

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, APRIL 27, 2012, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.**

**I. CALL TO ORDER**

Chairman Pete Liakakis called the meeting to order at 9:20 a.m. on Friday, April 27, 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 and members of the Commission and ladies and gentlemen. I'm going to ask Reverend Gwyn L. Hall, who is one of the co-pastors of Fairlawn Baptist Church to come up to give the invocation and while he's doing that, I want to ask that each and every one of us will keep in our prayers the passing of Mr. Otis Brock, one of our colleagues this week.

Pastor Gwyn Hall said, let us bow our heads.

Pastor Hall gave the invocation as follows:

Dear wise and loving Father, thank you on behalf of all who are gathered here today. Thank you for your many and abundant blessings. Thank you for life itself and for the measure of health we need to fulfill our calling, our sustenance and our friendship. Thank you for the ability to be involved in useful work and for the honor of bearing appropriate responsibilities. Thanks as well for the freedom to embrace you. I pray for our various levels of government today, our officials and in particular for this – this assembled County Commission and staff, and I'm asking that you would graciously grant them wisdom to govern amidst the conflicting interests and issues of our times, a sense for the welfare and true needs of our community, a keen thirst for justice and righteous [sic], confidence in what is going – what is good and fitting, the ability to work together in harmony even in – even when there is honest disagreement. Personal peace in their lives, our lives, and their tasks. I pray for the agenda set before them today. Please give an assurance of what will – what would please you and what will benefit those who live and work in our beloved Chatham County community. And Lord, before we close this prayer on today, we would pray for – we ask for – we pray for and remember the Brock family in their time of loss. We pray that you will be present with them now and grant them the comfort, consolation, the grace, the love and peace, which you alone can give them in their– in their time of sorrow. May your sweet coming – comforting spirit be with them in these moments as we memorial this our brother and family member, Otis Brock, III. In your most blessed name we pray. Amen.

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**III. PLEDGE OF ALLEGIANCE**

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

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

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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  
                               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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## V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

### 1. **UPDATE ON 8<sup>TH</sup> AIR FORCE HERITAGE CENTER BY HENRY HUGHEY.**

Chairman Liakakis said, okay, next on the agenda is an update on the 8<sup>th</sup> Air Force Heritage Center by Henry Hughey.

Mr. Henry Hughey said, Mr. Chairman and fellow Commissioners, and that's legal. I am a honorary member of the Chatham County Youth Commission. I made it three years ago. There's only one older than me, and that's Albert, he's 91. I wanted to come and bring you up to date and remind you how much we of the 8<sup>th</sup> Air Force owe you people. I can go back in years, April 21<sup>st</sup>, 1984, the Georgia Chapter was sworn in – the first officers and Board of Directors. I was asked to lead the pledge of allegiance and say a few words about the 8<sup>th</sup> Air Force. People don't make that mistake any more. I don't say a few words, a lot of words. I said that it's too early to do anything, but it is not too early to start thinking about an 8<sup>th</sup> Air Force museum. I'm not sure that everybody knows in the wars we are in now and the last seven years, we've had 5,000 men killed. In 2 ½ years, the 8<sup>th</sup> Air Force lost 26,000 men killed. Two and a half years. An additional 28,000 were literally blown out of the sky and became prisoners of war; 17,000 were wounded. Many of those men were my friends, and I got to know a lot of World War II heroes because I was part of that operation. But my doctors tell me that I've been at 30,000 feet a long time, and I'm losing altitude. So before I go I want to again thank the Commission because we drove this nation from California to Maine and Mexico to Canada looking for a place, and no one stepped forward but Chatham County. They came to us, Russ [Abolt] said there's a piece of ground out here, go look. And we said this is fantastic. You gave us the money to build it, and you paid it off. Our numbers are growing smaller. I can remember any monthly meeting, we meet once a month, the Georgia chapter, we'd have over 100 people. Now we're lucky if there are 20. We cannot thank you enough or often enough. But I want to make one thing perfectly clear about that museum. It's your museum too. It represents every man and woman who served, whether it was in the 8<sup>th</sup> Air Force or any other branch of the armed forces. We have the Tuskegee Airmen out there now. We have the Women in Aviation. A WAI taught me to fly, and that girl could turn an airplane every way but loose. And I thank all of you people again and again because without you it would never have happened.

Mr. Hughey said, on the – last Saturday, the 21<sup>st</sup> of this month, I called my pilot. That's all that's left, me and my pilot. And I said you know what you were doing 67 years ago? He said, no, what? I said you were busy flying your last mission of the war. So it's a anniversary date for me, April 21<sup>st</sup>. April 25<sup>th</sup>, the 8<sup>th</sup> Air Force flew it's last mission of the war, and next month, on Tuesday, May 8<sup>th</sup> – that's what this tie is, it's a VE tie, Victory in Europe. I wish you people would visit that museum on Tuesday, May the 8<sup>th</sup> to remind yourselves – now it's hard for people to remember things that didn't happen to them, and people don't have the same feeling that we who were in the 8<sup>th</sup> Air Force did. But we were there and we saw the carnage and the strife. Towns destroyed that you would not believe. And it never happened over here, thank God. We didn't see the destruction. I saw the railroad station at Warsaw, Poland, it was a pile of bricks for about a acre, about two feet high. Every building had pot marks from shell fragments. Pipes went up with tubs, no walls. A man would fight you for a 2 x 4 or a piece of tin to put over his wife or his children's head. Those are the kind of things that can never be allowed to pass from memory and hope that it never happens again. I'll be – I'll be all right. That's – I've reached the age where I think so much about this. I asked you to please support the – your – it's your museum too. You built it. Support it with your presence. Be there often. I went out there yesterday for the first time in 6 months. I didn't recognize it. They keep changing it so that you can't say I saw it last year because it won't be the same, and that's the secret. It always changes. Thank you again. Now I have some people that I brought with me. No bomber crew goes out without some proper escort. Colonel Ed Wexler, 165<sup>th</sup> Airlift Wing. He was the vice Commander. Frank, he flew the other airplane we had in the 8<sup>th</sup> Air Force, B-24s. But - but Frank – I'll tell this little story and then get down. My group went over in B-24s. And then they transitioned into B-17s. And one day the line chief said I wish we had those 24s back. I said, why? He said these 17s are killing us. You're coming back with two engines out, the tail shot away six feet off the wing, we've got to rebuild the dern thing. I said, well a B-24 comes back in that condition you've got to rebuild it. He said, you know, you guys who fly these things know less about them than anybody I know or you'd know a B-24 in that condition ain't coming back. [Applause.]

Chairman Liakakis said, all right. Priscilla [Thomas] and then Helen [Stone].

Commissioner Thomas said, thank you, Mr. Chairman. Mr. Hughey and others. Mr. Hughey?

Mr. Hughey said, yes?

Commissioner Thomas said, just want to say thank you so very much for your strong leadership. Because of your leadership we have been able to make a lot of progress. And I want to say today that I for one have certainly been utilizing the museum with the children, particularly the Summer Bonanza Youth in Action program, which we deal with approximately 200 children. It was the Summer Bonanza children who was visiting the museum at the time when it first opened up, and they went through it and they kept looking, and they say, well we don't see too many women, we don't see anyone of color, they just went on and on and on. At that time I decided that I would talk with whomever was in charge of the museum, and from those discussions, we were able to bring in the Tuskegee Institute exhibit, along with the – a local organization by the name of the Savannah –

County Manager Russ Abolt said, Links – Links.

Commissioner Thomas said, Links. The Savannah Chapter of the Links, who played a major role, invested funds, in addition to the County, and it is my desire to ask that we continue to reach out to the community, not only just to the Summer Bonanza program, which we hope that we will be playing a major role through the museum, but with other

youth groups as well. We want to make sure that the – the community that they're aware of an open door where they can utilize that facility. I have utilized it with helping my family, along with our family reunions, we have held our family reunion over there, and we have made a lot of trips there. So I encourage others to do likewise. Again, thank you so much for your leadership. We hope and trust that you will continue to be a part of us for as long as you live.

Mr. Hughey said, I thank you, Priscilla [Thomas]. You know I was taken down on the Riverfront before the World War II monument was opened, and Colonel Wexler was showing us – Albert and I, that big globe divided, world divided, and there was a good looking young lady standing there looking over the fence, and she was from California. I said, since you're here visiting, please do not leave the area until you have visited the 8<sup>th</sup> Air Force museum. She said, I am. I'm going out there tomorrow for a wedding. So I preach that wherever I go. I was talking to a group in Tupelo, Mississippi, and when I got through a lady said, Mr. Hughey you – you should have been a preacher. I said didn't you – weren't you told you just heard the 8<sup>th</sup> Air Force gospel preached by the right Reverend Henry Hughey. It's been a pleasure. And out there at that World War II monument – I meant to tell you this, Ed [Wexler] said look down there and you'll see a brick, it says Henry Hughey, 487 Bomber Group, placed there by Colonel Wexler.

Commissioner Thomas said, all right. Thank you. [Applause.]

Chairman Liakakis said, Helen [Stone]?

Commissioner Stone said, I would also like to concur with the remarks that have just been made, and Mr. Hughey what you all have done out there is phenomenal. Just also aside to let you all know that that facility out there is open to all of us in the public, as far as events. They have wonderful food. The Association of County Commissioners, who we have some representatives from here today, we used the facility for a district meeting, but most importantly, and I think you've said it very well, is that it is a symbol of what these men and women did for this country and having worked with the World War II monument, I became very familiar with the Mighty 8<sup>th</sup> and have been out there several times, and I can't tell you what an – I don't even think you can get truly through the museum in one day. You really need more than one day. And a lot of the folks out there are volunteers, and they have served this country, and they are just full of stories, meaningful stories that tie it all together. So I do – I would concur. Please go out, visit this museum, it is phenomenal. It is open for events, and we owe it to the men and women that served this country to go and to understand and learn what they went through so we could live the life that we live today. Thank you.

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## **CHATHAM COUNTY YOUTH COMMISSION**

Chairman Liakakis said, what I'd like to do right now is introduce two of our members of our Chatham County Youth Commission. And for information for some people that are not here because the vision that Priscilla Thomas had to starting the Youth Commission, we have the first County Youth Commissioner in the entire country. And because it's been so successful and all, many other areas of the country have come in, learned out it was set up, and they tried to put in their own Youth Commissions in these other parts of the country. And right now we have two members of our Youth Commissioner, Aigner Smith, who is representing Jenkins High School, and Harry Scott, who is representing Savannah Arts Academy. Glad to have both of you here. [Applause.]

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### **2. UPDATE AND INVITATION TO THE ReVISION ART AND ECO FESTIVAL BY DAVID NASH, ENVIRONMENTAL PROGRAM COORDINATOR AT PUBLIC WORKS AND PARK SERVICES.**

Chairman Liakakis said, next we have update and invitation to ReVISION Art and Eco Festival by David Nash, Environmental Program Coordinator at Public Works and Park Services.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, Commissioner Stone, Gentlemen, this is the last major event in County Government Month. David [Nash], under the direction of Robert Drewry has come up with something that is very unique. As you know, we are very much known as the greenest county, but now we are competing with SCAD from the standpoint of our ability to take part of that recycled stuff and turn it into art. David [Nash].

Mr. David Nash said, absolutely. I'm going to – I want to take this opportunity to kind of take us back to where we were three or four years ago. I'm going to start since we're kind of short on time and get this rolling for us.

[NOTE: Shows video presentation while speaking.]

Mr. Nash said, we – we had the old Mosquito Control facility which had been abandoned and not used for quite some time, and we've transformed it into a useable and I guess a useful education tool, and we are – we've got an art gallery there. We have our onsite recycling there, and so with that we're – we've – also – we've gotten several different festivals and events that we have carried on. But the one that we've got up – coming up this weekend is ReVISION Art and Eco Festival. We're going to have a Trash and Show, which is fashion made from trash. We've got – we have kids games; we have face painting; we have – one of the groups that is helping us out is Eco Tigers from Savannah State, which is a great group. If you guys haven't met them they're – they're an outstanding group of young students that are really interested in – in the environment. We – we've got an eco car show. We have some storm water educational moments. We're going to have some Caribbean food there. We have over 30 artists that'll be there showing their wears, and you can purchase them if you like. We also have demonstrations from each one of those artists. They'll have a – a table that will – they'll explain to the public what inspires them to do what they do. So hopefully that will – with the kids, that will inspire them to look at their materials that they could possibly throw away,

and it might be something different. For example, I've got a bracelet that we've made here at the center that's made out of pop tops, and it's – I think it's quite impressive, and – but we'll – we'll have several of those on – on site, and people can – we'll – we'll have a project with the kids where they'll learn how to make a different type of bracelet. It's a little bit simpler. And – but with that being said, I guess we can finish watching the little bit of the show that's left, and – but we're – it's – oh, oh, yeah, and I just had a reminder, we are also part of the Nike re-use a shoe program. We were selected as one of the very few facilities in this region to be a part of that. So please bring out your old sneakers. And I'll – I guess I'll tell you guys. I haven't told anybody else, but we were awarded the Coca Cola Keep America Beautiful recycling – recycle bin Grant. So we'll be getting some recycle bins to be able to put at some of our rec facilities, and – and as you guys know, we're also working on having a Keep Chatham Beautiful organization that will encompass all the communities within Chatham County. And – and I also invite you – we'll have a – Keep America Beautiful will be down May 21<sup>st</sup>, and if you'd like to sit in or at least meet the Board members that have stepped up to volunteer for that program, you're definitely welcome to – to, you know, stop in and say hello and meet them, or even stay for the entire training. That said. I'm done.

Chairman Liakakis said, David [Nash]?

Mr. Nash said, yes, sir?

Chairman Liakakis said, how about the date and time –

Mr. Nash said, oh, yes, sir. I'm sorry.

Chairman Liakakis said, – and all that. And the location.

Mr. Nash said, for the – the Art Eco Show – ReVISION, it's April 28<sup>th</sup>. It's from 10:00 to 3:00.

County Manager Abolt said, tomorrow.

Mr. Nash said, tomorrow. And we are – we're planning to have a really great turn out. We had some excellent community volunteers as far as helping us get the word out. SAV and Lamar Industries have – have volunteered a lot of time and money to help us with this.

Chairman Liakakis said, Patrick [Farrell]?

Commissioner Farrell said, you will be open for regular business tomorrow?

Mr. Nash said, yes, sir.

Commissioner Farrell said, could you refresh everyone's memory and tell us what products that we – that you'll be accepting for recycling not only tomorrow but on a daily basis. I believe you're open from –

Mr. Nash said, 8:30 to 5:00 Tuesday through Saturday.

Commissioner Farrell said, Tuesday through Saturday.

Mr. Nash said, and we take – let me see if I can remember everything. We take plastics, motor oil, glass, card board, cooking oil, eye glasses, rechargeable batteries, lead acid batteries, all electronics, down from an old phone to your computer servers, printers, all that type of material. And we also, if anybody has us on Facebook, we – you'll see that when people have things they don't know what to do with that are very interesting, we'll put them on Facebook and give them to artists so they can turn those into – and I've got some things on my phone but – but there is some incredibly brilliant people in this community that can turn unwanted items into beautiful things.

Commissioner Farrell said, you take aluminum and metal?

Mr. Nash said, oh yes, I'm sorry. Yes, aluminum, scrap metal. We even work with the Lyons Club – not Lyons – Optimists Club for old bicycles. And I think that's everything. I can't recall. Oh, plastic bags. We just started plastic bags.

Commissioner Farrell said, like grocery bags?

Mr. Nash said, grocery bags, yes, sir. So we are – and we're always looking for other opportunities. The carton company – group called, and we may be able to work out something where we can start taking cartons, like orange juice, and – and those types of cartons where there are wax paper.

Commissioner Farrell said, sounds like tomorrow's a good opportunity to kill two birds with one stone.

Mr. Nash said, absolutely.

Commissioner Farrell said, by bringing in all your stuff from home, and – and then seeing all the stuff that you're going to offer tomorrow in addition to your normal business cuisine.

Mr. Nash said, oh absolutely. Absolutely. And it's as the – as the Board knows, our staff is – routinely gets accolades from our – from their customers. I have the greatest staff that anybody can imagine, and I just wish you guys could be on the front line when the customer's come through because it's – it – you may see one every week or a month, but I get them car by car. It's – it's just incredible. The staff know the – the names and families and everything of our customers, so it's a great thing.

Commissioner Farrell said, well, I'll – I'll have to second that because I've heard many, many positive things from the people in this county that come out there and use that, and as I go through there in my blue jeans and a t-shirt, inconspicuously, I – I also receive that very same excellent service and an excellent attitude from the folks working those booths. So.

Mr. Nash said, thank you, sir.

Commissioner Farrell said, it is appreciated and it is noticed. Keep up the good work.

County Manager Abolt said, the Board – Board might remember just a few days ago I sent you a very nice note from Ms. Casey Ratterree just confirming that. So they – they have a whole fan club.

Mr. Nash said, yes.

Chairman Liakakis said, and what's so good, David [Nash] is, I think this is the only area that – that has this many recyclable items that you can take something to because like you talking about oil, used oil and the – the different computers, all those electronic gear, there's no other place from –

Mr. Nash said, oh, absolutely.

Chairman Liakakis said, – city or county that does that.

Mr. Nash said, absolutely. And the benefit – one – I guess the great thing is that none of this is any tax money. It's all the dollar ton funding out of the solid waste restricted budget. So that – that is – that also is an incredible.

Chairman Liakakis said, thank you very much, David [Nash.]

Mr. Nash said, thank you.

Chairman Liakakis said, we appreciate you and all of the workers that's doing that.

Mr. Nash said, thank you, sir.

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### **3. REMINDER FROM CEMA DIRECTOR SCOTT ON HURRICANE CONFERENCE AND THE EMERGENCY MANAGEMENT ASSOCIATION OF GEORGIA CONFERENCE.**

Chairman Liakakis said, next on the agenda we'll have a reminder from our Chatham Emergency Management Agency Director Scott on Hurricane Conference and the Emergency Management Association of Georgia Counties [sic]. Now to open that, Director Clayton Scott, he's going to be singing Stormy Weather, and so, go ahead Clayton [Scott].

Mr. Clayton Scott, CEMA Director said, sir, you were going to accompany on the ukulele now. You told me that. Mr. Chairman, Commissioners, I'd like to remind y'all that the – the hurricane conference we conduct each year will be conducted on the 1<sup>st</sup> of May at the convention center across the river. It will be from 8:00 to about 4:30 in the afternoon. We already have 350 people plus registered for the conference. We focus on not just Chatham County but on Coastal Georgia because we all face the same problems, and as we evacuate should we have to, we're going through the other counties. And the – the closer we can get together with them, the – the easier it will be for us all. The executive session for elected officials will be in Room 205, second floor. And it's the end of the floor that is closest to the auditorium. So – so that you don't park as far away from it as you can get. It will save you a little trouble. We will be – our – our conference will be followed on the 2<sup>nd</sup> through the 4<sup>th</sup> of May by the Emergency Management Association of Georgia Conference. And on the 14<sup>th</sup> through the 18<sup>th</sup> of May, the Georgia Emergency Management Agency will be hosting a hurricane exercise. Last year my office participated in 13 separate exercises. It drives us crazy. They're all good rehearsals; they're all good practice, but it – it takes away from where we need to focus our efforts in planning and preparing for an event. This year we've convinced them that they should do it in one major event with active duty military, the national guard, and all those state resources participating in one exercise. We're very pleased with that. We have – on the 14<sup>th</sup> of May we have a special needs evacuation exercise, and all these are real exercises, they're not table top. There's things that we'll actually go out and do. We have special needs evacuation exercise. Memorial and Candler Hospitals are both going through their internal procedures should an evacuation be required. And on the 15<sup>th</sup> of May, and y'all will get an invitation for this from me, we're conducting an evacuation assembly area and an evacuation drill over at the Civic Center. This is for residents that we have that don't have any transportation of their own, that have to rely on us for transportation. We hope to have as many as 200 volunteers; and it also involves pets. We have had pet evacuations as long as we have had this process in order, and it was – occurred back as far as Hurricane Floyd. We also included pets. The federal government based on what happened in Hurricane Katrina has now mandated that jurisdictions evacuate – have procedures for evacuating pets. But depending on who you talk to, the numbers range anywhere from 40 to 60% of our population has pets. We have to address that and we do. It's – it's a real big deal to us. That will occur at the same time.

Mr. Scott said, we have an aviation support operation center will be activated out at Mosquito Control that same day. On the 16<sup>th</sup> will be a joint information center evacuation – or joint information center drill, which is the public affairs folks within Chatham County. City and the County will be involved so that we – we distribute the same message to all our residents, not a convoluted effort where – where one TV station and one radio station is saying one thing, the others are saying the other. This gets us all on the same sheet of music. Been a very valuable effort for us. And finally, we'll have the planned section of the emergency operations center activated on the 16<sup>th</sup> as well. They're kind of a driving force behind the guidance that we're giving to – to the tactical elements that are on the ground. So, as I said, y'all will get a written invitation in the next few days for the – for the civic center exercise. I would encourage you to attend, and

please do come to the – the hurricane conference. I think you'll – you'll enjoy it. You'll learn something, and the executive session, we will go over what CEMA has done for the year and what y'all get for your dollar. I think you'll find it's - it's – you're getting a lot.

Commissioner Stone said, what time –

Mr. Scott said, yes ma'am?

Commissioner Stone said, what time does the executive session start?

Mr. Scott said, 10:00 o'clock. 10:00 o'clock.

Commissioner Stone said, 10:00 o'clock.

Commissioner Farrell said, what – what's the date again?

Mr. Scott said, 1<sup>st</sup> of May.

County Manager Abolt said, Tuesday.

Mr. Scott said, and again it will be in the area upstairs closest to the auditorium.

Chairman Liakakis said, and Clayton [Scott], you know, and a lot of people don't know but in this community but we have one of the best emergency agencies in the entire country, and we've had accolades coming to us about the training that has been done by our emergency agency staff, and your leadership has been outstanding, and we really appreciate that because not only do many of the emergency personnel in our area get that training but also have helped people in the region and now the State comes here to do their emergency hurricane operations also because of the knowledge and all of the training that has been provided for them. So we thank them very much and all of our citizens should be really proud of you and your staff and our agency for what they've done in the last number of years. Russ [Abolt]?

Mr. Scott said, we thank you. We can't do this without the support of the Commission, and y'all have never failed to give us anything but tremendous support.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, Commissioner Stone, Gentlemen, Commissioner Odell, I can't say enough about Clayton Scott. I've had the occasion to work with him in two capacities, one when he was assistant director and now as director. The man not only knows what he's doing but he understands the community. And when he – when he makes the invitation to you, if you can possibly participate, it will be time well spent. Certainly the exercise on the 15<sup>th</sup> of May. It's kind of like a disaster movie. And I've had occasion to listen to Clayton – Clayton [Scott] brief on this. This truly is seeing how we will handle a sea of people that are there because they have no other place to go. In some cases they may bring their pets, and they just have to get out of the County. And the issue is to create tests for our staff so it will fail, so we'll learn. But it is something to appreciate as a plan and as a – as a test versus the reality. If you could spend that time on the 15<sup>th</sup> there, just to observe what's going on, it will give you a brush with reality. And then the conference is well – well put together on the 1<sup>st</sup> of May, but all of this is possible because of you like Clayton [Scott] said, and because of the staff we have in CEMA. We're well served.

Commissioner Thomas said, Mr. Chairman? I too would like to echo my sentiments in thanking Mr. Scott. He has been just wonderful in helping us to inform and to work with our youth groups. He has held workshops with the Summer Bonanza children. Sometimes we forget that children are a vital part of these processes and stuff, so I want you to know that they are learning a lot about hurricane preparedness and other things, and without his assistance, we could not be successful in this particular project. So I just want you to know that we look forward to your continuous, you know, participation in helping our young people to understand what the needs are in times of trouble or whatever. Thank you.

Mr. Scott said, well we appreciate it. It's wonderful having somebody pull all these – these folks together for us, makes it a lot easier for us.

Commissioner Thomas said, thank you.

Mr. Scott said, thank you, sir.

Chairman Liakakis said, thank you very much, Clayton [Scott.]

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**3. PROCLAMATION TO DECLARE MAY 4-5, 2012, AS "RELAY FOR LIFE DAYS" (COMMISSIONER STONE). RELAY FOR LIFE COMMITTEE AND STAFF WILL BE ACCEPTING.**

Chairman Liakakis said, next on the agenda, proclamation to declare May the 4<sup>th</sup> through the 5<sup>th</sup>, 2012 as Relay for Life Days. Relay for Life committee and staff will be accepting this, if they'll come forth. And Commissioner Stone will be presenting the proclamation.

Commissioner Stone said, thank you, Mr. Chairman. It's an honor to present this proclamation.

Commissioner Stone read the proclamation as follows:


  
**The County of Chatham**  
**Georgia**  
**Proclamation**

**WHEREAS**, Relay For Life is the signature activity for the American Cancer Society and celebrates cancer survivors and care givers, remembers loved ones lost to the disease, and empowers individuals and communities to fight back against cancer; and

**WHEREAS**, money raised during Relay For Life of Chatham County supports the American Cancer Society's mission for saving lives and creating a world with less cancer and more birthdays – by helping people stay well, by helping people get well, by finding cures for cancer and by fighting back; and

**WHEREAS**, Relay For Life helped fund more than \$150 million in cancer research last year;

**NOW, THEREFORE**, I, Pete Liakakis, Chairman on behalf of the Chatham County Board of Commissioners, do hereby proclaim May 4-5, 2012 as:

**"RELAY FOR LIFE DAYS"**

in Chatham County and encourage citizens to participate in the Relay For Life event at Benedictine Military School on May 4-5, 2012.

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Pete Liakakis, Chairman  
Chatham County Commission

**ATTEST:**

\_\_\_\_\_  
Helen L. Stone, Chairman Pro Tem  
District 1

Commissioner Stone said, thank you. [Applause.]

Ms. Dale Carlson-BeBout said, thank you, Commissioner Stone. Thank you, Mr. Chairman and Commissioners. I'm Dale Carlson-BeBout the southeast regional director for the American Cancer Society. This spring we are conducting 30 relays for life in the southeast region with the goal of raising \$2.5 million for cancer – to fight it. We know that 1 in 2 men and 1 in 3 women will face a diagnosis, along with their families, and we really appreciate your support for the Chatham County Relay for Life. Mr. Clint Murphy is here from the committee. Volunteers are the backbone of what we do at the American Cancer Society, and he's going to reinforce the details about the Chatham County Relay for Life, so thank you very much.

Mr. Clint Murphy said, thank you. Our relay will be held Friday, May 4<sup>th</sup> at 7:00 p.m. to Saturday, May 5<sup>th</sup> at 7:00 a.m. at Benedictine Military School, at 6502 Seawright Drive and love for all of you to come out. We have invited all of the Commissioners and would love the audience and anybody who's a cancer survivor or a care giver, you're certainly invited to come and participate in the event. Thank you so much.

Chairman Liakakis said, Harry [Scott] – wait a minute, Harry [Scott] wants to ask a question or make a statement.

Youth Commissioner Harry Scott said, on the behalf of the Chatham County Youth Commission we would like to congratulate you for this new proclamation.

Mr. Murphy said, thank you.

Ms. Carlson-BeBout said, thank you very much.

Mr. Murphy said, thank you so much.

Chairman Liakakis said, okay, thank you.

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## VI. CHAIRMAN'S ITEMS

### 1. REQUEST FROM CHAMBER OF COMMERCE AND SAVANNAH TALL SHIPS TO ASSIST IN FUNDING THE CHALLENGE WEEKEND. SEE ATTACHED REQUEST FROM ORGANIZERS.

Chairman Liakakis said, next under Item 6, Chairman's Item, request from Chamber of Commerce and Savannah Tall Ships to assist in funding the Challenge Weekend. And the riverfront festival for the Tall Ships is May the 3<sup>rd</sup> through the 7<sup>th</sup>, and we have the members – that's your intro song.

Mr. Trip Tollison said, thank you.

