the Chatham County Zoning Ordinance as Related to Outdoor Amusement: Section 2, 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 Proposing 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 which is the Residential-Agricultural District subject to use conditions herein defined. The MPC recommends approval. So you want to go into that?

Commissioner Kicklighter said, motion to approve.

Commissioner Odell said, second.

Chairman Liakakis said, you moved to approve?

Commissioner Kicklighter said, yes.

Chairman Liakakis said, we have a second. Let's go on the board. And one of the things while we didn't really have to discuss it either. All that information is explained in what the staff has given us, and the MPC does an excellent job in that, the way that y'all operate so that we have that information ahead of time, and it's broken down where we understand it. So we thank you for that.

Commissioner Shay said, brilliant staff work.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the petitioner’s request to Amend the Following Sections of the Chatham County Zoning Ordinance as Related to Outdoor Amusement: Section 2, 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. Commissioner Odell seconded the motion and it carried unanimously.

AGENDA ITEM: ~~XI-1~~
AGENDA DATE: February 10, 2012
AGENDA ITEM: XII-1
AGENDA DATE: February 24, 2012



CHATHAM COUNTY - SAVANNAH
METROPOLITAN PLANNING COMMISSION
“Planning the Future - Respecting the Past”
-----MEMORANDU-----

TO: CHATHAM COUNTY COMMISSION
THRU: R. E. ABOLT, COUNTY MANAGER
FROM: THOMAS L. THOMSON, EXECUTIVE DIRECTOR

LEGAL NOTICE/AGENDA HEADING

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). MPC File No. Z-111208-00076-a.

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.

Background:

Outdoor amusement is currently not defined in the Zoning Ordinance nor is it listed as a specifically permitted use in any residential zone. Section 4-4 (Uses Prohibited), states that “If either a use or class of use is not specifically indicated as being permitted in a district, either as a matter of right, or on the approval of the Board of Appeals, then such use or class of use shall be prohibited in such district.” The existing Ordinance does not permit indoor and/or outdoor amusement activities (classified as Family Entertainment Center) designed for family oriented recreation in certain commercial zones.

Findings:

1. The purpose of the R-A (Residential-Agriculture) district is to “... protect those rural areas within urban expansion areas of the county for future urban development, and to protect certain rural highway roadside areas against strip development which can lead to traffic congestion, traffic hazards, and roadside blight.” Expressly allowed uses within the R-A district include such facilities as public parks, neighborhood recreation centers, and golf courses. Clearly these types of uses can be compatible with the stated intent of the district.
2. The existing ordinance also makes clear that, with the exception of home owner association or developer operated centers, such recreational uses are intended to be outdoor facilities.
3. Building on the above, it is proposed to allow outdoor only amusement activities and facilities in the R-A zoning district subject to restrictions and conditions. The uses shall be limited to paintball facilities, outdoor archery, miniature golf, bumper boats, batting cages, go-karts, skateboarding, BMX facilities, golf driving ranges not associated with a golf course, and similar uses as determined by the Chatham County Zoning Administrator. Proposed development standards shall include a minimum site size requirement, a requirement that said use be located on a roadway classified as a collector or higher, and a maximum size allowance utilized for the sale of products associated with the outdoor amusement. Setbacks, buffering and parking requirements shall follow ordinance prescribed regulations.
4. The existing ordinance permits certain public recreational activities by right in the R-A district. Though privately operated facilities are currently prohibited, it can be reasonably shown that with proper mitigating measures, such facilities can be compatible with existing and anticipated development in the R-A district. To further assure appropriate analysis of potential impacts is taken

on each potential facility, it is also conditioned that permits for such uses be subject to approval by the Chatham County Board of appeals (designated with a "B") on the use table. This process also assures notification of intent to nearby and adjacent property owners.

- 5. In order to allow the proposed use in the R-A district, the amendment includes changes to several sections of the existing ordinance. These amendments are designed to provide definition and to provide certainty to requirements pertaining to such issues as parking and buffering.

Alternatives:

- 1. Approve the request to amend the Ordinance.
- 2. Deny the proposed text amendment.

Policy Analysis:

Most ordinances, and in particular the Zoning Ordinance, are not static documents. They need, from time to time, to be amended to reflect changing community values, changing land use trends, or to remove or clarify provisions which are ambiguous, unclear, or confusing. Consistent with public demand, the amendment proposed has been crafted to allow limited outdoor amusement facilities in the R-A district subject to use approval by the Zoning Board of Appeals. This requirement, which includes a public hearing, coupled with appropriate development standards can and will assure said facilities compatibility with surrounding uses and the area in general.

RECOMMENDATION: The MPC and Director of Building Safety and Regulatory Services recommend... **APPROVAL** of the request 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 3-12.4.a.4 and Section 3-12.4.B.3 (Visual Buffers and Screening), and Section 6-3 (Off Street Parking Requirements) as described below.

PREPARED BY: Jim Hansen, AICP Director
Development Services

JANUARY 10, 2012

Gregori Anderson, Director

ENACT

Section 2 Definitions

Sec. 2-45A Outdoor Amusement

Land or premises that contain any combination of outdoor amusement uses including paintball facilities, outdoor archery, miniature golf, bumper boats, batting cages, go-karts, skateboarding, BMX facilities, golf driving ranges not associated with a golf course, and similar uses.

Section 3-12.4.A.4

A Type "D" buffer shall be required where one-family detached residential property is adjoined by uses such as auto repair and paint shops, motorcycle sales and service, auto upholstery shops, sale or rental of autos, trucks, boats or trailers, mini-warehouses, drive-in restaurants, cocktail lounges, nightclubs, package stores, **outdoor amusement** and uses of a like nature.

Section 3-12.4.B.3

A Type "D" buffer shall be required where multi-family residential property is adjoined by uses such as auto repair and paint shops, motorcycle sales and service, auto upholstery shops, sale or rental of autos, trucks, boats or trailers, mini-warehouses, drive-in restaurants, cocktail lounges, nightclubs, package stores, **outdoor amusement** and uses of a like nature.

Index for "C" and "R" Use Schedule

<u>List of Uses</u>	<u>Use No.</u>
Outdoor Amusement	46

Section 4-5.1 Provisions Regarding Use in C-Districts and R-Districts

List of Uses	R-A
46. Outdoor Amusement	B

- a. **Minimum lot size: 10 acres**
- b. **Such uses shall be located on a roadway classified as a collector or higher.**
- c. **No more than 25 (twenty-five) percent of the "office" area or 500 square feet, whichever is less, shall be used for the sale of products. This shall not include the rental of items used onsite.**

- d. Tournament play shall only be allowed subject to receipt of a Special Events permit in accordance with Section 16 of the Chatham County Code.
- e. Food sales shall be limited to vending machines only.
- f. Only the following outdoor amusement uses are permitted in the R-A district: paintball facility, outdoor archery, skateboarding, BMX facilities, golf driving ranges not associated with a golf course and similar uses.

