

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, MAY 25, 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 9:25 a.m. on Friday, May 25, 2012.

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II. INVOCATION

Chairman Liakakis said, I now call on our County Manager for the Invocation this morning.

County Manager Russ Abolt said, thank you, Mr. Chairman, ladies and gentlemen.

County Manager Abolt gave the invocation as follows:

Heavenly Father, this is a day that you have made and for that we are grateful. But this is a day in advance of Memorial Day, which this country recognizes every year for the ultimate sacrifice of those men and women over the years that have kept us free. That even today keep us free in far parts of the world in this war on terror. They've given their all. There is not one of us who does not know of a person or persons who have done this in service of our country, and for that we are most grateful. For this Commission, as they deliberate on their budget, we ask wisdom; we ask for them to have not only the courage but continue their professionalism and their caring for the citizens that we serve. We ask this all in your son's name, Jesus Christ. Amen.

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III. PLEDGE OF ALLEGIANCE

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

Commissioner Holmes 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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CHATHAM COUNTY YOUTH COMMISSION

Chairman Liakakis said, what I'd like to do right now is introduce two of our Chatham County Youth Commissioners. Gabrielle Gardner, who is representing Savannah Early College. And then Charvian Williams, who is representing Johnson High School. Glad to have both of you here this morning.

Youth Commissioner Charvian Williams said, thank you.

Youth Commissioner Gabrielle Gardner said, thank you.

Chairman Liakakis said, okay.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. REMINDER OF TATEMVILLE COMMUNITY CENTER RIBBON CUTTING AT 3:00 TODAY.

Chairman Liakakis said, now, on your agenda you'll see that there is a reminder of the Tatemville Community Center Ribbon Cutting today at 3:00. And as you know, Commissioner Harris Odell, when he was here, that's in his District, and he worked really hard to get that additional expansion of the Tatemville Community Center built. And it was paid for by, of course, our SPLOST funding of our sales tax that came in. And the City of Savannah will operate it. They already are operating it, running the Tatemville Center now, but what will happen is the – after the ribbon cutting, then things will be put in place so that the City of Savannah will continue to take care of that.

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2. PROCLAMATION FOR ROBERT AND COOKIE ESPINOZA ON THE 10TH ANNIVERSARY OF FLEET FEET SAVANNAH.

Chairman Liakakis said, okay. Let's see, is Robert Espinoza – has he got here yet? Okay. Well, I'll come back to that. We're a little early anyway. We started a few minutes early. He should be here very shortly.

[NOTE: Commissioner's Item Number 1 was taken at this time.]

Chairman Liakakis said, okay, right now – we started a little early, but – this morning, but under the proclamation heading, we have a proclamation for Robert and Cookie Espinoza on the 10th Anniversary of Fleet Feet Savannah. And I ask that they will come forth to the podium while I bring a proclamation.

Chairman Liakakis said, before I read this proclamation, I'd like to say a – a few things about – about Cookie [Espinoza] and Robert [Espinoza]. They are two of the unsung heroes in our community for the things that they have done on a voluntary basis. The two of them operate Fleet Foot [sic], an athletic store over on Waters Avenue, and what they have done is reached out in the community, and they have done a lot of projects, especially, the main thing is to provide the – whatever's needed to put on a race in our community – whatever that might be, because we can see with Robert's [Espinoza] participation and also Cookie [Espinoza] that the marathon – the Rock 'N Roll Marathon probably if they hadn't been with you and some others locally, they might not have come here last year, you know, and did that huge marathon that they had that brought in millions of dollars into our community. And I just want to read just a few things that they have helped in. They did the Fortress Run to raise money for the Mighty Eighth and to restore historic B-17 bomber; a Run for Jane to raise money for the Leukemia Society; the JCB Mud Run to raise money for the Lady Bamford Early Childhood Learning Center; Cross Country Kickoff to raise money for high school cross country teams; the Critz Run Festival to raise money for several non-profit organization; the Seacrest Run for Preservation to raise money for the Historic Savannah Foundation; the Red Shoes fund to raise money for the Ronald McDonald House for children in Memorial Hospital; and the list goes on and on. But they have been, you know, setting things up and having their employees at their particular establishment that what they do is they have – sometimes there might be three races on one day, and what they do is they split up between one another, and they send their employees, their paid employees, and they don't charge anything for this. But they've helped so many of the charities and civic organizations in our community and individuals, and we can all be proud of what the two of you have done. And I was recently over there with the Chief and also with our County Manager where every time they have a graduation class for the recruits for the Metro Police Department, what happens is Robert [Espinoza] comes over there and presents some awards and also some free athletic shoes for the top members of the recruitment class. And – and they've done that for a number of years also. So what I'd like to do right now is read this proclamation.

Chairman Liakakis reads the proclamation as follows:

AGENDA ITEM: V-2
AGENDA DATE: May 25, 2012



WHEREAS, Robert and Cookie Espinoza opened Fleet Feet Savannah in 2002 and just celebrated the company's 10th anniversary with an expansion of its store and services on Waters Avenue; and

WHEREAS, Fleet Feet Savannah has not only established itself as the region's leading fitness retail store but also its training programs for runners and walkers have helped to improve and sustain the fitness of thousands of citizens; and

WHEREAS, by Fleet Feet Savannah's commitment to the community in organizing and managing some 30 events each year, Robert Espinoza and the Fleet Feet Team have helped non-profit organizations and charities sponsor Saturday 5K, 10K and other distance running events, and by Fleet Feet Savannah's leadership, these charities have raised more than \$6 million for worthwhile causes during the course of the past 10 years; and

WHEREAS, as examples of Fleet Feet Savannah's impact to the community, the increase in the *Savannah Bridge Run* from a small-town event with 400 runners to a nationally-recognized event with 5,000 participants, the advent of the highly-successful *Tybee Beach Run Festival*, and attracting the *Rock 'N' Roll Marathon* to Savannah can be attributed to Robert Espinoza's entrepreneurial skills; and

WHEREAS, Fleet Feet Savannah has directly helped Chatham County government through training and fitness programs for employees, a contribution worth more than \$15,000 and by organizing and managing *The Savannah Mile*, which raises significant monetary contributions for the families of police officers and firefighters who die in the line of duty. In fact the Savannah Mile will be starting at 8:00 a.m. tomorrow morning at Park Avenue and Drayton Street.

NOW THEREFORE, the Board of Commissioners of Chatham County does hereby adopt this proclamation in recognition of many contributions of

**Robert and Cookie Espinoza
Fleet Feet Savannah**

for the betterment of our community and does hereby join with the community in congratulating them on their 10th Year Anniversary.

Pete Liakakis, Chairman

Attest:

Janice Bocook, Clerk

Mr. Chairman said, thank you very much Robert [Espinoza] and Cookie [Espinoza]. We really appreciate that –

Mr. Robert Espinoza said, thank you so much.

