

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, APRIL 13, 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 9:33 a.m. on Friday, April 13, 2012.

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II. INVOCATION

Chairman Liakakis said, I call on Commissioner Priscilla Thomas for the Invocation.

Commissioner Thomas said, thank you, Mr. Chairman. May we pray? Please bow your heads.

Commissioner Thomas gave the invocation as follows:

Our Father, we come humbly unto thee. In your presence we acknowledge an utter dependence on thee. May we fulfill our responsibilities as Commissioners and to the citizens of this great County. Bless mankind everywhere and those who are serving in harms way. These and all other blessings we ask in your name. Amen.

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III. PLEDGE OF ALLEGIANCE

Chairman Liakakis said, we got to do the Pledge. I call on Commissioner Patrick Shay to lead us in the Pledge of Allegiance.

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

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IV. ROLL CALL

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

The Clerk called the roll.

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

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

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SWEARING IN OF COMMISSIONER TABITHA A. ODELL

Chairman Liakakis said, okay, and now we'll have the swearing in of our newest Commissioner, Tabitha Odell. And if the Judge, will you come up to the podium area, and Tabitha [Odell] if you will come out in front also.

Superior Court Chief Judge Michael L. Karpf said, I'm going to be reading the entire oath.

Commissioner Elect Odell said, okay.

Judge Karpf said, at the end you'll say I do.

Commissioner Elect Odell said, kind of like when we got married.

Judge Karpf said, well something like that. I swore my wife into the school board one time and I read the oath too fast and she tripped up over all the words and I got in major trouble. I'm not going to do that with you. But if I did you could blame me.

Judge Karpf read the oath as follows:

I, Tabitha Odell, do swear that I will well and truly discharge the duties of Commissioner for Chatham County in all matters which require my official action, to the best of my knowledge and skill, and I will so act as in my judgment will be most conducive to the welfare and best interests of the entire county.

I do further solemnly swear that I am not the holder of any unaccounted for public money due this State, or any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I am prohibited from holding by the laws of the State of Georgia; and that I am otherwise qualified to hold said office, according to the Constitution of the United States and Laws of Georgia; and that I will support the Constitutions of the United States and of this State.

I further certify that I have been a resident of District 5 for the time required by the constitution and laws of this state.

SO HELP ME GOD!

Commissioner Odell said, I do.

Judge Karpf said, congratulations. If you will sign here.

Commissioner Odell said, thank you.

[NOTE: Commissioner Odell signed the oath. Applause.]

Judge Karpf said, congratulations again.

Commissioner Odell said, thank you.

Chairman Liakakis said, oh, Lydia [Peay], would you like to ask a question?

Youth Commissioner Lydia Peay said, my name is Lydia Peay, and I attend Savannah Christian, and on behalf of the Chatham County Youth Commission, I would like to congratulate and welcome Commissioner Tabitha Odell.

Commissioner Odell said, thank you.

Youth Commissioner Peay said, you're welcome.

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CHATHAM COUNTY YOUTH COMMISSION

Chairman Liakakis said, well, now, Lydia [Peay] I was going to do another proclamation situation, announce that, but what I'll do right now I'll go ahead and introduce our Chatham County Youth Commissioners that are present here today. And we have Dionte Samuels, who's the Youth Commissioner for Savannah Early College; Lydia Peay – Peewee– Youth Commissioner for Savannah Christian. Lydia [Peay], let me make sure I've got your name pronounced right.

Youth Commissioner Peay said, it's Pea (phonetic).

Chairman Liakakis said, Pea (phonetic)?

Youth Commissioner Peay said, yes, sir.

Chairman Liakakis said, okay. Lydia Peay, who, of course, is the Youth Commissioner for Savannah Christian School –

Commissioner Kicklighter said, the next one's easy.

Chairman Liakakis said, and Tiffany Palmares, who is the Youth Commissioner for Calvary Day School. Glad to have the three of you here this morning.

Youth Commissioner Tiffany Palmares said, thank you.

Commissioner Shay said, welcome.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

Chairman Liakakis said, and now, under Proclamations and Special Presentations, we have none this morning.

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VI. CHAIRMAN'S ITEMS

- 1. REMINDER OF RIBBON CUTTING FOR VIDEO VISITATION CENTER AT THE DETENTION CENTER.

Chairman Liakakis said, and under item six then, I'm reminding all of the Commissioners that after the meeting this afternoon, that we will be taking a trip to the jail. The Sheriff will show us the – all of the completions that have been done there. And then the video visitation center at the detention center. And that particular video visitation center is up to date – is one of the best that – that you can have. It rivals any that might be in other parts of the country, and we appreciate the Sheriff having that set up, and we will be there to cut the ribbon for the opening of that video center. And Sheriff, we thank you very much. And we will be seeing you shortly after the meeting. Thank you.

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VII. COMMISSIONERS' ITEMS

1. COUNTY GOVERNMENT MONTH (COMMISSIONER THOMAS.)

Chairman Liakakis said, next on the items, Commissioner's Items. Under item 1, County Government Month, Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman, members of the Commission, ladies and gentlemen. It is my pleasure to introduce my co-chairs, there are two here. I see Sandra [Smalls] is back with us today, Sandra Smalls, and giving the report today will be Ms. Danielle Hillery, who is also one of the co-chairs and has done an excellent job. Thank you, Danielle [Hillery].

Ms. Danielle Hillery said, you're welcome, Commissioner Thomas. Good morning, Mr. Chairman, members of the Board and Mr. Abolt. This morning I would just like to briefly remind you of some of the upcoming events we have in recognition of National – National County Government Month, with the theme of Healthy Counties, Healthy Families and also other events that are scheduled throughout the month of April. And with the leadership of Dr. Thomas serving as chairperson of National County Government Month, we have lined up many exciting events. Starting tomorrow, Saturday, April the 14th, there will be a second annual Take A Soldier Fishing, Wounded Warrior Bass Tournament. And this is going to be put on along with the Bass Anglers Plus. This event will take place at Lake Mayer from 7:00 a.m. till 4:00 p.m., with the weigh-in ceremony at 1:30. And we're asking that – if the members of the Board can be present for the weigh-in ceremony if at all possible, as well as participation of the Youth Commission, we're looking forward to seeing them as well because they've always supported National County Government Month in the past. During this event, there will be departmental displays, food, and fun for everyone. And also on February – I'm sorry, April the 20th, the Health and Government Fair Day will take place at Oglethorpe Mall in Macy's court from 11:00 a.m. till 3:00 p.m. This will include health screening, fitness tips, and entertainment for – for all to enjoy. We want to give special thanks to St. Joseph's/Candler Health Systems, Memorial University Medical System – Memorial Medical Center, I'm sorry, Community Cardiovascular Counsel, the Blood Alliance, as well as Oglethorpe Mall, for working with Chatham County to sponsor this event.

Ms. Hillery said, and in keeping with the greenest county in Georgia initiative, the Resource Conservation and – Center – Conservation Center will host a revision or an eco-festival on Saturday, April 28th, from 10:00 a.m. till 3:00 p.m. The goal is to share new and creative recycling concepts with the public with the – a trash and show to highlight fashions created from reused items. And also the Nike Re-use a shoe project will end at this event. Nike has chosen Chatham County as one of their recycle sites and employ – citizens are encouraged to drop off old sneakers which will be processed into running tracks, basketball courts, playgrounds, and synthetic turf. And there will be plenty of entertainment for all to enjoy.

Ms. Hillery said, and finally, excuse me, on Sunday, April 29th at the Bamboo Farms of Coastal Garden, excuse me, there will be the Sunday Supper at the strawberry patch. This will begin at 4:00 p.m. with a tour of the garden and a silent auction and dinner at 5:00 p.m. ending at 7:00. And we just want to encourage all citizens to come out and enjoy all the events that are lined up during the month of April. And I would like to also thank Dr. Thomas for her leadership serving as chairperson, and the members of the Board, as well as Chairman, Pete Liakakis, Mr. Abolt, Van Johnson, Al Lipsey, Vicki Bloomberg, Tammy – Tamala Fulton, Jerrell McRell, Jackie Ogden and her staff, David Nash, Pete Nichols, Sandra Smalls, Ms. Julie King, the Chatham County Youth Commissioners, Bass Anglers Plus, Byron Stephens, Sr., Bubba Stephens, Sr. – Jr., and all members of the staff who have worked hard in planning this year's event.

Chairman Liakakis said, thank you very much Danielle [Hillery],

Ms. Hillery said, you're welcome.

Chairman Liakakis said, appreciate that. Tiffany [Palmares]?

Youth Commissioner Palmares said, in honor of the National County Government Month, I would just like to say thank you to all the County employees and volunteers for their services as they are very essential to our County and government.

Chairman Liakakis said, thank you, Tiffany [Palmares].

Youth Commissioner Palmares said, thank you.

Chairman Liakakis said, go ahead, Dionte [Samuels]?

Youth Commissioner Dionte Samuels said, yeah, I was – about the County Government month, I was wondering how – how – how are you going to advertise these events for our age group?

Ms. Hillery said, well the event has been posted on WTOC. We've put it on our Facebook page; it's been in the newspaper; we have it in our County Connect, which will be coming out in April – well, I think it will be next week I believe. But we've used as many avenues – it's been on the radio, and so we've used different medias to put the information out there.

Youth Commissioner Samuels said, thank you.

Ms. Hillery said, you're welcome.

Chairman Liakakis said, okay. Thank you very much. And one of the reasons for this National County Government Month is that the National Association of Counties two years ago decided to extend it from a week to a month so that all the counties in the USA, they can give the information out to familiarize our citizens about all – a lot of the activities of the County Commission. Because a lot of people in the community don't know what we are required to do by State law, but also about the different services that we perform for our citizens. So it's good, and we appreciate Commissioner Thomas for heading this up for us because it makes a difference because a lot of people that have come to some of the functions, they didn't know all of the requirements and the different things that the County provides for all of their citizens.

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2. COAST2COAST PRESCRIPTION CARD PROGRAM (COMMISSIONER STONE.)

Chairman Liakakis said, next on the agenda, item 2, Coast2Coast prescription card program, Commissioner Stone.

Commissioner Stone said, thank you, Mr. Chairman. First of all, I would like to thank Mr. Abolt and the staff for doing a quick turn around on a – overall review of this program. In two weeks, Randy Hartman with ACCG will come down and give probably a more detailed description of what ACCG is offering through this discounted program. But the thing that appealed to me is that this would be applicable to not only members of government to our – but to our constituents as well. And so I would encourage you to look through this information. I deeply appreciate Dr. Skelton giving a quick overview and a summary that he thinks that this is something that should be considered, and so you will get more information on this in a couple of weeks. But, please read the information. And did you have any comments, Mr. Abolt?

County Manager Russ Abolt said, thank you, Commissioner Stone. I wanted to thank Commissioner Stone and also Ross King and his staff, but it is as Commissioner Stone introduced it, something worthy of consideration to use the words of Dr. Skelton. What staff would plan in – in anticipation of Mr. Hartman coming in two weeks, we would spend our time doing a more thorough analysis to the benefits to the citizens of Chatham County.

Commissioner Stone said, okay. And it's – it's called Coast2Coast. And it's C-O-A-S-T and the number 2 and C-O-A-S-T. So please review it, and if you have any questions, Randy Hartman will be here next Commission meeting to answer any of your concerns.

Chairman Liakakis said, okay.

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3. SOLUTIONS (COMMISSIONER KICKLIGHTER.)

Chairman Liakakis said, and now we have a Commissioner that would like to add his item on Commissioner Items agenda today, Commissioner Dean Kicklighter. And need a motion on the floor to add his item.

Commissioner Gellatly said, motion.

Commissioner Thomas said, second.

Commissioner Farrell said, second.

Chairman Liakakis said, I have a motion on the floor and a second to add Commissioner Kicklighter's item. Let's go on the board.

County Attorney R. Jonathan Hart said, what is the subject matter?

Commissioner Kicklighter said, the topic is solutions.

Chairman Liakakis said, solutions. Motion passes. Go ahead, Dean [Kicklighter].

Commissioner Kicklighter said, thank you, Mr. Chairman. In the newspaper on Wednesday, April the 11th, this past Wednesday, I was a little disappointed to look at the front page and find a rash of problems being submitted or told to the newspaper and the community and no solutions. In the newspaper on the front page, titled – the – the title of the article is *Chatham Struggles to Maintain Roads and Ditches*. Within the article, it goes on to say funding for contracted hand crews to clear out ditches when equipment cannot be brought in has virtually been eliminated said Robert Drewry. The loss is one example of how budget cuts and a hiring freeze implemented in 2010 have made it increasingly difficult for the department to serve the 87,000 residents who live outside the city limits, an area known as the special service district, Drewry said. Drewry being our Public Works Director for people at home who may not know this. The article goes on further and says, and when it comes to storm water maintenance, the department has become primarily reactive instead of proactive, Drewry said. We just go when we're called, he said. In late March, the department was up to 82 outstanding storm water maintenance work orders and 62 outstanding road maintenance work orders. The bottom of the article, as long as property revenues remains down, there's no plan to end the hiring freeze, Abolt said. What's disturbing to me about this article is that one, not too long ago we were told that the monies were available to run this County sufficiently without a tax increase to give the employees a much needed one time increase in salaries. We voted and did that, which the employees here after many years of receiving any type of pay increase, they've received and I know appreciate that. This article is a contradiction of that all in itself. If we were doing that great – other words, this article leads me to believe that rather than a raise, maybe we should have hired a couple more people. There's no mention in this article – it mentions that neighborhoods have increased, populations increased, that we've had to take on some other parkways to mow. There's no mention, however, from anyone on staff here that since the – over the last ten years that several, I mean, many, many, many square miles of the unincorporated areas have been annexed into the cities. Many, many, many, many miles of unincorporated roads have been annexed into the cities. Most of the newer subdivisions, the drainage plans we implement right off the bat, they're maintaining most of their drainage. They maintain most all of their own lagoons. There's no mention other than a look of blame towards lack of funding and stuff provided from this body. There's nothing pointing towards the major underlying problem that has caused the lack of services, which is from 10 years ago, a police department ran by this County for approximately \$4 million out of that budget to fast forward now, and we're looking at \$14 million. There's where the money went. In this

merged police department. No mention of that.

Commissioner Kicklighter said, it's sad – I have nothing but respect for Mr. Abolt. Always have had major respect but for this – I would sincerely hope, and I don't believe for one second that our Manager is satisfied by telling our constituents, the people we work for, and he works for us, that it'll be a couple months before your ditch get cleaned. I would offer to staff, rather than presenting problems, let's find some solutions. I would say contact the Sheriff. See if he has a few guys out there that may – we can go old school a little bit. Put on their little orange jumpsuit and let them go dig out the ditch manually. We've got a prison right out in Port Wentworth. Bring them out. Rather than telling the public that funding's not there. Here's an example of funding, looking in – in the agenda today in the back of the agenda, Public Works spent I believe \$7,000 to pressure wash the seating area at Memorial Stadium. Why? We own pressure washing machines. Why did we have to contract that out? Why not get one of our employees and the pressure washing machine that this County owns and do it? I'm not satisfied with problems. I would like to see from this point forward solutions. And – and I would greatly appreciate that, and, you know, again was kind of, I don't know if offended's the right word, but it's pretty bad when you sit on this Board to read of problems from the staff of the County when you're – we're very close with y'all, and we should hear it first-hand from y'all not out of the newspaper. So. Thank you.

County Manager Abolt said, the opportunity to respond, Mr. Chairman. There's nothing new in the article. You will recall, and I'm not trying to be defensive, but I do want to point out the facts. You had a budget goal session a few weeks ago. Mr. Drewry made a very dramatic and very specific explanation of the problems he's faced. Ladies and gentlemen, the SSD budget is different than the M&O budget. We're talking about SSD. The Public Works and Park Services Department is a combination of a department that is funded from two different sources. The pressure washing at Memorial Stadium comes from the M&O budget. The SSD has always been in trouble. When this Board was first constituted, I made a recommendation for a tax increase which was not granted. Yes, the contributing factor in large part is the MPD, but in effect the SSD has been in problem. Commissioner Farrell has been the champion of this. There is no LOST going to the SSD; there's no franchise fees. The SSD is an archaic – it's a dinosaur. It should go away. I cannot continue, even with the most innovative ideas from staff, solve that problem. That problem has been there for years and years and years. Mr. Drewry is doing the very best he can. The freeze is in place because in effect that's the only option we have. Last year for the first time this Board – last year being last June, adjusted the millage to in effect reflect a – a degradation of the digest. But repeatedly the issue has been, Mr. Manager, live within your means, which we have been doing. We have had a freeze going on now for two years, to keep the situation balanced. Mr. Drewry has – and he's very factual, he's a very professional man. He was just responding. But I want to add to the whole documentation, remember, the very day that that article appeared I sent you a letter of thank you from a citizen in that neighborhood saying, and to quote his words, he had never seen his neighborhood cleaner than what it was. Using prisoners, using detainees does not work. It does not work because of the nature of the work, the fact that in many cases, particularly if you look at those already convicted, we have been told repeatedly do not put those individuals in neighborhoods, they can create harm for the neighbors. We have –

Commissioner Kicklighter said, – Mr. –

County Manager Abolt said, – we have –

Commissioner Kicklighter said, – Chairman?

County Manager Abolt said, let me finish, please. We have – we have serious problems in doing the job. We've been doing the very best we can with what we have. But there's nothing in that article that I would ever think is new to anyone. It – it is just a continuation of a problem that will not go away.

Commissioner Kicklighter said, Mr. Chairman?

Chairman Liakakis said, Dean [Kicklighter]?

Commissioner Kicklighter said, if I could. In – in reference to the letter. I – I read the letter that you sent, and as people who are elected by the people, a letter sent to us from one individual is not the same type of exposure of a front page article pretty much tearing up the policy that we've had in place over the years with no solutions in place. It's – it's absolutely not even comparable. And it's again, disappointing to see that we're not looking for solutions. I – I could probably find someone to go out and dig the ditch by hand. I mean I really believe so but that's because – maybe my experience of running a tax-free city where people actually volunteered and did things, and you did – you – you didn't throw money at every single problem. You know, there are ways out there without half a million dollar studies to get things done. And – and, you know, it – it's just really disturbing. And I – and I really believe that we can solve some problems without hiring another, you know, 100 employees, and I would like to at least see in an article like that where, although we're not going to receive the money, we are trying to do this, not this is the way it is, have at it. I'm – I'm not satisfied with it, and I wouldn't believe that any of us are satisfied with – this is what we're dealt out there, and this is what we're going to live with.

Commissioner Kicklighter said, Mr. Abolt, we have the choice – we – if – if – if we want to talk choices publicly, and by the way, on the comments, I – I – I understand about Commissioner Farrell leading the charge on the LOST. I'm not new to that, I'm the one that pointed out to this Board that we didn't receive the LOST monies and that – that we didn't receive the franchise fees. It's just a – a thing of picking your battles and because that's a state-wide change, that's one I chose not to go, but I commend him for doing that. But I'm well aware of that situation as I presented it to this Board. The Sheriff did a study for us a couple of years ago. He could have saved this County \$1.8 million by taking over the policing. Apply that towards digging a ditch rather than saying it's going to take a tax increase to be able to do your job. You know, a bold move has to take place other than just hanging us out to dry, and it was not appreciated. And there are bold moves available, Mr. Abolt, that could correct this problem without a tax increase.

Chairman Liakakis said, Helen [Stone]?

Commissioner Stone said, thank you, Mr. Chairman. I agree with Commissioner Farrell and Dean [Kicklighter] if you were involved on the onset, but all of us have discussed the merits of disbanding the special Service District. What the folks in the unincorporated area pay for out of their taxes is very – they receive very little. We – in addition to our taxes we pay for fire; we pay for our own trash pick up, and our calls from service from everything that I've read in our police reports have been minimal compared to what the use in the city is. It is true that we do not collect any LOST money. We do not collect the franchise fees. And so that I would hope going into the next budget year that we will go back and really, really consider disbanding the Special Service District. It is of no benefit that I can see to the citizens

of the unincorporated area or really the citizens of Chatham County. I would also agree with Commissioner Kicklighter, I think it's unfortunate that we cannot use prisoners to clean ditches. I think that the State needs to look at some laws on this. It is truly difficult for me to understand why our prisoners can sit in the air conditioning and have three meals and a bed, when our own public works people, and by the way, I spent a day with them, are out there when it's 98 degrees, and it's hot, and they're working hard, and they're working all day. And I think that it's a shame that we cannot use non-violent offenders to clean ditches. I think it's wrong. I think it – it just sets a very, very poor example of what happens when you go to prison. So all of that being said, I – I understand what has occurred in the Special Service District. I – I think it's very unfair to the residents of the Special Service District who do contribute to the LOST money, who do pay the franchise fees, and we get nothing in return. So I sincerely hope right now going into the budget year that we will consider disbanding the Special Service District. Thank you.