Chairman Liakakis said, we have members of the committee here that's working on that and Trip Tollison who is the vice president for governmental affairs and all will give the presentation and with the others. Trip [Tollison]?

Mr. Tollison said, thank you very much, Mr. Chairman and members of the Commission. I want to thank you for allowing us to be here today. Also like to congratulate Commissioner Odell. We're very excited to have you on board and look forward to working with you. Want to thank the Manager as well for working with him on this project. We're here today because we have an extraordinary event coming next weekend to the – Savannah's water front. It's the Tall Ships Festival. We engaged numerous amount of sponsors, partners, you name it, it's a – it's a huge production, and we are here to simply ask for support from the Chatham County Commission. We were here last time in early October asking for support when it came to the Rock 'N' Roll Marathon, and of course y'all delivered, and we all saw the success related to that event. And this event will be on the – the same level. It costs a lot more to put on, but we're very excited about it, and I'm going to turn it over to the two co-chairs of the event, Mr. Mark Dana, who's with the Prince-Bush-Smith Hospitality Group, and Jack Bussert, who runs the River Street Inn on River Street. So, I'll turn it over to Mr. Dana. Thank you.

Mr. Mark Dana said, thank you, Trip [Tollison], and again thank you for allowing us to speak today. Thank you, Mr. Chairman, members of the Commission. Mr. County Manager I appreciate your time as well. There are a couple components that I want to talk about. You know, we talk about festivals, and it's a visitor attraction, but what I want to talk to you about today is the outreach to the underprivileged community, those who otherwise wouldn't have an opportunity to come to the festival and do some of the neat things that we're going to propose. In doing that, we have a short video, it's only – it's only 4 minutes. But we have a vessel down on the river right now called the Roseway, this is a training vessel. So some of the opportunities that I'm going to talk about after the video is about reaching out to our – our youth and getting them out there on sail training excursions, and – and these are life-changing opportunities because this is a, you know, 14 Tall Ships on the river hasn't happened in a long, long time. So – so with – with that, I'll go ahead and – and kick off the video so you can get a little bit of a perspective of the event.

[NOTE: Short video presentation was made.]

Mr. Dana said, the – the educational component – and we're proud and pleased to present on behalf of Dr. Thomas and Mayor Pro Tem, Savannah Mayor Pro Tem Van Johnson, reaching out to the – both the Youth Council and the Youth Commission to insure that they have an opportunity during the week next week to visit the Roseway and get some sail training opportunities. We've also reached out and have scheduled some sailing excursions, which are 2 ½ hour excursions through the festival. It's actually going to happen on Saturday from 11:30 until 2:30 where the – Peter Dolliber, we worked with him and the – the West Broad YMCA and the Boys and Girls Club are going to participate in that. We've reached out to local school children to do outings to the – the Roseway, go on board and – and – and listen to what they have to say. So you have the educational component to this. During the – during the actual festival we're going to have a Kids' Cove. And this is going to be open. It's – it's free to any – anybody who comes into the festival zone gets into that area. It's a children-oriented educational experience. There will be entertainment there, but NOAA will be there, Grey's Reef, so there will be an environmentally-oriented educational component. There are five countries represented in these Tall Ships. So it's going to be pretty exciting. We have the Dewaruci from Indonesia; we have two French vessels; we have Canadian; we have of course the – the Coast Guard Eagle's going to be here. So we have a – a neat international component to this festival. And the other thing that I wanted to mention that I think is – is not as important but – but as far as the return on this investment is years ago we were considered an unfriendly port to the tall ship community. Because of this festival, we are now becoming a very friendly port to these – to the Tall Ship community. So in the future we can see and we already have scheduled Tall Ships coming in throughout the year so this sail training component in dealing with our school children can go on and on and on. So the – the opportunities for years to come are out there because of our efforts through this one festival.

Chairman Liakakis said, this is a unique opportunity for our community where it's predicted that somewhere between 60 and 75,000 people will be participating, you know, coming in for this, and a huge amount of tourists from all over the country that will be spending money in our community and helping us with our sales tax payments. So we appreciate that also. Russ [Abolt], did you want to make a comment on this?

County Manager Abolt said, I believe Dr. Thomas wants to make a comment, Mr. Chairman.

Commissioner Thomas said, thank you, Mr. Chairman. Here again, I just want to thank you for taking the time to do the outreach segment of the community by involving the educational component, especially involving our children and youth. You have a – I think a large number of representation from across the City and County, the Boys and Girls Club, the Chatham County Youth Commission, and others. We certainly appreciate that because without this extension of your invitation, these young people would not have that opportunity to realize what a significant, you know, role these Tall Ships play in our society. So with that, I just want to say we look forward to their participation, and we thank you so much for including them.

County Manager Abolt said, Mr. Chairman, we've identified the money in the budget, so you can, if you wish, agree to participate at the \$25,000 level and obviously the benefits will far exceed that investment.

Chairman Liakakis said, any questions you'd like to ask [Mark] Dana? Helen [Stone]?

Commissioner Stone said, I – I make a motion to approve.

Commissioner Thomas said, second.

Chairman Liakakis said, we have a motion on the floor and a second to award the money. Let's go on the board. Motion passes. Thank you [Mark] Dana.

Mr. Dana said, thank you.

Chairman Liakakis said, and thank all of you for participating.

Mr. Tollison said, one last thing, if you have a chance on Monday, I know that you've been invited to several events, but Monday at – what time's the parade start?

Mr. Dana said, 11 – 11:40 is when they go out?

Mr. Tollison said, 11:40 is the parade of sail, and they will all raise their mast and leave the – leave the harbor. It's going to be something extraordinary to see, and they'll file out together, and that to me, is probably the best part outside of the opening ceremony. So –

County Manager Abolt said, Monday – Monday a week, not this Monday.

Mr. Tollison said, that's correct. A week from Monday. Thank you.

#### **ACTION OF THE BOARD:**

Commissioner Stone moved to approve the award sponsorship amount of \$25,000 to the Tall Ships Challenge. Commissioner Thomas seconded the motion and it carried unanimously.

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## **VII. COMMISSIONERS' ITEMS**

### **1. COAST2COAST PRESCRIPTION CARD PROGRAM (COMMISSIONER STONE.)**

Chairman Liakakis said, next, under Commissioners' Item, a presentation on Coast2Coast prescription card program by Randy Hartmann, membership service director ACCG and Commissioner Stone will be participating in this. She put that on the agenda.

Commissioner Stone said, thank you, Mr. Chairman, in a meeting that I had a few weeks ago here in Savannah with Mr. Hartmann from ACCG, he brought up the possibility of looking – of our county taking a look at this program. Fortunately, our staff jumped on it immediately and have gone through an initial vetting if you will, and it sounds like it's a win/win situation for everyone, and Mr. Hartmann was good enough to be here from Atlanta today, and he's going to give a brief presentation, but I think that it would be very beneficial to this community. So I'll turn it over to you, Mr. Hartmann, and thank you so much for being here.

Mr. Randy Hartmann said, thank you, Commissioner Stone, Mr. Chairman, Commissioners, thank you for allowing me to be here, and thank you for allowing ACCG to serve your needs. What a great pleasure it is to be here in Chatham County just a few minutes this morning hearing all the great things that are going here. It's always a – a pleasure to be here in your county and – and thank you for the leadership that you exhibit here for all 159 counties in the State of Georgia. And thank you also for hosting our – our annual meeting. As you know that's coming up this weekend and hope to see you at that – at that event as well. Over the past several months we have been looking at various prescription card companies that have approached ACCG to provide these prescription discounts to the citizens of Georgia through counties. And we vetted all the companies that approached us. There was over – there were over 4 of them that contacted us. After doing our review, Coast2Coast basically presented the best program, best service, not only for the County in terms of the responsibilities and duties the Coast2Coast people would do but also for the citizens at large. And – and Steve Rohm the national sales director is here from Coast2Coast. He's actually going to be exhibiting at our annual meeting, and the opportunity for him to actually be here, the expert, so he's going to give a presentation this morning. We're going to be very brief, but we want to be here to answer your questions, give you an overview of what the – the program is, how it can benefit the citizens of Chatham County, and also benefit the County. So with that I'm going to turn it over to Steve [Rohm], and then we'll be here to answer your questions.

[NOTE: Mr. Rohm shows a video presentation while speaking to the Board.]

Mr. Steve Rohm said, thank you Randy [Hartmann]. Good morning Mr. Chairman, Commissioners. My name is Steve Rohm, I am with Financial Marketing Concepts, and we do market the Coast2Coast prescription discount card program. We work with many counties across the country. We've got over 110 right now and growing rapidly. But I'd like to just go through a few of the key points and ask you, you know, does – does anyone in Chatham County need help as far as, you know, if they're uninsured, have high deductibles, can't afford medications? The answer to this obviously is yes, and that's why we're here to help, but with our program, every person is eligible. There's not one person that can't

use this program. And when it comes to the prescription card, our savings averaged in 2011, 55% off the price of retail medications. It's been a big help to everyone across the country that uses this card. Basically how the card works, again, everyone is eligible. There's no paperwork. You take a prescription from your physician, you take it to the pharmacy, you present the card, the card is activated at that time upon use and goes into the computer system at the pharmacy the same way that an insurance card would go, and then every time you come back with a prescription, it will go to that card, and you are eligible to receive a discount on your medication. So, again there's no restrictions, no limitations. If you use a prescription – if you receive a prescription once a year or you fill five to ten a month, it does not matter.

Mr. Rohm said, there's no commitment from the county whatsoever in terms of staff time. Coast2Coast does everything. We market and administer the entire program. The only thing left the county could do is – is work with us and identify some distribution points. We already visit every participating pharmacy in the county – county. We will take cards in, we will educate the pharmacist, the pharmacy techs, anyone that works in there so that they know how the program works. And we come back multiple times a year. You will never have to go out and spend time restocking cards or doing anything with the program, and then any other county directed locations, we will go and visit, such as churches, any other county office locations, anywhere that you would like the cards distributed. As far as how we promote the program, again, just as I – as I went in and mentioned, we – we do it through the pharmacies and we do it through the community. We work with United Ways in different – in different counties across the country. So again, we're here to market the program so that we can help the – maximum number of residents in the county.

Mr. Rohm said, you're probably thinking how can a program like this be free? The way it works is our pharmacy benefit manager, Weldyne has negotiated discounts with pharmacies the same way that insurance companies have done for years. And those discounts go directly to the card holders at the time that they use the card. The royalty that is paid to the county and how we make a little bit of money on the back end is that anytime a prescription is filled and regardless of whether it's an insurance claim, whether it's a retail purchase for cash, or whether it's a discount card, there's what's called a dispensing or professional fee on the back end of that. We get a small piece of that, and that's how we keep that program free. And that's how we also go in and we – we help the county by paying a royalty out to them.

Mr. Rohm said, some of the benefits to the – the residents of Chatham – Chatham County is certainly is a free program that will help them. Our overall savings as far as for prescriptions about \$26 which is pretty darn good. As I mentioned, we've got 55% discount in 2011, and every month about a quarter of our card holders save 70% or more on their prescriptions. We're – we're accepted at over 59,000 pharmacies across the country. So it – and every major chain participates, so whether folks are at home here in Chatham County or whether they're across the country visiting relatives or on business, they'll be able to find a pharmacy to fill a prescription. We're also pleased to offer some additional benefits again for free to the county and their residents. We offer what's called well card health program, and this can be offered to the current employees and retirees of Chatham County, and this has additional benefits on, again, all for free, and then with the card that will go out to the residents, we offer a discount on dental, vision, hearing, lab and imaging, and also diabetic testing supplies, and our newest benefit, which seems to have everyone excited is a 25% discount on veterinary services at vet offices and vet clinics across the country. So – everyone seems to get excited about that. And to go along with the prescription card, you can also fill prescriptions for pets on that card. So any prescription written for a human condition, that can be filled at a pharmacy is eligible to receive a discount. So we have a lot of folks out there that they've got great benefits but they have nothing for their animals, so we – we save people a couple hundred dollars a month just on prescriptions for their animals.

Mr. Rohm said, as I mentioned, we do pay a royalty back to the county. We – we like to revenue share as we call it. And – and – and we pay a \$1.25 on every prescription on net fill. So any time somebody receives a discount using our card, which on the average is 75% of the time, we pay \$1.25 back to the county to use to help other – fund other programs, whether they be health-related or any type of program whatsoever as the county – as the county would like to use it for. We like to keep the money in the local economy too, so there is a mail order in our program. It's about one one hundredth of one percent. We really push the residents to use the local pharmacies to keep the money in – invested in the – in the community. You can see also there's a list of established programs across the country. These are some of the counties that we're in, again, we're at about 110 right now. We've got some smaller counties of 10 or 20,000. We've got some counties in between at, you know, at 100, 200,000, and we also have some bigger counties, San Diego County, California, at over 3 million people is – is coming up on their one year anniversary with our program. So our program has been out there and marketed to many counties. We're certainly uniquely qualified to do this program. We've been doing it for over three years with counties, and we've – we've been in the – the discount and supplemental benefits business for about 25 years. So we really focus on government, and we do it very well.

Mr. Rohm said, some of the things that we do again is we provide all the cards, so there's no printing, there's no cost to the county. We put it on nice stock, and we print about 25% of the total resident population as an initial run, and then, again, we come out and we work to implement the program by placing the cards in the pharmacy. We also have a great customer service. On our – on our website we have 24/7/365 on – on phones, but on our website, our website can be converted into over 50 languages to help those people that may need a card, and may be struggling with English if they're here visiting or if they're new to our country, so we can help them that way. We also have bilingual service on our customer service line during the day, and over 100 different languages on – on – with a service that we use after hours. So we have a separate toll free number for the pharmacies, and we've got a separate toll free number for the residents. So if there are residents, we handle those questions. The next slide will show you some of the pharmacies across the country that we have right now. Again we have every major chain. So every Wal-Mart, Walgreens, CVS, Rite Aid, Target, Costco, whatever it may be, they're all – they all participate and many of the regional chains, and many of the independent pharmacies also participate in our program.

Mr. Rohm said, as far as implementation time from the time that the program is approved by – by your Board until the time that we implement the program and get it out in front of the – in front of the pharmacists and the entire community is about six weeks. So we do it very quickly. And that is – really that's a quick overview. Any questions?

Commissioner Farrell said, yes.

Chairman Liakakis said, any questions? Patrick [Farrell]?

Commissioner Farrell said, if our county staff were to determine that your discounts were superior to the discounts that we're using currently through – through the – where we're getting prescriptions for our employees, would we be eligible to – to use this program for prescriptions because we don't have quote insurance, you know, we – the County is structured such that the employees are self-insured if you will. So they're sort of like people with no insurance because they pay out of pocket each time, but we do have an intermediary that – that we use their discount and they – they help us with the – with the paperwork if you will.

Mr. Rohm said, that's a good question. Anyone is eligible. So if our discounts are cheaper, we have bigger discounts, absolutely. As a matter of fact, I've got a high deductible health plan myself, and until I reach that deductible, and hopefully I don't, every year, I use this card for – for my wife, myself, and my daughters every month. So again, anyone can save and those with insurance, they can present their insurance card and the discount card, and I will tell you now that on generic medications, probably 50% of the time our discounts will beat what the co-pay is on the insurance because we have structured our program to run that way.

Commissioner Farrell said, so my question would be would the county be able to work with your organization as a flow through to achieve a lower – not just for the – the person that's actually using the prescription but for the actual pay that the county would put towards that generic medicine. We've – we've had a similar experience in the past where some of the local pharmacies would have deep discounts that were better than the nationally known insurer that we float our health care through, and we were able to work a deal where we actually got those lower, generic, different prices and took advantage of them. You know, it became apparent that a, you know, person could just walk off the street and get a prescription paying out of pocket for less than what we were going through this giant insurance corporation. And, you know, I think it's in the best interest of all the tax payers in this county that we purchase our medications at the most reasonable rates that are offered.

Mr. Rohm said, I agree with you, and the answer to your question – the short answer is yes. Yes we absolutely will work with you on that.

Commissioner Farrell said, okay. And the second thing, does this prescription – if we get into this, does this create any local jobs or is this all something that, you know, is handled through the infrastructure that you already set up?

Mr. Rohm said, it's handled through – through our – our company, our implementation team are actually folks that work for our company. They're independent contractors, and we have them across the country and they – they do the implementation process and the revisiting of pharmacies.

Commissioner Farrell said, thank you.

Chairman Liakakis said, any other questions? Okay then, Russ [Abolt]? Helen [Stone]?

Commissioner Stone said, no.

County Manager Abolt said, if there's an interest in this then I would suggest a motion be made to in effect approve the – the agreement subject to the County Attorney approving the legal form.

Commissioner Stone said, and so I make that motion, Mr. Chairman.

Commissioner Farrell said, I'll second that, and Russ [Abolt], if we go forward with this, could we have some staff to look into the – the rate structure–

County Manager Abolt said, yes, sir.

Commissioner Farrell said, to see if there's some advantage to flowing some of our –

County Manager Abolt said, fine suggestion. Notice you had comments from Mr. Kaigler and also from Dr. Skelton. Our initial sensing is we don't see the immediate benefits, but we'll be on top of it.

Commissioner Farrell said, thank you.

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

Mr. Rohm said, thank you very much.

Commissioner Stone said, thank you all. Thank you.

#### **ACTION OF THE BOARD:**

Commissioner Stone moved to approve the agreement subject to the County Attorney's approval of the legal form. Commissioner Farrell seconded the motion and it carried unanimously.

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## 2. CHATHAM COUNTY YOUTH RALLY (COMMISSIONER THOMAS.)

Chairman Liakakis said, next on the agenda, Chatham County Youth Rally. Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman, members of the Commission, ladies and gentlemen. Very briefly in keeping with National County Government Month which we are about to come to a close in a few days, in connection with the Chatham County Youth Commission, they will be holding, you know, their annual youth rally, which will detail a lot of the health connections that we have. Giving this report will be Commissioner Smith.

Youth Commissioner Aigner Smith said, would you like me to go to the podium?

Commissioner Thomas said, yes.

Youth Commissioner Smith said, hello Chairman Pete Liakakis and Commission members. My name is Aigner Smith, and I'm a senior at Jenkins High School, and I'm also a part of the Chatham County Youth Commission. On behalf of the Chatham County Youth Commission, we would like to invite everyone to our 16<sup>th</sup> Annual Youth Rally which will be held tomorrow, Saturday, April 28<sup>th</sup>, from 1:00 p.m. to 5:00 p.m. at Lake Mayer. We are asking for everyone to join the Youth Commission for a day of fun, food, and great entertainment. Special performances that we will have will be – will be coming from the national recording artist, Patrick Dobson, RJ and ImagiNATION, Kids Sing at Brandywine, M2J and others. There will also be various health and awareness displays courtesy of community service agencies and youth organizations. We thank the Commission for their support of the youth. Thank you.

Chairman Liakakis said, any questions?

Commissioner Thomas said, I'd just like to make one other comment. Thank you so much Ms. Smith, and would like to thank Mayor Pro Tem Van Johnson, who is also the director of this organization. I am the executive director, but he does all the work, along with the advisors. And we just want to thank them for giving up their time on Saturdays and other days to help facilitate these wonderful activities.

Chairman Liakakis said, thank you. Russ [Abolt]?

County Manager Abolt said, Mr. Chairman, with Dr. Thomas' permission, but this might be an opportunity for you to kind of co-op with the – the event at the recycling center –

Commissioner Thomas said, yes.

County Manager Abolt said, towards possibly – 'cause they're in proximity to each other, some of those who attend the Youth Rally would be – see as a real chance the visitation of the recycling center and make that part of your Saturday.

Commissioner Thomas said, we'll make that happen. Thank you very much.

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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 (\*)

- \* **1. 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.] NOTE: ITEM WAS TABLED AT BOARD MEETING OF APRIL 13, 2012. SEE ADDITIONAL REPORT FROM METROPOLITAN PLANNING COMMISSION.**

Chairman Liakakis said, okay, next we have a Tabled Item, request for a new beer and wine pouring license for 2012. Petitioner Pritesh Patel doing business as Carlucci's located at 108 Shipyard Road, Savannah. This item was tabled at the Board meeting on April the 13<sup>th</sup>, and we need a motion on the floor to take it off the table.

Commissioner Stone said, I'll make that motion, Mr. Chairman.

Commissioner Farrell said, second.

Chairman Liakakis said, we have a motion on the floor and a second to take it off the table. Let's go on the board. Motion passes.

County Manager Abolt said, Mr. Chairman, to ease this – add to the speed of your agenda, Commissioner Stone, if I remember correctly, asked whether or not we knew anything about the criminal activities in this general area that might reflect on this application. In the most recent staff report we sent to you, the Chatham – Chatham Savannah Metropolitan Police Department reviewed the location and the calls for service do not reflect any criminal activity. It is therefore free for approval.

Commissioner Stone said, thank you. I was very concerned because historically in that area there have been issues, and I wanted to make sure that by granting this – this license that we would not be encouraging any activities that would

be undesired within that area. So I appreciate your looking into it. And I just wanted to double check and make sure that we were not doing something that would be detrimental to the neighborhood.

Chairman Liakakis said, and so after the police department, they say there are no criminal activity?

County Manager Abolt said, you can if you choose, approve the liquor license.

Commissioner Stone said, I would like to approve it, but if – if it does in the future create a problem certainly if I’m aware of it, I will make you aware of it.

County Manager Abolt said, thank you.

Commissioner Thomas said, second.

Commissioner Stone said, okay. Thank you.

Commissioner Farrell said, second.

Chairman Liakakis said, all right. Let’s go on the board. Motion passes.

**ACTION OF THE BOARD:**

- a. Commissioner Stone moved to remove item 1, request for a new beer and wine pouring license for 2012. Petitioner Pritesh Patel d/b/a Carlucci’s located at 108 Shipyard Road, Savannah, from the table. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present for the vote.]
- b. Commissioner Stone moved to approve the request for a new beer and wine pouring license for 2012. Petitioner Pritesh Patel d/b/a Carlucci’s located at 108 Shipyard Road, Savannah, Commissioners Thomas and Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present for the vote.]

**AGENDA ITEM: VIII-1**  
**AGENDA DATE: April 27 2012**

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

ISSUE  
Request for a new beer and wine pouring license for 2012. **Pritish R. Patel d/b/a Carlucci’s** located at **108 Shipyard Road, Savannah, GA 31406.**

BACKGROUND  
Mr. Patel requests approval of a new beer and wine pouring license in connection with a new restaurant. 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.
  - 5. The Savannah-Chatham Metropolitan Police Department reviewed the location and the calls for service do not reflect any criminal activities.

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

**District 1**

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

\_\_\_\_\_  
Chief Willie Lovett

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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.)

Chairman Liakakis said, all right, Jon [Hart], were you going to speak on this now? Do we have any of the people – Rob [Brannen], do you want to come up to the microphone –

County Manager Abolt said, Mr. Chairman?

Chairman Liakakis said, – just in case there's something to be said?

County Manager Abolt said, you want to do number one, first, sir.

County Attorney R. Jonathan Hart said, yeah, the budget transfers.

Chairman Liakakis said, okay, what we'll do then, since we took it off there, we'll go to item 2 on the Individual Action to have the show cause hearing. And Rob [Brannen], we'll just wait till then to do that under the Individual Action. So I'll call you back up at that time.

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- 1. TO REQUEST APPROVAL OF THE FOLLOWING BUDGET AMENDMENTS AND TRANSFERS: (1) GENERAL FUND M&O: a) transfer \$35,092 within the District Attorney's budget for salaries, b) a contingency transfer of \$30,000 to Juvenile Court for indigent defense, and c) appropriate \$257,000 unassigned fund balance to Mosquito Control for the purchase of pesticide, (2) in the Multiple Grant Fund increase revenues and expenditures \$183,543 for a Department of Homeland Security (DHS) grant to Chatham Emergency Management Agency (CEMA), and 3) in the Sales Tax V Fund transfer \$1,653,207 from the CAT project to the County Administrative Building project.**

Chairman Liakakis said, Item 1 under Items for Individual Action, to request approval of the following budget amendments and transfers: (1) in the General Fund M&O: transfer \$35,092 within the District Attorney's budget for salaries, b) a contingency transfer of \$30,000 to Juvenile Court for indigent defense, and c) appropriate \$257,000 unassigned fund balance to Mosquito Control for the purchase of pesticide, (2) in the Multiple Grant Fund increase revenues and expenditures \$183,543 for a Department of Homeland Security (DHS) grant to Chatham Emergency Management Agency (CEMA), and 3) in the Sales Tax V Fund transfer \$1,653,207 from the CAT project to the County Administrative Building project. Need a motion on the floor.

Commissioner Kicklighter said, Mr. Chairman, I'd like to make a motion to approve this item with the exception of (c), which reads – it's 1(c) appropriate – appropriate \$257,000 unassigned fund balance to Mosquito Control for the purchase of pesticide. We'll approve that and then discuss that one separately, if I can get a second.

Commissioner Gellatly said, second.

Chairman Liakakis said, okay, let's go on the board. Motion passes. Okay, the item that was held out, item (c) appropriate \$257,000 unassigned fund balance to Mosquito Control for the purchase of pesticides. Go ahead, Dean [Kicklighter].

Commissioner Kicklighter said, I just have a question. If I recall, I believe we budgeted somewhere around \$4 million for Mosquito Control, and I was curious if this is extra – if this is an extra \$257,000 coming out of fund balance?

County Manager Abolt said, yes, sir.

Commissioner Kicklighter said, what –

County Manager Abolt said, said, bugs.

Commissioner Kicklighter said, what would be the reasoning with that – with a \$4 million budget that we would have to add a quarter of a million dollars?

County Manager Abolt said, Mother Nature. Bugs. We were slammed here about three or four weeks ago, and we exhausted our supply of insecticide, and that's why we're coming to you right now. We were in crisis situation and we had to deal with – I've never seen in recent years such a – a count of mosquitos reflective of a very warm winter, and because of that, and obviously because of the continued threat of West Nile, and most importantly because the phones were ringing off the hook, we hit it with everything we had and everything we had was not enough to see us through the balance of the year.

Commissioner Kicklighter said, okay. I just want to remind this Board that we are now paying more to fight mosquitos in this county than we pay to fight drugs. This mosquito budget is more than Chatham County Narcotics team budget. Just a reminder, and now we can vote.

Chairman Liakakis said, Helen [Stone]?

Commissioner Stone said, thank you, Mr. Chairman. As someone who spent a day at Mosquito Control, and someone who followed the unfortunate illness of an individual in this community with West Nile Virus, I don't think we can not do this. The quality of life here has to exist. We have an obligation for the public safety and welfare of the citizens of this community, and I can tell you that for those of you that enjoy the climate and being outside in Savannah, Georgia, it would not be the same without our Mosquito Control. And I do not think that there request here is something that they are trying to do for any other reason than the extreme conditions that we've been faced with – with a mild winter and the influx of mosquitos. So I'm – I – I totally support this need. Thank you.

Chairman Liakakis said, Patrick [Farrell]?

Commissioner Farrell said, thank you. Russ [Abolt]?

County Manager Abolt said, sir?

Commissioner Farrell said, I – in recent memory I – I believe we had another weather condition that, you know, started one of our – our droughts, and I – I believe – weren't we well over budget, and they returned some money –

County Manager Abolt said, oh, yeah –

Commissioner Farrell said, – or rolled it over to the next year –

County Manager Abolt said, yes, sir.

Commissioner Farrell said, – budgeted money. So I mean it's kind of hard to tell from year to year when you're dependent on the weather and the rainfall and, you know, natural conditions to how much pesticide you're going to need. Obviously you want to use as little as possible, but when you need it, you need it.

County Manager Abolt said, thank you for the opportunity. You're absolutely right. And – and up until this past year, and that's a function from Mother Nature, we all remember this was the warmest winter in – in recorded history for all the 48 states but it was no less a problem for us. It was a beautiful winter, but it was also beautiful for bugs. But you also hit it right on the head, in years past, and for the last several years, Dr. Lewandowski has not only been able to return that money, but offset the cost of acquiring very much needed equipment in the DMCA's to excavate and remove water. So there's no one more frugal than Dr. Lewandowski when it comes to managing the public funds.