Chairman Liakakis said, – and we had this special proclamation set up for all the things that you have done and present that to you this morning.

Mr. Espinoza said, thank you. Thank you very much. [Applause].

Chairman Liakakis said, do either one of you want to speak out now because we really appreciate both of you. Because so many – I've had people who are in charities in our community and said, listen, if we hadn't have had that race, we wouldn't have been able to continue our work and help people in our community.

Mr. Espinoza said, thank you. Well, thank you so much for – for this proclamation. I'm always a little bit shy about getting awards because I love what I do, and so I never feel like I need to be patted on the back or rewarded for it because it's – since – I've wanted to do this since 9th grade. And the dream of helping out Savannah and being a part of the running, racing and fitness community is a great honor for us. The good news is Savannah and this area is at the beginning of it's running boom. The press asked me the other day, where do you think we are as far as running? How much bigger can it get? And I – the only way I could explain it is a marathon is 26.2 miles, and I said, we're at about mile 10. And the – the nation celebrated its running boom 15 years ago, and we're at mile 10, which means not only is it a boom for fitness and running and walking in the area, but it's also a boom economically, and – and we're happy to see it, and we're honored to be a part of it. And I want to thank all of you for having the vision because you didn't have to say yes to the Rock 'N Roll Marathon, and you don't have to always approve the things we do on the road when we get in the way of traffic, and we understand that not everybody understands running. It takes a special organization to see – to have the vision to see where we can go from here. I want to thank all of you for giving us that opportunity. Thank you very much. Appreciate it.

Chairman Liakakis said, all right. Thank you, Robert [Espinoza]. [Applause.] And talking about the Rock 'N Roll Marathon, of course, our participation in it helped bring the County a huge amount of sales tax by people coming into our community. So we really got paid big time for that.

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VI. CHAIRMAN'S ITEMS

None.

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VII. COMMISSIONERS' ITEMS

1. **QUALITY BASED SELECTION (COMMISSIONER FARRELL AND COMMISSIONER SHAY).**

Chairman Liakakis said, under the Commissioner's Items, Item 1, Quality Based Selection. Commissioner Farrell and Commissioner Shay will discuss this item.

Commissioner Farrell said, thank you. At this time I'd like to recognize my friend, John Bremer and let him come to the podium with his other fellow architects and engineers and – and – and make their presentation.

Mr. John Bremer said, good morning Commissioners. Thank you for this opportunity to come before you. I'm here with Bob Poticny. We're here representing the Architects, Engineers, and Contractors Counsel of Savannah. We're a new group that is formed, and we've got some concerns regarding the Quality Based Selection that the County currently uses. And I'm going to turn it over to Bob [Poticny] for our presentation.

Mr. Robert Poticny said, good morning. Pat warned me not to do anything goofy that will end up on YouTube so I'll try to behave. Let's see again my name is Bob Poticny and I'm a architect here in town, and I'm part of the AEC Coalition which is as John [Bremer] mentioned is a – is a – is a new organization. It's – it's – we have over 260 members now. It's architects, engineers, and contractors, and I guess just to get things started, I just wanted to read a little – I have a – a – a position letter that we want to read to you. And basically we're here to thank you guys as support – and – and just thank you for your support of the Quality Based Selection process y'all have had in place for quite a few years now. But basically the AEC is a coalition of interested parties formed to support and provide a unified voice for the design and construction industry in Chatham County and Savannah, Georgia. So that's basically what we are – are about. So with that being said, if I could just read – read this brief position letter, and if y'all have any questions, we'd be happy to – to answer. We have a number of folks from our – our Board and from the membership here – here today as well.

Mr. Poticny said, Dear Commissioners, it has come to the attention of the AEC Coalition that Chatham County is considering changing the criterion for selection of professional design services. It is our understanding that the County is moving back towards a fee-based selection process with a reduction in consideration given to a firm based on their competency, experience, or quality of work produced. The AEC Coalition would like to note its opposition to this proposed change. For more than six years the County has used a Quality Based Selection process, and it has been overwhelmingly supported by the local A and E community, and I cannot stress that enough. It is our understanding that the County staff has supported this method of selection and that the benefits have been numerous. During this period the QBS has allowed Chatham County to efficiently and effectively manage construction and renovation costs while ensuring the delivery of a superior product. The success of QBS – of the QBS process has many added benefits, such as lower overall project costs, higher quality construction documents which lead to projects with fewer or no change orders, limited design changes, more timely completion of projects, higher quality projects leading to lower overall life cycle costs, and a need to replace buildings less frequently. All these ultimately lead to cost savings for the County. The AEC Coalition would like to express its thanks to the County and its Commissioners for implementation and use of the Quality Based Selection process and hopes that it will continue to use it for selection of professional design consultants. And this is respectfully submitted the more than 260 members of the Savannah AEC Coalition.

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

Commissioner Shay said, I don't really have a question, Bob [Poticny], but I – I – I will tell you that over the last eight years of being a County Commissioner that I've had the opportunity to watch all of you step up to the plate and participate in – on the many County capital improvement projects from, you know, your fellow architects and engineers as well, and I think that we have proven as a community of professionals that we're very well served. I mean we have more than enough talent that's in our back yard, and in – in our own area that we can identify people that are well-qualified from within our – our – our own market area. And so I – to me Commissioners, if it ain't broke, don't fix it.

Mr. Poticny said, right.

Commissioner Shay said, I mean this is a – this is a process that has – has served us well, has helped us to make sure that we had a way to make sure that we not only had a blend of outstanding qualifications and experience, but also to help to make sure that to the maximum extent possible, that we used local consultants, and I will tell you its been my experience as an architect if you begin with a local lead designer, there's a much greater chance that everything that comes after that will engage local people. If you begin with a lead designer that's from New York City or – or – or some place else, they're much more likely to hire their engineers there; they're much more likely to design around materials and methods that they're familiar with that are from their market area. This gives us the opportunity to hire our own people and you in the future as Commissioners to hire our own people in order to be able to do these things, and I – I think it's worked out great over the last six years, so I would certainly hope that we don't decide to make a change and do something that might mess up that – that success.

Mr. Poticny said, good. We appreciate that very much.

Chairman Liakakis said, Helen [Stone]?

Commissioner Stone said, thank you, Mr. Chairman. I would also like to add – I would support the comments that have just been made, but I think it's incumbent upon us in this community also to help provide more vocational and technical training for our citizens so that we can employ our citizens, and that is something that is of great interest to me, and I know it's of great interest to this community. So I agree, if it's not broken, let's – don't mess with it, and let's strive to work to keep the citizens of this community employed – gainfully employed and to keep this County moving forward. Thank you.

Chairman Liakakis said, and I can tell you even the County in a number of years ago, they hired an out of town general contractor, and their architect or some of the things that were put in place there, they didn't do a very good job and – and just taking the lowest bid is not always the best thing to do, especially in your field –

Mr. Poticny said, right.