Chairman Liakakis said, go ahead, Russ [Abolt.]

County Manager Abolt said, Mr. Chairman, I would – I would like to – and this is from a professional sense, I – I really take exception to any reference to hanging this Board out to dry. I have never done that, never will do – would never allow staff to do it. You have – you have an issue that is – is very real. I cannot make it go away. This issue started, yes, with the police merger, but the previous Board when the Board said let's merge, they understood going in, number 1, the merger was not a budget-balancing issue, it was a public safety issue. The Board was told then, and I remember telling Board members even individually and privately, don't do the merger without an understanding you're going to have to raise taxes to cover the cost in the out years. That was chosen as – as – as a recommendation. It was not approved. But in effect it was the decision made. We have lived with the merger, and now we see the results in crime reduction are amazing. No one could have ever thought that. But the issue is being fair about it. Certainly I have not allowed the allocation for the police department to be any more excessive than the needs of Chief Lovett, which are real. But in effect, this is a special relationship between you and I. I am never, never going to hang you out to dry. I believe firmly in what you do. I respect you. I'm in awe of what you do. But these are real issues that will not go away. The SSD is not going to be solved by hiring a couple people to cut – cut ditches – work in a ditch. Mr. Drewry's problems are extensive. It goes beyond just ditch maintenance. It's road maintenance, it's road repair. We are serving the second largest city with an inadequate budget

Chairman Liakakis said, okay.

Commissioner Kicklighter asked, so – so what is the solution?

Chairman Liakakis said, wait a minute. Hold it. Hold it. I want to say something about franchise fees and then a couple of other items. Number one, the way – franchise fees, in other words, when you pay your electrical bill, you know, and some of the utilities, what occurs is, that money is collected, instead – in the unincorporated area of our County, the people in the unincorporated area that are tax payers pay that. And I'll tell you, it's a State law that what they do is that money goes directly to the cities. None of that money that the County unincorporated pay comes into the County. That money should be coming into the County budget so that we can use that money to help operate our County. And what I did on a number of occasions, I talked to people with the ACCG, which is the Association of County Committees [sic] for the State of Georgia, which is comprised of 159 counties, to help us and legislation that will change that. That's taxation without representation. It's wrong, absolutely wrong. And – and that situation is what the State law ought to be changed so that ones that pay that tax money can have the benefit of it. And so we're still looking at that and hopefully that will go on. Now, when we talk about solutions, we've had many solutions that this County staff has done for this County Commission and many of our County Commissioners have mentioned about solutions to particular items. That has happened here in the last seven and a half years, and what our staff has done is they have – what they have done is responded to that when that has come up about solutions and we know that. And I understand what Commissioner Kicklighter is talking about, but, you know, when we lump everything into one particular thing, you know, it causes some negatives. So that's really important that our citizens understand that because we want to. We've got the best County Commission in the State of Georgia. We have done things, and we have gotten from news media from around the State that a number of things that we have done that we have gotten a lot of comments about, positive things that has been done in this community. Dean [Kicklighter]?

Commissioner Kicklighter said, thank you. Okay, so, what – my understanding of today's discussion is we have a – a really terrible financial situation in the SSD budget. Okay. We have some choices. One, the bottom of the article, we can take the Manager's recommendation, go with a flat budget and just keep telling the constituents paying their taxes, sorry flood, ride through the pothole, tough crap. That's the way it is. So no solution, keep your crappy service. That's option one. Is that it? Any solutions? We – we can – we can – we can – we can keep whining to the State that we're not getting franchise fees for them but the State's not going to change it 'cause that changes the entire State of Georgia structure for every city and county out there, changes everything. So most likely, they're not going to change it. Commissioner Farrell, I commend you for presenting a solution. You have presented a solution. Very, very good, and I truly commend that. What are we going to do? Are – are we happy as a Board telling them sitting out there that that's the way it is? That you're just going to have bad services 'cause it's a bad budget and the bad old State's got all these laws and they take money away, so you're just going to have those bad services, you're going to have to keep paying for your private fire service, your private everything out there, but we're going to keep taxing you, and, you know, I'm not satisfied as a rep of one of the largest unincorporated areas around that they're getting anything and – and it – it's so hard to read that there's no solution presented. And I would like to see one no matter how bold it is. Mine would be look towards eventually going back and letting the police department fall underneath the Sheriff and save the millions, and that could be applied towards better ditch cleaning and roads, and Commissioner Farrell's presented one. But I would like to see rather than the status quo in reading things like this in the future, at the very bottom, I could swallow this if staff presented a solution to the problem. This article ends with no solution presented. And that's all I'm asking in the future, when we read something like this to please give a solution, and to this point I haven't heard – heard one presented from staff. So. Thank you.

Chairman Liakakis said, okay. Commissioner Shay and then Russ [Abolt].

Commissioner Shay said, thank you. Thank you. An interesting discussion and always revolves around taxation. We're the Commissioners of roads and revenue in many ways. I just want to point out to my fellow Commissioners, my dear friends on this Commission, that the de-commissioning of the Special Service District does not in and of itself present a solution to this problem. By de-feasing the Special Service District, you will not qualify for the franchise fee. By de-feasing the Special Service District, you will not qualify for the local option sales tax, and it is a little bit dangerous for you to assume that the votes would be here to raise taxes in the M&O in order to make up the deficit that would be created that provides what services the SSD does get. And I – I'm not – this isn't a threat, it's not a – it's just telling you that even if the votes are there –

Commissioner Kicklighter said, I don't even support that.

Commissioner Shay said, – to, you know, take away the Special Service District, I – I – I don't want you to think that that automatically means that the votes would be there to raise the 25 million or so in the M&O so that constituents that are represented that live in municipal areas would be asked to bear the costs of providing those services in the SSD. I don't want this to be a debate about that thing. I think it was a good proposal. I thought it was very well presented, but I – I think that there was a little bit of a belief that somehow or another if one thing goes away that there's automatically money over yonder. I would have to vote for a tax increase on 85% of my constituents to fund that over yonder.

Commissioner Kicklighter said, and if I – if I may to his on that. Commissioner Shay, I agree. I don't support the proposal, but I commend him for coming up with something that he believes would solve a problem rather than just watching this problem go along and saying oh, that's the way it is. So. I agree with what you said exactly on that, and that's why I would present the other solution to the problem there. But I do commend him for trying to solve a definite problem.

Chairman Liakakis said, Priscilla [Thomas]?

Commissioner Thomas said, thank you, Mr. Chairman. In answer to your question about are there solutions? There are solutions to any and everything. It depends on how you go about getting to the solution. We're not going to solve that up here today. But I would suggest to the – my fellow Commissioners, to staff, that we will find a time where we can engage ourselves to this initiative and come up with some possible solutions in the very near future to address the situation. Because we are not going to be able to do that at this moment. But I think we need to give ourselves more time to become more engaged in the matter, looking at the pros and the cons, and what would be the best way to handle the situation. That would be my suggestion.

Chairman Liakakis said, okay. All right. Information for everybody. This franchise fees that is not – is being distributed to the city, it's not a state-wide thing whatsoever. There are only five counties in the State of Georgia that has a similar thing where the franchise fees goes to the city. So this is not – so it can be changed because the – there's franchise fee situation it's unfair to those cities that – that – it's unfair to the counties where the monies come in and it's distributed to the cities and those people that pay those taxes do not get any – any of that back in service or anything.

Commissioner Kicklighter asked, can I ask you a question on that?

Chairman Liakakis said, yes.

Commissioner Kicklighter asked, does it affect every county that's structured like ours in the State of Georgia?

Chairman Liakakis said, it – it's only – they have it in only five counties have the similarity that we have here. So – so the other 154 counties –

Commissioner Kicklighter asked, okay, would it – would it affect all five? Would it affect all five, a change?

Chairman Liakakis said, it – it'll change those five counties.

Commissioner Kicklighter said, okay. Then that's state-wide.

Chairman Liakakis said, in that.

Commissioner Kicklighter said, then that's state-wide.

Chairman Liakakis said, but what I'm saying to you –

Commissioner Kicklighter said, just pointing out a little simple definition change that's all.

Chairman Liakakis said, it's not right the way that's set up because –

Commissioner Kicklighter said, right and technically correct with your description's two different things.

Chairman Liakakis said, okay. All right.

ACTION OF THE BOARD:

Commissioner Gellatly moved to add Solutions under Commissioner Kicklighter's name to the agenda. Commissioners Thomas and Farrell seconded the motion and it carried unanimously.

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CHATHAM AREA TRANSIT AUTHORITY

Chairman Liakakis said, next item. We're gonna recess now as Chatham County Commission and convene as the Chatham Area Transit Authority. And as soon as that agenda is completed, we will reconvene as the County Commission. The Board recessed as the County Commission at 10:15 a.m., and convened as the Chatham Area Transit Authority.

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

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VIII. TABLED/RECONSIDERED ITEMS

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

Chairman Liakakis said, next item, there are no Tabled or Reconsidered Items.

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IX. ITEMS FOR INDIVIDUAL ACTION

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

1. **TO REQUEST APPROVAL OF THE FOLLOWING BUDGET AMENDMENTS AND TRANSFERS: (1) GENERAL FUND M&O: a) contingency transfer of \$20,000 to Emergency Management for warning sirens repair and maintenance, b) a contingency transfer of \$40,000 to Parks and Recreation for security cameras at L. Scott Stell and Charlie Brooks Parks, c) a contingency transfer of \$26,500 to Facilities Maintenance and Operations for HVAC modifications, d) an increase in General Funds Revenues - Transfer in from the E-911 fund \$26,500 and increase Facilities Maintenance and Operations for HVAC modifications, e) appropriate \$169,022 unassigned General Fund balance to the Detention Center Budget for new positions; (2) in the Confiscated Revenue Fund, appropriate \$82,137 for the Counter Narcotics Team; (3) in the E-911 Fund: transfer \$26,500 from E-911 Restricted Fund Balance to Transfer out of the General Fund for HVAC modifications; (4) in the Capital Improvement Fund: a) increase revenues and expenditures \$12,611 for the Health Department Maintenance Project, b) transfer \$90,000 from the Bell's Landing Project to Henderson Project; (5) in the Debt Service Fund: transfer \$4,925 from contingency to other equipment for HVAC replacements; and (6) make the following adjustments to various funds to establish budgets for the one-time employee appreciation pay: (a) in the General Fund appropriate \$1,472,290 unassigned fund balance, increase departmental salaries and benefit budgets by \$1,276,131 and increase transfer out of various funds \$196,159, (b) increase Child Support Fund Revenues \$44,864 Transfer in from the General Fund and increase expenditures for salaries and benefits \$44,864, (c) increase Special Service District Fund Revenues \$105,540 Transfer in from the General Fund and increase expenditures for salaries and benefits \$105,540, (d) increase Land Disturbing Activity Fund Revenues \$3,080 Transfer in from General Fund and increase expenditures for salaries and benefits \$3,080, (e) increase Water and Sewer Fund Revenues \$8,560 Transfer in from General Fund and increase expenditures for salaries and benefits \$8,560, (f) increase Solid Waste Fund \$22,820 Transfer in from General Fund and increase expenditures for salaries and benefits \$22,820, and (g) increase Building Safety and Regulatory Fund Revenues \$11,295 Transfer in from General Fund and increase expenditures for salaries and benefits \$11,295.**

Chairman Liakakis said, okay, next on the agenda, we start back again, Items Individual Action. Item number 1.

Commissioner Kicklighter said, Mr. Chairman, at this time, due to the length of number one here, I will make a motion to approve number one as written and published.

Commissioner Gellatly said, second.

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

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve item 1 as written and published, request to approve the following budget Amendments and Transfers: (1) General Fund M&O: a) contingency transfer of \$20,000 to Emergency Management for warning sirens repair and maintenance, b) a contingency transfer of \$40,000 to Parks and Recreation for security cameras at L. Scott Stell and Charlie Brooks Parks, c) a contingency transfer of \$26,500 to Facilities Maintenance and Operations for HVAC modifications, d) an increase in General Funds Revenues - Transfer in from the E-911 fund \$26,500 and increase Facilities Maintenance and Operations for HVAC modifications, e) appropriate \$169,022 unassigned General Fund balance to the Detention Center Budget for new positions; (2) in the Confiscated Revenue Fund, appropriate \$82,137 for the Counter Narcotics Team; (3) in the E-911 Fund: transfer \$26,500 from E-911 Restricted Fund Balance to Transfer out of the General Fund for HVAC modifications; (4) in the Capital Improvement Fund: a) increase revenues and expenditures \$12,611 for the Health Department Maintenance Project, b) transfer \$90,000 from the Bell's Landing Project to Henderson Project; (5) in the Debt Service Fund: transfer \$4,925 from contingency to other equipment for HVAC replacements; and (6) make the following adjustments to various funds to establish budgets for the one-time employee appreciation pay: (a) in the General Fund appropriate \$1,472,290 unassigned fund balance, increase departmental salaries and benefit budgets by \$1,276,131 and increase transfer out of various funds \$196,159, (b) increase Child Support Fund Revenues \$44,864 Transfer in from the General Fund and increase expenditures for salaries and benefits \$44,864, (c) increase Special Service District Fund Revenues \$105,540 Transfer in from the General Fund and increase expenditures for salaries and benefits \$105,540, (d) increase Land Disturbing Activity Fund Revenues \$3,080 Transfer in from General Fund and increase expenditures for salaries and benefits \$3,080, (e) increase Water and Sewer Fund Revenues \$8,560 Transfer in from General Fund and increase expenditures for salaries and benefits \$8,560, (f) increase Solid Waste Fund \$22,820 Transfer in from General Fund

and increase expenditures for salaries and benefits \$22,820, and (g) increase Building Safety and Regulatory Fund Revenues \$11,295 Transfer in from General Fund and increase expenditures for salaries and benefits \$11,295. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present for the vote.]

AGENDA ITEM: IX-1
AGENDA DATE: April 13, 2012

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

ISSUE:

To request approval of the following budget Amendments and Transfers: (1) General Fund M&O: a) contingency transfer of \$20,000 to Emergency Management for warning sirens repair and maintenance, b) a contingency transfer of \$40,000 to Parks and Recreation for security cameras at L. Scott Stell and Charlie Brooks Parks, c) a contingency transfer of \$26,500 to Facilities Maintenance and Operations for HVAC modifications, d) an increase in General Funds Revenues - Transfer in from the E-911 fund \$26,500 and increase Facilities Maintenance and Operations for HVAC modifications, e) appropriate \$169,022 unassigned General Fund balance to the Detention Center Budget for new positions; (2) in the Confiscated Revenue Fund, appropriate \$82,137 for the Counter Narcotics Team; (3) in the E-911 Fund: transfer \$26,500 from E-911 Restricted Fund Balance to Transfer out of the General Fund for HVAC modifications; (4) in the Capital Improvement Fund: a) increase revenues and expenditures \$12,611 for the Health Department Maintenance Project, b) transfer \$90,000 from the Bell's Landing Project to Henderson Project; (5) in the Debt Service Fund: transfer \$4,925 from contingency to other equipment for HVAC replacements; and (6) make the following adjustments to various funds to establish budgets for the one-time employee appreciation pay: (a) in the General Fund appropriate \$1,472,290 unassigned fund balance, increase departmental salaries and benefit budgets by \$1,276,131 and increase transfer out of various funds \$196,159, (b) increase Child Support Fund Revenues \$44,864 Transfer in from the General Fund and increase expenditures for salaries and benefits \$44,864, (c) increase Special Service District Fund Revenues \$105,540 Transfer in from the General Fund and increase expenditures for salaries and benefits \$105,540, (d) increase Land Disturbing Activity Fund Revenues \$3,080 Transfer in from General Fund and increase expenditures for salaries and benefits \$3,080, (e) increase Water and Sewer Fund Revenues \$8,560 Transfer in from General Fund and increase expenditures for salaries and benefits \$8,560, (f) increase Solid Waste Fund \$22,820 Transfer in from General Fund and increase expenditures for salaries and benefits \$22,820, and (g) increase Building Safety and Regulatory Fund Revenues \$11,295 Transfer in from General Fund and increase expenditures for salaries and benefits \$11,295.

FACTS AND FINDINGS:

1. The Emergency Management Director has requested funds in the amount of \$20,000 to cover the costs of repairs and maintenance to warning sirens. Documentation is attached.
2. The Deputy Director of Public Works and Park Services has requested funds in the amount of \$40,000 to cover the purchase of security cameras at L. Scott Stell and Charlie Brooks complexes to eliminate vandalism. Documentation is attached.
3. The Facilities Maintenance and Operations Interim Superintendent has requested funds in the amount of \$53,000 for HVAC modifications at the Savannah Chatham-Metro Police Annex on Police Memorial Drive. The cost will be split between the General Fund and the E-911 Fund. Correspondence is attached.
4. The Assistant County Manager has requested the use of unassigned General Fund balance for FY2012 in the amount of \$199,830 for 18 new positions at the Detention Center. A staff report seeking approval of the new positions will be provided by Assistant County Manager, Michael Kaigler. Position detail is attached.
5. The Counter Narcotics Team Director has requested an \$82,137 appropriation of confiscated revenue for equipment and specialized training. Staff reports are attached. The requested use of funds has been forwarded to the County Attorney's office for review.
6. The Assistant County Manager has requested a \$12,611 amendment in the Capital Improvement Fund to the Health Department Maintenance Project for rent received from the State of Georgia. Correspondence and a resolution are attached.
7. The Assistant County Manager has requested a transfer of \$90,000 from the Bell's Landing Project to the Henderson Project in the Capital Improvement (CIP) Fund. Correspondence is attached.
8. The Facilities Maintenance and Operations Interim Superintendent has requested funds in the amount of \$4,925 from the Debt Service Fund to replace HVAC units stolen from 17 Minus Avenue. The total cost of \$9,850 will be split between the General Fund and the Debt Service Fund. Correspondence is attached.
9. The Board of Commissioners approved a one-time employee appreciation pay at the March 23, 2012 meeting. This action required General M&O fund balance appropriation. Item 6 reflects the budget adjustments necessary to establish funding for the Board's action. Resolutions and department detail are attached.

FUNDING: Funds are available in the General M&O Contingency, the Confiscated Revenue, the E-911, and Debt Service Funds. The budget amendments will establish funding in the General M&O, Child Support, Special Service District, Land Disturbing Activity, Water and Sewer, Solid Waste, Building Safety and Regulatory Service

and Capital Improvement Funds.

ALTERNATIVES:

1. That the Board approve the following:

GENERAL FUND M&O

- a) Transfer \$20,000 from contingency to the Chatham Emergency Management budget for warning sirens repairs and maintenance.
- b) Transfer \$40,000 from contingency to Parks and Recreation for the purchase of security cameras for the L. Scott Stell and Charlie Brooks Complexes.
- c) Transfer \$26,500 from contingency to Facilities Maintenance and Operations for HVAC modifications at the Savannah Chatham-Metro Police Annex.
- d) Increase revenues \$26,500 Transfer in from E-911, and increase the Facilities Maintenance and Operations Budget \$26,500.
- e) Appropriate \$199,830 fund balance to the Detention Center for new positions.
- f) Appropriate \$1,481,825 fund balance for employee bonuses and appropriate \$1,285,666 to General Fund departments salaries and benefit line items.
- g) Increase Transfer Out to Child Support Fund \$44,864.
- h) Increase Transfer Out to Special Service District Fund \$105,540.
- i) Increase Transfer Out to Land Disturbing Activity Fund \$3,080.
- j) Increase Transfer Out to Water and Sewer Fund \$8,560.
- k) Increase Transfer Out to Solid Waste Fund \$22,820.
- l) Increase Transfer Out to Building Safety & Regulatory Fund \$11,295.

CONFISCATED REVENUE FUND

Appropriate \$82,137 to the Counter Narcotics Team for equipment and specialized training.