Section 6.3 Off street Parking Requirements

<u>Use</u>	<u>Minimum Parking Space Requirements</u>
(5) h. Outdoor amusement	As determined by the Zoning Administrator under <u>Section 6-3.41 – Minimum space requirements for use not specifically covered by Sec. 6.3.</u>



CHATHAM COUNTY - SAVANNAH
METROPOLITAN PLANNING COMMISSION
"Planning the Future - Respecting the Past"
 -----MEMORANDU-----

DATE: JANUARY 10, 2012

TO: CHATHAM COUNTY COMMISSION

FROM: METROPOLITAN PLANNING COMMISSION

SUBJECT: MPC TEXT AMENDMENT

PETITION REFERENCED:
 Text Amendment to the Chatham County Zoning Ordinance
 Re: Amend the Following Sections as Related to Outdoor Amusement:
 Section 2 (Definitions)
 Section 4-5.1 ("C and R" Use Schedule)
 Section 3-12.4.A.4 and Section 3-12.4B.3 (Visual Buffers and Screening)
 Section 6-3 (Off Street Parking Requirements)
 William Nelson, Petitioner
 MPC File No. Z-111208-0076-1

MPC ACTION: Approval of the petitioner's request 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 3-12.4.A.4 and Section 3-12.4.B.3 (Visual Buffers and Screening), and Section 6-3 (Off Street Parking Requirements) as described.

MPC STAFF RECOMMENDATION: Approval of the petitioner's request 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 3-12.4.A.4 and Section 3-12.4.B.3 (Visual Buffers and Screening), and Section 6-3 (Off Street Parking Requirements) as described.

MEMBERS PRESENT: 11 + Chairman
 Adam Ragsdale
 Ellis Cook
 Timothy Mackey
 Tanya Milton
 Russ Abolt
 Shedrick Coleman
 Ben Farmer
 Stephen Lufburrow
 Lacy Manigault
 Murray Marshall
 Susan Myers
 Joseph Welch

VOTING FOR MOTION

Adam Ragsdale
Ellis Cook
Tanya Milton
Russ Abolt
Shedrick Coleman
Ben Farmer
Stephen Lufburrow
Lacy Manigault
Murray Marshall
Susan Myers
Joseph Welch

VOTING AGAINST MOTION

Timothy Mackey

***ABSENT OR **FAILING TO VOTE**

* Jon Pannell
* Rochelle Small-Toney

FOR APPROVAL: 11 **FOR DENIAL:** 1 **ABSTAINING:** 0

=====

2. PROPOSED NO SMOKING ORDINANCE.

Chairman Liakakis said, item 2, here is proposed No Smoking Ordinance. Jon [Hart]?

County Manager Abolt said, we need to have the actual title read, so.

County Attorney Hart said, the Ordinance to restrict smoking in public places accommodation to repeal all other ordinances in conflict herewith and for other purposes. The ordinance – at the last meeting I was instructed to put back what we had previously taken out and in reviewing – and we – we attempted to do that. I – I note two things, one, we took the language out of people being able to initiate and enforce the law and it is – was suggested that the citizens be allowed to make complaints to the police department for enforcement purposes. I don't have a problem with that one. And then there was an exemption in the City Ordinance which they want to have put back in dealing with I guess – I – I don't know how to pronounce the word, but we'll call it pipe smoking lounges. It's H-O-K-K-A-H, and since we don't have any of those in the County, you know, there wouldn't be a pre-existing non-conforming use, and other than those two exemptions, we've put everything back in as it needs to be. We've left out the County Manager enforcement provisions just because they don't work, and we left out private citizens cause of action for a number of legal reasons. But with the exception of those things, the smoking prohibitions as was passed by the City of Savannah would be where we're at.

Commissioner Stone said, Mr. Chairman, I would make a motion then to approve the ordinance.

Commissioner Shay said, second.

Commissioner Holmes said, second.

Chairman Liakakis said, all right. I'd like to make this statement. On a yearly basis there are 430,000 citizens who die from smoking in the USA. We have had many die in Chatham County from smoking. And if you look on a – there are 50,000 deaths a year from second-hand smoking, and that situation is that what this Commission is looking at for the health of our citizens. We're not trying to take any rights away from citizens or anything like that, but when we have a health matter like this that is affecting so many of our citizens who are dying from cancer in our area, and I believe everybody in this audience might know somebody or have a relative that has been affected by some kind of smoking situations that a good many people have. And so we want people to know that what we're looking at, in fact in the City of Savannah where the air quality was checked that they found 94% improvement in the air quality in Savannah bars since the smoke free ordinance went into effect in there. And people, you know, they want to go to a lounge, and they go to that lounge. But trying to set it up so that is healthy for people and for them not to receive some kind of bad situation with the smoking in there. So we want all of the public to know that we care about them, this Commission, the things that they've done over the years, is to do whatever we can to help the citizens in our community and health is one of the prime situations. So I – I wanted to make that statement so everybody understands why we're doing this. So let's go on the board.

Commissioner Kicklighter said, well, can – may I –

Chairman Liakakis said, Dean [Kicklighter], yeah?

Commissioner Kicklighter said, is there any discussion in the audience first? Anyone want to speak and we can let them speak and then I'd like to say something.

Chairman Liakakis said, okay.

Mr. John Hauppman said, I appreciate the opportunity to let me speak. I was actually here last month when you put this towards a vote. I did not speak at that time 'cause at that time you voted in favor of –

Commissioner Stone said, his name?

Mr. Hauppman said, – changing the ordinance as it was.

Commissioner Odell said, state your name.

Commissioner Stone said, name.

Mr. Hauppman said, my name is John Hauppman. I live on Wilmington Island, and I am an employee of a bar on Wilington Island. You mentioned that this was about safety of the citizens, but I argue the way this ordinance is read, it is talking about the safety of the employees there, and that's really just a mask. It's a veil of putting this 3*4 ordinance and getting it passed. What it really is about is you actually over regulating how citizens spend their free time. Excuse me, I'm a little nervous to talk in front of people. Right now my patrons – this – this ordinance passed in downtown Savannah. We are not talking about downtown Savannah. My patrons are not tourists.

They are actually regulars. They are citizens of our County. Hardworking individuals that really work hard to represent our – our County and our City to the world in a very positive light. When they come to my bar they are coming to relax. They are coming to have a drink. They are coming to have cigarettes. Some of them don't even smoke normally but when they come to our bar, they are loosening their ties, they are letting their hair down. We are now telling them that it's not acceptable to do that. We're not outlawing cigarettes. That hasn't even been put across. You're telling a citizen how he can spend his free time doing something that is perfectly legal on their own time when they need to relax a little bit. When they're away from their children at home. I have children. I am also a smoker. I do not smoke in front of my children. That is why these bars, over 21 establishments, are almost – it's necessary for them to unwind a little bit, let down their hair. And basically this ordinance is just telling them what they can and cannot do. It's not really a health issue. It's really government overstating and overstepping their boundaries. That's pretty much my argument on that.