Chairman Liakakis said, – because that's very important that we have architects in our community that can, you know, provide for the citizens and for the government the best possible project that they can do, and that's really important. So we really don't need, you know, to change things, and especially try – try to save money by doing that because what has happened in the past, they – the general contractor had to put out additional monies to get local people in there like a roof on a building or the way it was set up that the footings – the support and all for the building that was being built was in the wrong place. So, you have situations like that, and because it's been really successful the way we've done it in the past, it's good that we do not change this in any way, shape or form.

Mr. Poticny said, yes.

Commissioner Thomas said, Mr. Chairman?

Chairman Liakakis said, yes?

Commissioner Thomas said, I – I would just like to piggy back on those comments as well. One of the comments that I was about to make, and I think the Chairman eluded to it, and – and that was of being very cognizant of the fact that we don't always fair well when we order the – I mean give the lowest bidder the contract.

Mr. Poticny said, right.

Commissioner Thomas said, that has been proven.

Mr. Poticny said, right.

Commissioner Thomas said, – because then we are always confronted with a lot of change orders, change orders, and that has bothered me a lot –

Mr. Poticny said, right.

Commissioner Thomas said, – about all these different change orders. I for one, along with my colleagues, certainly support and have supported local participation and involvement in these contracts because we do believe we have qualified people here in our community that can do many, many jobs that are, you know, needed to be done. So we thank you, and we hope that that letter will be a part of the records so that we can further, you know, experience it if we need to. Thank you.

Chairman Liakakis said, okay, thank you Bob [Poticny].

Mr. Poticny said, thank you very much.

Chairman Liakakis said, appreciate you and your fellow members of your organizations to come forth today and do a presentation.

Mr. Poticny said, thank you for – for your time.

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[NOTE: Proclamation to Robert and Cookie Espinoza was taken at this time.]

VIII. TABLED/RECONSIDERED ITEMS

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

Chairman Liakakis said, there are no Tabled/Reconsidered Items today.

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IX. ITEMS FOR INDIVIDUAL ACTION

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

- 1. **TO REQUEST APPROVAL OF THE FOLLOWING BUDGET AMENDMENTS AND TRANSFERS: (1) GENERAL FUND M&O: a) transfer \$198,500 from Fuel Contingency to the Tax Commissioner's budget, 2) transfer \$30,000 from Community Outreach - Jail to Fleet Operations and 3) appropriate \$54,000 fund balance committed for Emergency Management to the Emergency Management department.**

Chairman Liakakis said, Items for Individual Actions, 1, to request approval of the following budget amendments and transfers: in the General Fund M&O: 1) transfer \$198,500 from Fuel Contingency to the Tax Commissioner's budget, 2) transfer \$30,000 from Community Outreach - Jail to Fleet Operations and 3) appropriate \$54,000 fund balance committed for Emergency Management to the Emergency Management department. We need a motion on the floor.

Commissioner Stone said, so moved.

Commissioner Farrell 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 Stone moved to approve following budget amendments and transfers: (1) in the General Fund M&O: a) transfer \$198,500 from Fuel Contingency to the Tax Commissioner's budget, 2) transfer \$30,000 from Community Outreach - Jail to Fleet Operations and 3) appropriate \$54,000 fund balance committed for Emergency Management to the Emergency Management Department. Commissioner Farrell seconded the motion and it carried unanimously.

AGENDA ITEM: IX-1
AGENDA DATE: May 25, 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 \$198,500 from Fuel Contingency to the Tax Commissioner's budget, 2) transfer \$30,000 from Community Outreach - Jail to Fleet Operations and 3) appropriate \$54,000 fund balance committed for Emergency Management to the Emergency Management Department.

FACTS AND FINDINGS:

1. The Tax Commissioner is requesting additional funds in the amount of \$198,500 to cover the cost of essential legal actions needed to file liens on delinquent properties, pay for title searches for Judicial in Rem tax sales and advertise monthly tax sale properties prior to the sale date. Correspondence is attached.
2. Expenditures for Fleet Operations have exceeded the budget. Funds from the Community Outreach-Jail will be used to offset Fleet's shortfall.
3. The CEMA Director has requested an appropriation of \$13,000 for payment of compensatory time to CEMA employees and \$41,000 for upgrade of the warning sirens frequency system. Correspondence and a resolution are attached.

FUNDING: Funds are available in the General M&O Fuel Contingency and Community Outreach - Jail budgets. The budget amendment will establish funding in the General Fund M&O.

ALTERNATIVES:

1. That the Board approve the following:

GENERAL FUND M&O

- a) Transfer \$198,500 from fuel contingency to the Tax Commissioner's budget.
 - b) Transfer \$30,000 from the Community Outreach - Jail budget to Fleet Operations.
 - c) Increase revenues and expenditures \$54,000 fund balance committed for Emergency Management.
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. TO HOLD A PUBLIC HEARING ON THE CHATHAM COUNTY FISCAL YEAR 2013 BUDGET AS REQUIRED BY STATE LAW.

Chairman Liakakis said, item 2, to hold a public hearing on the Chatham County fiscal year 2013 budget as required by State law. Okay. Ladies and Gentlemen, this hearing is being held in compliance with State Law relative to Chatham County's proposed fiscal year 2013 budget. We will be discussing the total budget with all the various funds. And in that, we all have been distributed a break down and the information packet showing the proposed budget for

all funds are available at the front entrance. A list is being passed around for – asking for the names and addresses of those present that would like to speak. The purpose of this is to document that public input was solicited for future audit purposes. And now I'll have the County Manager – did you want to discuss –

County Manager Abolt said, just to indicate that as you've eluded to but referred, this is a budget proposal of \$629,184,341.

Chairman Liakakis said, okay. We'll start on the right side of the room and go row by row. If you wish to speak, please come to the podium, state your name, address, and the name of the group or organization you represent if there are one – if there is any. We have staff available to help pass out any written material to the Commissioners. We would ask that you be brief and concise in your remarks since we have a number of people that may want to speak and we want everyone to have an equal chance to be heard. So anybody on the first row would like to make a comment? The second row? Okay. Come up and state your name and all that.

Ms. Lakesha Green said, good morning. My name is Lakesha Green I am the executive assistant and theater arts director for AWOL, All Walks of Life, Incorporated, and this morning we would just like to take the time to thank you for your previous support and – last year's with our digital connector's program. On this Tuesday I want to invite you guys out to their graduation which we're very proud of them. They have their A Plus certification as well as their CISCO Certificate, and this is one of the young people that is graduating that is on probation that was in – within our program, and he wanted to say something.

Mr. Nathan Godfrey said, I would just – I just wanted to come up and –

Ms. Green said, say your name.

Mr. Godfrey said, Nathan Godfrey.