CHILD SUPPORT FUND

Increase revenues \$44,864 for Transfer in from General Fund, and increase salaries and benefits \$44,864 to cover employee bonuses.

SPECIAL SERVICE DISTRICT FUND

Increase revenues \$105,540 for Transfer in from General Fund, and increase salaries and benefits \$105,540 to cover employee bonuses.

LAND DISTURBING ACTIVITY FUND

Increase revenues \$3,080 for Transfer in from General Fund, and increase salaries and benefits \$3,080 to cover employee bonuses.

WATER AND SEWER FUND

Increase revenues \$22,820 for Transfer in from General Fund, and increase salaries and benefits \$22,820 to cover employee bonuses.

BUILDING SAFETY AND REGULATORY SERVICES FUND

Increase revenues \$11,295 for Transfer in from General Fund, and increase salaries and benefits \$11,295 to cover employee bonuses.

E-911

Transfer \$26,500 E-911 Reserve to Transfer out to General Fund M&O.

CAPITAL IMPROVEMENT FUND

- a) Increase revenues and expenditures \$12,611 for the Health Department Maintenance Project.
- b) Transfer \$90,000 from the Bell's Landing Project to the Henderson Project.

DEBT SERVICE FUND

Transfer \$4,925 from contingency to other equipment.

2. Amend or deny the request.

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

RECOMMENDATION: That the Board approve Alternative 1.

Prepared by: Estelle Brown

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2. BOARD CONSIDERATION OF A REQUEST FROM MR. DANIEL HENRY OF 6 EARL COURT TO ADJUST WATER BILL.

Chairman Liakakis said, item 2, Board consideration of a request from Mr. Daniel Henry of 6 Earl Court to adjust the water bill. Russ [Abolt]?

County Manager Abolt said, Mr. Chairman, ladies and gentlemen, this is an opportunity for a rate payer to come before you, Mr. Henry, to – to in effect present his case. As you can see from the – the staff report, we have looked at whether we could identify a mechanical malfunction contributing to extremely large bill for Ms. Paula Henry at 6 Earl Court. We could not find that, and as you know, appropriately staff cannot choose to waive any charges of this nature. I think it's incumbent upon the applicant, Mr. Henry, to come forward and make his case and then you make a decision. If you're satisfied as to the result of the testimony and certainly you can forgive this irregularity, we – would do so at my recommendation with the understanding that it would not occur again, because if it did, obviously, all bets are off.

Chairman Liakakis said, okay, Mr. Henry?

Mr. Daniel Henry said, good morning Commissioner. I live at 6 Earl Court, and this – this has happened twice before. In 2009, and I have a copy of 10 years past bill if anybody want to see it. In 2009 we received a – a outrageous bill for about \$700 I believe it was. At that time –

Commissioner Farrell said, water service for two months?

Mr. Henry said, yes – yes – yes, sir. At that time we contacted the person that was in charge of the water department. He sent someone out to test the meter and stated that the meter was fine, there was no deficiencies. We – we explained that that wasn't acceptable. At that time, he said, well, I'll tell you what, I'll send an engineer out but if it comes back that it's your fault, you pay for the engineer. We agreed upon that because we knew nothing was wrong on our part. They sent the engineer out. He found out that – that it was something wrong under the meter, and they changed the meter. We didn't have that problem again until December this year when we got a bill for \$1,000.

Commissioner Farrell said, for two months service?

Mr. Henry said, yes, sir. At that time my wife spoke to Mr. Matt – Matthews about the problem. He said he would come out and do a test on the system. He stated he came out and did the test and that there was no malfunction, everything was fine. She then spoke to him again. Told him that that, you know, wasn't acceptable, and he said fine, he could talk to his boss, Mr. Drewry. She spoke to him, got no where, and then I called him. After a brief conversation, I told him that I sent her down to the water department and I have ten years of water bills that say I average per month it's about 25 to \$30 and now it's jumped from 25 to 30 to \$1,000, and I told him that, you know, wasn't, you know, acceptable, and he told me that he would send Mr. Matthews back out to retest it, and at that point I was fine, he'd retest – would – would retest it. Following day I spoke to Mr. Drewry and he said that he spoke to Mr. Matthews and Mr. Matthews refused to go back out to retest the bill and – to test the meter – retest the meter. And I – and I kind of laughed because when I moved to the city, I was hired by Chief Gellatly, and if he told me to go do something I couldn't refuse. I had to do what he – go do it. And so I found that – found that kind of strange. He said that he couldn't do anything for us, although I faxed him the bills for a ten-year period when – where it went from like I said average of 25 to \$30 to \$1,000. At that point, he said, well, I would have to take it further and I would call Mr. Abolt. He said fine, and I called Mr. Abolt, and basically that's why we're here now. Since then they've – I believe they changed the meter 'cause I've – I've called Mr. Drewry several times and never got a call back but came home one day and there was a pile of dirt in the middle of the yard near the meter. So I'm assuming they dug it up and changed the meter. No one said anything if they changed it or not, so we assume that they changed the meter. And – and that's where we're at now.

Chairman Liakakis said, all right. The question – they told you that the meter was okay, but when they sent the engineer – this was the first time a number of months ago?

Mr. Henry said, two years ago.

Chairman Liakakis said, two years ago –

Mr. Henry said, yes, sir.

Chairman Liakakis said, – that it happened and there was something wrong with the bottom of the meter.

Mr. Henry said, correct.

Chairman Liakakis said, so they changed it and everything – since then everything was okay until you got your December bill where it showed that \$1,000?

Mr. Henry said, yes.

Chairman Liakakis said, okay. Patrick [Shay]?

Commissioner Shay said, interesting story, but at the end of the day, what you want us to do is make the \$1,000 two-month charge go away. Is that correct?

Mr. Henry said, that is correct.

Commissioner Shay said, so moved, Mr. Chairman.

Commissioner Farrell said, second.

Commissioner Stone said, second.

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

Mr. Henry said, thank you, sir.

Chairman Liakakis said, – for you and your wife coming up.

Mr. Henry said, y'all have a nice day.

ACTION OF THE BOARD:

Commissioner Shay moved to approve a one-time billing adjustment to decrease the account balance of customer Paula Henry by \$1007.20. Commissioners Farrell and Stone seconded the motion and it carried unanimously.

AGENDA ITEM: IX-2
AGENDA DATE: April 13, 2012

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

ISSUE: Board consideration of a one-time water and sewer billing adjustment of \$1,007 for Paula Henry of 6 Earl Court.

BACKGROUND:

Only the Board of Commissioners has the authority to write-off all or a portion of a water & sewer customer's balance due.

FACTS AND FINDINGS:

- (1) Customer Name and address: Paula Henry, 6 Earl Court.
- (2) Ms. Henry has been a Water & Sewer customer prior to 2002. In December 2011 Ms. Henry had a meter reading of 96 units which resulted in a bill of \$444.40. Prior to December, Ms. Henry had 6 readings averaging 14 units.
- (3) Customer called Water and Sewer after they received bill. A work order was issued for Public Works to check the accuracy of the meter. The work order was delayed due to lack of accuracy test equipment. A flag was put on the customer's account, so they would not be shut off due to the ongoing work order. Customer did make a \$92 payment in January 2012.
- (4) In February 2012 Ms. Henry had a meter reading of 165 units which resulted in a bill of \$744.00. In February 2012, Finance generated another work order for Public Works to check the accuracy of the customer's meter.
- (5) On 2/23/12, Superintendent Bert Matthew confirmed with the Finance Department that the water meter was functioning properly. On 2/29/12, Superintendent Bert Matthews contacted Mrs. Henry and informed her the meter was accurate and there was no signs of a leak. As a result, staff is unable to recommend crediting the account.
- (6) Customer's water consumption history for the past two years shows an average consumption of 14 units of water, which would result in a bill of \$88.60.
- (7) Customer's billing charges for December and February amounted to \$1,184.40. The billing average for this customer for two billing cycles would amount to \$177.20. An adjustment of \$1007.20 would bring the customer's balance back to its normal state.

FUNDING:

Not applicable.

ALTERNATIVES:

- (1) Deny an adjustment to the Henry's account.
- (2) Approve a one-time billing adjustment to decrease the account balance of customer Paula Henry by \$1007.20.

POLICY ANALYSIS:

Again, only the Board of Commissioners has the authority to write-off all or a portion of a water & sewer customer's balance due.

RECOMMENDATION:

For Board Consideration

Prepared by: Irene Vigh

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3. REQUEST BOARD EXTEND THE MOU WITH HUTCHINSON HOTEL HOLDINGS FOR THE PROPOSED DEVELOPMENT OF A TRADE CENTER CONVENTION HOTEL UNTIL THE STATE OF GEORGIA DETERMINES WHETHER THE PROJECT QUALIFIES FOR THE TOURISM DEVELOPMENT SALES TAX REFUND.

Chairman Liakakis said, the next on the agenda is item 3, request Board extend the MOU with Hutchinson Hotel Holdings for the proposed development of a trade center convention hotel until the State of Georgia determines whether the project qualifies for the Tourism Development Sales Tax Refund. Russ [Abolt]?

County Manager Abolt said, Mr. Chairman, Dr. Thomas, Commissioner Stone, Gentlemen, I'll ask Mr. Monahan to make the presentation on his recommendation to extend. Mr. Monahan, please.

Assistant County Manager Pat Monahan said, thank you, Mr. Abolt. Mr. Chairman, Commissioners, this is – this action will extend the Memorandum of Understanding with Hutchinson Hotel Holdings for another 120 days. When I met with the Chairman and – when the Manager and I met with the Chairman earlier this week, he suggested that it was incumbent before the project moved forward to hear a clear signal from the State.

Chairman Liakakis said, okay. Patrick [Shay]?

Commissioner Shay said, Mr. Chairman, with one clarification, I believe the Facts and Findings say extending it for 180 days –

Assistant County Manager Monahan said, oh, excuse me – 180 days.

Commissioner Shay said, – not 120. I'd like to make a motion for approval.

Commissioner Thomas said, second.

Chairman Liakakis said, I have a motion on the floor and a second for approval. Let's go on the board.

Commissioner Stone said, wait, Mr. Chairman.

Chairman Liakakis said, oh, excuse me. Oh, Helen [Stone]?

Commissioner Stone said, I had a couple of comments, and I – I don't know if anyone in the audience wants to speak, but we keep continuing this, and we haven't seen any of the due diligence. I mean, I – I'm concerned as to where this is actually going. I – I haven't seen anything that is – is made me feel any better about this project. If anything, the fact that the State may not recognize this for the tax incentive is – is making the risk for the County even greater. So I'm a little concerned. You know, we just keep extending this. In the meantime, we've got two or three other hotels that have come on line without any public money that are about to be built. And – and we keep extending this MOU. So I'm – I'm just a little concerned as to what we're doing here.

Assistant County Manager Monahan said, well let – I can address your questions, Commissioner Stone.

Commissioner Stone said, okay.

Assistant County Manager Monahan said, the – let me – let me start by saying that it's – it's not as though nothing's being done. This – in comparison to the Memorial Hospital bond issue, this is much more complicated. It requires some different instruments that are not – that are unlike the Memorial bond issue. For example, it does require the creation of an Urban Redevelopment Zone, and it does require the creation of a redevelopment area. Both of which require both public hearings, as well as – as extensive documentation before those incentives can be put into effect. The – the other is, if you read the Facts and Findings, addressing your question about risk. Regardless of whether the State approves the Tourism Development Sales Tax, the developer has agreed to put \$3 million in an irrevocable line of credit in the County's name, which is actually a higher level of protection than the Tourism Development Sales Tax because that's guaranteed at \$3 million a year. The Tourism Development Sales Tax generates between 1.8 and 2.5.

Commissioner Stone said, okay, I have a real quick question on that. Suppose the developer goes bankrupt? Is that line of credit steady?

Assistant County Manager Monahan said, absolutely. It's – it's in a form that's acceptable to the County Attorney. And I put that in the staff report because it needs to survive bankruptcy. As this Commission has realized with some of the private development in town, particularly in subdivisions, as that developer has – has encountered financial difficulties, that bond has disappeared. This needs to be in the County's name. It will not be in the developer's name.

Commissioner Stone said, okay. I just want to make sure that that –

Assistant County Manager Monahan said, yes, in – in fact what that does –

Commissioner Stone said, – line of credit would be solid.

Assistant County Manager Monahan said, – and if I could just review the numbers with you real quickly, that minimizes the County's risk. The – the public revenues generated by the hotel will generate approximately between 2.5 and \$2.8 million a year. That's why the Tourism Development Sales Tax is important, because the annual obligation for the first several years will be between 4.4 – 4.5 to \$4.8 million. The developer had planned to use the lease with the – with the County for the public areas a \$2.5 million payment to make up that difference. Instead, now the County can rely on this irrevocable line of credit. So the County's risk is – is – is totally covered.

Commissioner Stone said, so we're just going to keep continuing this MOU until we hear from the State?

Assistant County Manager Monahan said, yes.

Commissioner Odell said, I have a question.

Assistant County Manager Monahan said, yes, ma'am?

Commissioner Odell said, even if we hear from the State, we don't necessarily need the State refund to finance the project, correct?

Assistant County Manager Monahan said, that's correct.

Commissioner Odell said, and the project's completely – we're completely covered as far as risk based on the way that the agreement's written and the fact that we're not actually exchanging cash money, we're just signing our name to a letter of credit?

Assistant County Manager Monahan said, that – that's correct. Now, let – let me – let me say that that also is dependent upon that the revenues will be generated at the level of expectation or that there could be a slight decrease based on the sensitivity analysis and the debt's still covered.

Commissioner Odell said, right, but also, the Trade Center will then be able to go out and recruit large conventions to come in?

Assistant County Manager Monahan said, correct, and just – using that reminds me of another question that Commissioner Stone asked. The hotels being proposed are limited service hotels. The – whether they are part of the mix within the convention business depends upon, you know, depends upon their participation. The difference between those hotels and – the proposed convention hotel is the 80% room block agreement. That's something –

Commissioner Odell said, right.

Assistant County Manager Monahan said, – that no other hotel in – in Savannah currently offers.

Commissioner Odell said, plus there'd also be the fact that they would offer a convention rate for the room.

Assistant County Manager Monahan said, yes. Yes.

Commissioner Odell said, which you can't get from these other hotels.

Assistant County Manager Monahan said, well, that's – that's – well that's not true, and Mr. Marinelli's not here to address that question, but the other hotels do participate, but they participate based on competing business.

Commissioner Odell said, okay.

Assistant County Manager Monahan said, do you understand?

Commissioner Odell said, I do. I understand.

Assistant County Manager Monahan said, yes, okay.

Commissioner Farrell said, so it's a case by case –

Assistant County Manager Monahan said, yes.

Commissioner Farrell said, – basis?

Assistant County Manager Monahan said, yes.

Commissioner Farrell said, as the –

Commissioner Odell said, but –

Assistant County Manager Monahan said, as opposed to the convention center hotel which guarantees the 80% room block at least two years and out and at discounted rates.

Commissioner Farrell asked, have the other hotels been approached with the opportunity to – to match that and – and supply those?

Assistant County Manager Monahan said, well, I'm – I'm assuming the hotels would want something out of it, you know, they're just not going to guarantee their room blocks. I do know that the Trade Center Authority inquired at the Westin about a room block agreement, and I don't know the status of that, but considering that one has not been executed with the Westin then I'm assuming it's not acceptable to the Westin.

Commissioner Farrell said, but the –

Commissioner Odell asked, but the Westin is more of a spa hotel, isn't it? Resort?

Assistant County Manager Monahan said, it's – it has – it has an interesting mix. I would – according to the information I received from – from the general manager is that – that's not necessarily true, that I think close to 80% of the business is group meeting business and group meeting business related. Only a little bit more than 20% actually comes from the leisure market.

Commissioner Farrell said, Patrick [Monahan], if I may? We're – the driving force is this room block, perhaps we should approach the – the current inventory and get some proposals from them, you know, what would it cost to have – or, you know, would you be willing to block off this amount. And it – and it may be in a number of hotels, but then we could also – if they say, no, we're not going to do it for free, but we would do it if, you know, and then just see, you know, since we already have an inventory of hotels, just – first find out their level of participation, if it's yes or no or no way, you know, under any circumstances, or we would do it but, we would need this, this, and this to – to – to do that, and that would give us some point of reference. And, you know, there seems to be a lot of push back from – from the local hoteliers, but, you know, why don't we give the – the local hotels an opportunity to provide this and – and just see, you know, just for – for information purposes to see where – where this might fit into the ultimate goal, which is to have larger conventions and draw more – a new – a new tourist and visitor to Savannah that we're not already serving.

Assistant County Manager Monahan said, as – as you might recall on the task list, one of – one of the – the key tasks remaining will be to interview the – the – the larger hotels in town, and that question can be asked at that point.

Chairman Liakakis said, and when also too about they needed more meeting rooms and all is what the Trade Center director told us or gave us the information that they didn't have enough at the Trade Center?

Assistant County Manager Monahan said, yes, sir. There are two issues there. One is the – the – the amount of meeting room space because the – the Chatham Conference Center, which would be the publicly owned space represents in excess of 50,000 square feet that would be added to the mix for the Trade Center. The other is the availability of the rooms within the site. That you would have a convention center headquarters hotel next door, that you would have the Westin, so that in the convention center hotel, you would have the availability of 400 rooms with a 80% room block, and then with the Westin's cooperation, there would be an opportunity for another 250. So that you could market yourself to 650 room conventions, and then for the larger ones, that that would include a mix for the hotels on the southside of the river.

Chairman Liakakis said, okay. Yes. Patrick [Shay]?

Commissioner Shay said, when I had the opportunity to go to Austin, Texas to look at their convention center, which is different than ours in that it's actually owned by the City of Austin, but the convention hotel that was added

immediately adjacent to that – very similar to the program that we’re talking about here, and I talked to the manager/director of the convention center, what it allowed them to do is to have two and sometimes three city-wide conventions at the same time. And although right now we’re running at the Trade Center below the capacity, there are certain times of the year and certain days of the week when we have the ability to host more than what we’re hosting right now. One of the great things about doing this is that the – the occupancy rate for the immediate vicinity hotels is lower in the middle of the week than it is on the weekends because we get an awful lot of people that visit our community on the weekends, especially for tourism purposes. So the ability to have two large hotels immediately adjacent to the convention center and to have the additional meeting rooms and banquet rooms and general convocation center would allow us to attract multiple city-wide conventions at the same time together with our existing convention center. What the – what the – the manager of the convention center there in Austin told me about our situation; and he was familiar with Savannah and familiar with our market is that – that we think that we’re in the convention game right now but without this facility, we’re not really in the game.

Chairman Liakakis said, and – and in that since you mentioned that it was the – the Trade Center – the International Trade Center that brought that to us because they had a number of inquiries. You’re on the board over there for the Authority, correct?

Commissioner Shay said, I am.

Chairman Liakakis said, and that’s what they – they were concerned about bringing in these larger conferences and conventions?

Commissioner Shay said, we do. And Mr. Chairman, you know, there’s legitimate concern, and I – I hope that the 180 days will give more time to – to work that out. I think some of the limited service hotels or select service hotels that exist now that are primarily for business and – and leisure travelers, they’re concerned that if the new hotel is not successful that they’re going to end up with a lot of excess room inventory, and they’re going to deep discount that excess inventory in order to fill it, which would – may in turn affect them. And I think that – that phenomenon needs to be explored. It’s – this is not the first time that it’s happened to a – a city that wants to be a major player in the convention business. There is a body of knowledge that’s out there about what the effect has been on – in other markets. So, you know, I think this gives the opportunity to continue to study that. Whether or not it’s – it’s worthwhile to continue waiting for the State, I – I’m – I’m somewhat dubious, but this is the way that you wanted it placed on the agenda. And so I’m – I’m – I made a motion for approval.

Chairman Liakakis said, do we have a second.

Mr. Rusty Ross said, Mr. Chairman –

Commissioner Thomas said, I – I seconded it.

Mr. Ross said, – I would like to speak if I could.

Chairman Liakakis said, oh yeah, that’s right. You seconded it.

Commissioner Thomas said, and I want to speak when he’s finished.

Chairman Liakakis said, yeah. Okay. Wait a minute. Go ahead, Priscilla [Thomas].