Chairman Liakakis said, thank you. Dean [Kicklighter]?

Commissioner Kicklighter said, thank you, Mr. Chairman. Is there anybody else that wants to speak from the audience before I finish?

Chairman Liakakis said, come forth.

Mr. Paul Gardner said, my name is Paul Gardner. I'm actually the owner/operator of Britannia Pub on Wilmington Island. John [Hauppman] my employee pretty much stated what was on our minds, but I would just like to put maybe a suggestion to you guys. When, you know, at the end of the year people have to buy their liquor licenses, why not actually offer a smoking permit so bars can actually purchase a permit so people can smoke in their bar. That's all I wanted to say. Thank you.

Chairman Liakakis said, thank you. Dean [Kicklighter]?

Commissioner Kicklighter said, thank you. Mr. Chairman I would like to thank you for your comments and thank Ms. Hughes and everyone involved with Breathe Easy Savannah for sharing their concerns about the negative effects of smoking and for their sincere attempt to improve public safety in general. Right off the bat I agree with a lot of the ordinance proposal. I agree that children should be protected at all costs, and I also share your concerns – your sincere concerns about the welfare and safety of workers who are employed in bars and private clubs. There will be no denying from me today that cigarettes are dangerous, deadly, addictive, disastrous, disgusting; they stink, and yes I am addicted to them myself, but I am not going to sit here and argue the merit of whether a cigarette's healthy, it's not. Although I agree wholeheartedly about protecting children, that needs to absolutely stay there, I – when it comes to protecting adults, 21 years and older, I ought to protect – I opt to protect the United States Constitution rather than voting to protect adults who choose to work in dangerous situations. Anybody in here smell anything? Is smoke – do you smell smoke? Other than you may from – actually from me.

Commissioner Thomas said, yes.

Commissioner Kicklighter said, okay. Other than that, I got here at 8:00 o'clock this morning and on purpose I broke – and maybe I'll get a ticket or a big fine. This is an E-cigarette. This is even part of the ordinance proposal. I've purposely sat here and smoked this since 8:00 o'clock this morning. It's outlawed in this proposal. You don't smell smoke because this emits water – water vapor. But in an overzealous attempt to eliminate smoking altogether, this is even included, which is one little tool that those of us addicted has to possibly help us kick the habit in general. But no scientific data backing up that there's any harm whatsoever to anyone with an E-cigarette but it's in the proposal also.

Commissioner Kicklighter said, I'd like to read something real quick, just, United States – from the United States Constitution. We the people of the United States in order to form a more perfect union establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, key, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America. Liberty is defined by many people out there when referring to liberty in America as having the ability to act according to your own will as long as it does not affect the ability of someone else to act according to their own will. Posterity, succeeding or future generations collectively. We have been promised in that beautiful document that we have that sets us apart from the rest of the world as the best country in the world that we have our freedoms, we have our liberties, and our children, children's children, they've all been promised this too. Now we, everyone being in here, or I'm sure most of us, we were all blessed because we – we were either born in the United States or allowed to become a United States citizen and because we were fortunate, more fortunate than most people in the world, we are free. We're Americans. Good people – catch 22 I guess with freedoms sometimes things happen. It's because of those very freedoms that – and the blessing we have good people with really good intentions are free to say whatever they want. They're free to push the government for changes. Even when the changes although well intended, and I commend the group, I understand and appreciate the intentions. But although the intentions are well-intended, they very well could have very negative unintended consequences.

Commissioner Kicklighter said, I feel at this point in time, I'm 42 years old, and I think just as the American bald eagle faced extinction, Americans are losing their liberties and freedoms at an alarming rate, and I think we're now in jeopardy of our freedoms becoming extinct. Many well-intended Americans are fighting to take freedoms away from others although the freedoms they're trying to remove have no affect on or does not hinder others from actually having or experiencing their own freedoms. From the American Chronicle website, freedom comes from the lack of restrictions not from the imposition of more and more restrictions. Whether it be on your ability to learn – to earn a living, speak or simply enjoy your life, and this is what every individual has to have to realize his – has to have to realize his potential, and those who would impose their restrictions on others, whether they be criminals or politicians will always need to be limited in what they can do or else their freedom to impose will smother others freedoms to survive.

Commissioner Kicklighter said, an example, there's a really good group of caring people out there sincerely worried about heart disease, obese children, protecting children, and because of their concern, they have gone in and forced in certain states a major fast food company to remove the toys out of kids' meals. As if – okay let's – let's say, a child is, you know, they can't chose healthy or not, but right there you're – you're stating basically that the parents are too stupid and if they watch a commercial with a toy on it that's where they're going to feed their kids every night. The right for a parent to feed their child wherever they want, because they followed that up with making these fast food restaurants put in healthy choices. My God, just go eat wherever you want to eat and

allow the parent to be the parent. Not every parent is a Betty Crocker and cooks at home. But again, well intention – good intentions, freedoms lost. Some states require motorcycle helmets; some don't. Georgia requires a helmet. Again, you know what, riding without one, I think you're probably a pretty big idiot. I think it's dangerous; I think it's deadly; I think there's a good chance you'll get killed, but you know what, me in my jeep riding down the road, if you're on a motorcycle and you hit me head on, it don't really matter to me if you have a helmet on or not. It's not going to affect me. It does not hinder my freedom whatsoever whether they wear one or not. So let them decide. If they want to crash without one, have at it.

Commissioner Kicklighter said, smoking and second-hand smoke. Again I've said it's terrible, harmful, deadly, but as the gentleman said earlier, it's legal. If – if the government wants to make it illegal totally, fine, that's great. It'll prevent future generations from getting addicted. Kids should be protected at all costs. Should not be allowed in any establishment any – anywhere where kid – kids are allowed. There should not be smoking. I've said that before. I agree. I even – I agree that in any public place around there should be no smoking allowed because that infringes on the non-smokers' ability to gather in a public tax paid – tax payer funded place and gather in a public space and inhale healthy air. However, private businesses 21 years old and up and private clubs 21 years old and up, it should be allowed in both. We were born in America. This is the land of the free. Adult business owners and private clubs should be allowed to operate freely as long as – as they do not affect or harm the freedoms of others. Adults can freely choose to go in or freely choose to stay away from that type of facility. Whether or not a gentleman owns a business and allows people to come in and smoke, that's a free choice. If you don't like it, don't go in. This is blunt, but it's – it's the only analogy I can think of, if you don't want to go in a bar with smoke because it offends you, do as if you would do if a strip club offended you. Don't go in a strip club. That's the freedom of this country we live in. If it's offensive to you, don't partake. It's that simple. But don't take away the freedoms of others to choose their destinations. It's legal in the country.