Chairman Liakakis said, give them your name, please.

Mr. Godfrey said, my name is Nathan Godfrey.

Chairman Liakakis said, thank you.

Mr. Godfrey said, I wanted to come up and explain how ever since the trouble I got into with the Juvenile Court, I just wanted to explain how AWOL has changed and affected my life. Well, first off, I started because I had the charge of a felony on school campus – possession of firearm on school campus, but ever since that – before AWOL, like I would get into a lot of trouble because of my decision making. So, ever since I have joined, I have – it has affected me tremendously because it has basically helped my figure of speech, my public speaking, and some of the things I have learned and experienced from the program. So.

Commissioner Shay said, thank you.

Chairman Liakakis said, go ahead.

Ms. Green said, we're very proud of Nathan [Godfrey]. Not only did Nathan [Godfrey] finish this program, Nathan [Godfrey] has continued on in our other programs as well. Right now he's enrolled in the GED program to receive his GED. He didn't think it was possible for him to do it, but he is in program at Royce Learning Center, so we are very proud of him. So attached we – you will have the report, as well as the invitation to the graduation. So hopefully you guys will be able to make it 'cause we're real excited about it. Thank you.

Commissioner Shay said, thank you.

Chairman Liakakis said, just a minute DaVena [sic]. Any questions for DaVena [sic]?

Commissioner Thomas said, I don't have a question but I do have a comment.

Chairman Liakakis said, go ahead.

Commissioner Thomas said, thank you so very much.

Ms. Green said, thank you.

Commissioner Thomas said, for providing this opportunity. But I want to say to Nathan [Godfrey] and – and to all of the other young people that have been given this opportunity, I'm glad that you have taken the time to seize this opportunity. You only get this type of opportunity once, and we hope that you have grown to the point where you understand the need to be a productive citizen. So we're going to be keeping our eyes on you, at least I am. I'm going to be keeping up to see if you further your education and become a productive citizen of Chatham County because you can dream and you can dream big, and you can go as far as you want to go if you keep the dream. You understand what I'm saying?

Mr. Godfrey said, yes, ma'am.

Commissioner Thomas said, all right.

Ms. Green said, thank you.

Commissioner Thomas said, congratulations.

Commissioner Shay said, thank you.

Chairman Liakakis said, and DaVena [sic], I have been to your location –

Ms. Green said, this is Lakesha – I'm Lakesha. We look a like, but it's okay.

Chairman Liakakis said, okay. Yeah, you all favor.

Commissioner Shay said, certainly not an insult.

Ms. Green said, thank you.

Chairman Liakakis said, but I want to thank you because I have been there on a couple of occasions and I've had some of the participants there were telling about the problems that they had, you know, getting into trouble and then as they were introduced to AWOL it changed their lives around. In fact, one of them, I think, had been arrested seven or eight times and had been to Juvenile Court for those multiple charges that they had, but in – over at the Juvenile Office they said, hey, he has turned his life around since he's been with AWOL and made a big difference and we don't have any situations where he comes before the Judge again.

Ms. Green said, exactly, and that young man is in college right now at Full Sail University.

Chairman Liakakis said, very good. Very good. Okay. Thank you very much.

Ms. Green said, thank you.

Chairman Liakakis said, all right. Anybody again on the second row? The third row? The fourth row? The fifth row? And this is all on the right – my right-hand side, your left. The sixth row? The seventh row? The eighth row? Okay, we'll come over on the other aisle now. Anybody on the first row that would like to give a statement? The second row? The third row? The fifth row? The sixth row? The seventh row? The eighth row? Okay. Then since we have not had any other testimony today – Russ [Abolt]?

County Manager Abolt said, please close the hearing, Mr .Chairman.

Chairman Liakakis said, yeah, I'm closing the hearing, and we appreciate – at least we did have one individual to come up and speak.

ACTION OF THE BOARD:

For Information only.

AGENDA ITEM: IX-2
AGENDA DATE: May 25, 2012

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

ISSUE:

To hold a Public hearing on the Chatham County fiscal year 2013 budget as required by State Law.

BACKGROUND:

State law requires that Chatham County follow certain steps in its budget process prior to adopting an annual budget (O.C.G.A. Code Section 36-81-5). The County should provide its residents with information concerning the proposed budget and allow its citizens to be heard during a public budget hearing held at least one week prior to the adoption of a budget ordinance or resolution.

FACTS AND FINDINGS:

- (1) A Public Hearing was advertised on May 11, 2012 in the *Savannah Morning News* to be held at 9:30 a.m., on Friday, May 25, 2012.
- (2) Copies of the proposed budget were made available to the public in the Finance Department and the main branch of the Live Oak Public Library on the date the budget was presented to the Board, which was May 11, 2012. Copies of the proposed budget are available at all branches of the library.
- (3) On a date at least one week before adoption, Chatham County is required to hold a public meeting. The budget adoption must be advertised at least one week in advance.
- (4) The budget adoption was advertised on May 16, 2012 in the *Savannah Morning News* for Friday, June 22, 2012 budget adoption.
- (5) The budget for fiscal year 2013 covers the period July 1, 2012 through June 30, 2013.

FUNDING: N/A

ALTERNATIVES

- (1) Proceed with the public hearing on May 25, 2012 and adopt the FY 2013 budget on June 22, 2012.
- (2) Reschedule the hearing and adoption of the FY 2013 budget and re-advertise within limits established by State law.

POLICY ANALYSIS:

State Law requires that an annual budget be adopted by the Board, after advertising the dates of a public hearing and budget adoption and allowing persons to appear and comment on the proposed budget in accordance with the Code Sections below.

Georgia Law 36-81-5.(f)

“At least one week prior to the meeting of the governing authority at which adoption of the budget ordinance or resolution will be considered, the governing authority shall conduct a public hearing, at which time any persons wishing to be heard on the budget may appear.”

Georgia Law 36-81-6.(a)

“On a date after the conclusion of the hearing required in subsection (f) of Code Section 36-81-5, the governing authority shall adopt a budget ordinance or resolution making appropriations in such sums as the governing authority may deem sufficient, whether greater or less than the sums presented in the proposed budget. The budget ordinance or resolution shall be adopted at a public meeting which shall be advertised in accordance with the procedures set forth in subsection (e) of Code Section 36-81-5 at least one week prior to the meeting.”

RECOMMENDATION:

That the Board approve Alternative 1.

Prepared by: Read DeHaven

=====

3. VERBAL UPDATE PERTAINING TO THE HOSPITAL AUTHORITY BONDS AND PRESENTATION OF FINAL COMPLETED BOND DOCUMENTS INTO THE CLERK OF COMMISSION'S RECORDS.

Chairman Liakakis said, item 3, verbal update pertaining to the Hospital Authority Bonds and presentation of final completed bond documents into the Clerk of Commission's records.