Commissioner Thomas said, I - I just want to emphasize – re-emphasize the fact that several years ago – being an international meeting planner myself, and if you recall, when we were going to Hawaii, –

Commissioner Shay said, right.

Commissioner Thomas said, – at that point, I was devastated, because at that point, I had worked for five years – five years trying to get the National Association of Counties’ meeting held here in Savannah. And we – we sent out the information to those that were, you know, the hotels and the convention personnels and so forth and so on. The information that they were supposed to fill out, the person that was in charge somehow or another decided that they didn’t want to be a part of it, and they didn’t think good of it, so they did not return the information to me nor the County, and when I interceded about what was going on, this is what I found out. So when we went to Hawaii, back to Hawaii, it was said that all the commotion that went on, you know what went on back then, that Savannah was not positive in terms of wanting, you know, these larger conventions coming into their city, and, therefore, at that particular meeting, which they were going to vote on to come to Savannah, was lost because of that. And I can tell you unequivocally that right now, and I know that most of you are aware of the fact that Jekyll Island has just completed their new state of the art convention center, and they are now going after those persons – I mean, you know, the businesses here in Savannah, and they have not made any bones about it. I’ve gotten some information about that the other day. So what I’m saying is that it was never the intent to cut out any of the hotels or whatever was here, as a matter of fact, there were plans to help build what we already had. And so, that’s where we were. I just wanted to – to – to bring that out because it was not that we had not tried, but we did not get the participation.

Chairman Liakakis said, to be fair then, all that’s being asked today is just to extend the MOU. We’re not making any kind of decision today about either build it – I mean participate or not participating. All we’re doing is the MOU, and I think that – so that we can have the information that’s necessary to make that decision so that we try the best we can to make a good decision for the County.

Commissioner Kicklighter said, Chairman?

Chairman Liakakis said, all right, Rusty [Ross]?

Commissioner Kicklighter said, Mr. Chairman?

Chairman Liakakis said, excuse me, yes?

Commissioner Kicklighter said, quickly. I’m just sad that this seems to come up every week. We’re going to have a 5-4 vote, and it’s – it’s like we’re getting tortured every week over this, and, you know, let’s just – we can talk all day and night, and it’s probably going to come out 5-4 again, so let’s just hear what he has to say and vote.

Mr. Rusty Ross said, let – let me – let me make three points and I'll – I'll remove myself. The new Commissioner Odell hasn't heard any of this. And – and she might want to hear a little bit of it. But first and foremost I want to point out to you that again in my opinion you don't have anything to extend. The MOU terminated last year. Just want to make that point. Secondly, I want to read to you just this 2-sentence letter from the Governor. It says, Dear Representative Stephens. It went – it was a response to a request from Representative Ron Stephens. Our office today has not received a proposal for the hotel on Hutchinson Island. However, there are concerns with any incentives going to a project that would be in direct competition with existing employment. And it cites the code section of the Georgia Tourism Development Act, which states that the governor shall not grant approval to a tourism project that adversely affects existing employment in the State. Therefore, it would appear at this time the hotel project on Hutchinson Island would not qualify. And then Commissioner on behalf of the Commissioner [sic] you wrote a letter that cited a – a impact study that didn't even talk about the fact that this hotel was going to have to take business away from other hotels in town in order to meet it's occupancy requirements that's set forth in the feasibility study. So you're going to lose employment from other hotels as their income goes down. I think one of the hoteliers estimated in the first year they would lose \$11 million worth of business as a result of this hotel coming in.

Mr. Ross said, the only other point I want to make is I must respectfully disagree with Mr. Monahan that putting \$3 million of cash or putting up a letter of credit for \$3 million is the equivalent of losing the sales tax refund that they wanted. Sales tax refund comes in every year for ten years in the amount of somewhere around 1.8 to \$2.4 million. The – putting up a letter of credit for \$3 million or cash for \$3 million, if that money gets tapped, in other words, the project doesn't have enough money to support the payments of the bonds, then the only thing you can do is go back to the developer and say replenish it. Well if the developer doesn't have the money, can't replenish. So you're talking about the difference between somewhere around 18 to \$24 million versus \$3 million, which is a lot of difference in this County's risk from that sort of situation. But those are really the only points I wanted to make. Thank you.

Chairman Liakakis said, okay. Thank you very much. And let me say this so that we'll know. Number one is – that's alright you're – Rusty [Ross].

Mr. Ross said, thank you.

Chairman Liakakis said, the – the situation is this that the reason why it was brought and we have a person who – a Commissioner who's on the – who happens to be on the Authority over there that they were talking about these big conventions and conferences that come in our area, and there were numerous ones, that they wanted to see about what could put something like this together so that we could accommodate them. So we weren't talking about two or 3,000, you know, conference and conventions because they're able to handle that. And some a little more. But let's just take this for an example. Suppose there is a conference, a convention, and it could be a lot more than this because we're able now in Savannah and Chatham County and all the other areas to take care of a conference or convention much larger than 10 or 12,000 people. But let's go and say there is a conference that comes into Chatham County and goes to the, you know, wants to come in here and there are 6,000 people. So say that hotel, they going to reserve 400 people, but let's just say that hotel what they do is they reserve the whole 500 for this 6,000 conferences coming into this community. Well that leaves 5,500 rooms for the other areas – the other hotels in our community. Over 5,000. That's 5,500 that would go. And if there is a larger conference or convention than that, that would be a lot more in the community. So nobody said anything about that. So we look at it realistically. This MOU – we're not today going to vote on anything about the hotel or not, just getting information so that we can do the best thing and that we come up with if that's possible. And so, on that, we have a motion on the floor and a second. Let's go on the board. Motion passes.

ACTION OF THE BOARD:

Commissioner Shay moved to approve the Request to extend the MOU with Hutchinson Hotel Holdings for the proposed development of a Trade Center Convention Hotel until the State of Georgia determines whether the project qualifies for the Tourism Development Sales Tax Refund. Commissioner Thomas seconded the motion and it carried in a 5-4 vote. Chairman Liakakis, Commissioners Holmes, Shay, Odell, and Thomas voted yes; Commissioners Stone, Farrell, Gellatly and Kicklighter voted no.

AGENDA ITEM: IX-3
AGENDA DATE: April 13, 2012

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Pat Monahan, Assistant County Manager

ISSUE:

Board approval to extend a Memorandum of Understanding (MOU) with Hutchinson Hotel Holdings (HHH) for the proposed development of a Trade Center Convention Hotel until the State of Georgia determines whether the project qualifies for the Tourism Development Sales Tax refund.

BACKGROUND:

At the December 16, 2011 meeting, the Board extended by 120 days a Memorandum of Understanding (MOU) with Hutchinson Hotel Holdings (HHH) for a public-private partnership to develop a convention hotel as part of the expansion of the Savannah International Trade Convention Center (publicly-owned Chatham Conference Center). Due diligence continued based on the Board's approval at the January 13 meeting of an Inducement Resolution (non-binding) and a task list for Chatham County's participation in a proposed Trade Center Convention Hotel. Since then, the Governor's Office has indicated by letter that the proposed convention center hotel may not qualify for the Tourism Development Sales Tax refund. While the application of the sales tax refund does not unto itself make or break the proposed project, it affects the revenues to safeguard the County's annual bond repayment for the publicly-owned improvements and the return on investment to attract private interest in the project.

FACTS AND FINDINGS:

1. The MOU would be extended (see Attachment 1) for 180 days from the date of execution (consistent with the terms of the MOU). This amount of time would likely not be necessary but

provides adequate time for the State of Georgia to determine whether the proposed convention hotel project qualifies under the 2011 Tourism Development Sales Tax law for a sales tax refund. While the state law clearly cites "convention hotel and conference center" as a qualified project, the Governor's Office questioned whether the proposed hotel project would not adversely affect employment, which is another criterion. Should the State interpret that this criterion cannot be met, the convention center would be disqualified for the sales tax rebate once the hotel files after one year.

- 2. The State made its initial finding without benefit of any of the economic data. Chairman Pete Liakakis then sent a letter to the Commissioner of the Georgia Department of Community Affairs to seek a determination of whether the proposed convention center hotel project would qualify since economic analysis and projections showed it would meet state and local tourism and economic development goals. The Attorney General's Office has yet to promulgate the rules from the 2011 legislation, which leaves the State in a lurch as how to administer the determination of qualified projects.
- 3. The Tourism Development Sales Tax refund has a significant impact on the proposed convention hotel project in two ways. First, since its revenues would be subordinated to the County's bond repayment, it provides a safeguard to help cover the County's annual debt repayment for bonds issued for the public investment of the Chatham Conference Center. For example, on-site revenues (i.e. hotel-motel tax, property tax, resort tax, Job Tax Credit) would generate \$2 million of annual debt service of \$4.5 million. Since the Tourism Development Sales Tax refund would generate between \$1.8 million and \$3 million annually (for up to 10 years), this would minimize the County's risk. Second, assuming the convention hotel earns the income projected, and the County's obligations can be met, investors would receive the benefit of the sales tax refund. This rebate would increase return on equity and make the investment more attractive to investors.
- 4. The most conservative stance would be to wait until the State of Georgia rules on whether the proposed convention hotel qualifies for the sales tax refund; however, HHH would be willing to guarantee the County's obligation. The developer would agree to place a \$3 million irrevocable line of credit in Chatham County's name to guarantee any revenue shortfall due to the sale tax refund. This would eliminate the County's risk, especially since absolute determination would not occur until after the first year of the convention center hotel's operations.

FUNDING:

Chatham County would not fund any project expense "out of pocket" but would depend upon a pledge of public revenues to safeguard its annual debt requirement.

POLICY ANALYSIS:

Chatham County developed and funded the Savannah International Trade and Convention Center as an economic development project designed to increase convention and exposition visitors. Through Chatham County's investment to develop a first-class project in the Trade Center as the cornerstone to private investment on Hutchinson Island, prudent oversight by the Trade Center Authority and day-to-day management by SMG, the Trade Center continues to meet its economic development mission. After 12 years, the record remains clear on the Trade Center's economic impact on increased room nights, visitor spending and increased earnings; however, an economic analysis by Visit Savannah also indicates lost opportunity in the meetings market. The Trade Center Authority began a focus in 2008 on how to increase the Trade Center's competitive position. The cumulative recommendations from economic analyses target the need for a Trade Center hotel; however, the County's participation must be balanced by its risk and any potential adverse effect on the tourism market beyond a short-term impact.

RECOMMENDATION:

For Board approval.

AMENDMENT OF MOU (APRIL 13, 2012)

27. COUNTY and HHH agree to extend the MOU for a period of an additional 180 days from the date of this Agreement as executed by both parties.

CHATHAM COUNTY

Date: _____

Attest:

Pete Liakakis, Chairman

Janice Bocook, Clerk

HUTCHINSON HOTEL HOLDINGS, LLC

Date: _____

Attest:

Robert Gallup, President

By: _____

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4. REQUEST BOARD APPROVAL TO CREATE 18 NEW POSITIONS IN THE DETENTION CENTER.

Chairman Liakakis said, next item. Request board – wait a minute, request Board approval to create 18 new positions in the detention center's budget. Mr. –

County Manager Abolt said, yes, I will Mr. Chairman, in the interest of brevity, you discussed this in your pre-meeting.

It is an extension of presentation at your budget goal session. It can be covered and is essential to staffing the ramp up in the new detention center. A project of some consequence that was voted in – in great majority by the voters the last time they approved SPLOST.

Commissioner Kicklighter said, motion to approve.

Commissioner Gellatly said, second.

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

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the creation of 18 new positions in the detention center. Commissioner Gellatly seconded the motion and it carried unanimously.

AGENDA ITEM: IX-4
AGENDA DATE: April 13, 2012

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Michael A. Kaigler, Assistant County Manager/Director of Human Resources and Services

ISSUE: To request Board approval to create 18 new positions in the Detention Center's budget.

BACKGROUND:

The Chatham County Detention Center has experienced growth in inmate population over the last three years and seen inmate headcount in excess of 1900. The current expansion provides an additional 1136 beds, almost doubling the current 1264 beds, with classification to approximately 2360.

FACTS AND FINDINGS:

1. The Board entered into a contract with the National Sheriff's Association to review the Sheriff's current staffing and provide recommendations for optimal staffing levels to accommodate the additional number of beds. The objective is to provide a safe work environment for correctional officers and detainees. Staffing needed for the balance of current fiscal year is eighteen (18) positions; thirteen uniform and five support staff.
2. The first unit that will come on line will be the Video Visitation Center. The center will operate seven days a week and will accommodate up to twelve hundred visitors per day. The building is separated from the main campus, and the security personnel staffing in this area has constant contact with the public visiting the inmates.
3. Twenty two inmate workers are assigned to provide labor and assist in the preparation of meals for the rest of the inmate population. The kitchen is stocked with cooking utensils and equipment that, if misused, represents a serious safety and security risk and possible escape of inmate workers. Staffing this area with deputies has always and will always be necessary. Presently we are staffing this area with officers working overtime, and this has resulted in a strain on budgetary allotted overtime.
4. Four inmate workers are currently assigned to provide labor and assist in laundering the clothing for our entire jail population in the present laundry. Because this area is next to the kitchen and because of staffing restraints, we presently do not staff any security officers in the laundry. The new laundry will be located in building K and will increase by four times in floor space and will require more inmate trustees to operate. It also will be stocked with the necessary tools and equipment that, if misused, represents a serious safety and security risk for staff and possible escape of the inmate workers. Because this will be a separate unit, security staff must be assigned to this area.
5. Last year, Professional Standards Unit (PSU) conducted over 375 background investigations, accepted approximately 150 complaints, investigated 3 in-custody deaths, and recorded approximately 250 incidents of force. The Professional Standards Unit currently consists of five (5) sworn deputies, one (1) administrative. The Corrections Bureau currently has 375 employees and approximately 250 volunteers, service providers and contracted workers. The ratio of employees to PSU investigators in the Corrections Bureau alone is currently **125:1**. This number is very conservative and does not reflect the approximately 75 employees within the Enforcement Bureau who are served by PSU. With the increase in staffing associated with the expansion of the Detention Center complex, the Sheriff's staff is requesting two additional positions to be added to the staff at the Detention Center.
6. Due to staff increases, basic security training needs, and annual training requirements, an additional trainer will be required for the Recruitment and Training Unit (RAT). The new trainer will assist in the hiring process by reviewing applications, participating in interviews and conducting physical agility testing. Since the staff increases will be primarily in the Corrections Bureau, this trainer will conduct and facilitate Corrections officer security and technical training as their primary function. Their duties will include providing Basic Security Training to new recruits which consists of three weeks of training in a variety of subjects such as Inter-Personal Communications, Defensive Tactics, Mental Health, CRP/First Aid and Policy and Procedures. The new trainer will conduct regularly scheduled in-service classes for current staff, to include legal updates, firearms re-qualifications and integrity training. The new trainer is also expected to assist in providing training to all new civilians, volunteers, contracted workers and service providers.
7. With the expansion of the current programs at the Detention Center, there has been a need to increase, not only the number of sworn deputies, but also management, maintenance and support staff. With the

increase in the number of positions that will be required for the expansion and the size of the operation, the Sheriff is requesting that an Assistant Jail Administrator be added to the Detention Center budget. Total additional support staff needed is five (5) positions. Based on the study, the Sheriff's staff is requesting one (1) additional maintenance mechanic position, two (2) administrative assistants, and two (2) computer technicians.

- 8. If approved, the impact on current fiscal year budget is estimated to be \$340,000; personnel cost, equipment and utilities cost. Recommendation is that fund balance be used to cover the cost.

FUNDING:

Funding for the additional staff (18 positions for the balance of fiscal year) would require a \$199,830 appropriation of General Fund unassigned fund balance. For fiscal 2013 forward, the cost will be included in the Manager's recommended budget.

POLICY ANALYSIS:

The Board of Commissioners approved the expansion of the Chatham County Detention Center to address the increase in inmate population and eliminate over crowding. Additional deputies and support staff are needed to adequately man the facility to provide direct supervision over the inmate population. Approval of these positions will enhance the safety and security of the Detention Center operation.

ALTERNATIVES:

- 1. Approve the creation of 18 new positions in the Detention Center budget (13 law enforcement and 5 support staff).
- 2. Provide staff with other direction.

RECOMMENDATION: That the Board adopt Alternative 1.

ATTACHMENT I

Staffing requirements for FY 2012/2013 Detention Center Expansion

Assistant Jail Administrator	1
Maintenance Mechanic	1
Corporals	2
Deputy Corrections Officer	10
Administrative Assistant II	1
Administrative Assistant III	1
Network Systems Tech I	2
Total Positions	18

Total funding required from April through June 2012 - \$199,830.

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X. ACTION CALENDAR

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

Chairman Liakakis said, Action Calendar. We have items 1 through 10 and under items 10 we have items A through T. We need a motion on the floor. If you'd like to take anything out to discuss. Yes?

Clerk said, Mr. Chairman, I need to make an administrative correction to the Minutes.

Chairman Liakakis said, oh, okay.

Clerk said, on one of the votes I left off a Commissioner who was not present for the vote. I need to put that in.

County Attorney R. Jonathan Hart said, we're just going to –

Clerk said, you know, I make a note of everyone that was there. I left a Commissioner off who was not present for a vote. I need to add that in.

Chairman Liakakis said, okay. Do we need a motion on that?

County Attorney Hart said, no, we just wanted you to know it.

Chairman Liakakis said, just going to correct it.

Clerk said, I just wanted to let you know.

County Attorney Hart said, it's an amendment change that's not in your book.

County Manager Abolt said, that's item one on your calendar, sir.

Chairman Liakakis said, oh, okay. Fine. So we need a motion on the floor for 1 through 10 and A through T.

Commissioner Farrell said, so moved.

Commissioner Stone said, Mr. Chairman I would like to hold a number –

Chairman Liakakis said, hold it a minute. Do we have a second?

Commissioner Thomas said, second.

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

Commissioner Stone said, I'd like to hold number 8. I just have a quick question on number 8.

Chairman Liakakis said, all right. All right then. The motion then, will you accept it to go through 1 through 10 and under A through T and hold out 8?

Commissioner Kicklighter said, A or 8?

Chairman Liakakis said, 8.

Commissioner Stone said, 8.

County Manager Abolt said, 8.

Chairman Liakakis said, you accept that?

Commissioner Kicklighter said, I – I didn't make the motion.

Commissioner Farrell said, I do.

Chairman Liakakis said, oh, okay.

Commissioner Thomas said, yes.

Chairman Liakakis said, ok. All right. Let's go on the board. Motion passes. Under item 8, Helen [Stone].

ACTION OF THE BOARD:

- a. Commissioner Farrell moved to approve the Action Calendar, Items 1 through 10 and under Item 10, Items A through T with the exception of item 8. Commissioner Thomas seconded the motion and it carried unanimously.
- b. Commissioner Stone moved to continue the request for new beer and wine pouring license for 2012. Petitioner Pritesh R. Patel, d/b/a Carlucci's, located at 108 Shipyard Road, Savannah, 31406 for two weeks. Commissioner Kicklighter seconded the motion and it carried unanimously.

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

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- 1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF MARCH 23, 2012, AS MAILED.**

ACTION OF THE BOARD:

Commissioner Farrell moved to approve the minutes of the regular meeting of March 23, 2012, as mailed. Commissioner Thomas seconded the motion and it carried unanimously.

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- 2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD MARCH 15, 2012 THROUGH APRIL 4, 2012.**

ACTION OF THE BOARD:

Commissioner Farrell moved to authorize the Finance Director to pay the claims against the County for the period March 15, 2012 through April 4, 2012, in the amount of \$14,012,463. Commissioner Thomas seconded the motion and it carried unanimously.

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- 3. REQUEST BOARD APPROVAL OF THE UPDATED COUNTY-CITY AGREEMENT FOR DRUG ENFORCEMENT.**

ACTION OF THE BOARD:

Commissioner Farrell moved for the Board for approval of the Updated County-City Agreement for drug enforcement. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-3
AGENDA DATE: April 13, 2012

TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Dwane Ragan, Director
 Counter Narcotics Team
DATE: April 3, 2012

ISSUE:

Request approval of the updated County-City Agreement For Drug Enforcement Activities.

BACKGROUND:

Members of the Drug Advisory Board met, approved, and signed changes to the County-City Agreement for Drug Enforcement Activities.