Commissioner Kicklighter said, as if not scary enough at this point, we've learned that – that through the good intentions, and – and this part I'm truly not being sarcastic, I know this comes from good intentions, we've learned that after discussions and debates that it's not really about the 21-year-old adults choosing where they go into and patronize and all this and that, we've learned that the intent now has shifted to, well this is to protect the employee. This wonderful, concerned organization, they're now – they've shared that they're concerned and the main push of this is for the safety of the employee. That employee who freely chooses to work in an establishment which allows smoking. Logically we should see this group again in the very near future. And I would expect to see, if this passes today, this group in the very near future because they're concerned about the health of people who choose to work in dangerous situations and because working in a smar – in a smoky bar is not even amongst the most dangerous jobs in America. We should expect to see them here asking the government to close the following businesses.

Commissioner Kicklighter said, the ten deadliest jobs in America as seen – shown by CNN in 2011 “these 10 industries are still pretty deadly.” Number 10, police officer, 18 died in 2000 – in 2011. Boy, when we get rid of the police to protect them, 'cause they're one of the deadliest jobs, anarchy, murder, robbery, rape, it's gonna be a – pretty chaotic around here so, you know – but we've got to do our job and protect adults from getting into a risky job because they're too stupid to protect themselves. Number 9, industrial machine worker. Got to get rid of them, so you know, before long all industry shuts down because – or it just comes to a crawl because they have to start making things by hand again, so, you know, that's – actually there was on that 20 dead in 2011. Number 8, truck driver, delivery man, 22 people died in 2011. God knows we need to shut that down. Twenty-two died. Now the effect of that is wow, our economy comes to a virtual, as if it's not bad enough, crawl, a standstill, goes backwards, no goods delivered, nothing, I mean it's – it's bad, but out of care and concern and because we – we care, as if Mr. Chairman said, we care about your health. I care about your health too, so we must shut down this deadliest, number 8 on the list. I mean if we're going to shut down the ones that's not even on the list, God knows these need to go. Number 7, sanitation worker, 30 people dead. Thirty. Consequences when it's forced to stop? It'll get nasty. And I'll tell you what, it'll really irritate another special interest group out there, who's been pushing for the County to mandate recycling on our people, you know. So one freedom trumps another freedom right there if all this starts happening. Number 6, roofer, 32 dead. Once we get rid of all the roofers, we'll have leaky roofs that'll increase the mold and bacteria, the pneumonia, many more deaths. Not to mention the roofing materials couldn't get to you anyway 'cause the truckers are gone now.

Commissioner Kicklighter said, mining machine operator, 39 died in 2011. We wouldn't have – we'd have less fuel. It couldn't get to us if we had it anyway most of us. People would freeze. So, you know, it's – its going downhill. We're looking – looking a little worse than possibly Russia at this point. Number 4, rancher and a farmer, 41 died in 2011. Wow. Basically, consequences for those of us who, you know, were lucky enough to live close to one of the farms 'cause they couldn't get trucked to you anyway, basically we all starve at that point. And no food. So much for the group that wants to enforce healthy inserts at fast food restaurants, 'cause there'd be no vegetables or anything. Number 3, airline pilot, 71 airline pilots died in 2011. Consequences, when we come to the rescue and protect those idiots who chose to work in such a deadly job, number 3 in America, that'd be one less way for us to get out of this hell hole that used to be the home of the free. We couldn't fly out anymore 'cause we grounded it. Number 2, logger, 92 loggers died. There's no way at this point to perform a soft repair on the rotten roof 'cause you couldn't have a roofer, so – we wouldn't even have wood to replace that roof. Couldn't get to you anyway 'cause the trucks are gone. Number 1, fishermen, we had 116 fishermen die in 2011. Consequences when we shut down fishing, for those of us lucky enough to still be alive at this point, it would be the last hope for us to have any food.

Commissioner Kicklighter said, point being on all this, just as an avalanche starts – or can start with the fall of a small rock, small losses of our freedoms can lead to the total loss of our freedoms. Smoking is bad. It's dangerous. Don't be fooled. I had a woman say, oh, you're the guy who supports smoking. No I don't. In fact I'll tell you, I'm the guy that smokes that proposed putting the increase on the health care for Chatham County if you smoke because I choose to smoke, they choose to smoke, but it's not right on the other people's freedoms for funding our unhealthy activity. So I'm not pro smoking, pro right. Smoking is bad and dangerous just as it's dangerous for all those that choose to work in the top 10 deadliest jobs in America. When I read the paper tomorrow, God, I really hope that it's – it's my side of this has nothing to do with smoking. It's all about freedom in America. It's not about how unhealthy smoking is. We all agree that it's bad and that it should be kept away from children at all costs. However, the continuance of freedom in the United States of America is much more important to me when compared to removing an adult citizen's freedom to choose the type of business that they either patronize or they choose to work in when they're perfectly capable of choosing that for themselves. Thank God we have people who choose to work in the dangerous jobs or our nation would be a third world country of total chaos as you just heard. When it comes to freedom in America, I truly believe that we are on a steep slope,

so I'm asking my fellow Commissioners to join me and not throw the first rock that could very well play a part in starting the avalanche. Vote against the loss of freedom, start right now, and we can play a part – a small part in keeping America the land of the free. There comes a time, I believe when elected officials must stand up and follow through with our sworn duties to uphold the U.S. Constitution rather than bowing down to special interest groups, who although lobbying with really good intentions, lobbies the government for things that destroys the very thing that makes us the best country in the world. It destroys our liberties, our freedoms, it destroys our constitution. Now I've said that there comes a time to uphold the freedoms. I hope you'll join me. Now that I've asked, you know, insinuated there is a time, now is the time. It's not about smoking. It is about freedom. That's all I'm voting on today, and I ask you to join me in protect the freedom. Don't start the small losses. Don't let it continue. Thank you.

Chairman Liakakis said, there are many laws on the book that have been passed in cities, counties, states, and the federal government to protect citizens, to protect them for health reasons; to protect them for safety reasons; and that situation is the thing that we're considering today. So, Harris [Odell]?

Commissioner Stone said, call for the question.

Commissioner Odell said, I – I – I call for the question. Let's – let's vote and do this and –

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

ACTION OF THE BOARD:

Commissioner Stone moved to adopt the ordinance, to restrict smoking in places of public accommodation; to repeal all other ordinances in conflict herewith and for other purposes. Commissioners Shay and Holmes seconded the motion and it carried in a 7-1 vote. Chairman Liakakis, Commissioners Stone, Holmes, Shay, Odell, Gellatly and Thomas voted yes; Commissioner Kicklighter voted no. [NOTE: Commissioner Farrell was not present for the vote.]

AGENDA ITEM: ~~XI-2~~
AGENDA DATE: ~~February 10, 2012~~
AGENDA ITEM: XII-2
AGENDA DATE: February 24, 2012

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

AN ORDINANCE TO RESTRICT SMOKING IN PLACES OF PUBLIC ACCOMMODATION; TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH AND FOR OTHER PURPOSES.