County Attorney R. Jonathan Hart said, good – good morning. This basically I figured we ought to put this on the record. The Hospital Authority bonds have taken up – consumed quite a bit of the Commission's time over the last many months, and I'm happy to report that the transaction has been closed and there will be a disbursement on May the 29th, which is next Tuesday. We have lots of good things that are coming out of this. First of all, it wasn't a \$200 million bond issue, it ended up being \$163,880,000, which is always good not to be out there quite so much. The debt – maximum debt service is going to be approximately \$13.9 million, and we're going to have a deposit control agreement that already has \$14.2 million in it to cover any eventual unforeseen circumstances to protect the County. The – the bond rate overall's going to be around 3.9. In the interest rates it was about 5.7. That's almost a 2 point savings. That savings is attributable quite honestly to you guys. And I say that in all sincerity 'cause without y'all having done all the things you needed to do in the last many years, this County wouldn't have a AA bond rating, and you can't get much better than that. The – and – and that says something especially given the situation we've been in in the economy for the last four years. That in an of itself, the savings on interest there is probably going to save Memorial about \$30 million. That'll give you some idea of what that means to them.

County Attorney Hart said, I – I would also like to take a moment and thank Ms. Linda Cramer, our finance director, with working with us so closely in this. She put in many, many hours and many, many hours while preparing the County budget. So, her – she had some significant time constraints. I'd also like to thank my assistant county attorney, Lisa Colbert, for helping me go through the voluminous amounts of documents and making sure that we had our I's dotted and T's crossed. And at the same time, I'd like to report to you that the – the entire effort was a collaborative effort between the staff of Memorial, Mills Fleming's here today as attorney for Memorial. Did an exceptional job of – of corralling all the various moving parts. Mr. Scheer – Steve Scheer was – was an exceptional help dealing with the – with the Authority issues that were involved, and they were the issuing authority. The members of the Memorial Board were very willing partners, and were cooperative throughout the process as was the Hospital Authority. This was a complicated transaction, and I really don't believe it would have got done without everybody having a collaborative spirit there. So, I think this Commission can be proud of what it's done and how it has helped an institution that is very important to this community.

County Attorney Hart said, I would also ask that the final documents insofar as the Covenant Agreement, the Memorandum of Understanding, and the Intergovernmental Contract between the County and the Hospital, together with the Deposit Control Agreement, be entered into the records of the minutes of the County as having been already executed, approved and signed. We are also requesting that a Motion be made to accept the final resolution that is attached to Item number 3 in your book, and direct the Chairman to execute the same. This really is a supplemental resolution that all it does is put down the final numbers. As you recall, we weren't sure what the interest rate would end up being or exactly how big the bond would have to be and – and that just sort of does some housekeeping. So if we could entertain a motion to do that.

Commissioner Stone said, so moved.

Commissioner Thomas said, second.

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

County Attorney Hart said, thank you. That is all I have.

Chairman Liakakis said, Patrick [Shay]?

Commissioner Shay said, there's an additional thank you, and that's to our County Manager.

Commissioner Stone said, right.

Commissioner Shay said, I don't think that you can just be ready for this moment when it happens. I think you have to build team work over years and years because counties just don't enter into these transactions often enough to have training programs. And Mr. County Manager I – I very much appreciate the fact that somehow or another because of the team work that you've built over the years, that you were able to get the right players onto the field and that we were able to help one of the most significant institutions in our community be able to get through a very difficult circumstance, and I – I just – I think you deserve praise as well.

Commissioner Thomas said, yes.

County Manager Abolt said, thank you, that's very kind of you, but I also I wanted to say thank you, but I also as I did in my cover memorandum to you, your legacy as a Commission, now seven and a half years, and you know how to use staff. You're not about embarrassing. You're not about ambushing. You're about realizing you have trained professionals dedicated to do the job, and you realize that and you employ them. In this particular case you saw at least two or three superstars, and I'm just fortunate to be on the same team.

Chairman Liakakis said, thank you very much. What Commissioner Shay said I'm sure that all of us agree about the great job that you are doing for our citizens and helping the County Commission to do even better jobs. And I mentioned this in our pre-meeting, about our County Attorney, Jon Hart, and I just want to do this because what this – all of our County Commission meetings, they are shown immediately. They are videoed, they – and that goes out to anybody that's on Channel 16 can see our meetings immediately, and – and it's played several more times during the week so if somebody didn't have the opportunity to see it while the meeting was going on, they can see it later. But one of the things I'd like to say about our County Attorney too is Paul Tietz, who was representing Chatham County Hospital Authority bond refinancing for Memorial Health University Hospital, and Mr. Tietz is considered one of the top bond attorneys in the entire country, and he had high praise for our County Attorney, Jon Hart, the way that he had the knowledge how to handle this bond issue. It was such a huge bond issue, and all, and because of him and – and the others involved, that it went through in a very good manner, and he could not give enough praises for Jon Hart, who is our County Attorney, representing the County Commission and the citizens in our community. So we really appreciate that, and we want all of the citizens in our community to know that they have a great County Attorney. So Jon [Hart], thank you again for all the good things that you do for us.

County Attorney Hart said, thank you.

ACTION OF THE BOARD:

Commissioner Stone moved to approve the Chairman's signature on the Supplemental Resolution. Commissioner Thomas seconded on the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: IX-3
AGENDA DATE: May 25, 2012



INTER-OFFICE CORRESPONDENCE

DATE: May 22, 2012
TO: R. E. Abolt, County Manager
FROM: R. Jonathan Hart, County Attorney
SUBJECT: *Chatham County Hospital Authority Seven Mill Tax Pledge Refunding and Improvement Revenue Bonds (Memorial Health University Medical Center, Inc., Series 2012A)*

Enclosed is a resolution for adoption by the Board of Commissioners on Friday, May 25, 2012, regarding the above-captioned matter. Additionally, I will be providing a verbal report.

RJH/jr
enclosures

CHATHAM COUNTY SUPPLEMENTAL RESOLUTION

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

A SUPPLEMENTAL RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, PROVIDING FINAL APPROVAL OF THE FULLY EXECUTED INTERGOVERNMENTAL CONTRACT, COVENANT AGREEMENT AND MEMORANDUM OF UNDERSTANDING, AND AUTHORIZING THE ENTERING OF SAID DOCUMENTS IN THE MINUTES OF THE MEETING.