FACTS AND FINDINGS:

The Drug Advisory Board is requesting the County Commission to authorize execution of the new pact.

ALTERNATIVES:

1. Approve the updated agreement.
2. Deny the updated agreement.

POLICY ANALYSIS:

Approval of the Updated Agreement.

RECOMMENDATION:

That the Board adopt Alternative #1.

**COUNTY-CITY AGREEMENT FOR
 DRUG ENFORCEMENT ACTIVITIES**

THIS AGREEMENT, made and entered into this _____ day of _____, 2012, by and between CHATHAM COUNTY, a political subdivision of the State of Georgia, hereinafter referred to as "County" and the MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH, a municipal corporation chartered under the laws of the State of Georgia, hereinafter referred to as "City."

:W I T N E S S E T H:

WHEREAS, the Constitution of the State of Georgia of 1983 in Article 9, Section 3, paragraph 1, provides that municipalities and counties of the State of Georgia may contract with one another for the provision of services for any period not exceeding fifty (50) years: and

WHEREAS, the County and the City are mutually concerned about illegal drug sales, trafficking, possession, distribution, and abuse, as well as related violent crimes connected with illegal drug activity; and

WHEREAS, the County and the City are mutually interested in a cooperative effort to enforce the law regarding drug activity and related crime; and

WHEREAS, the Board of Commissioners of Chatham County reviewed this agreement and authorized the Chairman to sign this document at the _____ Meeting of the Board of Commissioners; and

WHEREAS, the Mayor and Alderman of the City of Savannah reviewed this agreement and authorized the City Manager to sign this document at the _____ Meeting of the Mayor and Aldermen.

NOW THEREFORE, for and in consideration of the mutual covenants and agreements herein made, the County and the City do hereby mutually agree as follows:

1. Organizational Structure for Drug Enforcement. The County will assume responsibility for organizing and managing a drug enforcement unit dedicated solely to the enforcement of laws regarding drug sales, trafficking, distribution, possession and abuse, plus activities related to the prevention of drug-related violent crime. The staffing of law enforcement officers and agents to the Drug Unit will be provided on a loaned, cost reimbursement basis by local, state or federal law enforcement agencies as specified in separate agreements with each participating governmental agency. The assignment of officers from participating governments to the Drug Unit will be known as a "Tour of Duty." The conditions of this organizational arrangement are the subject of this Agreement and are described in the following sections. The Drug Unit will not be a separate legal entity, but will be an instrument of the Chatham County government.

2. Participating Governments. Only governmental units with written agreements consistent with this Agreement will be considered "participating governments." The term "participating government" shall include the County.

3. Name of Drug Enforcement Unit. Within this agreement, the organizational structure for drug enforcement described in this Agreement will be known as the "Drug Unit." The operational name may be changed by the County upon implementation of the Unit with the advisement of the Drug Enforcement Advisory Board.

4. Goal and Mission. The goal of the Drug Unit is to create a community free of illegal drug abuse, possession, importation, distribution and sales. The Drug Unit's mission is to reduce both the supply and demand for illegal drugs.

5. Director. This position will be hired by and will report to the County Manager. The Director of the Drug Unit will be under the direct supervision and control of the County Manager.

6. Number of Civilian Personnel. The number of non-sworn civilian employees will be seven (7); consisting of two (2) assistant district attorneys and five (5) administrative personnel.

7. Number of Sworn Officers. Annually, the Drug Enforcement Advisory Board and the Director will assess the staffing needs and make recommendations to the Board of Commissioners. Currently, the minimum number of sworn law enforcement personnel will be forty-five (45), which includes the Drug Unit Director and the Primary Property & Evidence Custodian.

8. Personnel Assignments. All sworn law enforcement personnel will be provided by a "Tour of Duty" program in which all participating government agencies assign officers to the Unit for a 36-month period. At the conclusion of each tour of duty each officer will be evaluated and may be assigned for an additional 24 month period. Following the five year tour of duty, any further retention will be determined by joint agreement of the Chief of the parent agency and the Director. At the conclusion of each tour of duty, the officer may be subject to a polygraph test with approval of the parent agency and the Director.

The City of Savannah shall provide a minimum of thirty (30) sworn police officers and five (5) administrative personnel. Current staffing from SCMPD is two (2) commissioned officers, three (3) Sergeants, and twenty-five (25) officers at the rank of Corporal or below. The City will be given up to 180 days notice for positions to be transferred to the Drug Unit. The Director shall determine the number of personnel to be assigned at each rank.

Qualifications for assignment to a tour of duty include: two (2) years of professional law enforcement experience; an exemplary record of law enforcement services devoid of serious, sustained allegations of departmental infractions of regulations, standard operating procedures, and policies, an extensive training record at a regional, state or federal law enforcement academy in obtaining and executing search warrants, conducting drug raids, making street drug cases, conducting reverse sting operations, using surveillance technology equipment, and developing and using informants and information networks; and a willingness to undergo random urinalysis and polygraph testing.

Any participating agencies joining in this multi-jurisdictional agreement hereby agree to relinquish all command and directive authority over their respective assigned personnel and confer exclusive directive supervision and authority to the direction of the Director.

9. Workers' Compensation Claims and Benefits. Any employee assigned to the Drug Unit from any agency shall be required to be covered under the employing agency's workers' compensation program, even though the employee works under the supervision and direction of the Director. Any injury, disability, or death, incurred by any employee while assigned to the Drug Unit shall be deemed to have arisen out of, and to have been sustained in the course of such employment. If an employee, or anyone on his/her behalf, files a claim for workers' compensation benefits against any participating government, other than the participating government assigning him/her, for any injury claimed to have been sustained while working with the Drug Unit, the participating government that assigned the employee shall indemnify, defend, and hold harmless all the other parties to this agreement with respect to such claim at no cost to such other parties.

10. Minority Participation. The Drug Unit minority goal objective is to have at least fifty percent (50%) of the sworn personnel assigned to the Drug Unit be minority. All participating agencies agree to assign sworn officers whose demographics reflect the composition of the community's population.

11. Cost Reimbursement. Personnel assigned to the Drug Unit will remain employees of the parent agency, be paid by their agency payroll, and receive continuous agency benefits. The County will reimburse the agencies for expenses including salaries, overtime pay, social security, per capita medical insurance coverage, per capita life insurance coverage, per capita disability insurance coverage, pension contributions, and per capita estimates for workers compensation. These amounts will be itemized by the agency in a bi-weekly request for payment. Payments for salary and benefit reimbursements will be made bi-weekly from the County to the agency.

12. Primary Drug Enforcement. The Drug Unit created by this agreement shall be the primary drug enforcement agency for Chatham County and all municipalities contained therein.

13. Planning and Analysis. The Drug Unit will operate a cooperative ongoing planning process that establishes a goal statement, objectives, strategies, and priorities for drug enforcement activities. The planning process will be a continuous activity that allows operations to respond to changing conditions. An analytical component that includes a computerized database of identified drug locations and suspects will ensure that planning and decision-making are based on adequate information about drug trafficking suspects and locations.

14. Geographical Coverage Assurances. The County will ensure that program planning and the implementation of operations are geographically dispersed or concentrated in a manner which aims to be consistent with the measured geographical distribution of illegal drug activity. The Director will keep the Drug Enforcement Advisory Board and the County Manager appropriately informed as to any shifts in concentrations of manpower or any change in geographical areas of attention.

15. Community Participation. The County must include, as part of the planning process, a mechanism for citizen participation in program planning. This mechanism must include a drug telephone "hot line" for soliciting information on drug activity, regular neighborhood meetings in areas identified as "hot spots" or other neighborhoods whose residents express concerns about illegal drug activity, and an effort to maintain informal communication between officers and citizens consistent with the philosophy of community-oriented policing.

16. Evaluation and Performance Measures. The evaluation of program effectiveness will be based

on outcome measures that gauge the extent that progress toward the goal is being achieved, namely reducing the amount of illegal drug importation, possession, manufacturing, distribution, sales, or other trafficking. This may include a reduction in the number of concentrated locations of observable drug activity.

17. Reporting Requirements. The Director shall, through the County Manager, report monthly to the Chatham County Board of Commissioners on the progress of the Drug Unit. The Director shall forward a copy of this report to the City Manager, the Mayor and Aldermen of the City of Savannah and voting members of the Drug Enforcement Advisory Board. The monthly progress report shall include a critical evaluation of the effectiveness of the Drug Unit in achieving outcome-based performance measures.

18. Advisory Board. Policy advice will be given to the Drug Unit at a quarterly meeting of a Drug Enforcement Advisory Board. The Drug Enforcement Advisory Board shall not be a legal entity and shall have no authority concerning administrative or personnel decisions. The Drug Enforcement Advisory Board recognizes that the County Manager shall have direct authority over and responsibility for the Director of the Drug Unit.

The following positions will be voting members of the Advisory Board: SCMPD Chief of Police, two (2) Command Staff officers from the SCMPD, Sheriff of Chatham County, one (1) Command Staff officer from the Chatham County Sheriff's Department, and the District Attorney of the Eastern Judicial Circuit of Georgia. *Note: Command Staff denotes rank of Major or above for the purposes of this MOU.*

The following positions will be voting members only if their agency has personnel assigned to the Drug Unit and will otherwise be non-voting members: Chief of Police for Bloomingdale, Chief of Police for Garden City, Chief of Police for Pooler, Chief of Police for Port Wentworth, Chief of Police for Savannah-Chatham County Board of Education, Chief of Police for Thunderbolt, Chief of Police for Tybee Island, Chief of Police for Richmond Hill, and the Sheriff of Bryan County.

In the event a voting member cannot attend a Drug Enforcement Advisory Board Meeting, a designee from the member's agency may attend the meeting and act on behalf of the member, provided said designed is listed as an agency representative on Appendix I (see attached).

The following positions will be non-voting members: Special Agent in Charge of the Savannah Office of the U.S. Drug Enforcement Administration, Senior Resident Special Agent of the Savannah Office of the Federal Bureau of Investigation, Resident Agent in Charge of the Savannah Office of the Bureau of Alcohol, Tobacco, and Firearms, Resident Agent in Charge of the Savannah Office of Immigration and Customs Enforcement, and the Special Agent in Charge of the Savannah Office of the Georgia Bureau of Investigation.

The SCMPD Chief of Police shall act as the Chairman of the Drug Enforcement Advisory Board. The Drug Enforcement Advisory Board "voting members" shall elect, annually, a Vice-Chairman for the purpose of presiding over the quarterly meetings in the absence of the Chairman. In the event there is an Interim Chief of Police from the SCMPD, then the Vice-Chairman will preside over the quarterly meetings until a new SCMPD Chief of Police is selected.

19. Job Security. The Director may not terminate the employment of any individual on a tour of duty on the Drug Unit. Each officer assigned to a Tour of Duty maintains the rights of employment and possibility of termination consistent with the personnel rules and regulations of the participating government employing the officer. Only the participating government has the authority to change an officer's employment status, rank, or pay.

20. Replacement of Officers. All personnel serving on a tour of duty serve at the pleasure of the Director. The Director may request that any individual be replaced for any reason. Any such request must be granted by the participating agency and a replacement made within thirty (30) days. The participating agency reserves the right to remove any officer from the Drug Unit for reassignment, promotion, or other reasons.

21. Replacement of Vacant Positions. Upon the event of a vacant position in the Drug Unit due to resignation, retirement, reassignment or promotion to another position, or any other reason, the participating agency will ensure that the position will be filled within thirty (30) days of the date of vacancy. Temporary position vacancies created by loss of personnel from the participating agencies may be filled by any of the participating agencies or a contract employee upon an agreement with the affected Chief of Police and the Director and with approval of the County Manager. When a participating agency provides the temporary replacement it shall receive reimbursement for the position as it would for any other position within the Drug Unit.

22. Chain of Command. A chain of command must be established by the Director that is clear and unambiguous. The chain of command may result in the establishment of smaller work units, such as an intelligence unit, major case unit, buy/bust unit, immediate reaction unit, investigative support unit, or other such organization as the Director deems appropriate.

23. Standard Operating Procedures. The Director shall establish written standard operating procedures that are in compliance with Georgia State Certification standards.

24. Powers of Drug Unit Officers. To ensure that each sworn officer assigned to the Drug Unit will be given the authority to enforce local and state laws without restriction, so as to quash any jurisdictional question or attacks which may hereafter arise, the City and County, and all other participating governmental agencies, hereby agree to confer jurisdictional authority upon all Drug Unit officers to jointly enforce their respective local ordinances. Additionally, the Sheriffs of Chatham and Bryan Counties may, by the terms of this agreement, confer deputy sheriff appointments upon the sworn members of the Drug Unit, if necessary.

25. Physical Plant and Equipment. The County shall be responsible for providing office space, vehicles, gasoline, radio equipment, surveillance equipment, and all other equipment necessary for drug law enforcement. The County will be responsible for the on-going procurement of needed equipment and supplies.

26. Title to All Property and Equipment. Chatham County shall retain title to all tangible or intangible properties of the Drug Unit. All leased, borrowed, shared, or loaned equipment will revert to the source upon completion of usage by the Drug Unit. All other properties acquired, regardless of source, shall become the

exclusive property of Chatham County. In the event, or upon such time that the Drug Unit is disbanded, all property and equipment not leased, loaned, shared or borrowed shall revert to Chatham County.

27. Support Services. Any necessary law enforcement service not available from the sworn or civilian staff of the Drug Unit, including but not limited to laboratory analysis, evidence protection and storage, prisoner transportation and detention, medical care for arrestees, will be provided by the County. Any such service may be provided by a participating agency on a non-binding cooperative basis as offered by the participating agency.

In an effort to reduce costs while providing for all of the essential needs of the Drug Unit and the Director, SCMPD and the Chatham County Sheriff's Department agree to make available to the Director, the Internal Affairs Investigative personnel of those agencies. Any request for such services from the Director shall be met as a joint obligation of these departments. Investigative findings of any internal investigation will be reported directly to the Director. Any unusual costs associated with such endeavor will be reimbursed by the County.

28. Budget and Financial Responsibility. The County will assume budget responsibilities for ensuring the fiscal welfare of the Drug Unit, including all accounting of expenditures and revenues.

29. Submission for State and Federal Grants. For the purposes of submitting for State or Federal grant funds, the County shall be responsible identifying and making primary grant applications for which the Drug Unit may be eligible. Whenever it is advantageous, participating agencies agree to join in the submission application for the purpose of enhancing the possibility of securing the grant funding. The City agrees to provide whatever expertise or technical grant assistance it has available at the time, for the purpose of securing the grant award. Chatham County agrees to reimburse the City for the cost of such services, which may later be taken from the grant award.

30. Audit Requirements. Expenditures and revenues for the Drug Unit will be accounted for in the general fund. This fund must be included in an annual financial audit.

31. Asset Forfeiture. Currency confiscated by the Drug Unit shall be considered revenues to be used only as funding for the Drug Unit and shall be accounted for separately. Non-currency assets seized by the Drug Unit shall become the property and responsibility of Chatham County. Any funds received by the liquidation of non-currency assets must also accrue to a separate fund for asset forfeitures to be used only by the Drug Unit. The maximum annual dollar amount obtained from confiscated currency and liquidated assets that accrue to the fund dedicated to the Drug Unit shall be \$450,000.00 dollars. Any funds obtained in excess of this amount shall be divided among participating agencies based on the average number of personnel to a tour of duty for that fiscal year. The County assumes responsibility for managing confiscated currency and seized assets and must comply with federal and state asset forfeiture laws.

32. Staff Personnel Records. During the tour of duty of any assigned employee, the Director shall maintain an active personnel file on such employee. Employee information such as attendance records, job related injuries, work performance etc., shall be maintained in this file. However, the permanent employee records of such assigned employee shall not be deemed to be in the "care, custody or control" of the Director. Upon the completion of their individual tour of duty, an assigned employee's respective personnel records, which were generated by the Director, shall be duly maintained by Chatham County and the human resources department of the assigning participating agency.

33. Implementation Date. The provisions of this Agreement shall be implemented on the date identified in the implementation plan, or any other specific date agreed upon in general correspondence between the County Manager and the City Manager.

34. Provisions for Termination of Agreement. This Agreement may be terminated by the Mayor and Aldermen of the City of Savannah or by the Chatham County Board of Commissioners with 30 days written notice for a violation of this Agreement. This Agreement also may be terminated without stated reason by the Mayor and Aldermen of the City of Savannah or by Chatham County Board of Commissioners with 180 days written notice.

35. Amendments to This Agreement. This agreement may be amended by the mutual agreement of the parties hereto. Such amendment shall be in writing to be attached to and incorporated into this agreement.

36. Legal Construction. In case any one or more of the provisions contained in this Agreement shall be held to be invalid, illegal, or unenforceable in any respect, such invalidity, or unenforceability shall not affect any other provision thereof, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

37. Collaboration with Area Police Departments. The Drug Unit shall collaborate and coordinate with the police departments of any city within Chatham County in which it will work. This includes establishing goals, objectives, priorities and strategies to eliminate and to remove the drug supplies. The Drug Unit shall collaborate and coordinate the implementation of enforcement strategies with the police department of each jurisdiction.

IN WITNESS WHEREOF, the County and the City have caused this agreement to be duly enacted by their proper officers and so attest with their corporate seals affixed hereto set forth in duplicate originals.

ATTEST:

Clerk of Commission

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF CHATHAM COUNTY, GEORGIA

Chairman

FOR THE MAYOR AND ALDERMEN
OF THE CITY OF SAVANNAH

Clerk of Council

City Manager

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4. REQUEST BOARD APPROVE A SPECIAL EVENT PERMIT FOR A RESCHEDULED RECEPTION AT THE OLD COURTHOUSE ON APRIL 25TH.

ACTION OF THE BOARD:

Commissioner Farrell moved for the Board to approve a special event permit for a rescheduled reception at the Old Courthouse on April 25th. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-4
AGENDA DATE: April 13, 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 rescheduled reception at the Old Courthouse.

BACKGROUND:

During the February 24 meeting, the Board approved a special event permit to allow Chatham County to host a Historic Savannah Foundation meeting at the Old Courthouse. At the staff's decision, the meeting will be April 25. As part of the meeting, a business has offered to host a reception.

FACTS AND FINDINGS:

1. Historic Savannah Foundation has been invited to meet at the Old Courthouse for its meeting on April 25 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 April 25 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 adopt Alternative 1.

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**5. REQUEST BOARD APPROVAL TO ACCEPT THE DONATION OF LAND ON EAST 60TH STREET WHICH CAN BECOME PART OF THE TRUMAN LINEAR TRAIL, PHASE II.
 II.
 [DISTRICT 3.]**

ACTION OF THE BOARD:

Commissioner Farrell moved for the Board approval to accept the donation of land on East 60th Street which can become part of the Truman Linear Trail, Phase II. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-5
AGENDA DATE: April 13, 2012

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

ISSUE:

To accept the donation of land on East 60th Street which can become part of the Truman Linear Trail, Phase II.

BACKGROUND:

A property owner on East 60th Street has offered to donate five parcels of land which total 1.1 acres in exchange for Chatham County paying a tax delinquency of about \$3,000. The parcels adjoin the proposed route of the Truman Trail, II and could be included as a trail amenity.

FACTS AND FINDINGS:

1. The property owner (William, John and Edward Garvin) would be willing to quit claim the property, known as PIN 2-0104-24-023, with a legal description as "Lots 17, 18, 19, 20 Block R Lots 2, 4, 8, 10, 12 Block S Lots 17, 18, 20 Block U Sackville." The property is located on East 60th Street next to Truman Parkway and south of Delesseps Avenue. The parcels, which are valued at \$23,900, remain about \$3,000 in tax delinquency.
2. While Chatham County generally does not accept donations of property in delinquency, the parcels adjoin the proposed route of the Truman Trail II. The parcels could be included as a trail amenity, such as a water fountain or rest benches.

FUNDING:

SPLOST 2003-2008 Fund/Department 3234985, Project 32378102, Object Code 5411011.

ALTERNATIVES:

1. That the Board authorize the acceptance of PIN 2-0104-24-023 on East 60th Street by quit claim in exchange for the outstanding tax value (approximately \$3,000).
2. That the Board not accept the property (this would require Public Works to obtain an easement to continue the drainage maintenance which serves the subdivision).

POLICY ANALYSIS:

State law authorizes counties to acquire properties for purposes which serve public needs such as recreation. In this case, the County can acquire at minimal value.