The Chatham County Board of Commissioners, does hereby repeal, Article IX, Sections 21-901 through 21-917 and substitutes in lieu thereof the following and enacts the following ordinance containing Article IX, Sections 21-901 through 21-919, which reads more particularly as follows:

§ 21-901 Title. This Article shall be known as the Chatham County Smoke-free Air Ordinance of 2012.

§ 21-902 Definitions. For the purpose of this Ordinance, the following words and phrases shall be construed as defined in this Section:

1. Bar means an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of those beverages, including but not limited to, taverns, nightclubs, cocktail lounges, and cabarets.
2. Business means a sale proprietorship, partnership, joint venture, corporation, or other business entity, either for-profit or not-for-profit, including retail establishments where goods or services are sold; professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered; and private clubs.
3. E-cigarette means any electronic oral device, such as one composed of a heating element, battery, and/or electronic circuit, that provide a vapor of nicotine and/or other substances, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, or e-pipe, or under any other product name or descriptor.
4. Employee means a person who is employed by an employer in consideration for direct or indirect monetary wages or profit, and a person who volunteers his or her services for a non-profit entity.
5. Employer means a person, business, partnership, association, corporation, including a municipal corporation, trust, or non-profit entity that employs the services of one or more individual persons.
6. Enclosed Area means all space between a floor and ceiling that is bounded on all sides by walls, doorways or windows, whether open or closed. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent
7. Outdoor service area means an unenclosed area of a restaurant or bar where food or beverage is served.

8. Health Care Facility means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including but not limited to, hospitals, rehabilitation hospitals or other clinics, including weight control clinics, nursing homes, long-term care facilities, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, psychiatrists, dentists, and all specialists within these professions. This definition shall include all waiting rooms, hallways, private rooms, semiprivate rooms, and wards within health care facilities.
 9. Place of Employment means an area under the control of a public or private employer including, but not limited to, work areas, private offices, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways, and vehicles. A private residence is not a "place of employment" unless it is used as a childcare, adult day care, or health care facility.
 10. Playground means the area of any park or recreational area designed to be used by children that has play or sports equipment installed, or any similar Facility located on private school grounds or on County grounds.
 11. Private Club means an organization, whether incorporated or not, which is the owner, lessee, or occupant of a building or portion thereof used exclusively for club purposes at all times, which is operated solely for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purpose, but not for pecuniary gain, and which only sells alcoholic beverages incidental to its operation. The affairs and management of the organization are conducted by a board of directors, executive committee, or similar body chosen by the members at an annual meeting. The organization has established bylaws and/or a constitution to govern its activities. The organization has been granted an exemption from the payment of federal income tax as a club under 26 U.S.C. Section 501.
 12. Public Place means an enclosed area to which the County has jurisdiction and the public is invited or in which the public is permitted, including but not limited to, banks, bars, educational facilities, gaming facilities, health care facilities, hotels and motels, Laundromats, public transportation vehicles and facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, shopping malls, sports arenas, theaters, and waiting rooms. A private residence is not a "public place" unless it is used as a childcare, adult day care, or health care facility.
 13. Restaurant means an eating establishment, including but not limited to, coffee shops, cafeterias, sandwich stands, and private school cafeterias, which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term "restaurant" shall include a bar area within the restaurant.
 14. Service Line means an indoor or outdoor line in which one (1) or more persons are waiting for or receiving service of any kind, whether or not the service involves the exchange of money, including but not limited to, ATM lines, concert lines, food vendor lines, movie ticket lines, and sporting event lines.
 15. Shopping Mall means an enclosed public walkway or hall area that serves to connect retail or professional establishments.
 16. Smoking means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco product intended for inhalation, in any manner or in any form. "Smoking" also includes the use of an e-cigarette that creates a vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Article.
 17. Sports Arena means sports pavilions, stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys, and other similar places where members of the general public assemble to engage in physical exercise, participate in athletic competition, or witness sports or other events within the County's jurisdiction,
 18. Reasonable Distance means a minimum of 10 feet or a distance that is sufficient to ensure indoor areas remain smoke-free by preventing smoke from infiltrating enclosed public places via any entrance, exit, window, vent or air intake system of a building where smoking is prohibited, and to protect persons entering or exiting enclosed areas from involuntarily inhaling second-hand smoke.
 19. Outdoor Common Area means outdoor areas of apartment buildings, condominiums, retirement facilities, nursing homes, and other multiple-unit residential facilities.
 20. Hookah Lounge means any business establishment in existence as of June 1, 2010 that permits waterpipe smoking on the premises as of the date of the adoption of this ordinance.
- § 21-903** Application of Article to County-Owned Facilities. All enclosed facilities, including buildings and vehicles owned, leased, or operated by Chatham County shall be subject to the provisions of this Article.
- § 21-904** Prohibition of Smoking in Enclosed Public Places. Smoking shall be prohibited in all enclosed public places within Chatham County, including, but not limited to, the following places:
1. Aquariums, galleries, libraries and museums.

2. Areas available to and customarily used by the general public in businesses and non-profit entities patronized by the public, including but not limited to, banks, laundromats, professional offices, and retail service establishments.
 3. Bars.
 4. Bingo facilities.
 5. Child care and adult day care facilities.
 6. Convention facilities.
 7. Educational facilities, both public and private.
 8. Elevators.
 9. Gaming facilities.
 10. Health care facilities.
 11. Hotels and motels.
 12. Lobbies, hallways, and other common areas in apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities.
 13. Polling places.
 14. Public transportation vehicles, including buses and taxicabs, under the authority of the County, and ticket, boarding, and waiting areas of public transportation facilities, including bus, train, trolley and airport facilities.
 15. Restaurants.
 16. Restrooms, lobbies, reception areas, hallways, and other common-use areas.
 17. Retail stores.
 18. Rooms, chambers, places of meeting or public assembly under the control of an agency, board, commission, committee or council of the County or a political subdivision of the State, to the extent the place is subject to the jurisdiction of the County.
 19. Service lines.
 20. Shopping malls.
 21. Sports arenas, including enclosed places in outdoor arenas,
 22. Theaters and other facilities primarily used for exhibiting motion pictures, stage dramas, lectures, musical recitals, or other similar performances.
- § 21-905** Prohibition of Smoking in Places of Employment
1. Smoking shall be prohibited in all enclosed areas within places of employment without exception. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, vehicles, and all other enclosed facilities.
 2. This prohibition on smoking shall be communicated to all existing employees by the effective date of this Article and to all prospective employees upon their application for employment.
- § 21-906** Prohibition of Smoking in Private Clubs. Smoking shall be prohibited in all private clubs.
- § 21-907** Prohibition of Smoking in Enclosed Residential Facilities. Smoking shall be prohibited in the following enclosed residential facilities:
1. All private and semi-private rooms in nursing homes.
 2. At least 80% of hotel and motel rooms that are rented to guests.
- § 21-908** Prohibition of Smoking in Outdoor Areas. Smoking shall be prohibited in the following outdoor places:
1. Within 10 feet or a Reasonable Distance outside entrances, operable windows, and ventilation systems of enclosed areas where smoking is prohibited, so as to insure that tobacco smoke does not enter those areas when the area is open for business or occupied by one (1) or more persons.
 - (a) If the location of an entrance, exit, window, vent, or air intake system of a building where smoking is prohibited or if the location of a barrier, such as a wall, property line, parking lot, or street makes the reasonable distance requirement impossible to meet, then the building owner, agent, operator, person in charge or proprietor of a public place shall determine the maximum distance between the outdoor smoking area and the entrance, exit, window, or air intake system of a building where smoking is prohibited.