Chairman Liakakis said, Dean [Kicklighter]?

Commissioner Kicklighter said, thank you, Mr. Chairman. My comments are not related to the ability of Mosquito Control or doctor – that runs the program. There's no doubt in my mind that the Mosquito Control program's good, and the people that have been affected with West Nile, it's an awful disease, but I would venture to think we've had far more deaths due to drug related activity in this County than we have when compared to mosquito deaths. I'm not aware of one, but I'm aware of many year after year after year after year drug related deaths in this community. So my comment's more about priority rather than the – the effectiveness to kill mosquitos in the county. I would rather fight drugs at at least the same level that we're fighting mosquitos. Just – that's just the way I feel. I think drug impact on our community is much – far greater than the – than the mosquito impact on our community. And having said that, we can vote. There – I'm not slamming what Mosquito Control does, they do a great job, I just would like to see at least the same level of funding to fight drugs that we fund to fight mosquitos.

Chairman Liakakis said, well –

Commissioner Kicklighter said, that's it. I mean it – it – Mosquito Control's great.

Chairman Liakakis said, Patrick [Shay]?

Commissioner Shay said, on that note I'd like to make a motion for approval.

Commissioner Thomas said, second.

Commissioner Farrell said, second.

Chairman Liakakis said, okay. Hold it before you go on the board. I'm – I'm familiar because going out there and familiar with a number of people that got the West Nile Virus unfortunately, in fact, one of the people in our community got encephalitis and was really down and out and almost passed away from that, but the reason for this additional money is because we have to protect the citizens in our community. I understand about taking drugs off the street, and our drug squad does an excellent job in that, but we have to do whatever we can for the safety of our citizens, and this additional money because I'm in contact with that, I listen to people, I talk to our staff people and all, and if we did not have our Mosquito Control, it would be a terrible situation that we would have a lot more people in our community, and if they weren't working as hard as they were. You might remember reading the newspaper sometimes on a daily basis about the West Nile Virus mosquito that was discovered, especially, most of it on the westside of town, and then in other areas that were south of Derenne Avenue, and it's a serious situation. In talking to the health officials, they'll tell you that it's important that we go especially to areas where those mosquitos are breeding and also to send out our mosquito people. And when the Mosquito Control people go in particular areas, they send that information to the police department and to the news media to let people know that they are working in these particular areas. I get phone calls from people talking about mosquitos in their particular area, and we need to make sure. So this additional money is well used to buy that additional material. I have to sign the purchase orders for those, and I look at those and sometimes talk to the staff. But this is really important that we do this.

Commissioner Kicklighter said, Mr. Chairman?

Chairman Liakakis said, Dean [Kicklighter]?

Commissioner Kicklighter said, in closing I'll just say if the citizen's inconvenienced by a mosquito they can buy bug spray. If they are inconvenienced by a drug gang, they can't buy thug spray. So, you know, we – we need to help fight the drugs. A person with mosquitos they can buy their own bug spray. But the citizens around, I mean, it's our duty to fight the drugs off the street. There's no thug spray. No such thing. So let's spend a little more money and even it up in the future and that's all I'm asking. I'm not opposed to this. I will vote to do it. They do a good job at Mosquito Control, but we should fight drugs at least on the same level we're fighting mosquitos. That's my point.

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

**ACTION OF THE BOARD:**

- a. Commissioner Kicklighter moved to approve following budget amendments and transfers: (1) General Fund M&O: a) transfer \$35,092 within the District Attorney's budget for salaries, b) a contingency transfer of \$30,000 to Juvenile Court for indigent defense, and c) appropriate \$257,000 unassigned fund balance to Mosquito Control for the purchase of pesticide, (2) in the Multiple Grant Fund increase revenues and expenditures \$183,543 for a Department of Homeland Security (DHS) grant to Chatham Emergency Management Agency (CEMA), and 3) in the Sales Tax V Fund transfer \$1,653,207 from the CAT project to the County Administrative Building project with the exception of 1(c) appropriate \$257,000 unassigned fund balance to Mosquito Control for the purchase of pesticide. Commissioner Gellatly seconded the motion and it carried unanimously.
- b. Commissioner Shay moved to approve the appropriation of \$257,000 unassigned fund balance to Mosquito Control for the purchase of pesticide. Commissioners Thomas and Farrell seconded the motion and it carried unanimously.

**AGENDA ITEM: IX-1**  
**AGENDA DATE: April 27 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) transfer \$35,092 within the District Attorney's budget for salaries, b) a contingency transfer of \$30,000 to Juvenile Court for indigent defense, and c) appropriate \$257,000 unassigned fund balance to Mosquito Control for the purchase of pesticide, (2) in the Multiple Grant Fund increase revenues and expenditures \$183,543 for a Department of Homeland Security (DHS) grant to Chatham Emergency Management Agency (CEMA), and 3) in the Sales Tax V Fund transfer \$1,653,207 from the CAT project to the County Administrative Building project

**FACTS AND FINDINGS:**

1. The District Attorney is requesting a \$35,092 transfer from Reimbursement to Funds to Regular Salaries (\$22,506) and Temporary Salaries (\$12,586). Correspondence is attached. No additional funding is required for the next fiscal year since funds are being moved within the departmental budget.
2. The Juvenile Court Administrator is requesting a contingency transfer of \$30,000 to cover a projected shortfall in indigent defense charges. Correspondence is attached.
3. The Mosquito Control Director is requesting additional funds of \$257,000 to purchase pesticide. This action will require an appropriation of General M&O fund balance. Correspondence and a resolution are attached.
4. The Department of Homeland Security (DHS) has awarded an \$183,543 grant to the Chatham Emergency Management Agency (CEMA) for the purchase of a communication trailer to support emergency operations. Correspondence and a resolution to amend the Multiple Grant Fund are attached.
5. The Assistant County Manager has requested a transfer of \$1,653,207 from the CAT Project to the County Administrative Building project in the SPLOST V Fund. The County Administrative Building project has been scheduled for funding in FY2013; however funding is needed now to purchase the property for administrative offices. As a result, funding for the CAT project will be shifted FY2013. A separate staff report to approve the purchase is being provided by the Assistant County Manager.

**FUNDING:** Funds are available in the District Attorney's budget, the General M&O Contingency and the SPLOST V Funds for the transfers. The budget amendment will establish funding in the General M&O and the Multiple Grant Funds.

**ALTERNATIVES:**

1. That the Board approve the following:

**GENERAL FUND M&O**

- a) Transfer \$22,506 within the District Attorney's budget for regular salaries and \$12,586 for temporary salaries.
- b) Transfer \$30,000 from contingency to the Juvenile Court budget for indigent defense.
- c) Appropriate \$257,000 fund balance to Mosquito Control for the purchase of pesticide.

**MULTIPLE GRANT FUND**

Increase revenues and expenditures \$183,543 for a Homeland Security grant to the Chatham Emergency Management Agency.

**SPLOST V**

Transfer \$1,653,207 from the CAT Project to the County Administrative Building Project.

- 2. Amend or deny the request.

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

**RECOMMENDATION:** That the Board approve Alternative 1.

Prepared by: Estelle Brown

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## **2. SHOW CAUSE HEARING ON REVOCATION OF BUSINESS TAX CERTIFICATE, PRIME TIME ENTERPRISES, D/B/A MIDTOWN CENTER 5806 LAROCHE AVENUE.**

Chairman Liakakis said, okay, next item, show cause hearing on revocation of business tax certificate, Prime Time Enterprises, d/b/a Midtown Center, 5806 LaRoche Avenue.

County Attorney Hart said, Mr. Chairman, we would like to open the public hearing. I would like to make some statements prior to that. These events were brought as a potential revocation. I met with the parties' attorney Rob Brannen this week extensively, and there is a corrective action plan that the people have put forth. They have already removed one of the partners from the lease, who will not be participating in that business any longer. They have agreed that they will keep it to a true catering situation of weddings, family reunions, and private gatherings and church services. We are requiring that the tenant be present at all times. We are requiring that paid security be present at all functions. We would prohibit parties open to the public for which there would be a cover charge. We have prohibited the sale of alcoholic beverages except through an appropriate license. Prohibit private functions with themes that are lewd and lascivious conduct. Prohibit fraternity and sorority parties – parties for college-aged children. Prohibit any activity that is a nuisance, or prohibit any activity that violates the law. Change the provisions of the lease that if any of these actions occur, it will constitute a default upon the lease, and allow the landlord to terminate the lease immediately. Mr. Brannen's client has agreed to those things, and I'll have him to agree about that before. If that is an agreement, it would be my recommendation that – that we continue this hearing for 90 days, as sort of a probationary status to see if the – the words meet the actions. If they do not meet the actions, and we get a report from the police department, we will reconvene the hearing and proceed with whatever the evidence takes us. And that would be my recommendation. Mr. Brannen do you agree with that?

Commissioner Kicklighter said, motion to approve Mr. Hart's recommendation.

Mr. Rob Brannen said, I agree.

Commissioner Farrell said, second.

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

Commissioner Holmes said, you got a question.

County Attorney Hart said, Mr. Shay – Commissioner Shay.

Chairman Liakakis said, oh wait a minute. Excuse me. I didn't see Commissioner – let's hold up a moment. Commissioner Shay.

Commissioner Shay said, this location is in the middle of a residential neighborhood that I represent, and I received lots and lots and lots of input as to how it's been conducted. I'm willing to go along with the majority of the body here but I'm – I need to understand something. If for any reason within the next 90 days there's another event, and I'm not going to go into the detail as to what has been taking place out there and how's it been advertised 'cause there might be children watching, but if there's another event within that 90 days, does that just mean that we start this whole thing all over again and then, you know, wait for, you know, people to say we promise. We promise. We're not going to do this stuff again.

County Attorney Hart said, no, sir.

Commissioner Shay said, or does that mean they get shut down then and forever?

County Attorney Hart said, well, we would have to go through a due process hearing such as this, but we are not forgiving any of the past actions. They are not being forgiven so anything that has happened in the past and any other event would be considered by this panel and it's basically y'all's judgment and discretion as to whether you wish to jerk the business tax certificate. And if you did, that would be a cease and desist, and they would not be able to have any activity like that or any public activity, and it would preclude the owners from doing quite a bit at – at the site also.

Chairman Liakakis said, Tabitha [Odell]?

Commissioner Odell said, I have a question. The problems that they have, is it because they haven't had proper security?

County Attorney Hart said, the problem –

Commissioner Odell said, do they not hire security at the events?

County Attorney Hart said, – no – no, ma'am. There has been a history in the past in the opinion of staff that there are – they're alleging to operate a catering business but it's not the catering business for weddings and religious groups, it's evenings where somebody will rent the place, have a cover charge, and certain events are advertised in a way that you might – might offend many people, most people I would say. And we're unsure of all the activities. There has been a report from the revenue department that there's underage – has been some underage drinking there in the past. The initial position was that they leased the place to someone and that the sublessee is carrying on the event. Simply put that does not cut it with the County. If you own the property and you lease the property you're responsible for your tenant. I believe this is a situation in which you have two members of the business that are truly in the catering business. There was a third party, a – a young gentleman, that his concept of catering was different than the other two owners. I think that has been removed from the equation. He's been terminated off of the lease. And as long as the activities that were ongoing under his type of event are terminated, these other two partners probably are totally in a legitimate catering business. If they're not their actions will show that, and we will shut them down and take their license.

Commissioner Odell said, so are the complaints mostly about the noise, the music, the – the party environment?

County Attorney Hart said, the – the – the noise, the music, the party environment, and the activities within the – in the building.

Commissioner Odell said, okay.

Commissioner Thomas said, question, Mr. Chairman.

Mr. Brannen said, if I could respond –

Chairman Liakakis said, hold it. Hold it a minute.

Mr. Brannen said, – to that too also? If you don't mind.

Chairman Liakakis said, wait a minute. Let the Commissioners speak first.

Mr. Brannen said, okay.

Chairman Liakakis said, Helen [Stone] is next –

Commissioner Thomas said, I was next, Mr. Chairman.

Chairman Liakakis said, and then Patrick [Shay] and then Priscilla [Thomas.]

Commissioner Thomas said, I was next.

Chairman Liakakis said, excuse me?

Commissioner Thomas said, I was next.

Chairman Liakakis said, okay.

Commissioner Thomas said, thank you. I'm a little confused here because in discussing this with a couple of people, are we talking about two business ventures here? Are we talking about a church of any kind? Is this the same piece of property that was considering opening up a church at this facility?

County Attorney Hart said, there is a church, it's my understanding that has functions at – at that location. But I don't know that it'd be the church. Mr. Brannen's probably in a better position.

Commissioner Thomas said, are you aware?

Mr. Brannen said, yeah – the – my client is Gaston Properties, and they're the owner of the building. We lease the property to Ms. Singleton back here, and then she leased it – leases it as a banquet facility to different groups. A church is one of the groups that does lease it on Sunday –

Commissioner Thomas said, on Sundays.

Mr. Brannen said, – Tuesday and Thursday. It's also used for wedding function, birthday parties, things like that. Things that we as landlords – that's what we anticipated this would be. Sort of a community center where you could have these kind of events. It's come to our attention really just this week – or to my attention this week that it was being used for other things that we consider very inappropriate. And so as landlords what we have tried to do is to go in and look and see if this was a situation that was salvageable. We think that Ms. Singleton and her partner, Ms. Mann, do operate a legitimate wedding planning business and that they are doing things that – that would work in this property. So we're trying to give them a chance to go in and – and do the right thing with this and to try to cut out the things that we think are inappropriate.

Commissioner Thomas said, well the reason why – the reason why I asked that question because I got a call from a – and I – and I apologize I don't remember who the person was, indicated to me that this piece of property, you know, was being considered for church purposes, you know, to open up, you know, a church.

Mr. Brannen said, I don't know if that's true on a permanent basis. I know that a church does rent the space.

Commissioner Thomas said, so that's why I'm asking the question –

Mr. Brannen said, yeah, three days a week.

Commissioner Thomas said, – because, you know, there are two conflicting things here.

Mr. Brannen said, yes, ma'am. I haven't – haven't been told that.

Commissioner Thomas said, thank you.

Chairman Liakakis said, Helen [Stone] and then Patrick [Shay].

Commissioner Stone said, thank you, Mr. Chairman. How many offenses have been brought to your attention as far as not doing what they're supposed to do or these events that are not within keeping of the neighborhood?

County Attorney Hart said, that is a difficult question to say. At one point in time there was material and literature being circulated on posters that were rather lewd and risque indicating that there would be certain females available to participate in certain activities in various stages of clothing. According to the owners all of those actions, although advertised, were shut down by the landlord. And we do not have evidence that that did in fact occur, although we can show that at least on three or four or five occasions there was public advertising to the general public and a cover charge to be charged to go there. And certainly I don't know any caterers in town that have that arrangement. So those events if they occur would be a clear violation. We know from an undercover officer with the revenue department that there was underage drinking on one other occasion. They did not make an arrest. The reason for that was they wished to conduct further activities of under cover surveillance, and at that point in time it was brought to the attention of the county and MPD has done an exceptional job in the last several weeks of if there's activity there, making sure there's plenty of vehicles and blue lights and that has sort of discouraged attendance so to speak. We have also formulated this hearing, and at that point in time started a series of negotiations to see whether these folks that – that are carrying on legitimate functions could have the opportunity to demonstrate their good will. At the same time we've also been very clear that we're not real impressed with their words, we're impressed with their actions. And believe will act accordingly.

Commissioner Stone said, the reason I asked that question, I mean how forgiving do we need to be in a situation like this when the tax payers and the citizens are affected by this –

County Attorney Hart said, we – we regular –

Commissioner Stone said, and I'm – I'm gravely concerned. I didn't mean to interrupt you, I'm sorry. I'm gravely concerned about their welfare and their quality of life.

County Attorney Hart said, yes, ma'am. We – this is a regulatory action. It's an action under our – our – for a zoning violation and a business license violation. We have those occur – I don't want to say regularly, but not infrequently in which we're able to go in and take corrective action and warn the people and – and 90% of the time that – that works out. This is a situation in which the activity was a little bit more serious. The owners have asserted and promised that they will – will follow these actions and have provided me with a copy of the re-executed lease with the landlord, and we have often given other folks, you know, a chance to prove themselves that they will follow the zoning code and the conduct that's required of catering, and if they don't, we'll take their license. We have done that in the past, and we'll do that now if that's what – where the pat road takes us to.

Mr. Brannen said, and – and to – just to clarify, I mean, as a landlord, we're on the same side as the County on this. You know we leased this with a concept in mind that this would be used as sort of a community center. It's just come to our attention that some of the activities that were happening there were not appropriate. Were not – probably not legal. And so we want to fix these things too. We don't want the liability of these things going out there. But we spend a lot of time looking for these tenants. We talked to a lot of people who just wanted to have parties there and rejected them. And we picked them because we think they have the ability to do the right thing here.

Commissioner Stone said, I guess –

Mr. Brannen said, and we want to give them the chance to try to go back and do that.

Commissioner Stone said, well –

Mr. Brannen said, those – those parties and things that were advertised that – that Jon's [Hart] talking about, the landlord didn't terminate those. They would lease it to someone who was going to have a party, the people would advertise and then the tenant cancelled the parties once they saw the advertisements. So none of those events ever occurred, but they're still things that are inappropriate and so we're trying to –

Commissioner Stone said, I guess what concerns me is when those flyers and that information went out if I were the property owner, I would have terminated any involvement I had with anyone that was distributing that kind of information.

Mr. Brannen said, we – we saw those for first the first time on Wednesday of this week.

Commissioner Stone said, well I've – I've got them –

Mr. Brannen said, and I saw the report the first time –

Commissioner Stone said, – I got them prior to that.

Mr. Brannen said, – on Wednesday of this week.

Commissioner Stone said, so that's my concern.

Mr. Brannen said, but nobody – nobody sent them to us.

Commissioner Stone said, I understand but if you own the establishment, you have to take some form of responsibility, and I got these flyers a couple weeks ago. So that's my concern.

Chairman Liakakis said, Patrick [Shay]?

Commissioner Shay said, couple of questions and then we'll maybe move on. As I read the letter from the Director of our Building Safety and Regulatory Services, April 18<sup>th</sup>, 2012, it says the sale, consumption and possession of alcoholic beverages on the subject premises constitutes a violating – a violation of the zoning district use. So it's not just the sale of alcohol, it's – but there should not be alcoholic beverages on the premises if I read that correctly. Is that – is that correct, Mr. – Mr. Attorney?

County Attorney Hart said, said, well that is the position of Building Safety & Regulatory Services. The zoning classification in which this property is in does allow restaurants for example, and restaurants is a – is a permitted use, and there is an issue there as if – if you comply with all the requirements of a restaurant, would you be entitled to have alcoholic beverages –

Commissioner Shay said, but –

County Attorney Hart said, this doesn't fit that.

Commissioner Shay said, – but this isn't – this isn't being operated as a restaurant, correct?

County Attorney Hart said, correct.

Commissioner Shay said, correct?

County Attorney Hart said, absolutely.

Commissioner Shay said, and if there was a restaurant then there would be other provisions in the zoning code –

County Attorney Hart said, correct.

Commissioner Shay said, – that have to do with waste collection and parking and other – other things.

County Attorney Hart said, I just didn't want to overstate the –

Commissioner Shay said, yeah, okay, well, you know, I'm going to try something here, and Attorney Brannen, maybe he'll – he'll help me out a little bit. If this is going to be used for weddings and family reunions and other private gatherings, church-related activities, which I hope it will be. I think that will be great use for the building. It would be certainly very compatible with the residential uses that are in the immediate vicinity. Perhaps you would agree to limit the hours of operation. Seems to me that those kind of events probably don't need to go on beyond 10:00 o'clock in the evening. That – that, you know – that the, you know, for a wedding, some people might want to get married at midnight, but I doubt it. Is that something that you could agree to as one of these voluntary corrective action plan items?

Mr. Brannen said, from a landlord standpoint I don't have a problem with hours limitations. You know, I would want to talk to the tenants, see what time those parties happen and what's – what's appropriate for that, but yes, that would be something agreeable – we could agree upon.

Commissioner Shay said, well, you know, I – I am concerned, you know, and I understand there's this sort of thing where you represent the LLC that owns the property and they may or may not be the landlord, and they may or may not be the tenant, and they may or not be regulating the subtenant, and the subtenant may be turning around and letting his friends do stuff that, you know, there's all kinds of plausible deniability schemes that are, you know, out there and available. But the – the point is that this is in the middle of a residential neighborhood. When I was a young man

growing up in West Virginia, if we wanted to go to the kind of parties that are described here in the report from the law enforcement officers, we went back up in the mountains into a holler somewhere, you know, and when they – when they brought out the blue liquid and they said, you know, have a drink of this, you know, what happened after that – no I'm serious now, what happened after that when people wanted to get in fights and, you know, shoot some guns and do all that kind of stuff, it was way, way up in the country where nobody sort of like was affected by it. This is right in the middle of a very established residential neighborhood, so I'm asking you to just, you know, if you – if – if you want me to go along with it 'cause my inclination is after the 100 phone calls that I got that you didn't is to say, show cause, good bye. But I understand there are other people that are – may be innocent in this that would – would be harmed by that. So I'm – I'm willing to go along with it, but I think that it would not be an unreasonable thing to say, you know, about 10:00 o'clock, you ought to wrap that wedding up in this residential neighborhood, and then the security can then make sure that all the people are properly escorted to their vehicles and everybody's goes home. Is that – is that an unreasonable thing?

Mr. Brannen said, I agree with you that there should be a time when it's over, I just don't know if 10:00 o'clock is the right time for a wedding to get over. You know if it starts at – I don't – I don't know that. I don't do many weddings. So. I'm not sure how to answer that.

Commissioner Thomas said, 11:00.

Chairman Liakakis said, okay. Wait a minute. Russ [Abolt], you want to answer that?

County Manager Abolt said, thank you, Mr. Chairman. I want to address this issue. Commissioner Shay's hit it right on the head, plausible deniability. That doesn't cut it with me. We've gone around this barn several times. We were on the brink of shutting them down on the – on the eve of St. Patrick's Day. Had a major commitment of uniformed and non-uniformed officers to include CNT to make sure all this stuff did not happen. I – I am not convinced just because someone up the chain of command did not know what was going on that's a compelling reason to be nice. I am – I'm very upset with what's happened so far. Obviously, if – if y'all feel this is good let's have – have it happen, but to string this out and to have Commissioner Shay as the District Commissioner, to have the officers of the CNT and the police department, have them to respond to this is – is wrong. It is flat wrong.

Commissioner Kicklighter said, Mr. Chairman I'd like to –

Chairman Liakakis said, hold on just a minute. Hold on.

Commissioner Kicklighter said, can I remove my motion?

Chairman Liakakis said, no. No. You have to hold on. Because we got Tabitha [Odell] next and then I'll call on you. And then you can do whatever you like after that. Tabitha [Odell]?

Commissioner Odell said, I'm wondering if a part of your corrective action plan could include possibly having security on site during an event to curtail any problems that might present and to also protect the tenants because I'm sure they don't plan to have a party where somebody drives up with something in their trunk and causes a problem, but maybe if they have security there, it could help them – protect them as well as secure the neighborhood from having any additional problems.

Mr. Brannen said, that is one of our requirements. Yes, ma'am. That is one of our requirements.

County Attorney Hart said, said, yes, ma'am.

Commissioner Thomas said, at their expense.

Chairman Liakakis said, Dean [Kicklighter]?

Commissioner Kicklighter said, Mr. Chairman that – that's what I would actually recommend and that one of the people that actually leases the facility would be on hand when they sublease it out –

County Attorney Hart said, they've agreed to that also.

Mr. Brannen said, that was recommended also.

Commissioner Kicklighter said, – that away someone can –

Mr. Brannen said, that – that's in our requirements also.

Commissioner Kicklighter said, – but out of respect for Commissioner Shay since he's the gentleman that this resides in his district and the 100 phone calls or so that we received, I will remove my motion and let him make whatever motion. And – and I also feel that an 11:00 o'clock time limit would be very appropriate for a wedding, and that – and that would allow enough time for a reception to take place. But I'll remove my motion if whoever seconded would remove that.

Chairman Liakakis said, the person that made the second, would you remove that?

Clerk said, Commissioner Farrell.

Commissioner Farrell said, yeah, I'll remove my second.

Commissioner Shay said, when – when – in this Midtown corrective – Midtown Center Corrective Action Plan, I – I want to make sure I understand this before I do anything. The – the – the word tenant is in here and it's got a capital T, and I'm not a lawyer, but I've been around enough lawyering to know that when it's got a capitalization, it usually is a defined term. Who – who is the tenant? Is that just anybody that happens to be in the chain of tenancy or is that –

County Attorney Hart said, well – well – well typically – in this particular case, it is my understanding, I'll let Mr. Brannen speak for himself. There's a owner of the property; it's leased to the catering service. It is not uncommon at all for a catering service that has a facility to enter into a sublease for you to use it. And, you know, they'll have a litany of 10 or 15 rules that say you got to clean the place up, you can't tear the place up and you're responsible for damages if you do. So when we use that word, tenant, we mean the actual tenant to the owner and also any sublessee as a tenant.

Commissioner Shay said, so if there was a sublessee event –

Mr. Brannen said, if I could – I –

Commissioner Shay said, – if there was a sublessee – I'm – I've got the floor, thank you.

Mr. Brannen said, sorry.

Commissioner Stone said, if there was a sublessee event, would the – the prime tenant be required to be present at that function?

County Attorney Hart said, that's what they have agreed to.

Commissioner Shay said, that's what they've agreed to? Okay. I just want to make sure I understand what capitalized T means is –

Ms. Brannen said, tenant – stand up Ms. Singleton. Tonya Singleton is – is our tenant and Sabrina Jones Mann is her partner. These are changes we made to their lease.

Commissioner Shay said, okay.

Mr. Brannen said, that we as landlord require them as tenants to be responsible for all of this, and we changed the default provisions so that we could terminate the lease immediately if they don't do these things. So in this corrective action plan, we're – we're requiring them to – to respond to us if they are doing these things. If they sublease the property to somebody else, they still have to be there. So tenant is a capitalized term. It means these ladies right here.

Commissioner Shay said, and when it says require paid security at all functions. Whose responsibility is it to provide that paid security then? Is it the owner, the – the prime tenant, the sub tenants? All of the above? Who – who – who do we hold responsible for that?

Ms. Singleton said, we do.

Commissioner Shay said, you do?

Ms. Brannen said, they do that.

Commissioner Shay said, okay. Well with that understanding and with the additional provision that the hours of operation would be limited to 11:00 p.m. in the evenings, I'll make a motion that we –

County Attorney Hart said, continue.

Commissioner Shay said, – continue for 90 days to observe how well you do. And I hope and pray you will do well. I'm sure you want to try, for 90 days, unless there's a problem, in which case, I'm going to prevail upon the Chairman to have a special called meeting and a show cause hearing about as fast as I can get on the phone.

Commissioner Farrell said, second.

Mr. Brannen said, Commissioner – Commissioner Shay, could I – I spoke to them about the timing of this, and they said that most of these functions end at 11:00 but that they give them until 12:00 to get cleaned up and get everything out of there. Is that –

Commissioner Shay said, the hours of operation would be limited to 11:00. That may not – you know, the people that are there that are cleaning up and whatever that's fine. But the point is that the people in that neighborhood – I know you're not – legally you're not responsible for what happens after somebody leaves a party if they misbehave, but if the hours are limited to 11:00 o'clock, one hopes that they'll get bored and go home to wherever their home is or come downtown to where I live to continue to do whatever they're doing, but not stay in that residential neighborhood. We all understand each other here I think. You know, that's – you know, I'm not trying to be onerous, but by the same token, I represent all the people that are around this facility who – who want quiet enjoyment of their homes in the evening. So we've got a motion and a second and I think we've got a clear understanding.

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

**ACTION OF THE BOARD:**

Commissioner Shay moved to continue the show cause hearing for 90 days for observation, unless a problem occurs prior to that 90 days which requires an immediate show cause hearing. Commissioner Farrell seconded the motion and it carried unanimously.