WHEREAS, the Chatham County Board of Commissioners (the "Board of Commissioners"), by resolution adopted on April 27, 2012 (the "April 27 Resolution"), relating to the issuance by the Chatham County Hospital Authority (the "Authority") of the above described 2012A Bonds (the "Series 2012A Bonds"), authorized the Chairman or Vice-Chairman of the Board of Commissioners to execute and deliver the Intergovernmental Contract, Covenant Agreement and Memorandum of Understanding described in the April 27 Resolution; provided that, the aggregate principal amount of the Series 2012A Bonds to be issued would not exceed \$200,000,000 and the maximum amount of principal and interest to be paid in any calendar year on the Series 2012A Bonds would not exceed \$20,000,000; and

WHEREAS, the pricing and sale of the Series 2012A Bonds has taken place and the Series 2012A Bonds are to be issued in the aggregate principal amount of \$163,880,000 and the maximum amount of principal and interest to be paid in any calendar year on the Series 2012A Bonds is \$13,916,725; and

WHEREAS, there have been presented to this meeting the fully executed documents described above and the Board of Commissioners wishes to give final approval to said documents and have them entered into the minutes of this meeting;

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

1. **Approval of Intergovernmental Contract, Covenant Agreement and Memorandum of Understanding.** The fully executed Intergovernmental Contract, Covenant Agreement and Memorandum of Understanding are hereby approved and entered into the minutes of this meeting.
2. **Ratification of April 27 Resolution.** Except as specifically supplemented by the provisions of this Supplemental Bond Resolution, the April 27 Resolution and all of its authorizations and approvals, is hereby ratified and reaffirmed and shall continue in full force and effect.
3. **Effective Date.** This Supplemental Resolution shall take effect immediately upon its adoption.

Resolution approved and adopted this May 25, 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 May 25, 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

**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.

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 Contract, 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

=====

4. CNT MONTHLY REPORT GIVEN VERBALLY BY DIRECTOR RAGAN.

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

CNT Director D. Everett Ragan said, good morning again ladies and gentlemen.

Chairman Liakakis said, good morning.

Director Ragan said, the – for the month of April we initiated 89 investigations. We were able to clear 39. You see the quantity of – of drugs that we did recover. We picked up two guns. We made 28 arrests. We’re now up at 117 arrests for the year. Looking at the time spent in the municipalities and all, we can see where we’re still running a good bit in the west side of the unincorporated areas and then in each – each precinct again. West Chatham, Central Precinct is leading the way for the City of Savannah. Now, what I want to show – what I want to say is a couple things that were not in the report. During the month of April we did take the entire two teams off the street for a week. We did some very intensive training. You remember about a month ago you approved money coming out of seized assets for us to have trainers come in. This was on entry training, felony vehicle styles training, to make sure that our team members are all – when they enter these situations that are very potentially dangerous they’re on the same sheet of music and operate the same way. So those teams were off the street for a – for a week for some very – as I say, some very intense training. We had a couple significant events that we see in the back of the report, and again, it was a CrimeStoppers tip, which again, we get a copy of every CrimeStoppers tip that comes in. We are – a lot of them are assigned out, and a lot of times we do get good information and we’re able to get good feedback to Demery Bishop with CrimeStoppers. Now, without going into a whole lot, I can tell the Commission it’s going to be a real good summer. We’re meeting this afternoon with DEA and we’re meeting this afternoon with some out of state attorneys. So, it’s going to be a very good summer for CNT and the City of Savannah. So we got that to look forward to. Any questions?

Chairman Liakakis said, any questions for our Director?

Director Ragan said, yes, ma’am?

Chairman Liakakis said, go ahead Charvain [Williams].

Youth Commissioner Williams said, my question is what does CNT stand for?

Director Ragan said, actually it’s just a CNT is the Chatham-Savannah Counter Narcotics Team. So sometimes they drop the – they drop the Chatham and Savannah and just use CNT. We counter the narcotics traffickers in the City of Savannah and Chatham County. Okay?

Chairman Liakakis said, okay, and thank you very much Everett [Ragan]. We really appreciate your leadership there and also your staff of people that really get the job done. We hopeful and prayful that someday that we can eradicate most of the drugs in our community, and of course around the country and other areas.

Director Ragan said, I’d love to work myself out of a job.

Chairman Liakakis said, thank you.

Director Ragan said, thank you.

Commissioner Shay said, thank you, sir.

AGENDA ITEM: **IX-4**
 AGENDA DATE: **May 25, 2012**

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

NARCOTICS INVESTIGATIONS

Investigations Initiated During the month	89
Total Number of Investigations Cleared (Arrest, E.C., Unfounded)	39

DRUGS SEIZED

Drug Type	Value	Approx. Weight	Approx. Total Value
Powder Cocaine	\$100 per gram*	50 Grams	\$5,000.00
Crack Cocaine	\$100 per gram*	3 Grams	\$300.00
Methamphetamine	\$100 per gram**	0 Grams	\$0.00
Marijuana	\$140 per ounce*	11.6 Ounces	\$1,624.00
Heroin	\$250 per gram*	.1 Grams	\$25.00
Ecstasy	\$25 Dosage Unit	2 D/U	\$50.00
Misc. Pills	\$30 Dosage Unit	61 D/U	\$1,830.00
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	60.70 Grams	\$6,078.00
Crack Cocaine	36.00 Grams	\$3,600.00
Methamphetamine	241.40 Grams	\$24,140.00
Marijuana	292 Ounces	\$40,880.00
Heroin	0 Grams	\$0.00
Ecstasy	10 D/U	\$250.00
Misc. Pills	603 D/U	\$18,090.00
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*	45 Grams	\$4,500.00
Crack Cocaine	\$100 per gram*	5 Grams	\$500.00
Methamphetamine	\$100 per gram**	0 Grams	\$0.00
Marijuana	\$140 per ounce*	.6 Ounces	\$84.00
Heroin	\$250 per gram*	0 Grams	\$0.00
Ecstasy	\$25 Dosage Unit	0 D/U	\$0.00
Misc. Pills	\$30 Dosage Unit	4 D/U	\$120.00

Source: Office National Drug Control Policy

** Source: Established regional average price

WEAPONS SEIZED

Firearms (including hand guns and long guns)	2
Year To Date Totals	18

PERSONS ARRESTED

Felony*	8
Felony Sales/Trafficking	11
Misdemeanor	3
Felony Non-Drug**	6
Total Arrests	28
Year To Date Totals	117

*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
4/19/12	SCMPD	POSS OF CONTROLLED SUBSTANCE WITH INTENT TO DIST

DRUG COMPLAINTS INVESTIGATED		
Drug Complaints	Received	Assigned
Project Log/Official Complaints	0	0
Hot Line / Call-In Complaints	14	14
Green Sheets/ Outside Agencies	4	4
Crime Stopper Complaints	30	29
DRUG COMPLAINTS—YEAR TO DATE	177	173

DRUG INVESTIGATIONS HOURS WORKED BY ZONE

SCMPD – All Precincts	2,586
Municipalities (Unincorporated Chatham County—325 hours)	<u>320</u>
TOTAL	2,906

Administrative Hours	640
Case Administration	693
Pharmaceutical Diversions	480
Central Intelligence	480
Out of County (Task Force Operations, etc.)	442
Assistance Rendered to Outside Agencies	12
Training	324
Court Hours	<u>41</u>
TOTAL	3,112

Total Hours Worked 6,018

SIGNIFICANT EVENTS

1. After receiving a CrimeStoppers tip in reference to drugs being sold from a car wash located in the 4000 block of Montgomery Street, an investigation was conducted and resulted in a search warrant being executed at the business. The main target was identified as making regular trips to Atlanta to obtain marijuana and bringing it in to Savannah for sale. This investigation resulted in the arrest of 6 suspects and the seizure of crack cocaine, Xanax, and marijuana.
2. A suspect who was just sentenced on March 6, 2012 to 5 years of probation for possession of a controlled substance (crack cocaine) was arrested by CNT agents on April 30, 2012 for two counts of sales of a controlled substance after selling crack cocaine to undercover CNT agents. This suspect is currently in the Chatham County Detention Center.