2. In, and within 10 feet or a Reasonable Distance of outdoor seating or serving areas of restaurants.
 3. In all outdoor arenas, stadiums, and amphitheatres. Smoking shall also be prohibited in, and within 20 feet, 10 feet or a Reasonable Distance of, bleachers and grandstands for use by spectators at sporting and other public events.
 4. In, and within 10 feet or a Reasonable Distance of, all outdoor public transportation stations, platforms, and shelters under the authority of the County.
 5. In all outdoor service lines.
 6. In, and within 10 feet or a Reasonable Distance of, outdoor playgrounds.
- § 21-909** Where Smoking Not Regulated. Notwithstanding any other provision of this Article to the contrary, the following areas shall be exempt from the provisions of Sections 905 and 906.
1. Private residences, except when used as a childcare, adult day care, or health care facility, and except as provided in Section 907.
 2. Not more than twenty percent (20%) of hotel and motel rooms rented to guests and designated as smoking rooms.
 3. Outdoor areas of places of employment except those covered by the provisions of Section 907.
 4. Areas within Chatham County in which the Board of Commissioners do not have jurisdiction including but not limited to property belonging to the Chatham County School Board, Chatham County Commission, other jurisdictions, the State of Georgia and the federal government.
- §21-910** Exemptions. Notwithstanding any other provisions of this Article to the contrary, smoking may be permitted in certain establishments including:
1. Waterpipe smoking of 100% tobacco-free shisha may be permitted in any Hookah Lounge.
 - (a) This exemption shall automatically terminate should the establishment sell or allow waterpipe smoking of any tobacco product.
 - (b) Notice shall be posted on the menu of offerings and at all public entrances to the business stating: "Only 100% tobacco-free shisha permitted pursuant to the "Georgia Smoke-Free Air Act of 2005."
 - (c) This exemption shall be non-transferrable and shall expire should the establishment cease operations, change ownership or cease to allow waterpipe smoking on the premises.
 - (d) Restaurants and bars where their outdoor service area is at least 50% the size of their indoor area then they may designate 20% of outdoor area as a smoking section.
- § 21-911** Declaration of Establishment as Nonsmoking. Notwithstanding any other provision of this Article, an owner, operator, manager, or other person in control of an establishment, facility, or outdoor area may declare that entire establishment, facility, or outdoor area as a nonsmoking place. Smoking shall be prohibited in any place in which a sign conforming to the requirements of Section 911 (A) is posted.
- § 21-912** Posting of Signs
1. A minimum of one "No Smoking" sign or the international "No Smoking" symbol (consisting of a pictorial representation of a burning Cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted in every public place and place of employment where smoking is prohibited by this Article, by the owner, operator, manager, or other person in control of that place.
 2. Every public place and place of employment where smoking is prohibited by this Article shall have posted at the primary entrance a conspicuous sign clearly stating that smoking is prohibited. Every vehicle that constitutes a place of employment under this Article shall have at least a minimum of one conspicuous sign, visible from the exterior of the vehicle, clearly stating that smoking is prohibited.
 3. All ashtrays shall be removed from any area where smoking is prohibited by this Article by the owner, operator, manager, or other person having control of the area.
- § 21-913** Non-retaliation; Non-waiver of Rights
1. No person or employer shall discharge, refuse to hire, or in any manner retaliate against an employee, applicant for employment, or customer because that employee, applicant, or customer exercises any rights afforded by this Article or reports or attempts to prosecute a violation of this Article. Notwithstanding Section 915, violation of this Subsection shall be an offense punishable by a fine not to exceed \$500 for each violation.
 2. An employee who works in a setting where an employer allows smoking does not waive or otherwise surrender any legal rights the employee may have against the employer or any other party.

§ 21-914 Enforcement

1. This Article shall be enforced by the Savannah-Chatham Metropolitan Police Department.
2. Notice of the provisions of this Article shall be given to all applicants for a business license in Chatham County.
3. The Health Department, Fire Department, or their designees shall, while an establishment is undergoing otherwise mandated inspections, inspect for compliance with this Article.
4. An owner, manager, operator, or employee of an establishment regulated by this Article shall direct a person who is smoking in violation of this Article to extinguish the product being smoked. If the person does not stop smoking, the owner, manager, operator or employee shall refuse service and shall immediately ask the person to leave the premises. If the person in violation refuses to leave the premises, the owner, manager, operator, or employee shall contact a law enforcement agency. Any business that complies with the notification requirements of this Article shall not be cited for violation.
5. Notwithstanding any other provision of this Article, an employee or private citizen may bring legal action to enforce this Article.
6. In addition to the remedies provided by the provisions of this Section, any person aggrieved by the failure of the owner, operator, manager, or other person in control of a public place or a place of employment to comply with the provisions of this Article may apply for injunctive relief to enforce those provisions in any court of competent jurisdiction

§ 21-915 Violations and Penalties

1. A person who smokes in an area where smoking is prohibited by the provisions of this Article shall be guilty of a County ordinance violation, punishable by a fine and court fees not to exceed one hundred dollars (\$100).
2. Except as otherwise provided in Section 905, a person who owns, manages, operates, or otherwise controls a public place or place of employment and who fails to comply with the provisions of this Article shall be guilty of a County ordinance violation punishable by:
 - (a) A fine not exceeding one hundred dollars (\$100) for a first violation.
 - (b) A fine not exceeding two hundred dollars (\$200) for a second violation within one (1) year.
 - (c) A fine not exceeding five hundred dollars (\$500) for each additional violation within one (1) year.
3. In addition to the fines established by this Section, violation of this Article by a person who owns, manages, operates, or otherwise controls a public place or place of employment may result in the suspension or revocation of any permit or license issued to the person for the premises on which the violation occurred.
4. Violation of this Article is hereby declared to be a public nuisance.
5. Each day on which a violation of this Article occurs shall be considered a separate and distinct violation.

§ 21-916 Other Applicable Laws. This Article shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

§ 21-917 Liberal Construction. This Article shall be liberally construed so as to further its purposes.

§ 21-918 Severability. If any provision, clause, sentence, or paragraph of this Article or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this Article which can be given effect without the invalid provision or application, and to this end the provisions of this Article are declared to be severable.

§ 21-919 Effective Date. This Ordinance will be effective upon passage by the Board of Commissioners of Chatham County.

Effective this _____ day of _____, 2012.