**AGENDA ITEM: IX-2**

**AGENDA DATE: April 27, 2012**

TO: Board of Commissioners  
 THRU: R. E. Abolt, County Manager  
 FROM: Gregori S. Anderson, Director, Building Safety and Regulatory Services  
 SUBJECT: Prime Time Enterprises d/b/a Midtown Center, 5406 Laroche Avenue

ISSUE

Revocation of Business Tax Certificate

BACKGROUND

A business tax certificate renewal was issued on March 21, 2012 for the subject address to be used as a banquet rental facility. The owners were listed as Ms. Tonya Singleton and Mr. Jacob Grant. The facility has been rented for banquets and parties. (Attachment A)

FACTS AND FINDINGS

1. The subject property is located within an institutional-professional/environmental overlay, I-P/EO zoning district.
2. The I-P/EO zoning district prohibits the sale, consumption and possession of alcoholic beverages on the premises.
3. The owners were informed of the limitations of the building usage based on the property zoning designation.
4. Due to complaints from the neighboring residents, a meeting was held with the owners to restate the limitations of the building use and the parameters of the business tax certificate (Attachment B)
5. Based on allegations of underage drinking on the premises, the State Revenue Department, Alcohol and Tobacco Division initiated an undercover investigation at one of the parties on the premises. An alcoholic beverage was discovered on the premises at the January 28, 2012 event. (Attachment C)
6. Owners informed by certified letter to appear. (Attachment D)

ALTERNATIVES

1. Revocation of the business tax certificate.
2. Suspension of the business tax certificate.
3. Provide direction to staff.

POLICY ANALYSIS

The business tax certificate issued for the banquet rental facility is located within a zoning district that prohibits the sale, consumption and possession of alcoholic beverages on the premises. Due to complaints of underage drinking, the State Revenue Department initiated an undercover investigation at one of the parties on the site. The recently received report from the State confirmed the sale, consumption and presence of an alcoholic beverage on the premises. Based on Section 3-2 of the County Zoning Ordinance, the presence, sale and consumption of alcoholic beverages on the premises constitutes a violation of the use approval of the building. The issuance of the business tax certificate is predicated on the adherence to the zoning use approval. The violation of the zoning use approval renders the business tax certificate noncompliance and subject to revocation. This action is taken in accordance with Section 16-131 of the County Business/Occupational Tax Ordinance.

RECOMMENDATION

Alternative #1, Revocation of the business tax certificate.

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3. **REQUEST BOARD APPROVAL OF A RESOLUTION TO HAVE HOSPITAL AUTHORITY ISSUE BONDS BACKED WITH UP TO \$7 MILLION PLEDGE OF THE COUNTY AND AUTHORIZE CHAIRMAN TO EXECUTE THE NECESSARY DOCUMENTS; APPROVE THE COUNTY'S COVENANT AGREEMENT WITH MEMORIAL; APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY AND MEMORIAL (THESE ARE SERVICES MEMORIAL PROVIDES TO COUNTY); APPROVAL OF INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY AND HOSPITAL AS IT RELATES TO THE BOND.**

Chairman Liakakis said, item 2 – item 3, rather, request Board approval a Resolution to have Hospital Authority issue bonds backed with up to \$7 million pledge of the County and authorize Chairman to execute the necessary documents; approve the County's Covenant Agreement with Memorial; approval Memorandum of Understanding between the

County and Memorial, these are services Memorial provides to the County; next, approval of Intergovernmental Agreement between the County and Hospital as it relates to the bond.

Commissioner Farrell said, so moved.

Chairman Liakakis said, the agreements will be distributed later in the week.

Commissioner Farrell said, so moved.

Commissioner Thomas said, second.

County Attorney Hart said, Mr. Chairman I'd like to correct the reading there. It's a 7 mil bond pledge, not 7 million, and number – and – and I'd like to add one additional document, which would be the Bank Deposit Control Agreement to protect the County.

Commissioner Farrell said, accepted.

Commissioner Thomas said, accepted.

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

County Manager Abolt said, Mr. Chairman?

Chairman Liakakis said, said, motion passes.

County Manager Abolt said, with your permission I want to again recognize Mr. Hart and Ms. Cramer and their respective staffs. Also include some of the folks in my office. Putting this together was an extreme burden on staff. I realize the community interest was the reason why we wanted to do it. But I do not want to ever in any way lessen the commitment of Mr. Hart and Ms. Cramer in making this happen.

Chairman Liakakis said, okay.

County Attorney Hart said, and for the record, I'd also like to perfect the record by demonstrating that we will deliver this exhibit which includes the agreements in so as related to the county documents to the Clerk for recording. Thank you.

Chairman Liakakis said, okay. Yes?

Commissioner Kicklighter said, Ms. Gill would like to –

Chairman Liakakis said, come up Maggie [Gill].

Ms. Maggie Gill said, I'll just take a second of your time, but we've been in front of you now since the fall of last year, and I just want to say thank you. Thank you for the leadership and vision and courage that it's taken to help secure this important community asset. And echo Mr. Abolt's compliments of his team. Mr. Hart and Ms. Cramer have been just absolutely outstanding to work with. So on behalf of Memorial and our Boards, thank you very much.

Commissioner Kicklighter said, thank you.

Commissioner Farrell said, thank you.

Commissioner Kicklighter said, we're – we're actually going to miss y'all. You know, you're kind of like family now.

Ms. Gill said, we'll be back.

Commissioner Kicklighter said, good. Good.

**ACTION OF THE BOARD:**

Commissioner Farrell moved to approve Board approval of a Resolution to have Hospital Authority issue bonds backed with up to 7 mil pledge of the County and authorize Chairman to execute the necessary documents; approve the County's Covenant Agreement with Memorial; approve Memorandum of Understanding between the County and Memorial (these are services Memorial provides to the County); approval of Intergovernmental Agreement between the County and Hospital as it relates to the bond; and the Bond Control Agreement. Commissioner Thomas seconded the motion and it carried unanimously.

**AGENDA ITEM: IX-3**  
**AGENDA DATE: April 27, 2012**

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

**ISSUE:** Board consideration of a resolution approving and authorizing the execution, delivery and performance of (i) an intergovernmental contract with the Chatham County Hospital Authority, (ii) a covenant agreement with Memorial Health University Medical Center, Inc., and (iii) a memorandum of understanding with Memorial Health University Medical Center, Inc. and for other purposes.

**BACKGROUND:** On November 18, 2011, the Board discussed the County's possible role as a guarantor on refinanced Hospital Authority debt for Memorial Health University Medical Center, Inc. ("MHUMC"). On December 16, 2011 the Board adopted an inducement resolution and task list for the refinancing transaction. On February 10, 2012, the Board approved a transaction framework that included a negotiated sale of the bonds. On March 23, 2012, the Board affirmed their commitment for a 7 mil pledge for the Hospital Authority bonds.

**FACTS AND FINDINGS:**

1. On December 16, 2011 the Board approved an inducement resolution and task list related to the refinancing of the Hospital Authority's debt for the Series 1996A, 2001A and 2004A revenue improvement bonds. The outstanding par amount of these bonds is an amount not to exceed \$200 million and annual debt not to exceed \$200 million.
2. The attached resolution authorized the Chairman or Vice-Chairman of the Board of Commissioners to execute, deliver and perform the intergovernmental contract, covenant agreement and memorandum of understanding in substantially the same form presented herein. Changes, insertions or omissions may be approved by the Chairman or Vice-Chairman. By approving this resolution, the Chairman and Vice-Chairman may approve and sign finalized agreements and contracts related to the Hospital Authority Series 2012A refunding revenue bonds, subject to the satisfactory resolution of an outstanding items on the refinancing task list.
3. Prior to the April 27<sup>th</sup> meeting, MHUMC will forward by laws approved by their Board and the Hospital Authority that detail the revised structure of the Hospital Board, including expanded participation by Hospital Authority members.
4. The attached intergovernmental agreement between the Hospital Authority and the County has been updated to reflect the structure of the proposed transaction including the County's commitment of the 7 mil tax pledge and guarantee of debt payment.
5. Protective provisions regarding the County's role as bond guarantor are found in the attached covenant agreement with MHUMC.
6. Items on the Refinancing Task List have been incorporated into the attached memorandum of understanding with MHUMC which is attached.
7. Discussions with the bond rating agencies are scheduled for the week of April 23<sup>rd</sup> and April 30<sup>th</sup>. Although the main focus on these calls will be the County's financial condition, MHUMC's financial health will also be reviewed. MHUMC has completed its fiscal 2011 annual audit, so that report will be available to the rating agencies as well as interim March 31, 2012 data.
8. The bond sale is scheduled for the week of May 15, 2012 with closing scheduled for the week of May 21, 2012.

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

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

**ALTERNATIVES:**

- 1) Approve a resolution approving and authorizing the execution, delivery and performance of (i) an intergovernmental contract with the Chatham County Hospital Authority, (ii) a covenant agreement with Memorial Health University Medical Center, Inc., and (iii) a memorandum of understanding with Memorial Health University Medical Center, Inc. and for other purposes.
2. Provide other direction to staff.

**RECOMMENDATION:** For Board consideration.

**CHATHAM COUNTY  
RESOLUTION**

(Re: Chatham County Hospital Authority Seven Mill Tax Pledge Refunding and Improvement Revenue Bonds  
(Memorial Health University Medical Center, Inc.),  
Series 2012A)

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, APPROVING AND AUTHORIZING THE EXECUTION, DELIVERY AND PERFORMANCE OF (i) AN INTERGOVERNMENTAL CONTRACT WITH THE CHATHAM COUNTY HOSPITAL AUTHORITY, (ii) A COVENANT AGREEMENT WITH MEMORIAL HEALTH UNIVERSITY MEDICAL CENTER INC., AND (iii) A MEMORANDUM OF UNDERSTANDING WITH MEMORIAL HEALTH UNIVERSITY MEDICAL CENTER, INC., AND FOR OTHER PURPOSES.**

WHEREAS, pursuant to the provisions of the Hospital Authorities Law, codified as Article 4 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated (the "Act"), Chatham County, Georgia (the "County"), a political subdivision of the State of Georgia, was authorized to establish a hospital authority, and pursuant thereto the Board of Commissioners of Chatham County (the "Board of Commissioners") did establish the Authority in accordance with the provisions of the laws of the State of Georgia (the "State"); and

WHEREAS, pursuant to the Act, the Authority has the power to issue its revenue anticipation certificates and to lend the proceeds of such revenue anticipation certificates to others for the purpose of the planning, design,

acquisition, construction, installation or carrying out of any project described in the Act or to refund obligations previously issued; and

WHEREAS, pursuant to Article IX, Section II, Paragraph III of the Constitution of the State, the County has the power to provide health facilities and services; and

WHEREAS, pursuant to Article IX, Section III, Paragraph I of the Constitution of the State, the State, or any institution, department, or other agency thereof, and any county, municipality, school district or other political subdivision of the State may contract for any period not exceeding 50 years with each other or with any other public agency, public corporation or public authority for joint services, for the provision of services, or for the joint or separate use of facilities or equipment, but such contracts must deal with activities, services, or facilities which the contracting parties are authorized by law to undertake or provide; and

WHEREAS, pursuant to Article IX, Section III, Paragraph 1(c) of the Constitution of the State, any county, municipality or any combination thereof, may contract with a public agency, public corporation or public authority for the care, maintenance, and hospitalization of its indigent sick and may as a part of such contract agree to pay for the cost of the acquisition, construction, modernization or repairs of necessary land, buildings, and facilities and provide for the payment of such services and the cost to such public agency, public corporation or public authority; and

WHEREAS, pursuant to an Amended and Restated Lease Agreement between the Authority, Memorial Health University Medical Center, Inc., a Georgia nonprofit corporation ("MHUMC"), and Memorial Health, Inc. ("Memorial Health"), a Georgia nonprofit corporation and sole member of MHUMC, dated as of May 1, 2004, as amended by a First Amendment thereto, dated as of May 1, 2012 (together the "Lease"), the Authority has leased to MHUMC for operation by MHUMC, Memorial Health University Medical Center, an acute care general hospital and related facilities (the "Hospital") located at 4700 Waters Avenue in Savannah, Chatham County, Georgia, for a term ending on April 30, 2039; and

WHEREAS, in order to restructure its debt and thereby obtain interest cost savings, MHUMC has requested the Authority to issue its revenue anticipation certificates and lend the proceeds thereof to the MHUMC for the purpose of providing funds which will be used, together with certain other available funds, to provide the amounts necessary to (i) acquire, construct and equip improvements to the Hospital, (ii) refund all of its outstanding Revenue Refunding and Improvement Bonds (Memorial Medical Center, Inc.), Series 1996A, Revenue Improvement Bonds (Memorial Health University Hospital, Inc.), Series 2001A, and Revenue Improvement Bonds (Memorial Health University Medical Center, Inc.), Series 2004A (collectively, the "Prior Bonds"); and (iii) pay certain expenses incurred in connection with the issuance of said revenue anticipation certificates; and

WHEREAS, in order to accomplish the aforesaid purposes, the Authority has determined that the public interest will best be served by the issuance of its revenue anticipation certificates to be known as Chatham County Hospital Authority Seven Mill Tax Pledge Refunding and Improvement Revenue Bonds, Series 2012A (the "Series 2012A Bonds"), in an aggregate principal amount not to exceed \$200,000,000, the proceeds of which shall be used to refund the Prior Bonds, and pay the costs of issuance of the Series 2012A Bonds; and

WHEREAS, the Authority anticipates that revenues to be produced by the Hospital and its related facilities will be sufficient to pay the debt service to become due on the Series 2012A Bonds, provide and maintain any necessary debt service reserve, and provide for the operation and maintenance of the Hospital and its related facilities in accordance with sound business practices; and

WHEREAS, the Series 2012A Bonds will be issued pursuant to the provisions of a Bond Trust Indenture (the "Bond Indenture"), dated as of May 1, 2012 between the Authority and U.S. Bank National Association, as bond trustee (the "Bond Trustee"), for the purpose of providing the amounts necessary, together with certain other available funds, to (i) acquire, construct and equip improvements to the Hospital, (ii) refund the Prior Bonds, (iii) pay certain expenses incurred in connection with the issuance of the Series 2012A Bonds; and

WHEREAS, simultaneously with the execution and delivery of the Bond Indenture, MHUMC and the Authority will enter into a Loan Agreement (the "Loan Agreement"), dated as of May 1, 2012, pursuant to which MHUMC will covenant, among other things, to make loan repayments in amounts and at times which will be sufficient to pay when due the principal of, premium, if any, and interest on the Series 2012A Bonds; and

WHEREAS, the obligations of MHUMC under the Loan Agreement will be secured with a Direct Note Obligation (Chatham County Hospital Authority) Series 2012A (the "Series 2012A Obligation"), of MHUMC and Memorial Health issued pursuant to a Master Trust Indenture, dated as of May 1, 2012, as amended and supplemented by a First Supplemental Master Trust Indenture (collectively, the "Master Indenture"), between MHUMC and Memorial Health and U.S. Bank National Association, as master trustee (the "Master Trustee"); and

WHEREAS, the Authority has determined that the most feasible and economical way to secure the payment of the Series 2012A Bonds, in addition to pledging revenues of the Authority to be derived from amounts payable to the Authority by MHUMC pursuant to the Loan Agreement, will be for the Authority to enter into an intergovernmental contract, to be dated the date of issuance and delivery of the Series 2012A Bonds (the "Intergovernmental Contract"), with the County in accordance with the Act, whereby the County shall agree, to the extent required and within the seven mill limitation described in the Act, to pay to or for the account of the Authority amounts sufficient to pay the principal of and interest on the Series 2012A Bonds in order to assure the continued

operation and maintenance of the Hospital and its related facilities for so long as the Series 2012A Bonds shall remain outstanding and unpaid; and

WHEREAS, the Authority and the County propose entering into the Intergovernmental Contract, pursuant to which the Authority will agree, among other things, to issue the Series 2012A Bonds and provide or cause to provide for certain healthcare services and healthcare facilities in the County, and the County will agree, among other things, to make payments, in amounts sufficient to enable the Authority to pay the principal of and interest on the Series 2012A Bonds to the extent required and within the seven mill limitation described in the Act; provided, however that the maximum amount which the County shall be obligated to pay under the Intergovernmental Contract shall not exceed maximum amount of principal and interest coming due on the Series 2012A Bonds in any calendar year; and

WHEREAS, the County will agree in the Intergovernmental Contract to levy an annual tax on all taxable property located within the County, as authorized by the Act and within the maximum amount described above, to the extent required to make the payments required to be made under the Intergovernmental Contract; and

WHEREAS, the County is duly authorized to enter into such a contract pursuant to the Constitution and laws of the State of Georgia, including, without limitation, the provisions of Article IX, Section II, Paragraph III, and Article IX, Section III, Paragraph I of the Constitution of the State of Georgia, and the Act; and

WHEREAS, in consideration of the County's agreement to enter into the Intergovernmental Contract with the Authority and the benefits to be derived by MHUMC and its health care system as a result thereof, MHUMC and Memorial Health have agreed with the County to comply with certain covenants relating to the Series 2012A Bonds, and to provide for the furnishing of health related services to the residents of Chatham County pursuant to a covenant agreement (the "Covenant Agreement") and a memorandum of understanding (the "Memorandum of Understanding"), respectively, to be entered into between MHUMC, Memorial Health and the County on or prior to the issuance and delivery of the Series 2012A Bonds;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Chatham County, as follows:

1. Approval of Execution of Intergovernmental Contract. The execution, delivery, and performance of the Intergovernmental Contract, in substantially the form presented to this meeting, by the Chairman or Vice-Chairman of the Board of Commissioners and the attestation thereof by the Clerk be and the same hereby is authorized subject to such changes, insertions or omissions as may be approved by the Chairman or the Vice-Chairman, and the execution of the Intergovernmental Contract by the Chairman or Vice-Chairman shall be conclusive evidence of any such approval; provided however, that the aggregate principal amount of the Series 2012A Bonds to be issued shall not exceed \$200,000,000 and the maximum amount of principal and interest to be paid on the Series 2012A Bonds in any calendar year shall not exceed \$20,000,000.

2. Approval of Execution of Covenant Agreement. The execution, delivery, and performance of the Covenant Agreement, in substantially in the form presented to this meeting, by the Chairman or Vice-Chairman of the Board of Commissioners and the attestation thereof by the Clerk be and the same hereby is authorized subject to such changes, insertions or omissions as may be approved by the Chairman or the Vice-Chairman, and the execution of the Covenant Agreement by the Chairman or Vice-Chairman shall be conclusive evidence of any such approval.

3. Approval of Execution of Memorandum of Understanding. The execution, delivery, and performance of the Memorandum of Understanding, in substantially the form presented to this meeting, by the Chairman or Vice-Chairman of the Board of Commissioners and the attestation thereof by the Clerk be and the same hereby is authorized subject to such changes, insertions or omissions as may be approved by the Chairman or the Vice-Chairman, and the execution of the Memorandum of Understanding by the Chairman or Vice-Chairman shall be conclusive evidence of any such approval.

4. General Authorization. The Chairman or Vice-Chairman of the Board of Commissioners and such other proper officials of the County required therefor are authorized, empowered, and directed to do all acts and to execute all such documents as shall be necessary to carry out and comply with the provisions of this resolution in relation to the execution of the Intergovernmental Contract, the Covenant Agreement and the Memorandum of Understanding, and the Authority's issuance and delivery of the Series 2012A Bonds, including, but not limited to, the filing of an answer to the validation petition to filed in the Superior Court of Chatham County relating to the validation of the Series 2012A Bonds and the security therefor and a Letter of Direction/Account Control Agreement for Pledged Accounts naming the County as Secured Party. The officials and staff of the County are further authorized to assist in the preparation and distribution of a Preliminary Official Statement and final Official Statement with respect to the sale of the Series 2012A Bonds, and the inclusion therein of financial and other information relating to the County.

Resolution approved and adopted, this April 27, 2012.

By: \_\_\_\_\_  
Chairman  
Board of Commissioners of Chatham County

Attest: \_\_\_\_\_  
 Clerk  
 Board of Commissioners of Chatham  
 County

(S E A L)

CLERK'S CERTIFICATE

Now comes the undersigned Clerk of the Board of Commissioners of Chatham County (the "Board of Commissioners"), keeper of the records and seal thereof, and certifies that the foregoing is a true and correct copy of a resolution approved and adopted by the Board of Commissioners in public meeting properly and lawfully held and assembled on April 27, 2012, the original of which resolution has been entered in the official records of the County under my supervision and is in my official possession, custody and control.

I further certify that the meeting was held in conformity with the requirements of Title 50, Chapter 14 of the Official Code of Georgia Annotated.

(S E A L)

\_\_\_\_\_  
 Clerk  
 Board of Commissioners of Chatham County

**MEMORANDUM OF UNDERSTANDING**

**THIS MEMORANDUM OF UNDERSTANDING ("MOU")** is made and entered into as this \_\_\_ day of \_\_\_\_\_, 2012, by and between **CHATHAM COUNTY** (THE "**County**"), a political subdivision of the State of Georgia and **MEMORIAL HEALTH UNIVERSITY MEDICAL CENTER, INC. ("MHUMC")**, a non-profit Georgia corporation and is intended to establish a framework for certain transactions between MHUMC and the County.

**WITNESSETH:**

**WHEREAS**, MHUMC operates among other things, Memorial Health University Medical Center ("**Hospital**"), an acute tertiary care medical facility which conducts significant medical education, research and patient care activities, including the affiliation with other educational and research institutions for the purposes of educating medical students and residents; and

**WHEREAS**, MHUMC is a non-profit Georgia corporation which is also exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code; and

**WHEREAS**, Hospital is the principal provider of charitable and non-reimbursed indigent care within the area it serves and shall serve its patients regardless of their ability to pay; and

**WHEREAS**, pursuant to the provisions of the Hospital Authorities Law of Georgia, codified in Official Code of Georgia Annotated § 31-7-70, *et seq.* (the "**Hospital Authorities Law**"), Chatham County Hospital Authority (the "**Authority**") was activated as a public body corporate and politic by a resolution adopted by the governing body of Chatham County, and the Authority has been and is now legally created, existing, and operating in accordance with all of the terms and provisions of the Hospital Authorities Law and will continue to comply with all of the requirements thereof; and

**WHEREAS**, the Hospital Authorities Law grants to the Authority the power to acquire, construct, and equip hospitals and other public health facilities for the use of patients and officers and employees of any institution under the supervision and control of the Authority or leased by the Authority for operation by others, to promote the public health needs within its area of operation and all utilities and facilities deemed by the Authority necessary or convenient for the efficient operation thereof, and the power to establish rates and charges for the services and use of the facilities of the Authority; and

**WHEREAS**, pursuant to the duties and powers granted to the Authority by the Hospital Authorities Law, the Authority heretofore acquired, constructed, and equipped and now owns the Hospital and its related facilities (together with the Hospital, the "**System**" or "**Health Care System**") in Chatham County; and

**WHEREAS**, pursuant to the provisions of an Amended and Restated Lease Agreement, dated as of May 1, 2004, as amended by a first Amendment thereto, dated as of \_\_\_\_\_, 2012 (together, the "**Lease**"), between the Authority, as Lessor, MHUMC, as Lessee, and Memorial Health, the Authority leased the MHUMC, for a term of thirty-five years, the land on which the Health Care System is located together with all improvements thereon; and

**WHEREAS**, the Hospital Authorities Law authorizes the Authority to issue revenue anticipation certificates or other evidences of indebtedness for the purpose of paying all or any part of the cost of acquiring, constructing, and equipping, and other charges incident thereto in connection with any facilities or project, and for the purpose of retiring, refinancing or refunding outstanding certificates of the Authority, and as security for repayment of its revenue anticipation certificates, to mortgage, pledge, or assign any revenue, income, tolls, charges, or fees received by Authority and to pledge or hypothecate any revenues received from political subdivisions; and

**WHEREAS**, pursuant to the Hospital Authorities Law, the Authority has previously issued its Revenue Refunding and Improvement Bonds, Series 1996, Revenue Improvement Bonds, Series 2001A and Revenue Improvement Bonds, Series 2004A (collectively, the "**Prior Bonds**") which are currently outstanding in the aggregate principal amount of \$ \_\_\_\_\_; and

**WHEREAS**, pursuant to a Bond Trust Indenture (the "**Bond Indenture**") dated as of the date hereof, between the Authority and U.S. Bank National Association, as trustee (the "**Bond Trustee**"), in order to restructure its debt and obtain interest cost savings thereon, the Authority proposes to issue its revenue anticipation certificates to be known as Chatham County Hospital Authority Seven Mill Tax Pledge Refunding and Improvement Revenue Bonds (Memorial Health University Medical Center, Inc.), Series 2012A (the "**Series 2012A Bonds**") in the aggregate principal amount of \$ \_\_\_\_\_ the proceeds of which shall be used to refund the Prior Bonds and pay the costs of issuance of the Series 2012A Bonds; and

**WHEREAS**, simultaneously with the execution and delivery of the Bond Indenture, the Authority and MHUMC will enter into a Loan Agreement (the "**Loan Agreement**"), dated as of the date hereof, pursuant to which MHUMC will covenant, among other things, to make loan repayments in amounts and at times which will be sufficient to pay when due the principal of, premium, if any and interest on the Series 2012A Bonds; and

**WHEREAS**, the obligations of MHUMC under the Loan Agreement will be secured with a Direct Note Obligation (Chatham County Hospital Authority), Series 2012A (the "**Series 2012A Obligation**"), issued pursuant to a Master Trust Indenture, dated as of the date hereof, (the "**Master indenture**") between the Obligated Group and U.S. Bank National Association, as Trustee (the "**Master Trustee**"); and

**WHEREAS**, the Authority anticipates that revenues to be produced by the Health Care System will be sufficient to pay the debt service to become due on the Series 2012A Bonds, provide and maintain any necessary debt service reserve, and provide for the operation and maintenance of the Hospital and its related facilities in accordance with sound business practices; and

**WHEREAS**, as additional security for the payment of the Series 2012A Bonds, the County has agreed to enter into an Intergovernmental Contract (the "**Contract**") with the Authority in compliance with the Hospital Authorities Law whereby the County agrees, to the extent required and within the seven mill limitation described in the Hospital Authorities Law, to pay to or for the account of the Authority amounts sufficient to pay the debt service on the Series 2012A Bonds in order to assure the continued operation and maintenance of the Hospital and its related facilities; and to assure that the Authority will be able to continue to provide necessary and proper medical care and hospitalization to the citizens within its area of operation, including the County's indigent sick persons; and

**WHEREAS**, in consideration of the County's agreement to enter into the Contract and the benefits to be derived by the Obligated Group and the Health Care System as a result thereof, MHUMC, as Obligated Group Agent, has agreed to comply with certain covenants set forth in the Contract and to enter into this MOU.

**NOW, THEREFORE**, for and in consideration of the premises and undertakings as hereinafter set forth, it is agreed by and between MHUMC and the County, each acting by and through its duly authorized officers, pursuant to resolutions duly adopted and properly passed and subject to more definitive agreements to be executed between MHUMC and the County as follows:

#### ARTICLE I

1. **MHUMC Board Structure.** MHUMC and the Authority have agreed that MHUMC and its parent company Memorial Health, Inc. ("MH" and, together, MHUMC and MH shall be referred to the "MH Entities") will take such action as is necessary to provide in its Bylaws and in a provision of the Lease for the following:
  - a. The voting membership of the Boards of Directors of the MH Entities shall consist of up to 17 members and no less than 13 members, three of whom shall be practicing physicians and four of whom (the "CCHA Members") shall be the Chairman of CCHA and three additional sitting members of CCHA. The other members of the Boards of Directors shall be representative of the community served by the MH Entities and shall initially include the president and chief executive officer of MHUMC as a non-voting member and the board chairman of the Memorial Health University Medical Center Foundation, Inc. as a voting member.