RECOMMENDATION:

That the Board adopt Alternative 1.

District 3

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6. REQUEST BOARD APPROVAL FOR GROUND LEASE AT LAKE MAYER WITH CHATHAM COUNTY SKATE PARK SUPPORTERS, INC., FOR THE CONSTRUCTION AND OPERATION OF A SKATEBOARD PARK.

ACTION OF THE BOARD:

Commissioner Farrell moved for Board approval for ground lease at Lake Mayer with Chatham County Skatepark Supporters, Inc., for the construction and operation of a skateboard park. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-6
AGENDA DATE: April 13, 2012

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

ISSUE: Request Board approval for Ground Lease at Lake Mayer with Chatham County Skate Park Supporters, Inc. for the construction and operation of a skateboard park.

BACKGROUND: On April 23, 2010 the Board gave approval in conceptual form to locate a skate park at Lake Mayer at the request of Mayor Jason Buelterman of the City of Tybee Island.

FACTS AND FINDINGS:

1. The Chatham County Skate Park Supporters, Inc. is a non-profit 501c(3) organization for the purpose of generating funds to design, construct, operate, maintain and repair a skateboard park at Lake Mayer. The cost of the skateboard park is estimated at \$500,000. To date, the group has raised 25% of the estimated cost.
2. A Ground Lease has been drafted to allow the Skate Park group access to the County park for a skateboard park per Board action on April 23, 2012. The Ground Lease outlines responsibilities of the Skate Park Supporters, Inc. Included in the Lease is a requirement that the group provide a Certificate of Insurance each year for Commercial General Liability.
3. Construction will not be allowed to begin until Chatham County reviews and approves construction plans and all federal, state and local permits have been obtained. However, the agreement stipulates that the park must be completed within 5 years.
4. The Ground Lease has been reviewed and approved by the County Attorney and the County Risk Manager.

FUNDING: N/A.

POLICY STATEMENT: Board approval is required to enter into an agreement or lease.

ALTERNATIVES:

1. Board approve a Ground Lease at Lake Mayer with Chatham County Skate Park Supporters, Inc. for the construction and operation of a skateboard park.
2. Board provide staff with other direction.

RECOMMENDATION: Board approve Alternative 1.

District 3.

STATE OF GEORGIA)
 COUNTY OF CHATHAM)

GROUND LEASE

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 "Lessor" or "County," and Chatham County Skate Park Supporters, Inc., a non-profit 501c(3) organization as reviewed and approved by the U.S. Internal Revenue Service and further organized under the laws of the State of Georgia as a non-profit corporation, hereinafter referred to as the "Lessee."

W I T N E S S E T H :

WHEREAS, the County owns certain real property hereinafter described and included in this document in "Section 1;" and

WHEREAS, by approval at an open meeting on _____, the "Lessor" approved setting aside approximately 25,000 square feet of real property at Lake Mayer Regional Park to enable Lessee to design, construct, equip, operate, maintain and repair a structure and facility known as a "Skateboard Park," a recreational improvement designed and constructed of concrete and other materials to provide an area of recreational enjoyment for those on skateboards, hereinafter referred to as a "Skateboard Park;" and

WHEREAS, the Lessee desires to lease the property described in Section 1 from "County" for purposes of the Lessee's design, construct, equip, operate, maintain, and repair a "Skateboard Park" on real property as described in Section 1; and

WHEREAS, the Lessee has agreed to generate funding to enable Lessee to design, construct, equip, operate, maintain and repair said "Skateboard Park" on real property as described in Section 1; and

NOW THEREFORE, in consideration of sum of Ten Dollars (\$10.00) by "Lessee" paid to "County," the receipt whereof is hereby acknowledged, and in further consideration of mutual benefits flowing to each other, the parties hereto agree, as follows:

The "County" does hereby lease unto "Lessee" for the use and purposes hereinabove stated, for a period of 20 years from the date hereof, the following real property, to wit:

1.

All those certain tracts or parcels of land situate, lying and being in the City of Savannah, Chatham County, Georgia, and being shown on attached Boundary Exhibit as LAKE MAYER - SKATE PARK upon the plat hereinafter and known locally as a portion of Chatham County property at Lake Mayer Community Park designated for a "Skateboard Park," and more fully described and delineated upon a boundary map of said lands made and prepared under the direction of Thomas & Hutton Engineering dated March 12, 2012.

2.

"Lessee" agrees to design, construct, equip, operate, maintain and repair the structure and facility known as a "Skateboard Park" on the tract or parcel as described in Section 1. The structure and facility shall be used only for park and recreational purposes and shall be available to the general public. "Lessee" further agrees to have the "Skateboard Park" constructed, completed and open to the public within five (5) years from the date of this Lease. In the event the "Lessee" breaks this condition, the "County" may take possession of said property, including all improvements thereon as liquidated damages without regard to any rights of Lessee.

3.

Nothing contained herein shall vest title to the "Lessee" in said tract or parcel described in Section 1. As long as the "Lessee" maintains the covenants of this agreement, the "Lessee" shall have the right to design, equip, construct, maintain, operate, manage and repair any improvements upon the tract or parcel described in Section 1 for the purposes of providing recreation through the "Skateboard Park". Said improvements shall meet all federal, state and local requirements and may include, but not be limited to, structures, ancillary service areas, utilities, and fencing, and enhancements to provide security and protection of said tract and parcel and any improvements thereon. Furthermore, said improvements shall be designed under the direction of a registered professional engineer and construction plans shall be signed and stamped by same. No improvements will be made unless and until construction plans are approved by Chatham County and appropriate federal, state and local permits have been obtained by the "Lessee."

4.

"Lessee" shall provide to the "Lessor" a Maintenance and Operations Plan to the "Lessor" each year

within the 30 days of the anniversary date of the Lease. Said plan shall include but not limited to provisions for enforcing "Skateboard Park" rules and regulations, routine maintenance program, capital maintenance repairs, operational procedures, and emergency 24 hour contact information.

5.

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 twenty (20) 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.

6.

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

7.

Nothing herein shall prohibit the "Lessee" from selling, trading or exchanging for advertising and marketing of the "Skateboard Park" for purposes of generating revenue to help fund the "Skateboard Park"'s design, construction, equipping, operation, maintenance, management and repair. It shall be mutually agreed by "Lessor" and "Lessee" that should "Lessor" provide an objection in writing that specific advertising and marketing by "Lessee" does not remain consistent with a public recreational facility, "Lessee" shall cease to exhibit and remove the specific advertising and marketing within 24 hours of receipt of written notice.

8.

Nothing herein shall prohibit "Lessee" from charging admission, fees, subscriptions or memberships for any use of the "Skateboard Park" for purposes of generating revenue to help fund the facility's design, construction, equipping, operation, maintenance and repair. Any admission, fees, subscriptions or memberships shall be offered equally to the general public.

9.

"Lessee" shall be responsible for establishing, posting and enforcing rules and regulations for any users of the "Skateboard Park". Said rules and regulations may also provide restrictions based on a minimum age, requirements of protective head ware and body protection, other safety precautions, operating hours and unsafe conditions because of weather. "Lessee" shall receive approval from "Lessor" of all rules and regulations of the "Skateboard Park", but "Lessor's" approval shall not be unreasonably withheld.

10.

"Lessor" agrees that users of the "Skateboard Park" are also visitors to Lake Mayer Regional Park and are entitled to the same privileges including access to designated parking areas, restrooms and other park amenities. "Skateboard Park" users must follow existing and future rules, regulations and laws of the park as established by the County that may include but not limited to the prohibition of alcohol and controlled substances, personal conduct and hours of operation.

11.

"Lessor" shall issue notices to "Lessee" of any complaints and violation in writing. "Lessee" agrees to respond in writing to "Lessor" within 10 days of receipt of written notices with an action plan to mitigate the complaints and violations. Non-responsiveness by the "Lessee" shall be cause for contract termination unless both parties can agree to a mediation process.

12.

The "Lessee" shall provide a Certificate of Insurance each year within the 30 days of the anniversary date of the lease in the amount of \$1,000,000 Commercial General Liability and, if applicable, Workers' Compensation with Statutory Limits and Employer's 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.

13.

In executing this lease, the "Lessee" 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, or damage to the property or other rights of any person or persons caused by the "Lessee." The "Lessee's" obligation to protect, defend, indemnify, and hold harmless, as set forth herein above shall include, but not be limited to, any matter arising out of any actual or alleged infringement of any patent, trademark, copyright, or service mark, or any actual or alleged unfair competition, disparagement of product or service, or other business tort of any type whatsoever, or any actual or alleged violation of trade regulations. "Lessee" further agrees to investigate, handle, respond to, provide defense for, and to protect, defend, indemnify, and hold harmless Chatham County, Georgia, at its sole expense, and agrees to bear all other costs and expenses related thereto, even if such claims, suits, etc., are groundless, false, or fraudulent, including any and all claims or liability for compensation under the Workers' Compensation Act arising out of injuries sustained by an employee of the "Lessee", its subcontractors or anyone directly or indirectly employed by any of them.

IN WITNESS WHEREOF, County has by its Chairman executed this lease and authorized the seal of the County to be placed hereon, and "Lessee" 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

CHATHAM COUNTY, GEORGIA

_____ of _____, 2012,
In the presence of:

Witness

Notary Public

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

Witness

Notary Public

By: _____
Chairman, Board of Commissioners

ATTEST: _____
Clerk of Commission

(Seal)

[Skateboard Park Supporters Group, Inc.]

By: _____

ATTEST: _____

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7. REQUEST BOARD APPROVAL TO AMEND THE CHATHAM COUNTY PERSONNEL PROCEDURES MANUAL TO LIMIT HOLIDAY ACCRUAL TO SIXTY (60) DAYS OR FOUR HUNDRED AND EIGHTY (480) HOURS AND AUTHORIZE THE ONE-TIME DISBURSEMENT OF HOLIDAY LEAVE IN EXCESS OF SIXTY (60) DAYS OR FOUR HUNDRED AND EIGHTY (480) HOURS DURING FISCAL YEAR 2012.

ACTION OF THE BOARD:

Commissioner Farrell moved for Board approval to amend the Chatham County Personnel Procedures Manual to limit holiday accrual to sixty (60) days or four hundred and eighty (480) hours and authorize the one-time disbursement of holiday leave in excess of sixty (60) days or four hundred and eighty (480) hours during fiscal year 2012. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-7
AGENDA DATE: April 13, 2012

TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Michael A. Kaigler, Assistant County Manager,
Director Human Resources and Services

ISSUE:
To request Board approval to amend the Chatham County Personnel Procedures Manual to limit holiday accrual to sixty (60) days or four hundred and eighty (480) hours and authorize the one-time disbursement of holiday leave in excess of sixty (60) days or four hundred and eighty (480) hours during fiscal year 2012.

BACKGROUND:
Per the Chatham County Personnel Procedures Manual, Article IV, Section 103.0, employees appointed to full-time regular, part-time regular and seasonal positions, including probationary employees and non-elected County Officials receive regular compensation for the eleven holidays a year. Article IV, Section 103.8 provides that any regular or seasonable employee required to perform work on a designated holiday, shall receive a substitute day off in lieu of the holiday worked. As a result, several employees have accumulated excessive amounts of holiday leave, in addition to the accrued annual leave and sick leave.

- FACTS AND FINDINGS:**
1. There are two County Departments that have twenty-four (24) hour, three hundred and sixty-five (365) day operations (Detention Center and Bridges). As such, a number of employees assigned to those departments are required to work on County holidays.
 2. An audit of the FY 2011 budget conducted by external auditors, Karp, Ronning and Tindol, revealed a financial liability of \$1.4 million dollars in the area of holiday leave.
 3. Currently, one hundred twenty-nine (129) employees have at least two hundred forty (240) hours of holiday leave, with one hundred one (101) employees having at least three hundred (300) hours of holiday leave. One employee currently has one thousand two hundred eighty four (1,284) hours of accrued holiday leave.
 4. This proposed amendment would cap the accrual of holiday leave at sixty (60) days or four hundred and eighty (480) hours similar to the cap now in place for annual leave.
 5. If approved, employees that currently have a balance in excess of sixty (60) days or four hundred and eighty (480) hours will be paid a one time disbursement to bring their balance into compliance with the proposed amendment. This option is currently estimated to cost three hundred two thousand five hundred dollars (\$302,500).

6. The proposed amendment would also require employees that work on a recognized holiday to be paid for the holiday at straight time effective July 1, 2012. The FY 2012/2013 recommended budget will contain funding to cover holiday pay which is estimated to be \$237,000 annually.
7. The proposed language is attached (see attachment I).

FUNDING:

Payment of accrued holiday leave would require a \$302,500 appropriation of General Fund unassigned fund balance. For fiscal 2013 forward, earned holiday leave would be paid when earned from the department's budget.

ALTERNATIVES:

1. Amend the Chatham County Personnel Procedures Manual to limit holiday accrual to sixty (60) days or four hundred and eighty (480) hours and authorize the one time disbursement of holiday leave balances in excess of sixty (60) days or four hundred and eighty (480) hours during fiscal year 2012.
2. Provide staff with other direction.

POLICY ANALYSIS:

A periodic analysis of County policies and procedures allows Chatham County to be effective and efficient in its service delivery and internal processes. The review of the excessive holiday leave accrued by some employees is contrary to the spirit of the Holiday Leave policy approved by the Chatham County Commission in 1990. This amendment will immediately address the present issue, while preventing future occurrences of this situation.

RECOMMENDATION:

That the Board adopt Alternative #1.

Attachment "I"

IV-103.11 Holiday leave may accumulate to a maximum of sixty (60) days or 480 hours. When the maximum has been accumulated, no additional holiday leave will be earned until some of the accrued leave is taken.

If an employee works on one of the County's recognized holidays, he/she shall be paid for that holiday.

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8. REQUEST FOR NEW BEER AND WINE POURING LICENSE FOR 2012. PETITIONER PRITESH R. PATEL, D/B/A CARLUCCI'S, LOCATED AT 108 SHIPYARD ROAD, SAVANNAH, 31406. [DISTRICT 1.]

Chairman Liakakis said, under item 8, Helen [Stone].

Commissioner Stone said, thank you, Mr. Chairman. This is a beer and wine license request for Carlucci's, which is located on Shipyard Road. I just have some concerns. Is this – this is the first application for an alcoholic license in that area, which is predominantly residential. Has anyone done – I mean we've had some problems in that shopping center, and I'm a little concerned about the sale of – of beer and wine there. Has – has anyone looked into this at all?

County Manager Abolt said, I'll defer to Mr. Anderson for a moment. But if there's an issue we cannot answer, Mr. Anderson and I being civilians, you may want to table it for two weeks and I'll have police representatives here.

Commissioner Stone said, I – I would be in favor of that. I just want to make certain that we're not doing anything to the detriment of the neighborhood.

Mr. Gregori Anderson said, well certainly the zoning on the property, certainly, as you are well aware, certainly determines the use. And based upon the approval of the Zoning Board of Appeals earlier – in February of this year, that – that issue was studied by the MPC. So it went before the Zoning Board of Appeals to get the use approval. That's why we're here today. If that step was not acceptable then we wouldn't be here.

Commissioner Stone said, well, there's – there's nothing in my report about the – the discussion at the MPC meeting, and I'm just very concerned that this – this area has caused problems before. I have had calls for police services in that shopping center, so I want to be very careful that we're not putting the neighborhood at risk. And I'd like to continue this for two weeks.

Chairman Liakakis said, do we have a second on that?

Commissioner Kicklighter said, second.

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

ACTION OF THE BOARD:

Commissioner Stone moved to continue the request for new beer and wine pouring license for 2012. Petitioner Pritesh R. Patel, d/b/a Carlucci's, located at 108 Shipyard Road, Savannah, 31406 for two weeks. Commissioner Kicklighter seconded the motion and it carried unanimously.

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9. REQUEST FOR NEW BEER, WINE AND LIQUOR POURING LICENSE FOR 2012.

PETITIONER: ANDREW E. JOHNSON, D/B/A LITTLE LUCKY'S, LOCATED AT 6 E. GATEWAY BOULEVARD, SAVANNAH, 31419. [DISTRICT 7.]

ACTION OF THE BOARD:

Commissioner Farrell moved for new beer, wine and liquor pouring license for 2012. Petitioner Andrew E. Johnson, d/b/a Little Lucky's, located at 6 East Gateway Boulevard, Savannah, 31419. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-9
AGENDA DATE: April 13, 2012

TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Gregori S. Anderson, Director of Building Safety and Regulatory Services
 Willie Lovett, Chief of Police

ISSUE:
 Request for a new beer, wine and liquor pouring license for 2012, **Andrew E. Johnson, d/b/a Little Lucky's** located at **6 E. Gateway Boulevard, Savannah, GA 31419.**

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

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

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

District 7

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

 Gregori S. Anderson, CBO

 Chief Willie Lovett

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10. 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.) Commissioner Thomas seconded the motion and it carried unanimously.

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. Professional Engineering Services for Phase 2 of the Louis Mills/Redgate Drainage Improvement project	SPLOST	Thomas & Hutton Engineering Company (T&H) (Sole Source)	\$64,000	SPLOST (1998-2003) - Drainage, Louis Mills/Redgate/Rahn Dairy Canal Project
B. Change Order No. 3 to the construction services contract for the Detention Center Expansion	SPLOST	Hunt/Mills, A Joint Venture	\$196,634	SPLOST (2008-2014) - Detention Center
C. "Out of scope" repair for the cooling towers	Sheriff's Department	Boaen Mechanical	\$12,750	General Fund/M & O - Sheriff's Department

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
D. Annual contract with automatic renewals options for four (4) additional one (1) year terms to provide a full range of logistical and staff support during a hurricane or other disaster requiring augmentation	CEMA	SWS Environmental Services of Panama City Beach, FL	N/A	N/A
E. Change Order No. 4 in the deductive amount of \$55 per month, to annual contract for discontinued service at the "old" jail, 145 Montgomery Street	N/A	Republic Waste of Savannah	N/A	N/A
F. Twelve (12) month lease for 4,899 square feet of space at 30 Park of Commerce Way	Detention Center	T&H Realty Holdings, LLP.	\$78,384	CIP - Detention Center
G. Change Order No. 2 and adding two (2) days to the contract for construction of the new Public Works and Park Services Facility	SPLOST	Pope Construction Company	\$33,221	SPLOST (2003-2008) - Public Works and Park Services Facility
H. Upgrade the Hecon printing system for the Clerk of Superior Court	Superior Court	Hi-Tech Accessory, Inc. (Sole Source)	\$27,885	General Fund/M & O - Superior Court
I. Annual contract with automatic renewal options for four (4) additional one (1) year terms to provide specialized water and sewer sampling analysis	Water and Sewer	Florida Spectrum Environmental Services, Inc.	\$13,749	Water and Sewer Enterprise Fund
J. Change Order No. 5 to the construction contract for the Tatemville Community Center Expansion for the completion of project punch-list items mandated by City of Savannah ordinance	SPLOST	D.L. Moore Pinnacle, LLC.	\$3,475	SPLOST (2003-2008) - Tatemville Community Center
K. Software license agreement from the State of Georgia contract	ICS	Dell Marketing, L.P.	\$136,009	ICS Computer Replacement
L. Fingerprint scanners for Sheriff's Department	Sheriff's Department	Data Works Plus (Sole Source)	\$21,351	Multiple Grant Fund - Sheriff's Department
M. Agreement for fire alarm system testing, certification and annual maintenance for the Detention Center	Sheriff's Department	Brewer Technology Solutions, Inc. (Sole Source)	\$26,208	General Fund/M & O - Sheriff's Department
N. Purchase of Cisco network equipment for the Detention Center	I.C.S.	Entre Solutions * MBE	\$15,725	CIP - Detention Expansion Project
O. Confirmation of emergency approval for the moving and setting up of buildings received through the Marine Corps Air Station for the Detention Center	SPLOST	Doray Builders, Inc.	Not to exceed \$163,000	SPLOST (2008-2014) - Detention Center

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
P. Purchase of 76 Voice over Internet Protocol (VOIP) phones with associated licenses	Detention Center	Mitel/Integrated Network Solutions	\$24,966	CIP - Detention Center
Q. Foundation and site preparation for portable buildings received from the Marine Corps Air Station	SPLOST	A.D. Williams Construction	\$105,783	SPLOST (2008-2014) - Detention Center
R. Large capacity, commercial washer for Animal Control Facility	Special Projects	Dixie Laundry	\$11,028	2005 DSA Series Bond - Animal Control Facility
S. Environmental consulting services for various projects	SPLOST	• Sligh Environmental Consultants • Resource + Land Consultants (Sole Source)	\$200,000	SPLOST (1985 - 1993) (1993 - 1998) (1998 - 2003) (2003 - 2008) (2008 - 2014)
T. Design of security perimeter fence for Hunter Army Air Field Emergency Operations Center	CEMA	Thomas & Hutton	\$22,500	Multiple Grant Fund - Homeland Security

AGENDA ITEM: X-10 A thru T
AGENDA DATE: April 13, 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 of a sole source contract in the amount of \$64,000 with Thomas & Hutton Engineering Company (T&H) for professional engineering services for Phase 2 of the Louis Mills/Redgate Drainage Improvement project.