CHATHAM COUNTY COMMISSION

Pete Liakakis, Chairman

CLERK OF COMMISSION

Janice E. Bocook
SEAL

=====

XIII. INFORMATION ITEMS

Chairman Liakakis said, next item. Well, everybody has had the information items that have been distributed to them.

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.

=====

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

**AGENDA ITEM: XIII-2
AGENDA DATE: February 24, 2012**

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) helicopter blade	Mosquito Control	Helicopter Technology Company	\$9,999	General Fund/M&O - Mosquito Control
Three (3) laptop computers for Detention Center	I.C.S.	Dell Marketing, L.P.	\$8,435	CIP - Detention Center
One (1) hemisphere GPS receiver kit for Engineering	I.C.S.	Blue Planet Geomatics	\$6,345	CIP - County Engineer
One (1) hemisphere GPS receiver kit with firmware activation for Engineering	I.C.S.	Blue Planet Geomatics	\$6,860	CIP - County Engineer
One (1) laptop computer and accessories for Sheriff's Department	I.C.S.	Dell Marketing, L.P.	\$3,442	Child Sexual Assault Grant
One (1) cage, heat alarm and fan for K-9 vehicle	Sheriff	West Chatham Warning Devices, Inc.	\$3,035	General Fund/M&O - Sheriff
Mailing and postage for March 2012 tag renewals	Tax Commissioner	World Marketing	\$5,320	General Fund/M&O - Tax Commissioner
Chemical spill response training	Mosquito Control	Sigma Consulting and Training, Inc.	\$2,975	General Fund/M&O - Mosquito Control
Fire alarm test and inspection service agreement for Citizens Service Center	Facilities Maintenance and Operations	Simplex Grinnell L.P.	\$2,509	General Fund/M&O - Various
Go-To-My PC annual maintenance for various departments	I.C.S.	Citrix Online	\$5,316	General Fund/M&O - Various
Additional charges for helicopter engine overhaul	Mosquito Control	Standard Arro, Inc.	\$7,255	General Fund/M&O - Mosquito Control

=====

3. ROADS AND DRAINAGE REPORTS.

ACTION OF THE BOARD:

A status report was attached as information.

AGENDA ITEM: XIII-3 ROADS
AGENDA DATE: February 24, 2012

TO: Board of Commissioners
 THRU: R. E. Abolt, County Manager
 FROM: Leon Davenport, P.E., Assistant County Engineer
ISSUE: To provide information on the status of Chatham County road projects.

BACKGROUND: Funding priorities for projects using Federal aid are established in the State Transportation Improvement Program (STIP). For awarded construction contracts, this report provides the latest scheduled completion dates.

FACTS AND FINDING:

1. Truman Parkway, Phase 5. Construction underway by GDOT contract. Estimated completion December 2013.
2. Diamond Causeway. The GDOT is managing a contract to construct a high level bridge over Skidaway Narrows to replace the bascule bridge. Estimated completion September 2013.
3. Whitefield Avenue. Construction is being managed by the GDOT. Clearing started in January 2012. Estimated completion September 2013.
4. Bay Street Widening. ROW plans were approved by GDOT. Acquisitions were put on hold pending another assessment of impacts to historic properties. A Public Information Open House was held on April 28, 2011. The Assessment of Effects was coordinated with the State Historic Preservation Office (SHPO) and Federal Highway Administration (FHWA), approved by the GDOT and forwarded to SHPO for formal concurrence.
5. Local Roads.
 - a. Stone Street. Under construction. Estimated completion April, 2012.
 - b. Wendy Hill Road. Board approved award of a construction contract on December 16, 2011. Notice to proceed issued February 6, 2012. Estimated completion in June 2012.
 - c. SR 307 Widening from US 17 to I-16. Bid opening was February 22, 2012.

RECOMMENDATION: For information.

Districts All

AGENDA ITEM: XIII-3 DRAINAGE
AGENDA DATE: February 24, 2012

TO: Board of Commissioners
 THRU: R. E. Abolt, County Manager
 FROM: A. G. Bungard, P.E., County Engineer
ISSUE: To provide information on the status of Chatham County drainage projects.

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

FACTS AND FINDING:

1. Pipemakers Canal. The project includes canal widening, bank stabilization, sluice gates and culverts. Construction of the sluice gate structure and channel improvements from SR 21 to the Savannah River (Phase 1) was completed in 2005. Construction of Phase 2A, which includes improvements from Phase 1 to Dean Forest Road is underway. Staff is working to securing drainage easements and rights of way necessary to construct improvements west of Dean Forest Road. A project to identify and obtain canal rights of way in the reach west of I-95 is underway.
2. Pipemakers Pump Station. The project was identified in the 2003-2008 SPLOST as a part of capital improvements to the Pipemakers Canal Drainage Basin. The project is underway. Current work is focused on collection of data including past reports, maps and studies as well as meeting with technical staff of effected municipalities.
3. Hardin Canal. The project includes canal widening, bank stabilization, bridges and culverts. Projects that replaced culverts at SR 307 (Dean Forest Road) and within the Southbridge golf course area are complete. Staff is pursuing resolution of permitting issues with the US Army Corps of Engineers for drainage improvements upstream of the recently completed culvert project at Dean Forest Road. A project to improve an outfall from Southbridge Golf Course is underway.
4. Queensbury Drainage Improvements. The project area is south of Montgomery Cross Road and west of Ferguson Avenue (includes Tara Manor, Ennis Mobile Home Park-Elmhurst Court, and the Forest City Gun Club.) Design is underway on a project to improve drainage at Tara Manor. A project to improve drainage and provide maintenance access in the area of Remington Drive is substantially complete.