- b. CCHA Members of the Boards of Directors of MH Entities shall be appointed by CCHA from the membership of CCHA. In the event the Chairman of CCHA does not elect to serve on the Boards of Directors of the MH Entities or fails to serve for any reason, then the CCHA Board may appoint any other sitting member of the CCHA Board in his or her place.
  - c. The MH Entities may amend their bylaws to increase the number of individuals serving on the Boards of Directors of the MH Entities, provided that if the number of voting Board members shall exceed 18, then five of such members shall be appointed by CCHA in accordance with subparagraph (b).
  - d. The MH Entities may not amend their bylaws to increase the number of individuals serving on the Boards of Directors of the MH Entities to more than 19 voting members without the approval of CCHA, unless the increase is necessitated by a change in laws or regulations affecting the governance of the MH Entities or the Hospital.
  - e. No person shall be appointed to the Boards of Directors of the MH Entities if the appointment of such person would violate any federal or state statute, rule or regulation.
2. Wellness Program. MHUMC will assist the County in performing an analysis of the County's wellness program at no cost for up to 25 professional hours, and deliver a written assessment for a value of \$15,000.
  3. Health Clinic. MHUMC will assist the County with establishing a health clinic and the provision of a health care provider with an estimated annual support benefit for the provider of \$185,000. The parties acknowledge that the County intends to issue a request for proposal ("RFP") for the establishment, management and operation of a health clinic, and MHUMC will respond to the RFP.
  4. Support of Chatham County Health Department. MHUMC will donate up to \$200,000 worth of usable medical equipment for the new Chatham County Health Department facility in consideration of the health department's capital equipment request.
  5. Inmate Medical Services. MHUMC and the County will review the current inmate medical services contract to explore opportunities for MHUMC to assist the County in renegotiating its current health care agreement with Corizon Health, Inc. or other contracted medical provider. MHUMC will provide telemedicine services, including equipment and training, for inpatient triage upon terms and conditions acceptable to MHUMC and the County and will assist the Sheriff's office in developing related protocols for the telemedicine services. The parties hereto estimate that the annual provision of these services will be approximately \$500,000.
  6. Chatham County Safety Net Planning Council. MHUMC will assist the Chatham County Safety Net Planning Council, Inc.'s program (i) to support a Care Navigator position for a period of but not to exceed three years and an amount of but not in excess of \$80,000 each year, (ii) to expand participation in the ChathamHealthLink to include additional inpatient and outpatient services, centralized participation in a centralized patient registry, and pilot programs, (iii) with the development of protocols for the uninsured in Chatham County to define and to develop continuums of care around specific diseases and (iv) to assess the monitoring of outcomes. The services and/or funding to be provided by MHUMC shall commence within 30 days from the execution of this Agreement.
  7. Level I Trauma and Level III Neonatal Unit. MHUMC will use reasonable efforts to continue the operations of its Level I Trauma Center and Level III neonatal care units at MHUMC's 2011 operational levels.

## ARTICLE II

1. Counterparts. This MOU is being executed in any number of counterparts, each of which is an original and all of which are identical. Each counterpart of this MOU is to be deemed an original hereof all counterparts collective are to be deemed but one instrument.
2. Governing Law. This MOU and the rights and obligations of the parties hereunder shall be governed by and construed and enforced in accordance with the laws of the State of Georgia.
3. Termination. This MOU shall be terminated (1) upon the mutual written consent of the County and MHUMC; or (2) upon the payment of the Series 2012A Bonds.
4. Notices. All notices, requests, demands and other communications hereunder shall be in writing and shall be deemed to have been received by the person to whom it is addressed when delivered if delivered in person or three (3) days after it is deposited in the United State mail, if mailed by certified or registered mail, postage prepaid and addressed as follows:

**If to the County:** 124 Bull Street  
 Savannah, Georgia 31401  
**Attention:** Chairman, Board of Commissioners

**If to MHUMC:** 4700 Waters Avenue  
 Savannah, Georgia 31404  
**Attn:** President

**IN WITNESS WHEREOF**, the undersigned have executed the Memorandum of Understanding as of the date first set out above. The parties hereto agree that facsimile signatures shall be effective as if originals.

**MEMORIAL HEALTH UNIVERSITY MEDICAL CENTER, INC.**

By: \_\_\_\_\_ Date \_\_\_\_\_  
 Title: Chairman

Attest: \_\_\_\_\_  
 Secretary

[Corporate Seal]

**CHATHAM COUNTY, GEORGIA**

By: \_\_\_\_\_ Date \_\_\_\_\_  
 Title: Chairman

Attest: \_\_\_\_\_  
 Clerk

[Seal]

STATE OF GEORGIA     )  
                                   )     **COVENANT AGREEMENT**  
 COUNTY OF CHATHAM    )

This COVENANT AGREEMENT, made and entered into as of \_\_\_\_\_, 2012 (this "**Agreement**"), by and between MEMORIAL HEALTH UNIVERSITY HOSPITAL, INC. ("**MHUMC**") a Georgia nonprofit corporation MEMORIAL HEALTH, INC. ("Memorial Health" and together with MHUMC, the "**Obligated Group**"), a Georgia nonprofit corporation and the sole member of MHUMC, and the CHATHAM COUNTY BOARD OF COMMISSIONERS (the "**County**"), a political subdivision of the State of Georgia, (*capitalized terms used herein and not otherwise defined shall have the meanings ascribed to such terms in the hereinafter defined Bond Indenture and Master Indenture*);

P R E A M B L E :

**WHEREAS**, pursuant to the provisions of the Hospital Authorities Law of Georgia, codified in Official Code of Georgia Annotated § 31-7-70 *et seq.* (the "**Hospital Authorities Law**"), Chatham County Hospital Authority (the "**Authority**") was activated as a public body corporate and politic by a resolution adopted by the governing body of Chatham County, and the Authority has been and is now legally created, existing, and operating in accordance with all of the terms and provisions of the Hospital Authorities Law and will continue to comply with all of the requirements thereof; and

**WHEREAS**, the Hospital Authorities Law grants to the Authority the power to acquire, construct, and equip hospitals and other public health facilities for the use of patients and officers and employees of any institution under the supervision and control of the Authority or leased by the Authority for operation by others, to promote the public health needs within its area of operation and all utilities and facilities deemed by the Authority necessary or convenient for the efficient operation thereof, and the power to establish rates and charges for the services and use of the facilities of the Authority; and

**WHEREAS**, pursuant to the duties and powers granted to the Authority by the Hospital Authorities Law, the Authority heretofore acquired, constructed, and equipped and now owns Memorial Health University Medical Center (the "**Hospital**") and its related facilities (together with the Hospital, the "**System**" or "**Health Care System**") in Chatham County; and

**WHEREAS**, pursuant to the provisions of an Amended and Restated Lease Agreement, dated as of May 1, 2004, as amended by a First Amendment thereto, dated as of \_\_\_\_\_, 2012 (together, the "**Lease**"),

between the Authority, as Lessor, MHUMC, as Lessee, and Memorial Health, the Authority leased to MHUMC, for a term of thirty-five years, the land on which the Health Care System is located together with all improvements thereon; and

**WHEREAS**, the Hospital Authorities Law authorizes the Authority to issue revenue anticipation certificates or other evidences of indebtedness for the purpose of paying all or any part of the cost of acquiring, constructing, and quipping, and other charges incident thereto in connection with any facilities or project, and for the purpose of retiring, refinancing or refunding outstanding certificates of the Authority, as a security for repayment of its revenue anticipation certificates, to mortgage, pledge, or assign any revenue, income, tolls, charges, or fees received by Authority and to pledge or hypothecate any revenues received from political subdivisions; and

**WHEREAS**, pursuant to the Hospital Authorities Law, the Authority has previously issued its Revenue Refunding and Improvement Bonds, Series 1996A, Revenue Improvement Bonds, Series 2001A and Revenue Improvement Bonds, Series 2004A (collectively, the "**Prior Bonds**"), which are currently outstanding in the aggregate principal amount not to exceed \$200,000,000; and

**WHEREAS**, pursuant to a Bond Trust Indenture (the "**Bond Indenture**") dated as of the date hereof, between the Authority and U.S. Bank National Association, as trustee (the "**Bond Trustee**"), in order to restructure its debt and obtain interest cost savings thereon, the Authority proposes to issue its revenue anticipation certificates to be known as CHATHAM COUNTY HOSPITAL AUTHORITY REFUNDING REVENUE BONDS (MEMORIAL HEALTH UNIVERSITY MEDICAL CENTER, INC.), SERIES 2012 (the "**Series 2012A Bonds**") in the aggregate principal amount of \$\_\_\_\_\_ the proceeds of which shall be used to refund the Prior Bonds and pay the costs of issuance of the Series 2012A Bonds; and

**WHEREAS**, simultaneously with the execution and delivery of the Bond Indenture, the Authority and MHUMC will enter into a Loan Agreement (the "**Loan Agreement**"), dated as of the date hereof, pursuant to which MHUMC will covenant, among other things, to make loan repayments in amounts and at times which will be sufficient to pay when due the principal of, premium, if any and interest on the Series 2012A Bonds; and

**WHEREAS**, the obligation of MHUMC under the Loan Agreement will be secured with a Direct Note Obligation (Chatham County Hospital Authority), Series 2012A (the "**Series 2012A Obligation**"), issued pursuant to a Master Trust Indenture, dated as of the date hereof, (the "**Master Indenture**") between the Obligated Group and U.S. Bank National Association, as trustee (the "**Master Trustee**"); and

**WHEREAS**, the Authority anticipates that revenues to be produced by the Health Care System will be sufficient to pay the debt service to become due on the Series 2012A Bonds, provide and maintain any necessary debt service reserve, and provide for the operation and maintenance of the Hospital and its related facilities in accordance with sound business practices; and

**WHEREAS**, as additional security for the payment of the Series 2012A Bonds, the County has agreed to enter into an Intergovernmental Contract (the "**Intergovernmental Contract**") with the Authority in compliance with the Hospital Authorities Law whereby the County agrees, to the extent required and within the seven mill limitations described in the Hospital Authorities Law, to pay to or for the account of the Authority amounts sufficient to pay the debt service on the Series 2012A Bonds in order to assure the continued operation and maintenance of the Hospital and its related facilities; and to assure that the Authority will be able to continue to provide necessary and proper medical care and hospitalization to the citizens within its area of operation, including the County's indigent sick persons; and

**WHEREAS**, in consideration of the County's agreement to enter into the Intergovernmental Contract and the benefits to be derived by the Obligated Group and the Health Care Systems as a result thereof, MHUMC, as Obligated Group Agent, has agreed to comply with certain covenants hereinafter set forth;

**NOW, THEREFORE**, for and in consideration of the premises and undertakings as hereinafter set forth, it is agreed by and between MHUMC and the County, each acting by and through its duly authorized officers, pursuant to resolutions duly adopted and properly passed, as follows:

**Section 1.01. Terms of the Agreement.** This Agreement shall be the binding obligation of the parties hereto from and after its execution by the parties hereto. The terms of this Agreement shall begin with the issuance and delivery of the Series 2012A Bonds and shall continue in full force and effect until the earlier of (i) \_\_\_\_\_, 20\_\_ or (ii) such time as the Series 2012A Bonds as to principal, premium, if any, and interest have been paid or until provision is duly made therefor, but in no event shall the term of this Agreement exceed the term of the Intergovernmental Contract.

**Section 1.02. Definitions.** In addition to the words and terms defined in this Agreement, capitalized words and terms used herein but not defined herein shall have the meaning set forth in the Master Indenture, the Bond Indenture, the Loan Agreement, the Intergovernmental Contract or the Lease, as the context requires.

**Section 1.03. Rates and Charges.** Each Member covenants and agrees to operate all of its Facilities on a revenue producing basis and to charge such fees and rates for its Facilities and services and to exercise such skill and diligence as to provide income from its Property together with other available funds sufficient to pay promptly all payments of principal and interest on its Indebtedness, all expenses of operation, maintenance and repair of its Property and all other payments required to be made by such Member of the Obligated Group hereunder to the extent permitted by law. Each Member further covenants and agrees that it will, from time to time as often as necessary and to the extent permitted by law, revise its rates, fees and charges in such manner as may be necessary or proper to comply with the provisions of this Section. Notwithstanding the foregoing, MHUMC and the Authority shall not operate its facilities for profit or otherwise or its rates or charges in violation of the Act.

The Obligated Group covenants and agrees that it will cause its staff and accountants to provide the Financial Review Committee unaudited quarterly financial statements and audited annual financial statements as provided in Section 1.09. The Obligated Group further covenants and agrees that it will cause the accountants giving the opinion letter on the Obligated Group's annual audited financial statements to calculate the Income Available for Debt Service for the Obligated Group for the Fiscal Year covered by such report and to calculate the Historical Maximum Annual Debt Service Requirement of the Obligated Group and to deliver a copy of such calculation is delivered to the Obligated Group by the accountant. In addition, the Obligated Group's staff will provide a calculation on the Obligated Group's quarterly financial statements to calculate the income Available for Debt Service for the Obligated Group for the period covered by such report and to calculate the Historical Maximum Annual Debt Service Requirement of the Obligated Group for the period covered by such report and to calculate the Historical Maximum Annual Debt Service Requirement of the Obligated Group and to deliver a copy of such calculation to the County and the Authority within three business days after such calculation is delivered to the Obligated Group by the accountant.

The Obligated Group covenants and agrees that, to the extent permitted by law, it will establish rates, fees, and charges which are in the aggregate efficient to provide Income Available for Debt Service to result in a Historical Maximum Annual Debt Service Coverage Ratio of the Obligated Group of at least 1.20:1 for each Fiscal Year of the Obligated Group.

The fact that the Historical Maximum Annual Debt Service Coverage Ratio of the Obligated Group at any time is less than 1.20:1 shall not constitute an event of default under the Master Indenture, the Bond Indenture, the Loan Agreement, the Intergovernmental Contract, the Lease, the Series 2012A Obligation or the Series 2012A Bonds. However, in such case, the County may exercise its rights either under Section 1.14 or Section 1.15(b) hereof. Should the next succeeding unaudited quarterly financial statement, after the Consultant's recommendations are accepted by the Obligated Group and implementation commences, reflect that the Obligated Group, at any time during the statement period, has a debt service coverage ratio of less than the Historical Maximum Annual Debt Service coverage Ratio of less than 1.20:1, then the County may exercise its rights under Section 1.14, 1.15(b), and 1.10 hereof and may invoke its other remedies at law.

**Section 1.04. Minimum Unrestricted Cash on Hand.** The Obligated Group covenants and agrees that it will maintain Unrestricted Liquid Funds equal to at least 65 Days of Unrestricted Cash on Hand calculated and reported quarterly based upon unaudited quarterly financial statements provided pursuant to Section 1.09(a) and calculated and reported annually based upon the audited financial statements provided pursuant to Section 1.09(b).

The amount of Unrestricted Liquid Funds and Total Operating Expenses used in calculating the Days of Unrestricted Cash on hand for each calendar year shall be determined from the audited financial statements delivered by the Obligated Group pursuant to Section 414(B) of the Master Indenture. Quarterly unaudited financial statements will be used by the Obligated Group to make a calculation and report of Days of Unrestricted Cash on Hand for each quarter.

The Obligated Group covenants and agrees that it will cause a calculation of the Days of Unrestricted Cash for each calendar year to be prepared and set forth in a certificate or report of MHUMC's accountants and delivered to the County and the Authority simultaneously with the delivery of the audited financial statements pursuant to Section 414(B) of the Master Indenture.

In the event the Unrestricted Liquid Funds for any quarter is less than 65 days of Unrestricted Cash on Hand as reflected in any unaudited quarterly financial statements then the County may exercise its rights under Sections 1.14, or 1.15(b) and all other remedies at law.

Should the next succeeding unaudited quarterly financial statement, after the Consultant's recommendations are accepted by the Obligated Group and implementation commences, or as such time that the County deems reasonable with advice from Obligated Group, reflect that the Obligated Group, at any time during the statement period, reflects an Average Daily Balance in Unrestricted Liquid Funds of less than 65 days of unrestricted Cash on Hand, then the County may exercise its rights under Sections 1.14, 1.15(b) and 1.10 hereof, and may invoke its other remedies at law.

For the purposes of this Section 1.04, the following terms shall have the following definitions:

“Days of Unrestricted Cash on Hand” for each calendar quarter and the calendar year shall mean the Obligated Group’s (i) Unrestricted Liquid Funds for each calendar quarter and the calendar year, respectively, divided by (ii) the Obligated Group’s Total Operating Expenses for the most recent period of four consecutive calendar quarters divided by 365.

“Total Operating Expenses” shall mean total operating expenses for the Obligated Group for the applicable period as determined under generally accepted accounting principles then in effect less, for the same period, depreciation, interest and amortization.

“Unrestricted Liquid Funds” shall mean unrestricted cash or cash equivalents, unrestricted marketable securities and funds held in first security interest held by the Bank and the Deposit Control Agreement, but excluding (i) any such funds held in trust by a trustee and restricted as to sue by the Obligated Group for purposes other than paying operating expenses or debt service generally, and (ii) borrowed moneys repayable upon demand or held by the lender as security for loan or pending disbursement upon compliance with certain preconditions.

**Section 1.05. Insurance.** Each Member shall maintain, or cause to be maintained at its sole cost and expense, insurance with respect to its Property, the operation thereof and its business against such casualties, contingencies and risks (including but not limited to public liability and employee dishonesty) as is required by the Master Indenture.

**Section 1.06. Damage and Destruction.** Each Member agrees to notify the County and the Authority in the case of the destruction of its Facilities or any portion thereof as a result of fire or other casualty. The County and the Obligated Group agree that the use of the proceeds of insurance shall be as set forth in the Master Indenture.

**Section 1.07. Condemnation.** The Obligated Group shall notify the County and the Authority of the commencement of any action to condemn any portion of the Leased Facilities. The County shall cooperate fully with the Obligated Group in the handling and conduct of any prospective or pending condemnation proceedings with respect to their Facilities or any part thereof. The County and the Obligated Group agree that the use of the condemnation proceeds shall be as set forth in the Master Indenture.

**Section 1.08. Mergers, Consolidation, Sale or Conveyance.** Each Member agrees that it will not merge into, or consolidate with, one or more Persons which are not Members, allow one or more of such Persons to merge into any Member or sell or convey all or substantially all of its property to any person who is not a Member except as permitted in the Master Indenture.

**Section 1.09. Financial Statements.** Each Member covenants that it will keep or cause to be kept proper books of records and accounts in which full, true and correct entries will be made of all dealings or transactions of or in relation to its business and affairs in accordance with generally accepted principles of accounting consistently applied, and will furnish to the County and the Authority:

(a) *Quarterly Unaudited Statements:* As soon as practicable after they are available, but in no event more than 45 days after the expiration of each of the four quarterly fiscal periods of each Fiscal Year, an unaudited statement of Adjusted Revenues and Adjusted Expenses and cash flow of the hospital and its Affiliates during such period, and a balance sheet as of the end of each such quarterly fiscal period, all in reasonable detail and certified, subject to year-end adjustment, by an authorized financial officer of the Obligated Group Agent.

(b) *Annual Audited Statement.* As soon as practicable after they are available, but in no event more than 120 days after the last day of each Fiscal Year, a consolidated financial report for such Fiscal Year certified by a firm of independent certified public accountants selected by the Obligated Group Agent and not objected to by the Master Trustee, covering the operations of the Hospital and its Affiliates for such Fiscal Year and containing a consolidated balance sheet of the Hospital and its Affiliates as of the end of such Fiscal Year and a statement of consolidated cash flow of the Hospital and its Affiliates for such Fiscal Year and a statement of revenues and expenses for such Fiscal Year of the Hospital and its Affiliates, showing in each case in comparative form the financial figures for the preceding Fiscal Year.

(c) At the time of delivery of the financial report referred to in Subsection (b) above, an Officer’s Certificate of the Obligated Group Agent stating that the Obligated Group Agent has made a review of its activities of the Obligated Group during the preceding Fiscal Year for the purpose of determining whether or not the Members have complied with all of the terms, provisions and conditions of this Agreement and that each Member has kept, observed, performed and fulfilled each and every covenant, provision and condition of this Agreement on its part to be performed and is not in default in the performance or observance of any of the terms, covenants, provisions or conditions hereof, or if any Member shall be in default such certificate shall specify all such defaults and the nature thereof.

(d) Such additional information as the County may reasonably request concerning any Member in order to enable the County or the Authority to determine whether the covenants, terms and provisions of this Agreement

have been complied with by the Members and for that purpose all pertinent books, documents and vouchers to the business, affairs and property of the Members (other than patient, donor, and personnel records) shall at all times during regular business hours be open to the inspection of such accountant or other agent (who may make copies of all or any part thereof) as shall from time to time be designated and compensated by the County.

Without limiting the foregoing each Member will permit the County and the Authority (or such persons as they may designate) to visit and inspect, at the expense of such persons, any property of any Member and to discuss the affairs, finances and accounts of the Obligated Group with its and their officers and independent accountants, all at such reasonable times and as often as reasonable.

Each Member shall give prompt written notice of a change of its accountants to the County, which notice shall state: (i) the effective date of such change; and (ii) the name and address of such accountants.

Each Member agrees that, whenever requested by any Related Issuer, if each Member shall provide and certify, or cause to be provided and certified, in form satisfactory to such Related Issuer, such information concerning such Member and the other Members, their property, their operation and finances and other matters that such Related Issuer considers necessary to enable it to complete and publish an official statement relating to its Related Bonds when any of such Related Bonds are to be offered for sale or to enable it to make any reports required by law, governmental regulations or the Related Bond Indenture in connection with any such Related Bonds.

So long as MHUMC is the sole Member of the Obligated Group and the Obligated Group Agent, as evidenced by an Officer's Certificate of MHUMC delivered to the Master Trustee at the time of delivery of any information required to be delivered pursuant to this Section 1.09, the financial statements and certificates may refer to MHUMC rather than the Obligated Group.

MHUMC and the County will establish a financial review committee (the "**Financial Review Committee**") to assess, on a quarterly basis, MHUMC's compliance with this Agreement and to assess MHUMC's financial status based on quarterly unaudited financial statements and on audited annual financial statements. The County shall have the right, at the expense of MHUMC, to retain an independent financial advisor to assist the County in the review covenant compliance, the unaudited quarterly financial statements and audited annual financial statements. The Financial Review Committee shall be comprised of one representative from: MHUMC, the Hospital Authority, the County and a financial advisor appointed by the County.

**Section 1.10. Debt Service Reserve.** The County will be granted a first security interest that shall not be subordinate to any other security interest and that shall have priority over any security interest granted to the Master Trustee for the benefit of the Bondholders, in certain funds (the "Secured Funds") of the Health Care System, deposited with StoneCastle Cash Management, LLC (Program Advisor) and US Bank National Association (Custodian) (collectively referred to as "Bank") the pledged FICA Account (Account) bearing Account Identification Number of \_\_\_\_\_, in an amount not less than the Maximum Annual Debt Service Requirement on the Series 2012A Bonds in order to secure the payment of debt service on the Series 2012A Bond or \$\_\_\_\_\_. Said funds being held in a segregated account subject to an Account Control Agreement and said funds being in cash or near cash equivalent. In accordance with the "Notice of Exclusive Control" and the Account Control Agreement, the County shall have the right to remove any and all Secured Funds from said Bank due to any default under this Agreement. The County shall have the right at any time of its choosing regardless of default to provide under the Account Control Agreement "Notice of Exclusive Control" of said account.

**Section 1.11. Loan Repayments.** Loan repayments to be made by MHUMC, as Obligated Group Agent, pursuant to the Series 2012A Obligation, with respect to principal of and interest on the Series 2012A Bonds will be due in advance as follows:

- Fifty percent of the interest due on January 1 of any year will be paid to the Bond Trustee on each of July 10 and October 10 of the preceding year.
- Fifty percent of the interest due on July 1 of any year will be paid to the Bond Trustee on January 10, and April 10 of such year.
- Twenty-five percent of the principal due on January 1 of any year will be paid to the Bond Trustee on January 10, April 10, July 10 and October 10 of the preceding year.

Upon failure of MHUMC to make the loan repayments on the dates set forth above, the County shall have the right to withdraw all of the Secured Funds as may be required in order to assure that timely payment is made to the Bond Trustee of the principal or interest coming due on the Series 2012A Bonds.

**Section 1.12. Use of Bond Proceeds.** MHUMC will apply the savings generated from the sale of the Series 2012A Bonds to working capital, fixed assets or other capital improvements.

**Section 1.13. Additional Permitted Indebtedness.** The Obligated Group covenants not to incur Additional Funded Debt except as permitted by the Master Indenture. The Obligated Group may incur additional Funded Debt without the consent of the County to the extent provided in the Master Indenture. Such Funded Debt may be payable on a parity with the Series 2012A Bonds, except for the County pledge of the seven mill tax, and may be secured by an Obligation issued under the Master Indenture. The Obligated Group and the County agree that no such additional Funded Debt shall be secured by a pledge of such tax by the County without the prior consent and authorization of the County.

**Section 1.14. Defaults.** The failure of the Obligated Group to comply with, observe or perform any of the material covenants, conditions, agreement or provisions hereof and to remedy such default within ninety (90) days after receipt of written notice to the Obligated Group Agent from the County expressly stating the default shall be a "Default" hereunder.

Any Default or the occurrence of an event, which with notice and the passage of time would constitute a Default under this Agreement, shall not constitute an event of default under the Master Indenture, the Bond Indenture, the Loan Agreement, the Intergovernmental Contact, the Lease, the Series 2012A Obligation or the Series 2012A Bonds, and shall not affect the obligations of the County under the Intergovernmental Contract to levy the tax described therein and amount to pay principal of and interest on the Series 2012A Bonds when due, without regard to acceleration. Upon default as defined in the first paragraph of Section 1.14 hereof, the County shall have all remedies under Sections 1.15 or 1.10.

**Section 1.15. Remedies.**

(a) Upon the occurrence and continuation of a Default under Section 1.14 or any other material provisions of this Agreement, the County shall have the right to pursue all rights and remedies available under applicable law and in addition shall have the remedy set forth in the following paragraph for the Defaults specified in such paragraph. However, the preceding notwithstanding, the County shall not have the right to declare an event of default under the Master Indenture, the Bond Indenture, the Loan Agreement, the Intergovernmental Contract, the Lease, the Series 2012A Obligation, or the Series 2012A Bonds for any Default or the occurrence of an event, which, with notice of the passage of time, would constitute a Default hereunder.

(b) If in any Fiscal Year the Historical Maximum Annual Debt Service Coverage Ratio of the Obligated Group is less than 1.20:1 or the Days Cash on Hand is less than 65 days, the County may require the Obligated Group, at the expense of the Obligated Group, to retain a Consultant with nationally recognized expertise in nonprofit acute care hospital operations, finances, management and governance, to make recommendations with respect to the rates, fees, and changes of the members of the Obligated Group and the Obligated Group's methods of operation, governance, and other factors affecting its financial condition in order to increase such Historical Maximum Annual Debt Service Coverage Ratio or Days Cash on Hand at least equal to the requirements of this Agreement and replenish the Debt Service Reserve Fund. Such Consultant shall be selected by the Obligated Group Agent and shall be acceptable to the County and the Authority. If a Consultant is not retained within 45 days of the date on which the County required the Consultant to be retained, the County may appoint the Consultant from a list of Consultants recommended by the Finance Review Committee without the consent of the Obligated Group Agent or the Authority. The Consultant so chosen shall provide a preliminary report and recommendation within 45 days of being engaged, or as such time that the County deems reasonable with advice from Obligated Group. The preliminary report shall make recommendations as to rates, fees, methods of operation, and other factors affecting its financial condition in order to improve the debt service coverage ratio, increase Days of Unrestricted Cash on Hand, and replenish the debt Service Reserve Fund.

A copy of the Consultant's report and recommendations, if any, shall be filed with the Obligated Group Agent, and made available to the County and the Authority. The Obligated Group shall implement the recommendations of the Independent Consultant to the extent prudent and permitted by law. This Section shall not be construed to prohibit any Member of the Obligated Group from serving indigent patients to the extent required for it to continue its qualification as a Tax-Exempt Organization or from serving any other class or classes of patients without charge or at reduced rates so long as such service does not prevent the Obligated Group from satisfying the other requirements of this Section.