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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, under the next item, the Action Calendar, we have items 1 through 9 and under item 9, we have items A through Q. That's all on your agenda, and we need a motion on the floor for approval unless there's some specific item to hold back.

Commissioner Shay said, Mr. Chairman, I'd like to make a motion for the entire action calendar for approval.

Commissioner Holmes said, second.

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

ACTION OF THE BOARD:

Commissioner Shay moved to approve the Action Calendar, Items 1 through 9 and under Item 9, Items A through Q. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was 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 MAY 11, 2012, AS MAILED.**

ACTION OF THE BOARD:

Commissioner Shay moved to approve the minutes of the regular meeting of May 11, 2012, as mailed. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote].

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- 2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD MAY 3, 2012 THROUGH MAY 16, 2012.**

ACTION OF THE BOARD:

Commissioner Shay moved to authorize the Finance Director to pay the claims against the County for the period May 3, 2012 through May 16, 2012, in the amount of \$7,025,316. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote].

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- 3. REQUEST BOARD APPROVAL TO REIMBURSE STEP UP SAVANNAH \$15,000 FOR ITS GREEN JOBS PROGRAM AS PART OF CHATHAM COUNTY'S ENERGY EFFICIENCY COMMUNITY BLOCK GRANT.**

ACTION OF THE BOARD:

Commissioner Shay moved the Board for approval to reimburse Step Up Savannah \$15,000 for its green jobs program as part of Chatham County's energy efficiency community block grant. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote].

AGENDA ITEM: X-3
AGENDA DATE: May 25, 2012

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

ISSUE:

To reimburse Step Up Savannah \$15,000 for its Green Jobs Program as part of Chatham County’s Energy Efficiency Community Block Grant.

BACKGROUND:

Chatham County received a \$300,000 federal grant for energy improvements through the Energy Efficiency Community Block Grant program. As part of the grant, which was intended not only to fund energy saving improvements but also to create and sustain jobs, the County agreed that 25% of energy savings would be used to fund a Green Jobs Program through Step-Up Savannah.

FACTS AND FINDINGS:

1. Based on projections, energy improvements completed in 2011 will save Chatham County about \$60,000 annually. Under the terms of Chatham County’s federal grant, 25%, or \$15,000, will be funded to Step Up Savannah for its Green Jobs Program, which focuses on solar installations and other similar skills for program participants.
2. Step Up Savannah’s program costs exceeded the reimbursement from Chatham County. Staff is working with Step Up Savannah on other projects to offset this cost.

FUNDING:

Land Bank Authority (Georgia Power refunded Chatham County for energy improvements).

ALTERNATIVES:

1. That the Board authorize payment of \$15,000 to Step Up Savannah for its Green Jobs Program.
2. That the Board take other action, as appropriate.

POLICY ANALYSIS:

As part of its grant application, Chatham County committed not only to fund energy saving improvements but also to create and sustain jobs, by funding 25% of energy savings to Step-Up Savannah for a Green Jobs Program.

RECOMMENDATION:

That the Board adopt Alternative 1.

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4. **REQUEST BOARD AUTHORIZE THE CHAIRMAN, CLERK OF COMMISSION, COUNTY ATTORNEY AND COUNTY ENGINEER TO SIGN ALL REQUIRED DOCUMENTS FOR A LOCAL MAINTENANCE AND IMPROVEMENT GRANT (LMIG) CONTRACT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF BENTON BOULEVARD.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Shay moved the Board to authorize the Chairman, Clerk of Commission, County Attorney, and County Engineer to sign all required documents for a local maintenance and improvement grant (LMIG) contract with the Georgia Department of Transportation for the reconstruction of Benton Boulevard. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote].

AGENDA ITEM: X-4
AGENDA DATE: May 25, 2012

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

ISSUE: That the Board authorize the Chairman, Clerk of Commission, County Attorney and County Engineer to sign all required documents for a Local Maintenance and Improvement Grant (LMIG) contract with the Georgia Department of Transportation (GDOT) for the reconstruction of Benton Boulevard.

BACKGROUND: The LMIG program provides financial assistance to local governments for various roadway projects. It replaced the Local Assistance Road Program (LARP) and the State Aid Program.

FACTS AND FINDINGS:

1. Benton Boulevard is maintained by Chatham County from the two lane section just south of Godley Way Road to Jimmy DeLoach Parkway. The pavement in this area deteriorated and requires patching, placement of pavement fabric and resurfacing. Once reconstruction is complete, the County will quit claim this section of roadway to the City of Savannah. Plans for the reconstruction are complete by Thomas & Hutton, Inc.
2. There is approximately \$210,000 of LMIG funds remaining for fiscal year ending 2012 that will be applied to the Benton Boulevard project. The total cost estimate for the project is \$420,000.

ALTERNATIVES:

1. That the Board authorize the Chairman, Clerk of Commission, County Attorney and County Engineer to sign all required documents for a Local Maintenance and Improvement Grant (LMIG) contract with the Georgia Department of Transportation (GDOT) for the reconstruction of Benton Boulevard.
2. Provide staff with other direction.

FUNDING: No funds are required for this item.

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

RECOMMENDATION: That the Board approve Alternative No. 1.

District: 7

Prepared by: Pamela Bernard

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5. **REQUEST BOARD APPROVE AN ENCROACHMENT AGREEMENT REQUESTED BY TAMMY SMITH FOR AN OUTBUILDING AND FENCING AT PROPERTY KNOWN AS LOT 17 OF THE REMINGTON SUBDIVISION AS SHOWN ON A PLAT PREPARED BY CARL R. JACKSON, DATED NOVEMBER 12, 1992, AND RECORDED IN BOOK 13S, FOLIO 25, CHATHAM COUNTY RECORDS.
[DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Shay moved for the Board to approve an Encroachment Agreement requested by Tammy Smith for an outbuilding and fencing at property known as Lot 17 of the Remington Subdivision as shown on a plat prepared by Carl R. Jackson, dated November 12, 1992, and recorded in Book 13S, Folio 25, Chatham County records. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote].