BACKGROUND: The Louis Mills/Redgate Drainage Improvement project is part of the 1998-2003 SPLOST Drainage Program. Design work for the project was performed by T&H. Delays in the acquisition of easements and rights of way required that the project be divided into phases. Phase 1 included design and construction of the downstream reach from the CSX railroad tracks to a point approximately 850 feet upstream of Garrard Avenue of the canal.

FACTS AND FINDINGS:

1. Construction of drainage improvements of Phase 1 (the downstream reach) was completed in 2011. Staff continued to pursue and successfully acquired several of the needed drainage easements and rights of way within the Phase 2 reach of the project.
2. This Phase 2 design project entails replacement of undersized culvert crossings at Chatham Parkway and several private driveways. T&H is the engineer of record for the downstream improvements constructed and previously prepared the preliminary design of improvements at these crossings.
3. State Law allows contracting with the original professional engineering consulting firm used for previous studies and plans without further competitive process when those existing studies and plans can be used. It is the opinion of staff that no other engineering firm has the knowledge obtained by the new consultant. This is because of their recent completion of the problem evaluation and recommendations work.
4. It is the opinion of staff that soliciting proposals from engineering firms at large will not result in lower cost or better service to the County, and will result in more time required to coordinate and finish the design and the work.
5. The work involved under this contract will include updating field condition surveys, permitting, completing design, revising easement plats, preparation of construction contract documents (drawings and specifications), and assistance during bidding and construction.

- 6. Staff solicited a proposal from T&H and finds that the level of service is in accordance with anticipated needs and that the cost represents fair compensation for the work provided.

FUNDING: SPLOST (1998-2003) - Drainage, Louis Mills/Redgate/Rahn Dairy Canal Project (3224250 - 52.12003 - 32280373)

ALTERNATIVES:

- 1. Board approval of a sole source contract in the amount of \$64,000 with Thomas & Hutton Engineering Company (T&H) for professional engineering services for Phase 2 of the Louis Mills/Redgate Drainage Improvement project.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to award sole source engineering services contracts when it is in the best interest of the County.

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM B

ISSUE: Request Board approval of Change Order #3 in the amount of \$196,634 to the construction services contract with Hunt/Mills, A Joint Venture for the Chatham County Detention Center Expansion.

BACKGROUND: The Board approved a construction contract with Hunt/Mills, A Joint Venture on December 17, 2010, to construct approximately 396,000 square feet of new construction and renovation.

FACTS AND FINDINGS:

- 1. Change Order #3 compensates the contractor for work not included in the scope of the original construction documents.
 - a. Modifications to security hardware, card readers and intercoms. For improved functionality, modifications are required to the security hardware, card readers and intercoms on approximately 85 of the 1,100 doors on the project (\$29,824).
 - b. In an effort to keep construction costs down, the project scope focused mainly on new construction. Renovation work was limited as much as possible to specific areas and system(s) tie-ins. In the existing main administration building, the contract requires the installation of new plumbing fixtures only. However, existing leaking plumbing fixtures over time have damaged utility chases, plumbing carriers and fittings. To install the new plumbing fixtures without addressing the leaks and damage would result in a poor final product and reduced lifetime of the newly installed fixtures. The additional work addresses the source of the leaks and repair of the damage in order for original contracted work to proceed (\$166,810).

2. Contract history:

Original Contract (12/17/10)	\$70,734,000
Change Order 1 (8/12/11)	\$267,214
Change Order 2 (1/13/12)	\$ 90,288
Change Order 3 (pending)	<u>\$196,634</u>
Revised Contract Amount	\$71,288,136

FUNDING: SPLOST (2008-2014) - Detention Center (3803355 - 54.13009 - 38060407)

ALTERNATIVES:

- 1. Board approval of Change Order No. 3 in the amount of \$196,634 to the construction services contract with Hunt/Mills, A Joint Venture for the Chatham County Detention Center Expansion.
- 2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
LYNN STENNETT

ITEM C

ISSUE: Request Board approval of a \$12,750 "out of scope" repair for cooling towers at the Detention Center with Boen Mechanical, Savannah, GA.

BACKGROUND: Boaen Mechanical currently holds the annual contract for the HVAC preventive maintenance and repair services for the Detention Center.

FACTS AND FINDINGS:

- 1. During an inspection, it was determined that the air intake media on the cooling towers is in need of replacement. The cooling towers provide water for the HVAC system. If repairs are not made, the HVAC system may become inoperable.
- 2. Based on the recommendation of the contracted vendor, the repairs are deemed necessary to ensure continued operation of the HVAC system. Pricing for labor is based on the unit prices in the maintenance contract.

FUNDING: General Fund/M&O - Sheriff's Department
(1003326 - 52.22001)

ALTERNATIVES:

- 1. Board approval of a \$12,750 "out of scope" repair for cooling towers at the Detention Center with Boaen Mechanical, Savannah, GA.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve expenditures necessary for repairs to equipment.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM D

ISSUE: Request Board approval of an annual contract with automatic renewal options for four (4) additional one (1) year terms to provide Professional Logistics Response and Support Services for Chatham County Emergency Management Agency (CEMA) with SWS Environmental Services, of Panama City Beach, FL, to provide a full range of logistical and staff support during a hurricane or other disaster requiring staff augmentation.

BACKGROUND: CEMA is required by the Federal Emergency Management Agency (FEMA) to have hurricane preparations in place in advance of the hurricane season.

FACTS AND FINDINGS:

- 1. A request for proposal was issued in January 2012, and three proposals were received on February 28, 2012.
- 2. The proposals were evaluated and scored by an evaluation committee. Please refer to the matrix on page 23 for scoring details of the proposals submitted by each firm. Yancy Power Systems was considered non-responsive and therefore received no points. Proposers were as follows:

Dewatering Solutions Godwin Pumps of America Charleston, SC	28.75 Points
SWS Environmental Services Panama City Beach, FL Yancy Power Systems Austell, GA	64.50 Points 0.00 Points
- 3. The contract is a unit price contract for various services which may be required by the County in the event of a hurricane or other natural disaster. After a thorough analysis, staff believes the proposal received from SWS Environmental Services offers the best value to the County.

FUNDING: As needed, if mobilized due to disaster.

ALTERNATIVES:

- 1. Request Board approval of an annual contract with automatic renewal options for four (4) additional one (1) year terms to provide Professional Logistics Response and Support Services for Chatham County Emergency Management Agency (CEMA) with SWS Environmental Services, of Panama City Beach, FL, to provide a full range of logistical and staff support during a hurricane or other disaster requiring staff augmentation.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve services to the low responsive bidder.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM E

ISSUE: Request Board approval of Change Order No. 4 in the *deductive* amount of \$55 per month, to the annual contract with Republic Waste Services of Savannah, to discontinue service at the "old" jail located at 145 Montgomery Street.

BACKGROUND: On July 8, 2011, the Board approved an annual contract for container trash collection service with Republic Waste Services of Savannah.

FACTS AND FINDINGS:

1. The "old" jail location is no longer being occupied by the Court Services Division of the Sheriff's Department and they have requested trash collection service be discontinued.
2. The discontinuation of the 4 yard container and service will result in an annual reduction of \$600 to the contract.
3. Contract history:

Original Contract Amount (07-08-11)	\$58,848/Year
Change Order No. 1 (9-23-11)	\$ 3,588/Year
Change Order No. 2 (10-7-11)	\$(4,572)/Year
Change Order No. 3 (01-13-12)	\$ (600)/Year
Change Order No. 4 (Pending)	\$ (600)/Year
Revised Contract	\$56,664/Year

FUNDING: No funding data required

ALTERNATIVES:

1. Board approval of Change Order No. 4 in the *deductive* amount of \$55 per month, to the annual contract with Republic Waste Services of Savannah, to discontinue service at the "old" jail located at 145 Montgomery Street.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM F

ISSUE: Request Board approval of a \$78,384 twelve (12) month lease from T&H Realty Holdings, LLP., for 4,899 square feet of space at 30 Park of Commerce Way. The office space is needed for the temporary relocation of the Sheriff's Administrative and Command Staff during the renovation of their offices.

BACKGROUND: As part of the Detention Center Expansion, certain offices needed to be relocated on a temporary basis to allow for renovation of the current space. The Board previously approved the lease of two properties at 41 Park of Commerce Way. Staff was unable to secure the lease on one of the properties due to the property being in foreclosure.

FACTS AND FINDINGS:

1. The Sheriff's Department Administrative and Command Staff offices are being renovated as part of the Detention Center Expansion Project.
2. The property leases for \$6,532.00 per month, or \$78,384 for twelve (12) months. Its close proximity to the Detention Center for both staff and the public makes this property ideal, and its lease rate of \$16 per square foot fair and reasonable.
3. The lease will begin May 1, 2012 for one (1) year with an option to renew at the same rate for an additional six (6) months.

FUNDING: CIP - Detention Center
(3803355 - 52.23101 - 38060407)

ALTERNATIVES:

1. Board approval of a \$78,384 twelve (12) month lease from T&H Realty Holdings, LLP., for 4,899 square feet of space at 30 Park of Commerce Way. The office space is needed for the temporary relocation of the Sheriff's Administrative and Command Staff during the renovation of their offices.
2. Provide staff other direction.

POLICY ANALYSIS: Notwithstanding the legal authority for the Board to enter into lease agreements, a practical consideration for temporary offices for the Sheriff's Administrative and Command Staff is in close proximity to their current offices.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
LYNN STENNETT

ITEM G

ISSUE: Request Board approval of Change Order No. 2 in the amount of \$33,221 and adding two (2) days to the contract with Pope Construction Company for construction of the new Public Works and Park Services Facility.

BACKGROUND: On April 29, 2011, the Board awarded a contract with Pope Construction Company for construction of the new Public Works and Park Services Facility in the amount of \$4,082,000.

FACTS AND FINDINGS:

1. Construction is progressing extremely well. Anticipated substantial completion is mid August this year.
2. There are seven (7) components of proposed Change Order No. 2 that include the following:
 - a. Modify sidewalk, add curb and ramp: Plans were modified to improve the safety of pedestrian and wheel chair movements from the vehicle loading area into the facility.
 - b. Undercut footings at Maintenance Buildings: Footings had to be undercut and backfilled with stone to meet the structural loading requirements per the testing firm because the existing undisturbed soil could not sustain the loads.
 - c. Add communication stubs into each building per I.C.S.
 - d. Modify light fixtures (energy savings).
 - e. Site drainage at modification from Memorial Stadium around the maintenance buildings: There was an error in the original site design plans. Thomas & Hutton Engineering will reimburse the County \$4,467 for the plan error.
 - f. Additional outlets, boxes and conduit per I.C.S.
 - g. Keyless entry at exterior doors: A keyless entry system will give Management Staff the flexibility of changing entry codes without changing locks and keys and without compromising the security of the facility. The County's design consultant, Barnard and Associates, has reviewed and agrees to this change order.
3. Change Order No. 2 is a net increase to the contract amount of \$33,221 and an additional two (2) days to the contract. Contract history is as follows:

Original Contract (4/29/11)	\$4,082,000
Change Order #1 (10/7/11)	\$85,455
Change Order #2 (pending)	<u>\$33,221</u>
Revised Contract Amount	\$4,200,676

FUNDING: SPLOST (2003-2008) – Public Works and Park Services Facility
(3234980 – 54.13011 – 32360437)

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

ALTERNATIVES:

1. Board approve Change Order No. 2 in the amount of \$33,221 and adding two (2) days to the contract with Pope Construction Company for construction of the new Public Works and Park Services Facility.
2. Provide staff other direction.

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM H

ISSUE: Request Board approval for a \$27,885 sole source purchase from Hi-Tech Accessory, Inc., to upgrade the Hecon printing system for the Clerk of Superior Court.

BACKGROUND: In August 2000, the Clerk of Superior Court implemented Hi-Tech Accessory, Inc., software that allows the public to print copies of land and court records held in the Clerk's virtual library without the help of staff.

FACTS AND FINDINGS:

1. Hi-Tech Accessory, Inc., developed a software upgrade that eliminated much of the hardware needed by the previous version. The software is now a server based application. Hi-Tech is the sole source for

this software.

2. The company's specialized technology is used by the courts to allow customers to use copiers, and printers and pay for the copies being made.
3. This application saves numerous manpower hours, eliminating the need for staff to make copies for customers and allows the Clerk of Superior Court to collect the .50 cents per page per copy required by Georgia law.
4. The current software is more than a decade old and is in need of an upgrade.
5. The Clerk of Superior Court believes the total cost of \$27,885 to be fair and reasonable.

FUNDING: General Fund/M & O - Superior Court
(1002180 - 53.17009)

ALTERNATIVE:

1. Board approval for a \$27,885 sole source purchase from Hi-Tech Accessory, Inc., to upgrade the Hecon printing system for the Clerk of Superior Court.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary equipment for job functions.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM I

ISSUE: Request Board approval to award an annual contract, with automatic renewal options for four (4) additional one (1) year terms, in the amount of \$13,749, to Florida Spectrum Environmental Services, Inc., to provide specialized water and sewer sampling analysis for Water and Sewer.

BACKGROUND: The County is responsible for performing yearly samples for water quality. The County currently manages 14 water systems in various unincorporated areas. Those water systems provide water to a population of 5,000. For the last five (5) years Chatham County has contracted with a company to perform a portion of its sampling and lab analysis.

FACTS AND FINDINGS:

1. Chatham County has a requirement to perform yearly samples on its Environmental Protection Division (EPD) permitted drinking water sites and waste water treatment facilities.
2. Chatham County utilizes EPD for a number of the tests, but the tests that Florida Spectrum Environmental Services Inc., will perform require immediate testing after samples are collected, and the EPD lab does not have the staff to collect samples nor the lab to perform immediate testing.
3. The bid was properly advertised and one (1) bid was received and opened on February 23, 2012. The bid is as follows:

Florida Spectrum Environmental Services, Inc. \$13,749/year
Savannah, GA
4. Staff reviewed the bid submitted by Florida Spectrum Environmental Services, Inc. and believes the bid is fair and reasonable.

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

ALTERNATIVES:

1. Board approval to award an annual contract, with renewal options for four (4) additional one (1) year terms, in the amount of \$13,749, to Florida Spectrum Environmental Services, Inc. to provide specialized water and sewer sampling analysis for Water and Sewer.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM J

ISSUE: Request Board approval of Change Order No. 5 in the amount of \$3,475 to the construction contract with D.L. Moore Pinnacle, LLC, for the Tatenville Community Center Expansion for the completion of project punch-list items mandated by City of Savannah ordinance.

BACKGROUND: On November 19, 2010, the Board approved a construction contract with D.L. Moore Pinnacle, LLC for the construction of the Tatemville Community Center Expansion project. This work includes a new building addition to include a multi-purpose room and support spaces. The addition is connected to the existing building. It is a metal pre-engineered steel building with a shingle roof, vinyl composition tile flooring and ceramic tile floor.

FACTS AND FINDINGS:

1. During the punch-list phase of the project, the City of Savannah staff conducted a final inspection of the site and identified city ordinance violations that were not identified on the project bid documents.
2. The new sidewalk adjacent to the parking lot extension must be re-poured to meet the City of Savannah slope percentage requirements for handicapped accessibility.
3. The new drainage outlet from the parking lot extension into the existing pond requires a “flap gate” to eliminate the possibility of backflow.
4. Staff finds the price submitted by D.L. Moore/Pinnacle, LLC for these required changes to be fair and reasonable.
5. Contract history:

Original Contract (11-19-10)	\$474,000
Change Order #1 (2-11-11)	\$34,561
Change Order #2 (3-11-11)	\$65,688
Change Order #3 (6-10-11)	(\$12,641)
Change Order #4 (12-16-11)	\$11,276
Change Order #5 (pending)	<u>\$3,475</u>
Revised contract amount	\$576,359

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

ALTERNATIVES:

1. Board approval of Change Order No. 5 in the amount of \$3,475 to the construction contract with D.L. Moore Pinnacle, LLC, for the Tatemville Community Center Expansion for the completion of project punch-list items mandated by City of Savannah ordinance.
2. Provide staff with other direction.

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

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM K

ISSUE: Request Board approval of a \$136,009 software license agreement from the State of Georgia contract, from Dell Marketing, L.P. for I.C.S.

BACKGROUND: The County is converting from NetWare servers to Windows server for better job productivity. This Enterprise Agreement with Microsoft Corporation through Dell Marketing, for licensing of software, will be used on each Chatham County workstation. These licenses are required to run various software applications throughout the Chatham County network.

FACTS AND FINDINGS:

1. State Purchasing awarded this contract through a competitive process based on requirements and specifications of the Georgia Technology Authority.
2. The Enterprise Agreement provides software upgrades and software support for Windows, Exchange, SharePoint, and SMS servers during the life of the agreement.
3. Staff believes the State of Georgia contract pricing of \$136,009 is fair and reasonable.

FUNDING: ICS Computer Replacement
(6501535 – 53.11010)

ALTERNATIVES:

1. Board approval of a \$136,009 software license agreement from the State of Georgia contract, from Dell Marketing, L.P. for I.C.S.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary software licenses to increase job productivity.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM L

ISSUE: Request Board approval of a \$21,351 sole source purchase for fingerprint scanners from Data Works Plus for the Sheriff's Department.

BACKGROUND: The Sheriff's Department was awarded a Homeland Security grant through the Georgia Bureau of Investigation to enhance local security through connection to the state's Mobile Biometric Fingerprint Identification (RapidID) System.

FACTS AND FINDINGS:

1. The Data Works Plus Inmate Tracking system is compatible with biometric scanners, such as single-finger, dual-finger, or 10-print scanners. This option streamlines headcounts while reducing the possibility of misidentification. Biometric scanning is becoming the preferred method to track inmates since it ensures that the person is correctly identified and does not depend on the inmate wearing a wristband or ID card.
2. All pertinent data concerning individual inmates can be associated with their fingerprints in the same manner that data is associated with barcodes on wristbands in other configurations of the Inmate Tracking System. At booking, an inmate's fingerprints are captured and stored with their records. Fingerprint scanners can then be used to scan inmates' fingerprints at various locations throughout the facility.
3. Data Works Plus is the vendor required by the grant. Staff believes the pricing of \$21,351 to be fair and reasonable.

FUNDING: Multiple Grant Fund – Sheriff's Department
(2503300 - 54.25001 – 25024212)

ALTERNATIVES:

1. Board approval of a \$21,351 sole source purchase for fingerprint scanners from Data Works Plus for the Sheriff's Department.
2. Board disapproves purchase and funds will be returned to the GBI/ GEMA/ HS.
3. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve purchases for law enforcement equipment.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
LYNN STENNETT

ITEM M

ISSUE: Request Board approval to award a sole source agreement in the amount of \$26,208 with Brewer Technology Solutions, Inc., of Brunswick, GA for fire alarm system testing, certification and annual maintenance for the Detention Center.

BACKGROUND: Brewer Technology Solutions, Inc. installed the current system and has provided testing and maintenance since 2006. Previous contractors were unable to maintain the system at a satisfactory level.

FACTS AND FINDINGS:

1. The yearly state inspection on the fire alarm systems is now due. The yearly inspection will satisfy the State Fire Code requirements, as well as the American Correctional Association Standard.
2. Brewer Technology Solutions, Inc. is the regional licensed service provider for Gamewell Fire Alarm Systems (proprietary software).