The foregoing provisions notwithstanding, if in any Fiscal Year the Historical Maximum Annual Debt Service Coverage Ratio is less than required by this Agreement, the Obligated Group is not obligated to retain a Consultant to make such recommendations if: (a) there is filed with the County and the Authority a written report addressed to them of a Consultant retained by the Obligated Group (which report, including without limitation, the scope, form, substance and other aspects thereof, is acceptable to the County and the Authority) which contains an opinion of such Consultant that applicable laws, regulations or conditions, such as, but not limited to, significant changes in government reimbursement, regulatory issues or disruptions in business operations which are outside the control of the Obligated Group, have prevented the Obligated Group from generating Income Available for Debt Service during such Fiscal Year in an amount sufficient to cause the Historical Maximum Annual Debt Service coverage Ratio for such Fiscal Year to equal or exceed the requirements herein and, if requested by the County and the Authority, such report is accompanied by a concurring opinion of Independent Counsel (which Independent Counsel

and opinion, including without limitation the scope, form, substance and other aspects thereof, are acceptable to the County and the Authority) as to any conclusions of law supporting the opinion of such Consultant; (b) the report of such Consultant indicates that the rates charged by the Obligated Group has generated the maximum amount of Adjusted Revenues reasonably practicable given such laws and regulations; and (c) the Historical Maximum Annual Debt Service Coverage Ratio for such Fiscal Year was at least 1.10:1.

The Obligated Group, with the County's concurrence, shall not be required to cause the Consultant's final report referred to in this Section to be prepared more frequently than once every two Fiscal Years if at the end of the first of such two Fiscal Years the Obligated Group Agent provides to the County and the Authority an opinion of Independent Counsel (which Independent Counsel and opinion, including without limitation, the scope, form, substance and other aspects thereof, are acceptable to the County and the Authority) to the effect that the applicable laws and regulations underlying the Consultant's report delivered in respect of the previous Fiscal Year have not changed in any material way.

**Section 1.16. Waiver Authority.** The County has the right to waive compliance by MHUMC with any of the foregoing covenants.

**Section 1.17. Covenants for Benefit of County.** The parties hereto agree that the covenants set forth herein are made solely for the benefit of the County in consideration of its agreement to provide its millage support for the payment of the Series 2012A Bonds and said covenants are not transferrable to the Bondholders or any other party.

**Section 1.18. Reimbursement Claim of County.** Any payments made by the County pursuant to the Intergovernmental Contract which are applied to the payment of principal or interest on the Series 2012A Bonds shall constitute a claim for reimbursement against MHUMC, which claim shall be subordinate only to indebtedness under the Master Indenture.

**Section 1.19. Performance of Obligations.** MHUMC covenants that it will perform at all times its covenants and undertakings set forth herein and in the Master Indenture, the Loan Agreement, the Series 2012A Obligation and Lease.

**Section 1.20. Miscellaneous.**

(a) *Incorporation of Preamble.* The recitals contained in the Preamble to this Agreement are incorporated herein and made a part hereof.

(b) *Counterparts.* This Agreement is being executed in any number of counterparts, each of which is an original and all of which are identical. Each counterpart of this Agreement is to be deemed an original hereof all counterparts collective are to be deemed but one instrument.

(c) *Governing Law.* This Agreement and the rights and obligations of the parties hereunder shall be governed by and construed and enforced in accordance with the law of Georgia.

**IN WITNESS WHEREOF**, the parties hereto, acting by and through their duly authorized officers, have caused this Contract to be executed as of the day and year first above written.

MEMORIAL HEALTH UNIVERSITY MEDICAL CENTER, INC.

BY: \_\_\_\_\_  
Chairman

(SEAL)

Attest: \_\_\_\_\_  
Secretary

MEMORIAL HEALTH, INC.

BY: \_\_\_\_\_  
Chairman

(SEAL)

Attest: \_\_\_\_\_  
Secretary

CHATHAM COUNTY, GEORGIA

BY: \_\_\_\_\_  
Chairman

(SEAL)

Attest: \_\_\_\_\_  
Clerk

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**4. LOCAL PARTICIPATION UPDATE FOR THE CHATHAM COUNTY DETENTION CENTER PROJECT. HUNT/MILLS REPRESENTATIVES WILL BE PRESENT.**

Chairman Liakakis said, next item, local participation update for the Chatham County Detention Center Project. Hunt/Mills representatives will be present. Mr. County Attorney – Manager.

County Manager Abolt said, we’re going to make the –

Chairman Liakakis said, hold it just a minute. Let them – I think they want to leave out. Just a minute. So we don’t have any interruptions. Okay. Russ [Abolt]?

County Manager Abolt said, yes, Mr. Chairman, ladies and gentlemen. I know this has been an issue almost as regular as the appearance of the folks at Memorial, but it is a vital issue because you in effect told the contractor and told this community there’s certain values we want followed in the completion of this project. I – I want to go on record now though I told you privately in the pre-meeting that Mr. Savidakis and his staff –

Chairman Liakakis said, go ahead.

County Manager Abolt said, – Mr. Savidakis and his staff, representing Hunt/Mills have got the message. There’s no question in my mind that this isn’t about shucking and jiving. This is about reality. And they understand their commitments under the contract, and they’re doing all that is reasonably feasible in partnership with Vo Tech and also in relationship with people on Mr. Kaigler’s staff, Arneja Riley, and others to do what this community expects. What you’re going to hear today is very analytical. It’s got a little bit of good news in it. But the real good news in my mind is the going forward commitment to deal with work force development and the partnership that is going to be established, has been established with Vo Tech and then through the Construction Apprentice Program. But I do want to recognize Mr. Savidakis for what he’s doing, and also as we’ve said repeatedly – repeatedly, what this Board has done will become a lesson across the nation. From the beginning as you solicit for – for the design services then the contractor, and then implemented the construction schedule, which was very ambitious. You’ve done something that is very, very unique among local government in the United States of America. Mr. Savidakis?

Mr. Michael Savidakis said, thank you, Mr. Abolt. Mr. Chairman, members of the Board. I appreciate the opportunity to present this period’s report for local participation for the Chatham County Detention Center expansion project for the period through February of 2012. We’re pleased to report how our continued commitment towards increasing local participation demonstrates several things, and I’m going to touch on them and then go into a lot more detail. The first item is consistent improvement with the local labor participations over the past several months. Although we were not happy with – with readings in November at 38%, we – we climbed to 41% in December, January we climbed up to 50%, and in February, we’re happy to report we’re up at 57%. It’s not – and we’re not giving up. We’re going to continue this – this effort, and we believe that some of the initiatives that Hunt/Mills and its subcontractors are taking in the spirit of local participation, the efforts of working together in supporting to develop a model that can be used for future programs. We hope that you will see how our efforts will also improve the long-term mission of improving the quality and qualifications of local workers pursuing employment opportunities. As we stated in the last report a few months ago, we’re – we’re optimistic that this percentage will continue to increase over the upcoming months as we get into more of the finished trades on the project. We’re currently exceeding the established goal of 66% on local businesses where we’re projecting 68% of the \$71 million contract at this point.

Mr. Savidakis said, within the report you will see a comparison by trade. And when you compare from the period of January-February of 2012, back to October to December, there has been increases in local participation for the drywall, ceiling, electricians, glazers, masons, the painters, pipe fitters and plumbers, technicians, and clerical trades. Also, when you look at it by subcontractor, and by the highest percentage of work hours performed by a particular trade, those have gone up somewhat too. We’re still challenged in several of the trades, and when you look at the chart, you’ll see we’re – we’re not happy with – with all the results. There are several local companies that are using their in-house employees that have long term tenure with the company but they just don’t live in Chatham County. What we’ve challenged them to do is as they look at other projects they’re doing or about to start, is there any way of transferring employees that are local to the Chatham County Detention Center project. And we believe in talking with several of those trades that that is going to start occurring over the next couple months. Fencing is another one that the result is – is very poor, but I can tell you that trade has been off the job for a couple months, and they will be returning at the end of the year when we complete the two new housing unit buildings. That’s where a significant amount of that fencing work is – is going to be done, and they have committed and are working out a program with – with some local businesses to – to complete that work. The other one that – that I want to bring attention to is the roofing. The roofing has continued to be a challenge since the beginning of the project, where we’ve done little increments of roofing work

because of the phasing of the – of the project, but I can tell you over the last couple weeks, our roofer has finally gotten it. He's – he's now applied several people through the badging process, and we expect in the next week or so when there's – when there's security clearance is – is brought on as some additional roofing work begins in the next coming – coming weeks that you will see some local participation from the roofers.

Mr. Savidakis said, as – as many of you witnessed during the ribbon cutting for the new visitation building that we turned over several weeks ago, the project is on schedule, and we're delivering the quality that we believe you're – you're expecting. I would like to take a moment to thank all the subcontractors and everyone that's been involved in that process of making that a success to this point. But there continues to be a challenge in finding certain skilled trades, masons, roofers, caulkers, welders, plumbers, electricians, and sheet metal workers. But I'm proud to report some initiatives that we've been working on over the last couple months. Number one is to continue recruiting and training through the CAP program. Also, a – a big – a big item – is the collaboration with Savannah Technical College. We've had several meetings with many of their staff and – and we collectively have recognized the challenges regarding preparing applicants to be with the required qualifications for employment. So we look at the theme here is incentivizing and providing training opportunities to those that are aspiring – aspiring to work. But that really needs to start at the high school level by mentoring those students to motivate them and group them and – and – and make them the future trades people. Construction is an – an exciting industry. I'm proud of it. I've been doing it for 35 years and – and we need to start grooming that next generation of – of people in this business. So through a joint effort with support from the community leaders recognizing all these factors, we're – we're optimistic that long term the – the success of this mission.

Mr. Savidakis said, what we've done with Savannah Technical College is we've shared with them by subcontractor and trade a definition of every one of those work categories necessary for employ – employment. What they've been doing over the – the past several weeks is forwarding resumes of potential candidates to us, we've forwarded them to our subcontractors for potential candidates for employment. We're going to be tracking that over – over the next several months, and we anticipate some success there. A – another thing we're very proud of is Hunt/Mills itself has just hired an intern from Savannah Tech. This young junior is in the construction management program, and he will start in – in a couple of weeks with us, and he's going to work with myself and our staff on hands on field and administrative training in construction management, and he will be with us through the summer, and we're potentially looking at other interns after that in – in the fall and through the balance of the job. The folks at Savannah Technical College are also collaborating with several of our key subs, the masonry, the mechanical, the plumbing, the roofing, and the electrical to implement some immediate short-term programs that we think are vital for this project in – in – in training people to – to – that are aspiring to get positioned and employed on this project. We've also – our project manager, Lyle Miller, is participating on their advisory board now. He's been to their first meeting, and he is working with them on a basis of helping this program get off to the right foot. Also, I want to mention that our – our local sheet metal subcontractor has just recently hired two applicants from Savannah Tech – Technical College. They're also doing in-house training with – in their metal shop. They're – they're the – the contractor that's forming all the duct work, and there's a significant amount of it for this project in every building. What they're doing is they're preparing those workers in the shop that are making the duct work, so when the duct work is ready to come out in the field, they can come out in the field and actually install it.

Mr. Savidakis said, another collaboration that we're doing is with the Georgia Department of Labor. We've been working with Mr. Bell on – on – we've shared with him the same job description matrix. They're posting it on their website and for any walk-in candidate, and they have agreed to work with us on a pre-screening process for direct interviews with the appropriate subcontractors. We believe that's going to be more effective than just a wide open job fair. We – we believe that will concentrate to getting the ride people married up with the right trade. In early February we conducted superintendent informant training to about 30 individuals, some of them that are already working on our project that aspire to be foreman-type people. And our – the local painting supplier, Sherwin Williams, is also conducting on-the-job training to our paint contractor, and its workers for the application of a high performance painting that being used in the – in the two new four-story housing units. We've also looked at creating – we're implementing already an – an effective program. We've been dealing with some challenges with our masonry contractor, who's having some cash flow and operating capital challenges, and we – we are – they are now using a pay roll agency that is paying the worker wage payments. We are – Hunt/Mills is also issuing joint checks to ensure that the contractor and its vendors and that payroll agency receive the check so they can make the – the payroll. So as we – as we move forward with our future plans, with the – our good faith effort as continuing the collaboration with Savannah Tech, we think there's some real meat to that, and we appreciate their efforts working with us on the project. Continue to stress to the subcontractors the hiring and training of local skilled and unskilled labor. We're actually using two labor agencies on the project that are supplying unskilled and what I will call skilled in training workers to the fire proofing contractor, electrical, the precast grouting, masonry, and painting, and we think that – that those individuals will be able to continue on with those trades.

Mr. Savidakis said, we're going to continue to scrutinize the badge applications and conduct more training. We're going to participate with the Georgia Career Expo on May 16<sup>th</sup> with Savannah Tech, and we're going to encourage other subcontractors, like our sheet metal contractor, to work with Savannah Tech on – on some other training programs immediately.

Chairman Liakakis said, Helen [Stone].

Commissioner Stone said, thank you, Mr. Chairman. As a big advocate for more vocational and technical training in this community, have you reached out to Woodville-Tompkins? The vocational technical school here for some of these positions that are not filled by local residents?

Mr. Savidakis said, we – we – up to this point we've been dealing with Savannah Tech.

Commissioner Stone said, okay.

Mr. Savidakis said, but – but we will do that. I appreciate that information.

Commissioner Stone said, they – they – they are full right now. They have a waiting list. I hope that this community can support in the very near future another school with vocational and technical training because I'm going down this list, and even though you have made some improvements, obviously, carpenters are still in need. Electricians you're just – just under the 50% mark there. The roofers, you've already gone down the list so I won't be redundant. But, we need to find the residents in this community solid employment. And it's out there. But somehow we're not connecting the dots, and I have been working, and the Chairman has attended a meeting with SEDA and the Chamber to try to make this happen because quite frankly the jail that you're building, I don't want it to be full, and I don't want it to be full of the residents here. I want them to be tax payers not tax recipients, and I have been very vocal about this. The other thing that I'm concerned about, well let – let me back up. Woodville-Tompkins would be one, the Step Up Program that Chatham County here has – are they working with them?

County Manager Abolt said, he – he used a short form, CAP, Construction Apprentice Program.

Commissioner Stone said, right. Okay.

County Manager Abolt said, when he says CAP, he means that.

Commissioner Stone said, wonderful.

Mr. Savidakis said, correct.

Commissioner Stone said, and certainly very supportive of the technical college reaching into their enrollment and seeing who you can employ from there because I think it sends a very strong message to our young people that once you receive a degree in this vocation – vocational and technical training area, there is employment out there for you, and certainly through the Woodville-Tompkins for some of the individuals going through that facility to know that once they graduate that there is employment out there to the tune – some of these jobs, 30, \$40,000 a year starting out, and that's great pay for a young person.

Mr. Savidakis said, yes it is.

Commissioner Stone said, and then it encourages them – encourages them to go on to the technical college and complete the degree. So I have been pushing for this very strongly in the community, and I'm very glad if – if this jail is – is unfortunate it is that we have to build it, could be a model for how we want to structure some of these bigger contracts in the community. I could think it could send the most powerful message we could send in this economy right now. The other thing I wanted to – I think you mentioned that there will be a different format for the paying of some of these subcontractors. It was brought to my attention that they were not being paid in a timely manner, and you are addressing that?

Mr. Savidakis said, absolutely. We're – we're – through our – through one of our contractors, which is where the – the biggest challenge has been, they are now using a payroll agency. We are communicating directly with them several times a month rather than just monthly which is what our cycle is with the – with the County is to – is to make these joint check payments so we don't have this problem continuing.

Commissioner Stone said, okay, because I can't think of a worse message to send somebody that when you want local employees that you're not going to get paid. So I certainly want to make sure that that's corrected and encourage you to stay on the path that you're staying on. Let's identify the areas where we do not have local participation, let's try to fill those slots, and let's encourage especially our younger people coming up now for this vocational and technical training, and to be employed rather than to be sitting in the facility that you're about to complete. So I thank you, and I appreciate the opportunity to be able to – to say what's very important to me, and that you all are addressing these issues. Thank you.

Mr. Savidakis said, thank you very much.

Chairman Liakakis said, Priscilla [Thomas]?

Commissioner Thomas said, thank you, Mr. Chairman. I too want to just echo what Commissioner Stone has said, and also thank you for the work that you are doing in that regard in reaching out and trying to make sure that we have more

involvement on a local level of people who are qualified. We do have people who are qualified in different areas, they just haven't been tapped. So I too have been working very, very hard trying to make sure that we come up with these people and – and refer them, and also I – I appreciate the fact that you will consider the Woodville-Tompkins School, as well and Step Up Savannah. And any of the other organizations that are very viable in our community that will make a difference in the lives of, you know, these people. Thank you so much for what you're doing.

Chairman Liakakis said, the organized labor, the subcontractors that use organized labor, you have them working also?

Mr. Savidakis said, yes, we do. We – we have two labor agencies that we're – that are supplying labor to several of the – of the trades. They're – they're categorized on the chart under one line item, so they're not distributed through the different subcontractor, which would obviously increase the numbers there, but – but the – we see those as opportunities for those individuals that are going through those agencies to learn the trade of that particular organization they're working directly for, and then hopefully become full-time employees with that. So that's part of the initiative also.

Chairman Liakakis said, okay. Russ [Abolt]?

County Manager Abolt said, just as a conclusion, and I think Commissioner Farrell eluded to it last time, but I would really see, you know, with – with no puff, that probably in two years that the County Commission then seated, but also relying on those that will not be serving after this year, to have a special panel presentation at the National Association of Counties meeting because what you've done with best value, how you used technology, the fact that you are regularly asking the contractor to come forward and be accountable is exceptional. It – it using oft-used, wore out term, best practices, you are creating best practices when it comes to local involvement in construction management.

Chairman Liakakis said, said, and we've got the big trade center, that was the second largest project we ever had. You know, Hunt/Mills has got the number one now, but one thing, organized labor had to come over there and straighten out the roof, they had to do the – the footings weren't in the right place. A huge amount of work was, you know, done, to be able to get the trade center across the river completed. Okay. Any other questions? All right. Thank you very much. Appreciate your action.

Mr. Savidakis said, thank you very much.

**ACTION OF THE BOARD:**

For Information Only.

**AGENDA ITEM: IX-4**  
**AGENDA DATE: April 27, 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 provide a Local Participation update for the Chatham County Detention Center Expansion Project.

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

**Facts and Findings:**

1. This update reports progress made at month 12 of 32 and represents dollars paid through the present date. The total contract, including alternates and change orders, is \$71,092,251.
2. We are projecting at least **66%** local and minority business participation. However, Hunt/Mills has placed their commitment at **68%**, as of today. To be included as local in the report, firms are required to have a local street address in Chatham County.
3. Local Participation reports are included with every request for payment. The Local Participation report was designed to illustrate which local firms are working and distinguish local small businesses, local large businesses, local minority and local women owned businesses. Furthermore, it states the size of each contract and which firm is getting paid each month. The report further states how much of their contract has been earned to date.
4. Hunt/Mills is prohibited from making changes without due cause. Therefore, Engineering does not proceed with payment until we review the monthly report for unexpected changes in dollars awarded to local contractors.

5. As per their contract, Hunt/Mills is required to report local labor utilization. Hunt/Mills committed to hiring 76% local workers from Chatham County. However, the local labor remains below the target number. The percentage peaked at 57% in February; however when averaged over a 12 month period the total local labor is 45%. (see attachments 1, 2 for Jan-Feb details).
6. The ID card system allows us to track local labor demographics, and we can report approximately 190 Chatham County Workers and 200 non-Chatham County workers during the months of January and February of 2012.
7. As stated previously, The Contractor, Hunt/Mills, has been faced with realist challenges associated with finding local labor.

**Funding:**

N/A

**Recommendation:** This item is for informational purposes only.

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**5. REQUEST BOARD APPROVAL TO CREATE AND FUND ONE NEW FORENSIC SOCIAL WORKER POSITION FOR THE PUBLIC DEFENDER'S OFFICE BEING REQUESTED NOW BECAUSE GRANT FUNDING EXPIRES IN MAY.**

Chairman Liakakis said, request Board approval to create and fund one new forensic social worker position for the Public Defender's office being requested now because grant funding expires in May. Russ [Abolt]?

County Manager Abolt said, Mr. Chairman I'd ask your approval on this. I know Mr. Edwards is ready to make a presentation, but this really is an investment to prevent reduction in – in the cost of the jail – not to prevent, but to – to reduce and eliminate much of the incarceration costs. It's very innovative. We found the money to do it in advance of the grant, and we would ask you to approve it.

Chairman Liakakis said, Patrick [Shay]?

Commissioner Shay said, make a motion for approval, please.

Commissioner Gellatly said, second.

Commissioner Stone said, second.

Chairman Liakakis said, let's go on the board. Motion passes. Thank you. Appreciate your presentation.

Mr. Michael Edwards said, well you all do have a copy just for the information I was going to tell you. I was going to let Mr. Abolt know it's all very self-explanatory, but I thought it would be of some interest to you. So thank you very much of your continued support of the Public Defender's office.

Chairman Liakakis said, yeah, you did a good job.

Commissioner Shay said, it was very well presented and it was in nice big type so I could read it.

Mr. Edwards said, thank you.

Commissioner Shay said, it was nice. Thank you.

**ACTION OF THE BOARD:**

Commissioner Shay moved to approve the creation and funding of one new forensic social worker position for the Public Defender's office. Commissioners Gellatly and Stone seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Kicklighter were not present for the vote.]

**AGENDA ITEM: IX-5**  
**AGENDA DATE: April 27, 2012**

**To:** Board of Commissioners

**Through:** R. E. Abolt, County Manager

**From:** Michael L. Edwards, Chatham County Public Defender

**Issue:** To request Board approval to create and fund one new Forensic Social Worker position for the Public Defender's Office.

**Background:**

1. In 2009, the Eastern Judicial Circuit (Chatham County court system) was awarded a grant through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program administered through the Georgia Criminal Justice Coordinating Council (CJCC) and funded under the American Recovery and Reinvestment Act (ARRA) of 2009. Under the award, four (4) positions were established – three (3) case managers for Chatham County's specialty, or accountability, courts in Superior and Juvenile Courts, and one (1) forensic social worker/case manager for the Public Defender's Office.
2. In May of 2010, the Chatham County Board of Commissioners authorized the Public Defender's Office to secure the services of Barbara L. Williams as the forensic social worker/case manager. Ms. Williams' position was funded for two (2) years and will expire in May of 2012.

**Facts and Findings:**

1. The Public Defender's Office is client-centered and approaches its constitutional and statutory duties from a holistic perspective. While the first and foremost goal of the office is to provide legal representation to qualified persons in felony prosecutions, the desire to reduce recidivism and promote positive societal outcome through effective re-entry planning for clients also informs the mission of the office. Although the staff of the Public Defender's Office does its best to assist clients in these areas, there is a glaring lapse in community outreach, education and resources when it comes to identifying and securing critical social services beyond the scope of what is offered through traditional legal representation alone. For clients securing slots in one of Chatham County's accountability courts, such resources are made available. Although these sources are a phenomenal outreach, a vast majority of persons in need of such services are excluded from an accountability court. The lack of ability to connect those persons with needed social services routinely results in recidivism at great cost not only to the client, but also to the community in terms of, most notably, incarceration costs. It is believed that if clients are provided appropriate community social service support, the likelihood of re-offending will decrease and in turn, jail costs would be radically reduced.
2. The forensic social worker/case manager ("FSW") was hired to provide tangible services that linked clients and family members, where present, to community resources that assist with common challenges faced by Public Defender clients including, but not limited to:
  - substance abuse intervention, treatment and prevention;
  - mental health treatment counseling;
  - medical health care;
  - affordable housing;
  - employment training services;
  - grocery and meal assistance;
  - life skills training assistance and mentoring.
3. During the all of 2011, intern Rondee Wood collected data on the Public Defender clients who had received intervention from the FSW. **The data reflects that FSW intervention has a dramatic positive impact on reduction of recidivism rates.** Between the initial client intervention on June 2, 2011, and November 16, 2011 (the date of Ms. Wood's report), Ms. Williams interacted with 57 clients. For statistical purposes, Ms. Wood collected data on those clients with over thirty (30) days of FSW intervention. Total clients falling within the date study number 49. As an overview, consider the following data:
  - Total # of charges PRIOR to FSW intervention: 997;
  - Total # of charges PRIOR to FSW intervention in prior year: 127
  - Total # of charges POST FSW intervention: 45.

Eighteen (18) clients had at least one (1) year of FSW intervention. Consider the following data with respect to that group.

  - Total # of charges PRIOR to FSW intervention in prior year: 59;
  - Total # of charges POST FSW intervention: 16 (**73% decrease**).

Eight (8) clients had experienced less than 90 days total incarceration POST FSW intervention. Consider the following data with respect to that group:

- Total # of charges PRIOR to FSW intervention in prior year: 18
- Total # of charges POST FSW intervention: 2 (**89% decrease**).

4. During the winter of 2012, intern Daviana Garcia collected additional data on these Public Defender/FSW clients. Specifically, Ms. Garcia collected data on actual dates of incarceration reflected by the charges referenced for 36 of these clients. As an overview, consider the following data:

- Total # of jail days PRIOR to FSW intervention: 23,625;
- Total # of jail days POST FSW intervention: 870 (**96% decrease**).

Narrowing the study group further, Ms. Garcia analyzed clients who were at least nine (9) months out of incarceration who had been through FSW intervention, and compared that period with her history for only the nine (9) months prior to their incarceration date. This number is highly important because a prior and post analysis of data was collected on a perfectly balanced time sample. This number was reduced to 26 clients. The reduced study group removes any potential statistical anomalies. Consider this data:

- Total # of jail days PRIOR to FSW intervention: 7,414;
- Total # of jail days POST FSW intervention: 338 (**95% decrease**).

5. In order to calculate the costs savings from the reduced days of incarceration, we used only the standard per diem jail cost of \$55.00. This figure does not include any additional security costs, such as court transport, nor does it include any mental or physical health care costs. Naturally, clients in this group are nearly uniformly under either or both mental and physical health care, and virtually all are prescribed medication for their health needs. Those costs are NOT factored in.

**The data reflects that FSW intervention has a dramatic positive impact on reduction of incarceration costs.** Consider the following:

- For 36 clients PRIOR to FSW intervention: \$1,299,375;
- Total # of jail days POST FSW intervention: \$47,850;
- **Total per diem cost savings: \$1,251,525 (96% decrease).**

In view of the statistically significant 9-month study group, consider this:

- For 26 clients PRIOR to FSW intervention: \$40,770;
- Total # of jail days POST FSW intervention: \$18,590;
- **Total per diem cost savings: \$389,180 (95% decrease).**

6. The forensic social worker pilot project reflects the extraordinary potential costs savings of a full-time forensic social worker staff position. The cost of the requested forensic social worker is **\$65,186** annually. It is clear from the foregoing analysis that this comparatively minor annual investment will realize dividends many times greater than the investment. In addition, these individuals move from being supported by taxpayers to becoming taxpayers. Thus, the county receives double benefit from this program through both reduction of jail costs and increase in tax revenues.

#### **Funding:**

Funding for the additional staff would require a \$65,186 annually for salary and benefits. Requesting that the Chatham County Board of Commissioners approve and fund this new position through contingency funds, this appropriate would be pro-rated for the balance of the current fiscal year. For fiscal 2013 forward, the cost will be included in the Public Defender's Office budget via budget transfer from 100-2810, Indigent Defense. Contingency funds needed for FY12 in amount of \$3,446.

#### **Alternatives:**

1. Approve the creation of one new Forensic Social Worker position for the Public Defender's Office with above funding proposal.
2. Provide staff with other direction.

**Recommendations:** That the Board adopt alternative 1.

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## **6. CNT MONTHLY REPORT GIVEN VERBALLY BY DIRECTOR RAGAN.**

Director D. Everett Ragan said, I'll try to be a little shorter.

Commissioner Gellatly said, amen.