5. Wilmington Park Canal. The Wilmington Park Canal extends from North Cromwell Road to the Wilmington River (about 1.4 miles). The project includes canal widening, bank stabilization and culverts. Design work is underway on five undersized culverts along the canal. A project to improve drainage coming from the southern portion of Ashley Road is underway. The existing outfall from this area is not accessible due to a lack of drainage easement.
6. Golden Isles. The project will relieve neighborhood drainage issues, including structural flooding of homes, with the construction of an upgraded storm sewer system. A contract for construction was approved by the Board on July 2, 2011. Construction work is expected to be completed by March 2012.
7. Louis Mills/Redgate Canal. The Louis Mills and Redgate Canals are tributaries to the South Springfield Canal. Improvements are complete between Garrard Avenue and the CSX Railroad. Staff is currently working to extend the improvements to a point north of Marshall Avenue. A project to improve flow from the Gamble Road area north of Veterans Parkway is substantially complete.
8. Ogeechee Farms Area. The Ogeechee Farms project includes improvements to canals and culverts. Phase 1 was completed in July 2005 (piped in about 0.2 miles of channel south of Vidalia Road and replaced a road crossing at Waynesboro Road). Phase II was completed in June 2010 (replaced five undersized culverts south of and under Vidalia Road). The Board approved a construction contract for Phase III at Ridgeland Road and Yemassee Road on December 16, 2012. Construction commenced on February 6, 2012.
9. Whippoorwill Road Drainage. The project will relocate and improve a canal tidegate structure to a location that can be accessed for maintenance. The existing structure is undersized and was damaged by previous storm events. It cannot be accessed for repair or maintenance because it is located on private property. Design and permitting is underway.
10. Laberta-Cresthill Area. The project will relieve flooding within the Cresthill Subdivision. An engineering firm evaluated the storm water drainage system and the outfall to Hayner's Creek. The Board approved a construction contract on April 29, 2011. Construction commenced in August 2011. The project required a temporary road closure of Whitefield Avenue south of Montgomery Cross Road. The roadway is closed until approximately April 2, 2012.
11. Norwood Drainage Outfalls. The project will improve drainage capacity and access for maintenance. The Board approved a construction contract on March 25, 2011 to improve drainage capacity and access for maintenance at Norwood Place. Construction is substantially complete. Design work and permitting is also underway for the outfall at Skidaway Road.
12. Henderson/Gateway. Drainage is provided by the Little Neck Canal and the Henderson Branch Canal (combined length 2 miles). Development of the subdivisions led to increased rates and volumes of storm water runoff which the canals cannot handle. A project to replace the golf cart culvert and culvert at Henderson Oaks Drive is complete. Staff is investigating further improvements to facilitate improved drainage from the Gateway area.
13. Shipyard-Beaulieu Area. The project will be accomplished in phases. The first phase to replace the storm drain pipe at Beaulieu Avenue was completed in January 2010. The second phase will replace three undersized storm drain pipes and reshape the existing ditch. Final design plans and permitting are underway.
14. Grange Road Canal. The project to relieve flooding extends from Pipemakers Canal to north of Grange Road (about 1.8 miles). The Grange Road Canal outfall to the Pipemakers Canal was improved in 2004 under work being performed to improve the Pipemakers Canal. An all weather access road for the Grange Road Canal between Bourne Avenue and the Pipemakers Canal was also constructed at that time. In 2010 the Georgia Ports Authority (GPA) presented a plan to the County involving expansion of GPA facilities in Garden City and the construction of certain drainage systems effecting the Grange Road Canal.
15. Skidaway Road. The project improved roadside drainage and addressed vehicle safety issues along a portion of Skidaway Road near Wormsloe. Construction is complete. An amendment to the Intergovernmental Agreement between Chatham County and the Georgia Department of Natural Resources was approved by the Board on February 10, 2012. The modification expanded the use of vegetative materials and deleted fencing. Work to install the landscaping is expected to begin this spring.
16. LaRoche Culvert. The project includes the replacement of a drainage culvert located under LaRoche Avenue north of Lansing Avenue. The culvert replacement is in response to a deteriorating brick arch culvert with several cracks. Final design work and permitting are complete. The bid package is being compiled to be released.
17. Lehigh-Shipyard Lane Area. The project will relieve roadside drainage issues causing nuisance flooding in the Lehigh Avenue and Shipyard Lane area. Final design plans and required permitting are underway. The bid package is scheduled to be released this month.
18. Wahlstrom Road. The project will address drainage and maintenance access along the portion of Wahlstrom Road north of the railroad tracks. The drainage infrastructure in the area received infrequent maintenance in the past due to extensive industrial activities in the area and lack of access. Current work is directed toward identifying ownership and responsibility of existing infrastructure and locating existing drainage easements and rights of way.
19. Wymberley Area. The project will address inadequate neighborhood drainage including road side ditches, culverts and rear yard areas not accessible for maintenance of public systems. Current work consists of property and jurisdictional wetland delineations to be used to develop preliminary design alternatives and discussion with affected property owners. It is expected that the constructed improvements will involve Wormsloe Historic Site property and the Georgia Department of Natural resources.

20. Cottonvale Road Drainage. The project will relieve drainage and maintenance access issues causing nuisance flooding in the Cottonvale Road area. Final design plans are underway.

RECOMMENDATION: For information.
Districts: All

=====

EXECUTIVE SESSION

Chairman Liakakis said, we will now recess for the executive session.

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

Commissioner Odell said, before we go, the health department, Dr. Weems, you all – the ordinance was approved –

Dr. Diane Weems said, I have one quick comment. I ask permission very quickly. I know it's been a long day.

Commissioner Thomas said, yes it has.

Dr. Weems said, I just would like to commend the Commission. You have spent a good deal of this day talking about issues relating to protecting the public and the citizens of this community, and you've ended this session by taking a major step and stride in protecting the health of the citizens of Chatham, and I thank you very much on behalf of all.

Commissioner Shay said, thank you.

Chairman Liakakis said, thank you, Dr. Weems. We appreciate all the good work you do for our citizens. [Applause.]

Commissioner Stone said, Mr. Chairman, I make a motion to go into executive session.

Chairman Liakakis said, huh?

Commissioner Stone said, motion to go into our executive session.

Chairman Liakakis said, yeah.

Commissioner Odell said, I second it, and I've already voted for it.

Chairman Liakakis said, go on the board. Motion passes.

ACTION OF THE BOARD:

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

=====

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

=====

2. SETTLEMENT OF JONES WEBB V. TAX COMMISSIONER

ACTION OF THE BOARD:

Motion was made to settle the case of Jones Webb v. Tax Commissioner by refunding \$10,845 to Mr. Webb. The motion carried unanimously.

=====

3. ALTERNATE SITE FOR WEST CHATHAM LIBRARY

ACTION OF THE BOARD:

Commissioner Kicklighter moved to select site A as the alternative site for the West Chatham Library and directed the County Attorney to direct the architect to begin work. Commissioner Shay seconded the motion and it carried unanimously.

=====

4. IMPLEMENT POLICY REGARDING INSURANCE BENEFITS FOR COUNTY MANAGER EMPLOYED WITH COUNTY OVER 20 YEARS

ACTION OF THE BOARD:

Commissioner Shay moved to implement a policy making a County Manager employed with the County for 20 years or more to be eligible for his/her insurance premiums to be paid by the County upon his/her retirement. Said policy will be implemented for County Manager Russ Abolt upon his retirement. Commissioner Thomas seconded the motion and it carried unanimously.

=====

5. PENSION COVERAGE FOR COUNTY ATTORNEY

ACTION OF THE BOARD:

Commissioner Odell moved to approve the purchase by the County Attorney of two to three years of additional pension coverage. Commissioner Thomas seconded the motion and it carried unanimously.

=====

APPOINTMENTS

1. EMERGENCY MEDICAL SERVICE ADVISORY COMMITTEE

ACTION OF THE BOARD:

Commissioner Kicklighter moved to appointed Jeanine Newton-Riner to the Emergency Medical Service Advisory Committee. The motion was voted on and carried unanimously.

=====

ADJOURNMENT

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 12:40 pm.

=====

APPROVED: THIS _____ DAY OF MARCH, 2012.

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

JANICE E. BOCOOK, CLERK OF COMMISSION