FUNDING: General Fund/M & O - Sheriff's Department
(1003326 - 52.22001)

ALTERNATIVES:

1. Board approval to award a sole source agreement in the amount of \$26,208 with Brewer Technology Solutions, Inc., of Brunswick, GA for fire alarm system testing, certification and annual maintenance for the Detention Center.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve contracts necessary to meet life safety requirements.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM N

ISSUE: Request Board approval of a \$15,725 purchase of Cisco network equipment from Entre Solutions, a local MBE firm, for the I.C.S. Department.

BACKGROUND: The entire County network operates on a Cisco Network and this equipment is essential to ensure functioning network operations.

FACTS AND FINDINGS:

1. Request for Quotes was advertised and four (4) quotes were received on April 02, 2012. The quote responses are as follows:

*	Entre Solutions Savannah, Ga	\$15,725
	Diversified Computer Solutions, Inc. Atlanta, GA	\$15,747
**	Adcap Network Systems Alpharetta, GA	\$16,611
*	Quality Communications, Inc Savannah, GA	\$16,708
**	WBE Firm	
*	MBE Firm	

2. Staff believes the total cost of \$15,725 to be fair and reasonable.

FUNDING: CIP - Detention Expansion Project
(3803355 - 54.25001 - 38060407)

ALTERNATIVES:

1. Board approval of a \$15,725 purchase of Cisco network equipment from Entre Solutions, a local MBE firm, for the I.C.S. Department.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM O

ISSUE: Request Board confirmation of an emergency purchase order with Doray Builders, Inc. not to exceed \$163,000 for the costs involved in moving and setting up buildings received through the Marine Corps Air Station (MCAS) Beaufort, for the Chatham County Sheriff's Complex.

BACKGROUND: Chatham County has been awarded surplus portable buildings from the Marine Corp Air Station, Beaufort, SC. These buildings were awarded free of charge and no funds are needed to purchase the buildings, however, there are associated costs involved with moving the buildings, providing temporary storage, fees for the setup of the buildings and fees to provide power and utility hookups. These buildings will be used during the jail expansion project as records storage and temporary offices for some of the displaced employees.

FACTS AND FINDINGS:

1. The Sheriff's Department has requested that the County contract with Doray Builders, Inc. to transport the buildings and oversee the set up at the site.
2. Doray Builders was the initial vendor for disassembly at the Marine Base and their knowledge of the building is crucial to the proper transport and set up of the buildings.
3. The emergency purchase order was necessary to expedite the relocation and set up of the buildings.

FUNDING: SPLOST (2008 - 2014) - Detention Center
(3803355 - 54.13009 - 38060407)

ALTERNATIVES:

1. Board confirmation of an emergency purchase order with Doray Builders, Inc. not to exceed \$163,000 for the costs involved in moving and setting up buildings received through the Marine Corps Air Station (MCAS) Beaufort, for the Chatham County Sheriff's Complex.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
LYNN STENNET

ITEM P

ISSUE: Request Board approval of the \$24,966 purchase of 76 Voice over Internet Protocol (VOIP) phones with associated licenses from Mitel/Integrated Network Solutions. The pricing is from the General Services Administration (GSA) schedule.

BACKGROUND: As part of the Detention Center Expansion, new phones are needed to accommodate increased staff and operational needs.

FACTS AND FINDINGS:

1. Staff has tested the Mitel VOIP phones and found them to be beneficial for County needs. This procurement will provide new phones for the Detention Center Expansion which will run over the same wiring as the data system. These phones will make computer phone integration and collaboration applications available resulting in increased productivity.
2. The VOIP phones will also save money on the building renovation project by drastically reducing necessary new wiring.
3. The Mitel phones from Mitel/Integrated Network Solutions, Savannah, GA, are available to the County using the GSA schedule which guarantees most favorable pricing.

FUNDING: CIP - Detention Center
(3803355 - 54.25001 - 38060407)

ALTERNATIVES:

1. Board approval of the \$24,966 purchase of 76 Voice over Internet Protocol (VOIP) phones with associated licenses from Mitel/Integrated Network Solutions. The pricing is from the General Services Administration (GSA) schedule.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
LYNN STENNETT

I.C.S. APPROVAL _____
LEWIS LEONARD

ITEM Q

ISSUE: Request Board approval for a construction contract with A.D. Williams Construction, in the amount of \$102,693 to provide foundation and site work for the portable buildings received from the Marine Corps Air Station (MCAS), Beaufort.

BACKGROUND: Chatham County has been awarded surplus portable buildings from the Marine Corp Air Station, Beaufort, SC. These buildings are being supplied free of charge, however, there are associated costs involved with moving the buildings, providing temporary storage, fees for the setup of the buildings and fees to provide power and utility hookups. These buildings will be used during the jail expansion project as records storage and offices for displaced employees.

FACTS AND FINDINGS:

1. The following bids were received for the necessary foundation, grading, storm drainage and footings for the buildings. The bidders were as follows:

ADRS, D/B/A ABC Crushing, Savannah	\$100,550
A.D. Williams Construction, Savannah	\$102,693
Ricky Jeffcoat Construction, Savannah	\$116,745
SCWC Enterprises D/B/A Phillips Paving, Pooler	\$120,778

2. The lowest bidder, ADRS D/B/A ABC Crushing is not recommended for award because they are unable to provide the performance and payment required for public works construction projects.
3. A.D. Williams Construction meets all of the requirements of the bid and has performed satisfactory work for Chatham County in the past.

FUNDING: SPLOST (2008 - 2014) - Detention Center
(3803355 - 54.13009 - 38060407)

ALTERNATIVES:

1. Board approval for a construction contract with A.D. Williams Construction in the amount of \$102,693, to provide foundation and site work for the portable buildings received from the Marine Corps Air Station (MCAS), Beaufort.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
LYNN STENNETT

ITEM R

ISSUE: Request Board approval to purchase a large-capacity, commercial washing machine from Dixie Laundry Systems in the amount of \$11,028 for the Animal Control Facility.

BACKGROUND: Chatham County opened the new Animal Control Facility in July 2011. The project includes three (3) energy-efficient, commercial washing machines; however, because of the number of towels and sheets washed and dried on site, a larger capacity, commercial-grade washing machine would increase efficiency.

FACTS AND FINDINGS:

1. A larger capacity, commercial-grade washing machine would increase efficiency due to the demand for towels and sheets in the daily operations of the Animal Control Facility. Equipment on site also saves the cost of contracting for laundry services.
2. Staff reviewed each of the proposed washing machines for capacity, energy-efficiency, and water consumption. The amount of wastewater becomes an important consideration because of the size of the existing sanitary line. Staff reviewed the following bids:

Dixie Laundry Systems Ridgeland, SC	\$11,028 (SCN 60 lb capacity, frame, freight, install)
Pellerin Machinery Kenner, LA	\$5,509 (Milnor 35 lb capacity, frame, freight, install)
Direct Machinery Hicksville, NY	\$7,707 (Milnor 30 lb capacity, frame, freight, install)
Tri-State Waycross, GA	\$5,507 (Milnor 35 lb capacity, frame, freight, install)
3. While most expensive, the 60 lb capacity washer provided by Dixie Laundry Systems best meets requirements. While the other vendors can provide multiple units to double capacity, wastewater handling through the sanitary line becomes a limiting factor.
4. Staff checked references performance of the washing machine offered Dixie Laundry Systems. Based on its use by commercial laundry companies in this area, it came highly recommended.
5. The existing washing machines will be used in other County services or sold as surplus property.

FUNDING: 2005 DSA Series Bond - Animal Control Shelter
(3703910 - 54.13011 - 37032297)

ALTERNATIVES:

1. Board approval to purchase a large-capacity, commercial washing machine from Dixie Laundry in the amount of \$11,028 for the Animal Control Shelter.
2. Board reject all bids and direct staff to advertise for bids.
3. Board take no action.

POLICY ANALYSIS: The Chatham County Purchasing Ordinance and Procedures Manual requires Board approval for award of all contracts.

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
LYNN STENNETT

ITEM S

ISSUE: Request Board approval of a sole source contract for environmental consulting services for amounts not to exceed \$100,000 each with Sligh Environmental Consultants and Resource + Land Consultants for a period of two (2) years.

BACKGROUND: Almost every County project has environmental impacts that require out-sourcing of consulting services to comply with Federal or State permitting requirements. The County routinely requires the services of environmental consultants for a variety of projects, including but not limited to road and drainage projects, wetland and salt marsh mitigation bank planning and monitoring, right of way and property acquisition, real estate biological assessments, and utility installation.

FACTS AND FINDINGS:

1. Sligh Environmental Consultants (Sligh) and Resource + Land Consultants (RLC) are local consultants and are the "environmental consultants of record" on numerous County projects either by way of being a subcontractor to an engineering firm under contract with the County or by way of procurement actions directly with the County.
2. The scope of services will include, but is not limited to:
 - a. Clean Water Act (CWA), Sec. 404 Wetlands: Preliminary Wetland Assessments, Freshwater Wetland Delineations and Verifications, Permitting, Wetlands Mitigation Planning, Implementation and Monitoring, CWA Violation Resolution, Hydrogeomorphic (HGM) Assessments.
 - b. Salt Water Wetlands (River and Harbor Act, Section 10): Marshline Delineations and Verifications, Coastal Marshlands Protection Act Permitting, Section 10 Permitting, Coastal Marshlands Act Violation Resolution.
 - c. Wetland & Stream Mitigation Banking: Alternative Mitigation Site Assessment, Development of Banking Instruments, Mitigation Bank Management and Monitoring.
 - d. Endangered Species Act (ESA): Threatened and Endangered Species Surveys and Assessments, Wildlife Management Planning, Biological Assessments, Environmental Assessments, ESA Section 7 Consultation, Safe Harbor Agreements.
 - e. Other Federal, State, & Local Regulatory Programs: U.S. Coast Guard Bridge Permitting, National Environmental Policy Act (NEPA) Studies, Shore Protection Act Permitting, Georgia Environmental Policy Act (GEPA) Studies, Natural Area Assessments, State Water Buffer Variance Permitting, State Water Buffer Violation Resolution.
 - f. GIS Mapping & Analysis: Aerial Photography Interpretation, GPS Mapping.
3. To maintain continuity and for reasons of cost, State law allows contracting with the professional engineering firm used for previous studies and plans without further competitive process when those existing studies and plans can be reused.
4. Sligh and RLC were selected for these contracts based on their prior work on County projects and their GDOT pre-qualifications. As noted above, they are already the "environmental consultant of record" on many County projects. Staff routinely relies on them for follow up actions on past projects, in preparing for new projects, and on enforcement issues and legal matters. Notable projects include, but are not limited to, the wetlands mitigation bank, the Salt Creek salt marsh mitigation site, SPLOST road and drainage capital improvement projects. All factors considered, both are highly qualified local consultants that are responsive to providing these services and the County stands to save by taking advantage of their previous work.

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

ALTERNATIVES:

1. Board approval of a sole source contract for environmental consulting services for amounts not to exceed \$100,000 each with Sligh Environmental Consultants and Resource + Land Consultants for a period of two (2) years.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approval all contracts.

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____

ESTELLE BROWN

ITEM T

ISSUE: Request Board approval of a sole source contract for consulting services with Thomas & Hutton in the amount of \$22,500 for the design and construction oversight of the security perimeter fence for the Hunter Army Airfield (HAAF) Emergency Operations Center (EOC).

BACKGROUND: In March of 2009, the Commission authorized the CEMA Director to negotiate with the HAAF Commander to request the allocation of space for the construction of a Chatham County multi-purpose EOC. In March of 2012, the Commander of HAAF issued a letter of concurrence with the County's request contingent upon the Department of the Army approval and execution of a memorandum of agreement outlining operational

parameters and responsibilities.

FACTS AND FINDINGS:

1. On February 25, 2011, the Board approved CEMA's receipt of two Department of Homeland Security grants to be used for the design and initial construction phases of a hardened Emergency Operations Center to be located on Hunter Army Airfield. One of the two grants is for the purchase and installation of security perimeter fence, intrusion detection countermeasures and electronic access control systems. The other grant is for site preparation and pre-construction activities such as environmental assessment, topographical survey, geotechnical survey, ALTA survey, architectural and engineering fees, energy modeling, permitting, etc.
2. Thomas and Hutton were selected for the consulting services based on their having an existing Task Order contract with the County.
3. Staff has reviewed the proposal submitted by Thomas and Hutton and believes the amount of \$22,500 to be fair and reasonable.

ALTERNATIVES:

1. Board approval of a sole source contract for consulting services with Thomas & Hutton in the amount of \$22,500 for the design and construction oversight of the security perimeter fence for the Hunter Army Airfield (HAAF) Emergency Operations Center (EOC).
2. Provide staff other direction.

FUNDING: MFG - Homeland Security
(2503920 - 52.39001 - 25024272), (25030920 - 52.39001 - 25024252)

POLICY ANALYSIS: It has been the policy of the Board of Commissioners to support the construction of a multi-purpose, joint use EOC that is capable of withstanding Category five (5) hurricane force winds and storm surge. The EOC has the firm endorsement of the Commander HAAF, the Garrison Commander Ft. Stewart, the State Director of Emergency Management and Homeland Security and all local public safety Federal agencies.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
LYNN STENNETT

PREPARED BY _____
PURCHASING AGENT

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XI. FIRST READINGS

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

1. AMENDMENTS TO THE NO SMOKING ORDINANCE.

Chairman Liakakis said, okay. We have no items now on first or second readings.

County Manager Abolt said, yes, you do, sir. First reading. Smoking Ordinance Amendments.

Chairman Liakakis said, oh yeah. We have under that – of course there's no action on it, item 1, amendments to the No Smoking Ordinance. And of course there's no action today. Just repeat that.

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XII. SECOND READINGS

Chairman Liakakis said, and there's absolutely nothing on second readings.

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XIII. INFORMATION ITEMS

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

ACTION OF THE BOARD:

A status report was attached as information.

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2. LIST OF PURCHASING ITEMS BETWEEN \$2,500 AND \$9,999 (See Attached.)**AGENDA ITEM: XIII-2****AGENDA DATE: April 13, 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>
440 tons of aggregate rock for wetlands mitigation bank	Engineering	Aggregates USA, LLC.	\$9,680	SPLOST (2003-2008) - Coastal Georgia Greenway
Asbestos and lead based paint sampling for courthouse construction	Special Projects	Arrowood Environmental Group, Inc.	\$2,866	SPLOST (2008-2014) - Courthouse Construction
Two person workstation for the Records Center	Administrative Services	VIP Printing and Office Supply (WBE)	\$4,680	General Fund/M&O - Administrative Services
Install new boiler	Detention Center	Consolidated Plumbing Services, Inc.	\$5,500	General Fund/M&O - Detention Center
Four (4) desktop computers with monitors	I.C.S.	Dell Marketing, L.P.	\$3,734	I.C.S. Computer Replacement
Aluminum siding storage building for K-9 Unit	Sheriff	Coastal Buildings and Trailer Sales	\$5,000	General Fund/M&O - Sheriff
Pressure washing of Memorial Stadium seating area	Public Works and Park Services	USI Environmental, Inc.	\$8,530	CIP - Public Works
Tax sale advertisements for March	Tax Commissioner	Morris Publishing Group/Savannah Morning News	\$9,130	General Fund/M&O - Tax Commissioner
Repairs to drain field at L. Scott Stell Community Park	Public Works and Park Services	Consolidated Mechanical Contracting Inc.	\$4,100	General Fund/M&O - Park Services
Transmission replacement on dump truck Unit 294	Fleet Operations	W. W. Williams	\$3,726	General Fund/M&O - Fleet Operations
Replacement of computer module box on excavator Unit 82	Fleet Operations	ASC Construction Equipment USA, Inc.	\$3,476	General Fund/M&O - Fleet Operations
Smart board projector with virtual training board for Sheriff's Department	I.C.S.	GHA Technologies, Inc.	\$6,698	General Fund/M&O - Sheriff
Six (6) laptops for Voter Registration	I.C.S.	Dell Marketing, L.P.	\$9,892	General Fund/M&O - Voter Registration
Absentee/provisional / test ballots	Board of Elections	Printelect	\$5,738	General Fund/M&O - Board of Elections
32 card readers	Tax Commissioner	POS World, Inc.	\$2,880	General Fund/M&O - Tax Commissioner
Mailing of April tag renewals	Tax Commissioner	World Marketing	\$4,735	General Fund/M&O - Tax Commissioner
Mail meter rental	Tax Commissioner	Pitney Bowes Credit Corp.	\$2,586	General Fund/M&O - Tax Commissioner
Repairs to rear loader packer body of trash truck Unit 207	Fleet Operations	Griffin Truck and Equipment Inc.	\$3,380	General Fund/M&O - Fleet Operations
Annual maintenance for developer software	I.C.S.	Telerik Inc.	\$2,758	General Fund/M&O - I.C.S.
Replacement of fuel tank monitor at Mosquito Control	Fleet Operations	Meco Inc.	\$4,622	General Fund/M&O - Fuel Management Program
One (1) computer and two (2) monitors	I.C.S.	Dell Marketing, L.P.	\$2,738	SSD-Engineering

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
900 linear feet of pavement markings	Public Works and Park Services	Flint Trading, Inc.	\$3,666	SSD-Public Works
Seven (7) radio read water meters and kits	Public Works and Park Services	Delta Municipal Supply Company	\$2,720	Water and Sewer

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PERSONAL PRIVILEGE – COMMISSIONER FARRELL

Chairman Liakakis said, so anyway – do we have anything for the – go ahead.

County Manager Abolt said, exec session.

Commissioner Farrell said, I would like to compliment staff for taking the appropriate, much needed action to pressure wash Memorial Stadium. I believe that is a county-wide jewel that has a dirty face, and it – it needs some sprucing up. I think it could be a shiny jewel again, and this is a great first step. I'd also like to compliment staff on the great job they did on the locker room and bathroom restoration and the fresh paint. Excellent. If we could get some more fresh paint on some of the other areas, including the light poles, before football season, I believe it's – it's really the centerpiece of our high school football season. And – and it's effected by tens of thousands of visitors, and that we should put our best foot forward and continue to do so.

County Manager Abolt said, very kind of you to say. With your permission, Ladies and Gentlemen, William [Wright] here is although very quiet, always in the background, he managed that project for Mr. Lipsey, and we're all amazed at William's [Wright] talents and ability far beyond his job description. So.

Commissioner Shay said, thank you.

County Manager Abolt said, he did it.

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EXECUTIVE SESSION

Commissioner Shay said, Mr. Chairman, I'd like to make a motion that we go into executive session for the purposes of discussing litigation and personnel.

County Manager Abolt said, if I may, Mr. Chairman, only to make sure that it's properly announced in – in open meeting. At the end of that session it would be our intent if – if y'all have the time to have Members of the Board board two vans and we'll carry you out to the visitation center at the detention center. At that time you will be given the opportunity to cut the ribbon, and then those same vans will be carrying you around the construction site. So in effect, you're – the meeting will be adjourned but you'll be in still enough to constitute a quorum possibly. The reason we're asking you not to – not to take your private vehicle is we'd like to have you in the van so we can get you around the construction site safely.

Chairman Liakakis said, okay. And that's really important so as many as possible of the County Commissioners –

Commissioner Stone said, we've got to vote.

Chairman Liakakis said, – we would like for you to go if you could.

Commissioner Stone said, don't we have to vote?

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

ACTION OF THE BOARD:

Commissioner Shay moved to recess to executive session to discuss personnel and litigation. The motion carried unanimously. The Board recessed at approximately 11:45 a.m.

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ITEMS FROM EXECUTIVE SESSION

- 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 Shay 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. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

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2. CITY OF ROME V. HOTELS.COM

ACTION OF THE BOARD:

Commissioner Farrell moved to approve a Resolution regarding a partial settlement of the City of Rome v. Hotels.com, case. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

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3. APPOINTMENTS

Department of Family and Children’s Services

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the reappointment of Mr. Van Johnson to serve on the board of the Department of Family and Children Services which term expires December 31, 2014. Commissioner Shay seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

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Board of Assessors

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the reappointment of Ms. Natalie S. Von Loewenfeldt to serve on the Board of Assessors with her term to expire June 27, 2016. Commissioner Shay seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

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ADJOURNMENT

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 12:32 p.m.

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APPROVED: THIS _____ DAY OF APRIL, 2012.

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

JANICE E. BOCOOK, CLERK OF COMMISSION