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

Director Ragan said, morning ladies and gentlemen, again, very quick report this – this month. Eighty-five new cases were opened. We had closed 38 of those cases. You can see that powder cocaine is still what we’re – we’re confiscating more – more so than the crack. We’re getting a good – still a good bit of marijuana and methamphetamine into – into the county. We had 26 arrests last month; recovered seven more hand guns. We switched a little bit this month to bar graphs on some of our hours spent into some of the areas – the areas –

Commissioner Stone said, and I appreciate it. Thank you.

Director Ragan said, – so we can – little bit – little bit different contrast of where we can see. If you look in the precincts, you’ll see where actually we’re spending just about as much time in the West Chatham precinct as we have downtown in the inter city and into the central precinct, and you can see that the unincorporated areas, we had a lot of hours spent in the unincorporated areas, this past month. Couple of significant events you can see on the – on the back page. Again the guns we’re recovering, again it shows we’re working with our partner agencies, parole and probation on one knock and talk we did and received – recovered five hand guns. Working with postal inspector on controlled deliveries of marijuana coming in the mail. And we’ve just started a partnership this week with the Naval Intelligence Services out of Beaufort, Beaufort County, on some issues they’re having that we’re going to help them with. So that’s our report this month. And any questions?

Chairman Liakakis said, no, thank you. You’ve done a great job. Your leadership and all of your personnel over there doing a really good job. We really appreciate that, and you made a big difference, you know, in our county and all of our cities, and, you know, I know the citizens are appreciative of that because it makes a big difference, especially getting the drugs off the streets. Thank you.

Director Ragan said, thank you. And I know they do it in spite of me sometimes rather than because of me, so.

Chairman Liakakis said, okay.

County Manager Abolt said, thanks, Everett [Ragan.]

**AGENDA ITEM: IX-6**  
**AGENDA DATE: April 27, 2012**

Chatham~Savannah  
 Counter Narcotics Team  
 March, 2012

NARCOTICS INVESTIGATIONS	
Investigations Initiated During the month	85
Total Number of Investigations Cleared (Arrest, E.C., Unfounded)	38

DRUGS SEIZED			
Drug Type	Value	Approx. Weight	Approx. Total Value
Powder Cocaine	\$100 per gram*	6.70 Grams	\$670.00
Crack Cocaine	\$100 per gram*	17.10 Grams	\$1,710.00
Methamphetamine	\$100 per gram**	6 Grams	\$600.00
Marijuana	\$140 per ounce*	163 Ounces	\$22,820.00
Heroin	\$250 per gram*	0 Grams	\$0.00
Ecstasy	\$25 Dosage Unit	0 D/U	\$0.00
Misc. Pills	\$30 Dosage Unit	24 D/U	\$720.00
Hallucinogens	\$10.00 per gram *	0 Grams	\$0.00
Synthetic (Steroids)	\$10.00 per ml *	0 ml	\$0.00

1999\*Source: Office National Drug Control Policy

\*\* Source: Established regional average price

\*\*\*Source: IAW National Drug Standards – One marijuana plant equals 2 pounds of processed marijuana.

DRUGS SEIZED—YEAR TO DATE		
Drug Type	Approx. Weight	Approx. Total Value
Powder Cocaine	10.70 Grams	\$1,070.00
Crack Cocaine	33.00 Grams	\$3,300.00

Methamphetamine	241.40 Grams	\$24,140.00
Marijuana	280.40 Ounces	\$39,256.00
Heroin	0 Grams	\$0.00
Ecstasy	8 D/U	\$200.00
Misc. Pills	542 D/U	\$16,260.00
Hallucinogens	0 Grams	\$0.00
Synthetic (Steroids)	0 ml	\$0.00

DRUGS PURCHASED			
Drug Type	Value	Approx. Weight	Approx. Total Value
Powder Cocaine	\$100 per gram*	43.20 Grams	\$4,320.00
Crack Cocaine	\$100 per gram*	20.10 Grams	\$2,010.00
Methamphetamine	\$100 per gram**	.5 Grams	\$50.00
Marijuana	\$140 per ounce*	6.80 Ounces	\$952.00
Heroin	\$250 per gram*	0 Grams	\$0.00
Ecstasy	\$25 Dosage Unit	0 D/U	\$0.00
Misc. Pills	\$30 Dosage Unit	31 D/U	\$930.00

Source: Office National Drug Control Policy

\*\* Source: Established regional average price

WEAPONS SEIZED	
Firearms (including hand guns and long guns)	7
Year To Date Totals	16

PERSONS ARRESTED	
Felony*	9
Felony Sales/Trafficking	13
Misdemeanor	1
Felony Non-Drug**	3
Total Arrests	26
Year To Date Totals	89

\*Felony includes Manufacturing Methamphetamine or Marijuana

\*\*Non-drug related offenses include firearms violations, Obstruction, Simple Battery, etc.

ADOPTION CASES FROM OTHER AGENCIES		
DATE	AGENCY	OFFENSE
3/1/12	SCMPD	POSSESSION OF MARIJ WITH INTENT TO DIST
3/22/12	GA PAROLE	POSSESSION OF MARIJ WITH INTENT TO DIST
3/22/12	GA PAROLE	POSSESSION OF CONTROLLED SUBSTANCE

DRUG COMPLAINTS INVESTIGATED		
Drug Complaints	Received	Assigned
Project Log/Official Complaints	3	3
Hot Line / Call-In Complaints	7	7
Green Sheets/ Outside Agencies	4	4
Crime Stopper Complaints	29	28
<b>DRUG COMPLAINTS—YEAR TO DATE</b>	<b>129</b>	<b>126</b>

DRUG INVESTIGATIONS  
HOURS WORKED BY ZONE

SCMPD – All Precincts	<b>2,499</b>
Municipalities	<b>305</b>
(Unincorporated Chatham County—325 hours)	
<b>TOTAL</b>	<b>2,804</b>

Administrative Hours	640
Case Administration	781
Pharmaceutical Diversions	480
Central Intelligence	480
Out of County (Task Force Operations, etc.)	400
Assistance Rendered to Outside Agencies	47
Training	565
Court Hours	<u>16</u>
	<b>TOTAL 3,409</b>

**Total Hours Worked** 6,213

**SIGNIFICANT EVENTS**

1. On March 5, 2012, CNT agents, while in the area of the Oglethorpe Mall, observed an open air drug transaction of Marijuana involving a gold Yukon. The suspect vehicle, bearing a SC tag was followed and then stopped by a SCMPD patrol unit on DeRenne Ave at I-516. The passenger in the vehicle tried to run on foot but was quickly apprehended and was found to have more Marijuana on his person. The two suspects, from Ridgeland, SC, were arrested for possession of Marijuana with the intent to distribute.
2. On March 22, 2012, CNT agents concluded a joint investigation with Georgia Department of Pardons and Paroles on Helmken Street in Savannah resulting in the arrest of 2 suspects on parole for drug and weapons charges and the seizure of 5 weapons, 1 being a sawed off shotgun. They are currently being held for Parole Violations also.
3. On March 29, 2012, CNT agents concluded a joint investigation with the Postal Inspectors involving Marijuana being shipped via USPS from Sacramento CA to Savannah GA. This resulted in the seizure of approximately 5 pounds of Marijuana and the arrest of 2 suspects on Chief O. F. Love Road in Chatham County.

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**X. ACTION CALENDAR**

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

Chairman Liakakis said, okay, next we have Action Calendar. Under items 1 through 7 and under item 7 we have items A through L. We need a motion on the floor to approve those.

Commissioner Thomas said, move for approval, Mr. Chairman.

Commissioner Holmes said, second.

Commissioner Gellatly said, second.

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

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the Action Calendar, Items 1 through 7 and under Item 7, Items A through L. Commissioners Holmes and Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Kicklighter were not present for the vote.]

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

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**1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF APRIL 13, 2012, AS MAILED.**

**ACTION OF THE BOARD:**

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

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**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD APRIL 5, 2012 THROUGH APRIL 18, 2012.**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to authorize the Finance Director to pay the claims against the County for the period April 5, 2012 through April 18, 2012, in the amount of \$11,059,447. Commissioners Holmes and Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Kicklighter were not present for the vote.]

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**3. REQUEST BOARD DECLARE AS SURPLUS A VACANT PARCEL IN UNINCORPORATED CHATHAM COUNTY ON DERRICK INN ROAD, PART OF THE SARANAC SUBDIVISION, AND AUTHORIZE THE PROPERTY'S AUCTION. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Thomas moved for the Board to declare as surplus a vacant parcel in unincorporated Chatham County on Derrick Inn Road, part of the Saranac subdivision, and authorize the property's auction. Commissioners Holmes and Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Kicklighter were not present for the vote.]

**AGENDA ITEM: X-3**  
**AGENDA DATE: April 27, 2012**

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

**ISSUE:**

To declare as surplus a vacant parcel in unincorporated Chatham County on Derrick Inn Road, part of the Saranac Subdivision, and authorize the property's auction.

**BACKGROUND:**

Chatham County has legal interest in a property which likely was acquired as borrow (fill) material for the construction of a road (probably Ogeechee Road). The property, which features a pond surrounded by woods, has remained surplus to the County's needs for some 70 years. Because of some recent issues related to trespassing and illegal use on the property, which places a liability on the County to monitor, the quickest course to be to offer the parcel for sale by auction.

**FACTS AND FINDINGS:**

1. The property of interest has a legal description as "PT OF LTS 9, 10, SUB OF SW PT OF LT 1 SARANAC VAC" (PIN 1-0991 -07-008). It remains vacant, approximately 6.6 acres in size but with a pond which occupies most of the property. It can be presumed based on its location and condition that Chatham County acquired the property for fill material for a road project.

2. While the property remained greenspace and without concern for 70 years, it has recently attracted trespassing and vagrancy, which become monitoring issues for the County and a liability.
3. Not enough property remains to dig additional fill material. The property may have some interest because of the pond, but without any utilities near the site, any development would be subject to septic tank regulations.
4. In accordance with O.C.G.A. 36-9-3, Chatham County would offer the property for public bid after required legal advertising and notice. The successful bidder would be responsible for title work and obtaining marketable title.
5. Based on recent appraisals completed for Chatham County, fair market value of wetlands and ponds as remnants from fill material, assuming no meaningful contributory value to the balance of uplands, totals \$1,000 per acre. Staff is suggesting a minimum value of \$15,000.

**FUNDING:**

Funding is not applicable.

**ALTERNATIVES:**

1. Authorize staff to proceed with the disposition of the property as described in Facts & Findings 1 as provided by Georgia law.
2. Do not authorize staff to proceed with disposition of the property.

**POLICY ANALYSIS:**

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

**RECOMMENDATION:**

That the Board adopt Alternative 1.

District 7.

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4. **REQUEST BOARD APPROVAL TO EXECUTE A PURCHASE AGREEMENT TO ACQUIRE 123 ABERCORN STREET FOR ADMINISTRATIVE OFFICES FOR HUMAN RESOURCES & SERVICES, AND THEREBY THE DEPARTMENT'S RELOCATION WOULD PROVIDE NEEDED OFFICE SPACE IN THE OLD COURTHOUSE.  
[DISTRICT 3.]**

**ACTION OF THE BOARD:**

Commissioner Thomas moved for the Board approval to execute a Purchase Agreement to acquire 123 Abercorn Street for administrative offices for Human Resources and Services, Commissioners Holmes and Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Kicklighter were not present for the vote.]

**AGENDA ITEM: X-4**  
**AGENDA DATE: April 27, 2012**

**TO:** Board of Commissioners

**THRU:** R.E. Abolt, County Manager

**FROM:** Patrick Monahan, Asst. County Manager  
Michael Kaigler, Asst. County Manager/Director, Human Resources & Services

**ISSUE:**

To execute a purchase agreement to acquire 123 Abercorn Street for administrative offices for Human Resources & Services, and thereby the department's relocation would provide needed office space in the Old Courthouse.

**BACKGROUND:**

At the February 10 meeting in Executive Session, The Board by consensus accepted a counteroffer on 123 Abercorn Street for \$1.4 million plus closing costs. The offer was based on the appraised value of \$1.6 million less the cost of improvements to ensure the building meets ADA compliance.

**FACTS AND FINDINGS:**

1. The 2008-2014 SPLOST includes funding for "an administrative building" to help relieve overcrowding in the Old Courthouse and improve working conditions within it. For several years, the County Engineer's Office and Finance Department have needed additional office areas, including private offices because of the confidential nature of some work. Relocating the Human Resources & Services Department one block to 123 Abercorn Street would provide relief in the Old Courthouse and ensure adequate space to meet future needs.
2. The property's location within one block of the Old Courthouse and its move-in quality remain its key advantage as the only office building available of sufficient size for sale within close proximity. In reviewing the options, staff identified 123 Abercorn Street as large enough to relocate Human Resources & Services, which would take advantage of 20% more space. The property previously served as professional offices for a C.P.A. firm, Karp, Ronning, Tindol & Martin, the County's external auditing firm.
3. The 10,800 square-foot office building, plus a basement for storage, is situated on a Trust Lot on Oglethorpe Square with a Property Identification Number of 2-0004-54-001 and legal description of "East 90 feet of Lot Letter W. Anson Ward." While the main building remains constructed of masonry and brick, the owners constructed an addition of masonry with a synthetic stucco exterior. It is located south of the MPC.
4. Staff obtained an appraisal of the property. Noted below are the various interpretation of fair market value:
  - 4.1 Seller's price = \$1,800,000 (\$167 SF)
  - 4.2 Assessor's Office value = \$1,387,800 (\$128 SF)
  - 4.3 Fair Market Value Appraisal = \$1,600,000 (\$148 SF)
  - 4.4 Peer review of appraisal = \$1,555,000 (\$144 SF)
  - 4.5 Offer value based on FMV appraisal less renovation = \$1.4 million (\$129 SF)
5. Staff inspections noted the overall condition of the building as excellent with some needed cosmetic replacement (i.e. carpeting) and repairing stucco on the exterior south wall due to a need to repair roof flashing.

**FUNDING:**

County Administrative Building (2008-2014 SPLOST, Fund 324, Project 60650); however, the SPLOST schedule calls for funds to become available in FY 2013. To acquire the building with an anticipated closing in April will require a budget amendment, as follows: Amend Fund 324 (2008-2014 SPLOST) to fund Project 60650 (Administrative Building) in FY 2012 in the amount of \$1,653,207 and reduce by the same amount Project 60520 (CAT). The CAT project would then move to FY 2013.

**POLICY ANALYSIS:**

Georgia law requires Board approval for the acquisition of property.

**ALTERNATIVES:**

1. That the Board approve the acquisition of 123 Abercorn Street in the amount of \$1.4 million plus closing costs (to be determined) and amend Fund 324 (2008-2014) SPLOST to allow the purchase to close in late April-early May, and authorize the Chairman to execute all necessary closing documents.
2. That the Board opt not to acquire 123 Abercorn Street or delay closing until July as per the SPLOST budget and schedule.

**RECOMMENDATION:**

That the Board adopt alternative 1.

District 3.

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5. **REQUEST BOARD APPROVAL OF REQUEST FROM ROTARY CLUB OF SAVANNAH, A NON-PROFIT ORGANIZATION, THROUGH APPLICANT STEVE STEPHENS, FOR A PERMIT TO DISPENSE ALCOHOLIC BEVERAGES (BEER**

**AND WINE) FOR A SPECIAL EVENT (FUND RAISER) AT THE BAMBOO FARM & COASTAL GARDENS ON MAY 5, 2012.**

**ACTION OF THE BOARD:**

Commissioner Thomas moved for the Board approval of request from Rotary Club of Savannah, a non-profit organization, through applicant Steve Stephens, for a permit to dispense alcoholic beverages (beer and wine) for a special event (fund raiser) at the Bamboo Farm & Coastal Gardens on May 5, 2012. Commissioners Holmes and Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Kicklighter were not present for the vote.]

**AGENDA ITEM: X-5**  
**AGENDA DATE: April 27, 2012**

TO: Board of Commissioners

THROUGH: R.E. Abolt, County Manager

FROM: Gregori S. Anderson, Director of Building Safety and Regulatory Services  
Willie Lovett, Chief of Police

ISSUE

Permit to dispense alcoholic beverages for a special event in Chatham County.

FACTS AND FINDINGS

1. **The Rotary Club of Savannah**, a non-profit organization, through applicant **Steve Stephens** has filed a Special Event Application for a fundraiser at the Bamboo Farm & Coastal Gardens (2 Canebrake Road). The applicant has the intent to dispense alcoholic beverages (beer and wine) at the event.
2. Section 16-134(4) of the Chatham County Business/Occupational Tax Ordinance requires approval of the County Commissioners to issue a temporary permit to dispense alcoholic beverages in conjunction with a special event.
3. The Ordinance grants the Board of Commissioners discretion to allow the consumption of alcoholic beverages in conjunction with a special event.

ALTERNATIVES

1. Grant permit to allow the dispensing and consumption of alcoholic beverages in conjunction with the requested special event at the Bamboo Farm & Coastal Gardens.
2. Deny Permit.
3. Provide direction to staff.

POLICY ANALYSIS

The Alcoholic Beverages Code prohibits the sale, possession or consumption of alcoholic beverages during a special event without a permit and approval of the Board of Commissioners.

RECOMMENDATION

Approve Alternative No.1

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6. **REQUEST FROM TAX COMMISSIONER FOR BOARD TO APPROVE A QUITCLAIM DEED IN ORDER TO CORRECT THE CHAIN OF TITLE FOR A PENDING CLOSING: SAMUEL & THELMA JONES SCOTT, PIN 20066-35005, 208 WEST 35<sup>th</sup> STREET.**

**ACTION OF THE BOARD:**

Commissioner Thomas moved for Board to approve a Quitclaim Deed in order to correct the chain of Title for a pending closing: Samuel and Thelma Jones Scott, PIN 20066-35005, 208 West 35<sup>th</sup> Street. Commissioners Holmes and Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Kicklighter were not present for the vote.]



**ACTION OF THE BOARD:**

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Professional Services Agreement for case management of the Mental Health Court	Superior Court	Lacy Hicks	\$16 per hour	• BJA Grant • CCJC Byrne/JAG/ARRA Grant
B. Annual contract with renewal options for four (4) additional one (1) year terms to provide electronic monitoring services	Juvenile Court	Omnilink Systems, Inc.	\$3.95 per day, per monitor	Multiple Grant Fund - Juvenile Court
C. Purchase of a bunker rake for the Jim Golden Complex	Public Works and Parks Services	Showturf of South Florida	\$11,022	General Fund/M&O - Parks and Recreation
D. Purchase of fifteen (15) tables and ninety (90) chairs with carts	Sheriff's Department	Mason, Inc.	\$19,036	General Fund/M&O - Sheriff's Department
E. Contract to install low voltage cabling at the Oglethorpe Building	ICS	All Electric & Specialty Systems	\$121,650	2005 DSA Bonds - South Annex
F. Contract to install low voltage cabling at the new Public Works and Park Facility	Public Works and Park Services	Trison Services, Inc.	\$27,791	SPLOST (2003-2008) - Public Works Building
G. Purchase of a file storage server	Sheriff's Department	Dell Marketing	\$13,090	General Fund/M&O - Sheriff's Department
H. Annual contract with renewal options for four (4) additional one (1) year terms, to provide low voltage cabling for the ICS Department as needed	ICS	NetPlanner Systems, Inc.	Varies	General Fund/M&O - Various
I. Agreement for printing, inserting, and mailing of the 2012 first installment tax bills for the Tax Commissioner's Office	Tax Commissioner	Diversified Companies, LLC.	\$14,749	General Fund/M&O - Tax Commissioner
J. Purchase of workflow software and annual maintenance for the Sheriff's Department and Detention Center	Sheriff's Department / Detention Center	Abel Solutions, Inc.	\$10,943	• General Fund/M&O - Sheriff's Office • General Fund/M&O - Detention Center
K. Fabrication of three (3) entry doors and sidelights for Henderson Golf Club	Special Projects	Savannah Architectural	\$13,304	CIP - Recreation

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
L. Equipment repair for an excavator for Solid Waste	Fleet Operations	Yancey Brothers	\$25,045	General Fund/M&O - Fleet Operations

**AGENDA ITEM: X-7 A thru L**

**AGENDA DATE: April 27, 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 for Chatham County Superior Court-Mental Health Court to enter into a Professional Services Agreement with Lacy Hicks for case management of the Mental Health Court. This agreement would be for four (4) months with the possibility of a two (2) month extension provided funding is available from a combination of two (2) separate grants: 1) Department of Justice Assistance's FY 2009 Justice and Mental Health Collaboration Program and 2) Georgia Criminal Justice Coordinating Council's (CJCC) Edward Byrne Memorial Justice Assistance Grant Program (JAG) grant authorized under the American Recovery and Reinvestment Act (ARRA) of 2009 awarded to Chatham County December 30, 2009.

**BACKGROUND:** The Department of Justice's Bureau of Justice Assistance (BJA) awarded \$199,813 to Chatham County to expand the existing Mental Health Court on September 16, 2009. On September 28, 2009, Chatham County Chairman, Pete Liakakis, signed the award acceptance.

The CJCC awarded \$161,463 to Project No. 3, Specialty Courts/Case Management and Coordination Services in three (3) Therapeutic Courts and for other Indigent Probationers with Special Supervisory Needs to the Eastern Circuit (Chatham County), to support government entities comprising the criminal justice system in the Eastern Circuit on December 30, 2009. On January 15, 2010, Chatham County Chairman, Pete Liakakis, signed the award acceptance.

**FACTS AND FINDINGS:**

1. Chatham County will serve as the fiscal agent for the grant funds awarded by the Department of Justice Assistance and the CJCC. The funds will not be used for new, future, or recurring costs or County job creation.
2. After advertising through Chatham County's Human Resources and Services Department, receiving eight (8) applications, and interviewing three (3) applicants, Lacy Hicks has been selected to fill the position of case manager for the Chatham County Superior Court-Mental Health Court. This position will allow the Mental Health Court to accept additional clients and provide for a better success rate among Mental Health Court clients.
3. Lacy Hicks will function as an independent contractor providing Case Management duties for the Mental Health Court, and agrees that she is an independent contractor.
4. Lacy Hicks will work a 40-hour work week and be paid at a rate of \$16 per hour for a period of four (4) months with the possibility of a two (2) month extension provided funding is available from a combination of two (2) separate grants.
5. Lacy Hicks agrees she is not a County employee, and is not entitled to County benefits or privileges, and that she is not guaranteed employment beyond the term of the grant award.

**FUNDING:** •BJA Grant  
(2502100 - 52.12009 - 25020212)  
•CJCC Byrne/JAG/ARRA Grant  
(2502100 - 52.12009 - 25024122)

**ALTERNATIVES:**

1. Board approval for Chatham County Superior Court-Mental Health Court to enter into a Professional Services Agreement with Lacy Hicks for case management of Mental Health Court. The agreement would be for four (4) months with the possibility of a two (2) month extension provided funding is available.
2. Provide staff other direction.

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

**RECOMMENDATION:** Staff recommends approval of Alternative 1.

BUDGET APPROVAL \_\_\_\_\_  
LYNN STENNETT

**ITEM B**

**ISSUE:** Request Board approval of an annual contract with renewal options for four (4) additional one (1) year terms to provide electronic monitoring services to clients at the Chatham County Juvenile Court with Omnilink Systems, Inc. The contract would provide electronic monitoring services for a fee of \$3.95 per day, per monitor.

**BACKGROUND:** The Juvenile Court was awarded a grant through the Georgia Administrative Office of the Courts to enhance the Chatham County Juvenile Mental Health Court. The Chatham County Juvenile Mental Health Court is the first Juvenile Mental Health Court established in Georgia. A portion of the grant funding is to be used for electronic monitoring tracking services.

**FACTS AND FINDINGS:**

1. The Omnilink monitoring device to be used is the OM210. It is a one (1) piece GPS/Wireless offender ankle bracelet built specifically to track low to high-risk offenders 24/7, indoors and outdoors. The OM210 is the first one (1) piece bracelet, and the first bracelet to track indoors.
2. Omnilink is the monitoring device used by the Savannah Impact Program (SIP) and is being offered to Chatham County at the same contracted rate that is provided to SIP.

**FUNDING:** Multiple Grant Fund - Juvenile Court  
(2502600 - 52.39901 - 25024292)

**ALTERNATIVES:**

1. Board approval of an annual contract with renewal options for four (4) additional one (1) year terms to provide electronic monitoring services to clients at the Chatham County Juvenile Court with Omnilink Systems, Inc. The contract would provide electronic monitoring services for a fee of \$3.95 per day, per monitor.
2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to approve contracts necessary for court related activities.

**RECOMMENDATION:** Staff recommends approval of Alternative 1.

BUDGET APPROVAL \_\_\_\_\_  
LYNN STENNETT

**ITEM C**

**ISSUE:** Request Board approval of \$11,022 to purchase a bunker rake for the Jim Golden Complex from Showturf of South Florida, Boynton Beach, FL for the Chatham County Public Works and Parks Services.

**BACKGROUND:** The Board set aside funds in 2009 to renovate four (4) fields at the Jim Golden Sports Complex. The renovation included sodding of four infields. The funds that were set aside did not include a line item for equipment. This multipurpose equipment will spread infield mix, drag, and turn the sod.

**FACTS AND FINDINGS:**

1. Staff obtained pricing from three (3) vendors and responses were as follows:

Showturf of South Florida, LLC    \$11,022  
Boynton Beach, FL

Jerry Pate Turf & Irrigation, Inc.    \$11,625  
Atlanta, GA

Gold Ventures West                      \$11,971  
Buford, GA

2. A properly maintained field will allow staff to schedule major high school and private tournaments at the Jim Golden Complex. The bunker rake will facilitate maintenance of the four (4) baseball/softball fields.
3. Staff believes the pricing provided by Showturf, to be fair and reasonable.

**FUNDING:** General Fund/M&O - Parks and Recreation  
(1006100 - 54.25001)

**ALTERNATIVES:**

1. Board approval of \$11,022 to purchase a bunker rake for the Jim Golden Complex from Showturf of South Florida, Boynton Beach, FL for the Chatham County Public Works and Parks Services.
2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to provide the necessary equipment to maintain the recreation parks.

**RECOMMENDATION:** Staff recommends approval of Alternative 1.

BUDGET APPROVAL \_\_\_\_\_  
RUSHEDA ADESHINA

**ITEM D**

**ISSUE:** Request Board approval of \$19,036 to purchase fifteen (15) tables and ninety (90) chairs with carts from Mason, Inc., Savannah, GA, for the Chatham County Sheriff's Department.

**BACKGROUND:** The range and training facility at the Sheriff's Department Complex are in need of tables, chairs and furniture carts.

**FACTS AND FINDINGS:**

1. A Request for Quotes was issued on March 26, 2012, and five (5) quotes were received on April 12, 2012. Responses were as follows:

School Specialty                              \$13,647  
Marietta, GA

Savannah Restaurant Equipment \$15,918  
Savannah, GA

Total Office Solutions, Inc.              \$16,238  
Jacksonville, FL

Mason, Inc.                                      \$19,036  
Savannah, GA

National Office Systems                      \$20,612  
Savannah, GA

2. School Specialty and Savannah Restaurant Equipment were deemed non-responsive due to the chairs not meeting the required weight capacity. Total Office Solutions, Inc., was deemed non-

responsive due to the equipment not meeting the specifications for the frame and flexible back and seating.

3. Staff believes the pricing provided by Mason, Inc., Savannah, GA, to be fair and reasonable.

**FUNDING:** General Fund/M&O - Sheriff's Department  
(1003300 - 54.23001)

**ALTERNATIVES:**

1. Board approval of \$19,036 to purchase fifteen (15) tables and ninety (90) chairs with carts from Mason, Inc., Savannah, GA, for the Chatham County Sheriff's Department.
2. 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 \_\_\_\_\_  
RUSHEDA ADESHINA

**ITEM E**

**ISSUE:** Request Board approval to award a \$121,650 contract to All Electric & Specialty Systems, a WBE firm, to install low voltage cabling at the Oglethorpe Building.

**BACKGROUND:** On December 18, 2009, the Board confirmed the acquisition of 222 West Oglethorpe Ave (Commerce Building). This facility will house administrative offices relocating from the Montgomery Street Courthouse.

**FACTS AND FINDINGS:**

1. Bids were properly advertised and opened on March 29, 2012. Pricing was requested for all labor and materials for the installation of low voltage cabling for Oglethorpe Building. The bid responses were as follows:

* Quality Communications, Inc. Savannah, GA	\$120,690
** All Electric & Specialty Systems Savannah, GA	\$121,650
* Trison Services, Inc. Savannah, GA	\$123,044
Diversified Computer Solutions Columbia, SC	\$127,107
NetPlanner Systems, Inc. Norcross, GA	\$129,334
Clark Security Solutions Darien, GA	\$131,005
Commins Cabling North Augusta, SC	\$136,416
* Entre Solutions Savannah, GA	\$185,000

\* MBE Firm

\*\*WBE Firm

2. After the review of bids, the lowest bidder was deemed non-responsive due to poor and inadequate references and the second lowest bidder was selected for award.

3. Staff believes that the total cost of \$121,650 to be fair and reasonable.

**FUNDING:** 2005 DSA Bonds - South Annex  
(3703355 - 54.13011 - 37032117)

**ALTERNATIVES:**

1. Board approval to award a \$121,650 contract to All Electric & Specialty Systems, a WBE firm, to install low voltage cabling at the Oglethorpe Building.
2. Provide staff other direction.

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

**RECOMMENDATION:** Staff recommends approval of Alternative 1.

BUDGET APPROVAL \_\_\_\_\_  
LYNN STENNETT

I.C.S. APPROVAL \_\_\_\_\_  
LEWIS LEONARD

**ITEM F**

**ISSUE:** Request Board approval to award a \$27,791 contract to Trison Services, Inc., a MBE firm, to install low voltage cabling at the new Public Works and Park Services Facility.

**BACKGROUND:** Construction has begun for the new Public Works and Park Services Facility. Low voltage cabling is required for electrical outlets, phone jacks and the computer network.

**FACTS AND FINDINGS:**

1. Bids were properly advertised and opened on March 29, 2012. Pricing was requested for all labor and materials, for the installation of low voltage cabling for the new Public Works and Park Services Facility. The bid responses were as follows:

Diversified Computer Solutions Columbia, SC	\$27,791
* Trison Services, Inc. Savannah, GA	\$28,373
NetPlanner Systems, Inc. Pooler, GA	\$29,286
Commins Cabling North Augusta, SC	\$31,325
** All Electric & Specialty Systems Savannah, GA	\$37,600
Clark Security Solutions Darien, GA	\$37,637
* Quality Communications, Inc. Savannah, GA	\$39,950
* Entre Solutions Savannah, GA	\$50,598

\* MBE Firm

\*\* WBE Firm

2. On March 27, 1998, the Board approved a "local preference" policy which allows the lowest local bidder the opportunity to match the bid of a non-local firm. If the local firm does match the "lowest bid", the local firm is awarded the purchase. Trison Services, Inc. has agreed to match the "lowest bid" from the Columbus, SC firm and is therefore recommended for award.

3. Staff believes the total cost of \$27,791 to be fair and reasonable.

**FUNDING:** SPLOST (2003-2008) - Public Works Building  
(3234980 - 57.30101 - 32360433)

**ALTERNATIVES:**

1. Board approval to award a \$27,791 contract to Trison Services, Inc., a MBE firm, to install low voltage cabling at the new Public Works and Park Services Facility.
2. Provide staff other direction.

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

**RECOMMENDATION:** Staff recommends approval of Alternative 1.

BUDGET APPROVAL \_\_\_\_\_  
CHRIS MORRIS

I.C.S. APPROVAL \_\_\_\_\_  
LEWIS LEONARD

**ITEM G**

**ISSUE:** Request Board approval of a \$13,090 purchase of a PowerVault NX3100 Server from Dell Marketing for the Sheriff's Department. The purchase is being made from the State of Georgia contract.

**BACKGROUND:** Both the Sheriff's Department and the Detention Center, have storage units that serve the needs of both organizations. Two (2) of those are the Training Unit and the Professional Standards Unit (PSU).

**FACTS AND FINDINGS:**

1. As a part of the standards in record retention, the Sheriff's Department is required to keep training records and investigative materials much longer than the standard three (3) to five (5) year period with which most departments must comply.
2. The Professional Standards Unit must keep their records for 25 years. Storage room on our file server is limited; therefore it is necessary to purchase an additional file storage server. We anticipate this will serve the needs of the Training Department and PSU for several years to come.
3. Staff believes the total cost of \$13,090 for the server to be fair and reasonable.

**FUNDING:** General Fund/M&O - Sheriff's Department  
(1003300 - 54.25001)

**ALTERNATIVES:**

1. Board approval of a \$13,090 purchase of a PowerVault NX3100 Server from Dell Marketing for the Sheriff's Department. The purchase is being made from the State of Georgia contract.
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.

I.C.S. APPROVAL \_\_\_\_\_  
LEWIS LEONARD

BUDGET APPROVAL \_\_\_\_\_  
RUSHEDA ADESHINA

**ITEM H**

**ISSUE:** Request Board approval to award an annual contract, with renewal options for four (4) additional one (1) year terms, to NetPlanner Systems, Inc., to provide low voltage cabling for the ICS Department as needed for County facilities.

**BACKGROUND:** The County solicited for annual contract pricing at a cost per foot for the installation and the pulling of low voltage cable.

**FACTS AND FINDINGS:**

1. Bids were properly advertised and opened on March 29, 2012. Pricing was requested for low voltage cabling to include all labor and materials. See matrix on page 15. The bidders are as follows:

Clark Security Solutions  
Darien, GA

NetPlanner Systems, Inc.  
Pooler, GA

Diversified Computer Solutions  
Columbia, SC

\* Trison Services, Inc.  
Savannah, GA

Commins Cabling  
North Augusta, SC

\*\* All Electric & Specialty Systems  
Savannah, GA

\* Quality Communications, Inc.  
Savannah, GA

\* Entre Solutions  
Savannah, GA

\* MBE Firm

\*\* WBE Firm

2. On March 27, 1998, the Board approved a "local preference" policy which allows the lowest local bidder the opportunity to match the bid of a non-local firm. If the local firm does match the "lowest bid", the local firm is awarded the purchase. NetPlanner Systems, Inc. has agreed to match the "lowest bid" from the Darien, GA firm and is therefore recommended for award.
3. Staff reviewed and checked references of the lowest responsive, responsible bidder and believes their bid to be fair and reasonable.

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

**ALTERNATIVE:**

1. Board approval to award an annual contract, with renewal options for four (4) additional one (1) year terms, to NetPlanner Systems, Inc., to provide low voltage cabling for the ICS Department as needed for County facilities.
2. Provide staff other direction.

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

**RECOMMENDATION:** Staff recommends approval of Alternative 1.

BUDGET APPROVAL \_\_\_\_\_  
READ DEHAVEN

I.C.S. APPROVAL \_\_\_\_\_  
LEWIS LEONARD

**ITEM I**

**ISSUE:** Request Board approval of \$14,749 sole source for printing, inserting, and mailing of the 2012 first installment tax bills with Diversified Companies, LLC., for the Tax Commissioner's Office.

**BACKGROUND:** The process involves programming as well as the actual labor of printing, inserting and mailing tax bills.

**FACTS AND FINDINGS:**

1. Diversified Companies is capable of this programming, but also receives support from Manatron, the vendor for Chatham County's tax collection software, due to their close physical proximity.
2. Staff believes the total cost of \$14,749 to be fair and reasonable.

**FUNDING:** General Fund/M&O - Tax Commissioner  
(1001545 - 52.11001)

**ALTERNATIVES:**

1. Board approval of a \$14,749 sole source for printing, inserting, and mailing of the 2012 first installment tax bills with Diversified Companies, LLC., for the Tax Commissioner's Office.
2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to approve purchases for the using departments for the mailing of tax bills.

**RECOMMENDATION:** Staff recommends approval of Alternative 1.

BUDGET APPROVAL \_\_\_\_\_  
CHRIS MORRIS

**ITEM J**

**ISSUE:** Request Board approval for a \$10,943 purchase of Nintex Workflow software and annual maintenance from Abel Solutions, Inc., for the Sheriff's Department and Detention Center.

**BACKGROUND:** As the County moves forward with the implementation of the SharePoint project, the Sheriff's Department and Detention Center need the required software and annual maintenance.

**FACTS AND FINDINGS:**

1. This software will be used in conjunction with the county-wide implementation and is needed to ensure successful installation and configuration of SharePoint with consideration for future growth and adoption by other departments. SharePoint is a highly-customizable platform.
2. Staff believes the cost of \$10,943 to be fair and reasonable.

**FUNDING:** •General Fund/M&O - Sheriff's Department  
(1003300 - 54.25001)  
•General Fund/M&O - Detention Center  
(1003326 - 54.25001)

**ALTERNATIVES:**

1. Board approval for a \$10,943 purchase of Nintex Workflow software and annual maintenance from Abel Solutions, Inc., for the Sheriff's Department and Detention Center.
2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to provide the necessary software and support of applications for job productivity.

**RECOMMENDATION:** Staff recommends approval of Alternative 1.

I.C.S. APPROVAL \_\_\_\_\_  
LEWIS LEONARD

BUDGET APPROVAL \_\_\_\_\_  
RUSHEDA ADESHINA

**ITEM K**

**ISSUE:** Request Board approval to award a \$13,304 contract to Savannah Architectural Supply for fabrication and installation of three (3) entry doors and fiberglass sidelights at Henderson Golf Club.

**BACKGROUND:** Chatham County agreed to building improvements at Henderson Golf Club as part of a transition to a new lessee. Among the major items of deferred maintenance were three (3) wooden entry doors with rotting sills, splintered wood frames and ill-fitting locking mechanisms.

**FACTS AND FINDINGS:**

1. The County's Construction Services Manager invited local firms to review three (3) replacement entry doors and sidelights. He required fabrication and installation, including removal and disposal of old doors, of three (3) entry doors with sidelights and fiberglass. While fiberglass provides a more expensive option, it should better withstand weathering and provide greater installation.
2. Three (3) firms provided quotes as follows:

Savannah Architectural Savannah, GA	\$13,304
Atlantic Coastal Bloomingdale, GA	\$13,686
Johnson Construction Savannah, GA	No bid (wood option only)
3. Based on the quotes, the lowest, responsible bid is from Savannah Architectural. The local company has provided materials and installation services for the County in the past and has performed satisfactorily.

**FUNDING:** CIP - Recreation  
(3506100 - 54.25001 - 3503096Z)

**ALTERNATIVES:**

1. Board approval to award a \$13,304 contract to Savannah Architectural Supply for fabrication and installation of three (3) entry doors and fiberglass sidelights at Henderson Golf Club.
2. Board rejects all bids.
3. Provide staff other direction.

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

**RECOMMENDATION:** Staff recommends approval of Alternative 1.

BUDGET APPROVAL \_\_\_\_\_  
CHRIS MORRIS

**ITEM L**

**ISSUE:** Request Board approval of a \$25,045 equipment repair from Yancey Brothers for an excavator for Solid Waste.

**BACKGROUND:** The repair is due to wear and tear of the excavator's bucket and blade assemblies, which must be replaced. The excavator is a key piece of equipment for Public Works.

**FACTS AND FINDINGS:**

1. Quotes were requested for the repairs from two (2) vendors. Quotes are as follows:

Flint Equipment Savannah, GA	\$15,675 - incomplete quote
Yancey Brothers Savannah, GA	\$25,045

2. Yancey Brothers was the only bidder able to provide a complete job.

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

**ALTERNATIVES:**

1. Request Board approval of a \$25,045 equipment repair from Yancey Brothers for an excavator for Solid Waste.
2. Provide staff other direction.

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

**RECOMMENDATION:** Staff recommends approval of Alternative 1.

BUDGET APPROVAL \_\_\_\_\_  
RUSHEDA ADESHINA

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.

Chairman Liakakis said, let's see. No First Readings.

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**XII. SECOND READINGS**

**1. AMENDMENTS TO THE NO SMOKING ORDINANCE.**

Chairman Liakakis said, second readings. Amendments to the No Smoking Ordinance. Mr. County Manager?

County Attorney Hart said, I'm gonna answer to this one. When we were writing the original ordinance, there were two or three versions we were sent back. There were a couple of definitions that were deleted and we're putting them back in. And there's some exemptions that we're deleting in its entirety, and basically this is to conform three provisions that inadvertently did not read the way we had intended them to read. So we're correcting that.

Commissioner Shay said, make a motion for approval, Mr. Chairman.

Commissioner Stone said, second.

Chairman Liakakis said, and this makes it better so that people understand, right Amy [Hughes]?

Ms. Amy Hughes said, yes, sir.

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

**ACTION OF THE BOARD:**

Commissioner Shay moved to approve the Amendments to the No Smoking Ordinance. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Kicklighter were not present for the vote.]

**AGENDA ITEM:** ~~XI-1~~  
**AGENDA DATE:** ~~April 13, 2012~~  
**AGENDA ITEM:** **XII-1**  
**AGENDA DATE:** April 27, 2012

TO: Board of Commissioners  
THRU: R.E. Abolt, County Manager  
FROM: R. Jonathan Hart, County Attorney

**ISSUE:**

To adopt the proposed amendments to Chapter 21 §§ 902, 910 and 914 of the Code of Chatham County.

**BACKGROUND:**

The Ordinance adopted at the Commission meeting on February 24, 2012, pertaining to the No Smoking Ordinance is being amended.

**FACTS AND FINDINGS:**

1. The No Smoking Ordinance adopted on February 24, 2012 needs to be amended.
2. Section 21-902 entitled "Definitions" should be amended by deleting paragraph 20, "Hookah Lounge".
3. Section 21-901 entitled "Exemptions" should be deleted in its entirety.
4. Section 21-914 entitled "Enforcement", should be amended by striking in paragraph 5 the following language, "an employee or private citizen may bring legal action to enforce this Article" and replacing it with "any citizen who desires to register a complaint under this Article may contact the Savannah-Chatham Metropolitan Police Department."
5. Attached are the proposed amendments.

**FUNDING:**

N/A

**POLICY ANALYSIS:**

The Board should protect the health, welfare and safety of its citizens, but balance the desire for protective ordinance against individual rights and freedom of choice.

**ALTERNATIVES:**

1. Adopt the amendments to Chapter 21 §§902, 910 and 914.
2. Do not adopt the amendments to Chapter 21 §§902, 910 and 914.

**RECOMMENDATION:**

Alternative 1.

STATE OF GEORGIA    )  
                                  )  
COUNTY OF CHATHAM )

**AMENDMENTS TO THE CHATHAM COUNTY NO SMOKING ORDINANCE**

BE IT ORDAINED by the Chatham County Board of Commissioners as follows:

Section 21-902 entitled "Definitions" is amended by deleting paragraph 20, "Hookah Lounge".

Section 21-901 entitled "Exemptions" is hereby deleted in its entirety.

Section 21-914 entitled "Enforcement", is amended by striking in paragraph 5 the following language, "an employee or private citizen may bring legal action to enforce this Article" and replacing it with "any citizen who desires to register a complaint under this Article may contact the Savannah-Chatham Metropolitan Police Department."

These amendments to Chapter 21 § § 902, 910 and 914 of the Code of Chatham County were adopted this \_\_\_\_ day of April, 2012.

CHATHAM COUNTY, GEORGIA

BY: \_\_\_\_\_  
 Pete Liakakis, Chairman  
 Board of Commissioners

ATTEST: \_\_\_\_\_  
 Janice Bocook  
 Clerk of Commission

SEAL

=====

**XIII. INFORMATION ITEMS**

Chairman Liakakis said, the Information Items, everybody has been distributed that.

- 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 27, 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>
Replace five (5) condenser units at Minis Avenue due to theft	Facilities Maintenance and Operations	Southeastern Air Conditioning Company, Inc.	\$9,850	•Hospital Authority Debt Service - \$4,925 •Reserve for Deductible - \$4,925
Service agreement on security automation system for prisoner transfer station at the Judicial Courthouse	Detention Center	Accurate Controls, Inc. (Sole Source)	\$8,963	General Fund/M&O - Detention Center

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
One (1) multi-function printer for Sheriff's Department	I.C.S.	Direct Technology Group, Inc.	\$8,150	General Fund/M&O - Sheriff
One (1) notebook for Sheriff's Department	I.C.S.	B & H Photo Video Pro Audio	\$2,743	General Fund/M&O - Sheriff
Install 3-phase power supply to recycle canopy at Eisenhower Recycle Center	Public Works and Park Services	Braddy Electric Company, Inc.	\$2,995	Solid Waste Restricted
58 cases of nutritional drink	Detention Center	Paper Chemical Supply Company (WBE)	\$2,915	General Fund/M&O - Detention Center
One (1) cart	Sheriff	Scott Equipment Company	\$9,270	General Fund/M&O - Sheriff's Department
One projector and screen	Sheriff	Street Beats Inc.	\$7,188	General Fund/M&O - Sheriff's Department
350 gallons of herbicides and chemicals	Public Works and Park Services	Helena Chemical Company	\$5,425	SSD-Public Works
Mailing of tag renewals	Tax Commissioner	World Marketing	\$4,876	General Fund/M&O - Tax Commissioner
Annual software maintenance for operating system support on servers	I.C.S.	DLT Solutions, Inc.	\$3,062	General Fund/M&O - I.C.S.
Two (2) laptops for Sheriff's Department	I.C.S.	Dell Marketing, L.P.	\$4,811	General Fund/M&O - Detention Center
2000 copies of annual report	District Attorney	Kennickell Print and Communication	\$6,586	General Fund/M&O - District Attorney
Remove and install seven (7) canopy lights	Detention Center	Central Industries, Inc.	\$2,917	General Fund/M&O - Detention Center
900 gallons of field marking paint	Public Works and Park Services	Richmond Supply Company	\$5,905	General Fund/M&O - Parks and Recreation
One (1) all terrain vehicle	Engineering	D & M Wallace Enterprise, Inc.	\$9,724	CIP - Engineering
900 linear feet of pavement marking	Public Works and Park Services	Flint Trading, Inc.	\$3,666	SSD-Public Works

=====

**3. ROADS AND DRAINAGE REPORTS.**

**ACTION OF THE BOARD:**

A status report was attached as information.

**AGENDA ITEM: XIII-3 ROADS**  
**AGENDA DATE: April 27, 2012**

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

ISSUE: To provide information on the status of Chatham County road projects.

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

FACTS AND FINDING:

1. Truman Parkway, Phase 5. Construction underway by GDOT contract. Estimated completion December 2013.
2. Diamond Causeway. The GDOT is managing a contract to construct a high level bridge over Skidaway Narrows to replace the bascule bridge. Estimated completion September 2013.
3. Whitefield Avenue. Construction is being managed by the GDOT. Clearing started in January 2012. Estimated completion September 2013.
4. Bay Street Widening. After ROW plans were approved by GDOT in 2010, acquisitions were put on hold pending another Assessment of Effects (AOE) to historic properties. A Public Information Open House was held on April 28, 2011. The State Historic Preservation Office (SHPO) formally concurred with the AOE on February 24, 2012. After review, the FHWA will forward to the U.S. Department of the Interior for comment (30 days). Timeline is uncertain, but at least six more months is expected.
5. Jimmy Deloach Parkway Phase 2 and Interchange of Jimmy Deloach Parkway at U.S. 80. On hold indefinitely while the MPO figures out how to amend TIP and Long Range Transportation Plan.
6. SR 307 Widening from US 17 to I-16. Board approved a construction contract on March 9. Estimated completion in October 2013.
7. Local Roads.
  - a. Stone Street. Substantially complete.
  - b. Wendy Hill Road. Under construction. Estimated completion in June 2012.

RECOMMENDATION: For information.

Districts All

**AGENDA ITEM: XIII-3 DRAINAGE**  
**AGENDA DATE: April 27, 2012**

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE: To provide information on the status of Chatham County drainage projects.

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

FACTS AND FINDING:

1. Pipemakers Canal. The project includes canal widening, bank stabilization, sluice gates and culverts. Construction of the sluice gate structure and channel improvements from SR 21 to the Savannah River (Phase 1) was completed in 2005. Construction of Phase 2A, which includes improvements from Phase 1 to Dean Forest Road is near completion. Staff is working to securing drainage easements from the Savannah Airport construction improvements west of Dean Forest Road. A project to identify and obtain canal rights of way in the reach west of I-95 is underway.
2. Pipemakers Pump Station. The project was identified in the 2003-2008 SPLOST as a part of capital improvements to the Pipemakers Canal Drainage Basin. The project is underway. Current work is focused on development of an accurate hydraulic model that will be used to assess existing conditions and alternative scopes of pump station designs.

3. Hardin Canal. The project includes canal widening, bank stabilization, bridges and culverts. Projects that replaced culverts at SR 307 (Dean Forest Road) and within the Southbridge golf course area are complete. Staff is pursuing resolution of permitting issues with the US Army Corps of Engineers for drainage improvements upstream of the recently completed culvert project at Dean Forest Road. Projects to improve an outfall from Southbridge Golf Course and construct maintenance access near Dean Forest Road are underway.
4. Queensbury Drainage Improvements. The project area is south of Montgomery Cross Road and west of Ferguson Avenue (includes Tara Manor, Ennis Mobile Home Park-Elmhurst Court, and the Forest City Gun Club.) Design is underway on a project to improve drainage at Tara Manor. A project to improve drainage and provide maintenance access in the area of Remington Drive is substantially complete.
5. Wilmington Park Canal. The Wilmington Park Canal extends from North Cromwell Road to the Wilmington River (about 1.4 miles). The project includes canal widening, bank stabilization and culverts. Final design work and permitting is underway on five undersized culverts along the canal. A project to improve drainage from the southern portion of Ashley Road is underway. The existing outfall from this area is not accessible due to a lack of drainage easement.
6. Golden Isles. The project will relieve neighborhood drainage issues, including structural flooding of homes, with the construction of an upgraded storm sewer system. A contract for construction was approved by the Board on July 2, 2011. Construction work is substantially complete. Staff is working with the contractor to complete punch list items.
7. Louis Mills/Redgate Canal. The Louis Mills and Redgate Canals are tributaries to the South Springfield Canal. Improvements are complete between Garrard Avenue and the CSX Railroad. Staff is currently working to extend the improvements to a point north of Marshall Avenue.
8. Ogeechee Farms Area. The Ogeechee Farms project includes improvements to canals and culverts. Phase 1 was completed in July 2005 (piped in about 0.2 miles of channel south of Vidalia Road and replaced a road crossing at Waynesboro Road). Phase II was completed in June 2010 (replaced five undersized culverts south of and under Vidalia Road). The Board approved a construction contract for Phase III at Ridgeland Road and Yemassee Road on December 16, 2012. Construction commenced on February 6, 2012 and is expected to be complete by July 2012.
9. Whippoorwill Road Drainage. The project will relocate and improve a canal tidegate structure to a location that can be accessed for maintenance. The existing structure is undersized and was damaged by previous storm events. It cannot be accessed for repair or maintenance because it is located on private property. Design and permitting is underway.
10. Laberta-Cresthill Area. The project will relieve flooding within the Cresthill Subdivision. An engineering firm evaluated the storm water drainage system and the outfall to Hayner's Creek. The Board approved a construction contract on April 29, 2011. Construction commenced in August 2011. The project required a temporary road closure of Whitefield Avenue south of Montgomery Cross Road. The roadway is closed until approximately the middle of May 2012.
11. Norwood Drainage Outfalls. The project will improve drainage capacity and access for maintenance. The Board approved a construction contract on March 25, 2011 to improve drainage capacity and access for maintenance at Norwood Place. Construction is substantially complete. Design work and permitting is also underway for the outfall at Skidaway Road.
12. Henderson/Gateway. Drainage is provided by the Little Neck Canal and the Henderson Branch Canal (combined length 2 miles). Development of the subdivisions led to increased rates and volumes of storm water runoff which the canals cannot handle. A project to replace the golf cart culvert and culvert at Henderson Oaks Drive is complete. Staff is investigating further improvements to facilitate improved drainage from the Gateway area.
13. Shipyard-Beaulieu Area. The project will be accomplished in phases. The first phase to replace the storm drain pipe at Beaulieu Avenue was completed in January 2010. The second phase will replace three undersized storm drain pipes and reshape the existing ditch. Acquisitions of required easements are complete. Final design plans and permitting are underway.
14. Grange Road Canal. The project to relieve flooding extends from Pipemakers Canal to north of Grange Road (about 1.8 miles). The Grange Road Canal outfall to the Pipemakers Canal was improved in 2004 under work being performed to improve the Pipemakers Canal. An all weather access road for the Grange Road Canal between Bourne Avenue and the Pipemakers Canal was also constructed at that time. In 2010 the Georgia Ports Authority (GPA) presented a plan to the County involving expansion of GPA facilities in Garden City and the construction of certain drainage systems effecting the Grange Road Canal.

15. Skidaway Road. The project improved roadside drainage and addressed vehicle safety issues along a portion of Skidaway Road near Wormsloe. Construction is complete. An amendment to the Intergovernmental Agreement between Chatham County and the Georgia Department of Natural Resources was approved by the Board on February 10, 2012. The modification expanded the use of vegetative materials and deleted fencing. Work to install the landscaping is complete.

16. LaRoche Culvert. The project includes the replacement of a drainage culvert located under LaRoche Avenue north of Lansing Avenue. The culvert replacement is in response to a deteriorating brick arch culvert with several cracks. Final design work and permitting are complete. Bids opened in April 2012 exceeded project budget and were rejected. The design is being modified to lower construction costs.

17. Lehigh-Shipyard Lane Area. The project will relieve roadside drainage issues causing nuisance flooding in the Lehigh Avenue and Shipyard Lane area. Final design plans and required permitting are complete.

18. Wahlstrom Road. The project will address drainage and maintenance access along the portion of Wahlstrom Road north of the railroad tracks. The drainage infrastructure in the area received infrequent maintenance in the past due to extensive industrial activities in the area and lack of access. Current work is directed toward identifying ownership and responsibility of existing infrastructure and locating existing drainage easements and rights of way.

19. Wymberley Area. The project will address inadequate neighborhood drainage including road side ditches, culverts and rear yard areas not accessible for maintenance of public systems. Current work consists of property and jurisdictional wetland delineations to be used to develop preliminary design alternatives and discussion with affected property owners. It is expected that the constructed improvements will involve Wormsloe Historic Site property and the Georgia Department of Natural resources.

20. Cottonvale Road Drainage. The project will relieve drainage and maintenance access issues causing nuisance flooding in the Cottonvale Road area. Acquisition of a required easement is complete. Final design plans are underway.

RECOMMENDATION: For information.  
Districts: All

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## **EXECUTIVE SESSION**

Chairman Liakakis said, and now we need a motion to recess – recess to executive session.

Commissioner Gellatly said, motion.

County Manager Abolt said, Mr. Chairman the only subject matter I'm aware of to deal with litigation and land acquisition. If the board wishes to discuss appointments, you'd have to add personnel to it.

Chairman Liakakis said, okay. Any Commissioners have any personnel items. Clear the board.

County Manager Abolt said, litigation, land acquisition.

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

Commissioner Stone said, is there a motion? Mr. Chairman, I'll make the motion if there's a second.

Commissioner Shay said, I'll second.

Clerk said, you didn't vote, Mr. Chairman.

Chairman Liakakis said, okay, motion passes.

Clerk said, you didn't vote. Thank you.

## **ACTION OF THE BOARD:**

Commissioner Gellatly moved to recess to executive session to discuss litigation and land acquisition. Commissioner Shay seconded the motion and it unanimously. [NOTE: Commissioners Farrell and Kicklighter were not present for the vote.]

The Board recessed at approximately 11:40 a.m.

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**ITEMS FROM EXECUTIVE SESSION**

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

**ACTION OF THE BOARD:**

Commissioner 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. Commissioner Farrell seconded the motion 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 12:05 p.m.

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**APPROVED: THIS \_\_\_\_\_ DAY OF MAY, 2012.**

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

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**JANICE E. BOCOOK, CLERK OF COMMISSION**