AGENDA ITEM: X-5
AGENDA DATE: May 25, 2012

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

ISSUE: Request Board approve an Encroachment Agreement requested by Tammy Smith for an outbuilding and fencing at property known as Lot 17 of the Remington Subdivision as shown on a plat prepared by Carl R. Jackson, dated November 12, 1992 and recorded in Book 13S, Folio 25, Chatham County records.

BACKGROUND: The rear property line of the subject property abuts a fifteen foot wide drainage right of way platted on the recorded document cited above. Fencing and an outbuilding associated with the subject property encroach into the drainage right of way. In 2011 the County acquired drainage easements from the Forest City Gun Club as part of the 2003-2008 SPLOST Queensbury Drainage Project. The easements allowed improvements to be made to the Remington Ditch located adjacent to, but not contained within the platted drainage right of way.

FACTS AND FINDINGS:

1. The Remington Subdivision is one of several that abut the Forest City Gun Club property in Unincorporated Chatham County. These subdivisions include perimeter drainage ditches not accessible to machine maintenance due to inadequate width of easements and/or rights of way. Compounding the problem are fences and buildings that encroach into the easements/rights of way. The easements acquired from the

3. The Owner agrees that this Encroachment Agreement shall be recorded in the Clerk of the Superior Court of Chatham County land records for recording and said Agreement, until terminated by the County, shall be considered as an instrument which runs with the land.

4. The Owner and County agree that the fence and outbuilding, as built and encroaches, do not constitute a safety hazard and Owner agrees to not make any additional modifications to the outbuilding without seeking the appropriate right-of-way encroachment permit.

5. The Owner agrees to indemnify and hold harmless Chatham County for any claim of damage, negligence, property loss, or injuries, which are alleged to be caused or contributed to as a result of any encroachment into the public right-of-way.

Witness the hand and seal of the undersigned Owner and County.

Witness

Tammy Smith

Notary Public

CHATHAM COUNTY

Witness

BY: _____
Pete Liakakis, Chairman
Board of Commissioners

Notary Public

ATTEST: _____
Janice Bocook
Clerk of Commission

[SEAL]

APPROVED AS TO LEGAL FORM:

R. Jonathan Hart
County Attorney

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6. REQUEST BOARD APPROVE AN ENCROACHMENT AGREEMENT REQUESTED BY RALPH AND JOYCE TYSON FOR OUTBUILDINGS AT PROPERTY KNOWN AS LOT 16 OF THE REMINGTON SUBDIVISION AS SHOWN ON A PLAT PREPARED BY CARL R. JACKSON, DATED NOVEMBER 12, 1992, AND RECORDED IN BOOK 13S, FOLIO 25, CHATHAM COUNTY RECORDS. [DISTRICT 1.]

ACTION OF THE BOARD:

Commissioner Shay moved for the Board to approve an Encroachment Agreement requested by Ralph and Joyce Tyson for outbuildings at property known as Lot 16 of the Remington Subdivision as shown on a plat prepared by Carl R. Jackson, dated November 12, 1992, and recorded in Book 13S, Folio 25, Chatham County records. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote].

AGENDA ITEM: X-6
AGENDA DATE: May 25, 2012

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

ISSUE: Request Board approve an Encroachment Agreement requested by Ralph and Joyce Tyson for outbuildings at property known as Lot 16 of the Remington Subdivision as shown on a plat prepared by Carl R.

Jackson, dated November 12, 1992 and recorded in Book 13S, Folio 25, Chatham County records.

BACKGROUND: The rear property line of the subject property abuts a fifteen foot wide drainage right of way platted on the record document cited above. Fencing and an outbuilding associated with the subject property encroach into the drainage right of way. In 2011 the County acquired drainage easements from the Forest City Gun Club as part of the 2003-2008 SPLOST Queensbury Drainage Project. The easements allowed improvements to be made to the Remington Ditch located adjacent to, but not contained within the platted drainage right of way.

FACTS AND FINDINGS:

1. The Remington Subdivision is one of several that abut the Forest City Gun Club property in Unincorporated Chatham County. These subdivisions include perimeter drainage ditches not accessible to machine maintenance due to inadequate width of easements and/or rights of way. Compounding the problem are fences and buildings that encroach into the easements/rights of way. The easements acquired from the Forest City Gun Club provide the width necessary for adequate maintenance access.
2. On a site specific basis, staff worked with the Department of Public Works and the Department of Building Safety and Regulatory Services to identify fences and structures that must be removed from the easements and rights of way. Likewise, improvements that do not pose an immediate hindrance to County maintenance activities were also identified.
3. Based on inspection of site conditions and discussions with representatives of the Department of Public Works, staff finds that the encroachment of the outbuildings at this property do not hinder maintenance activities or otherwise negatively affect the interests of Chatham County. Said outbuildings have been surveyed and the boundary thereof correctly delineated on a plat included with the variance request documents.

FUNDING: No funds are required to approve the encroachment agreement.

ALTERNATIVES:

1. Board approve an Encroachment Agreement requested by Ralph and Joyce Tyson for outbuildings at property known as Lot 16 of the Remington Subdivision as shown on plat prepared by Carl R. Jackson, dated November 12, 1992 and recorded in Book 13S, Folio 25, Chatham County records.
2. To not approve the encroachment agreement.

POLICY ANALYSIS: The Board must approve encroachment agreements.

RECOMMENDATION: Approval of Alternative #1.

District 1

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

STATE OF GEORGIA)
)
 COUNTY OF CHATHAM)

ENCROACHMENT AGREEMENT

This Agreement is made and entered into by and between RALPH KENYON TYSON, JR. and JOYCE TYSON, residing at 122 Remington Drive, hereinafter referred to as ("Owners") and Chatham County, Georgia, a political subdivision of the State of Georgia, hereinafter referred to as ("County"),

WHEREAS, the property, more particularly known and described as on Lot 16 of Remington Subdivision as shown on Plat prepared by Carl R. Jackson, dated November 12, 1992 and recorded in Book 13S, Folio 25, Chatham County, Georgia records; and

WHEREAS, the southern boundary of the property abuts an existing 15-foot wide right of way for ditch maintenance as shown on the same Plat as described above; and

WHEREAS, the Owners of said property built an outbuilding in the rear yard of said property; and

WHEREAS, the Owners of said property petitions to maintain said building within a part of the aforesaid 15-foot wide right of way depicted as VARIANCE AREA upon the attached Exhibit "AN ENCROACHMENT EXHIBIT OF LOT 16, REMINGTON SUBDIVISION, 5TH G.M. DISTRICT, CHATHAM COUNTY, STATE OF GEORGIA"; and

WHEREAS, Owners seek a variance to allow for encroachment of said public right-of-way; and

WHEREAS, the Board of Commissioners has agreed to grant a license for right-of-way encroachment.

NOW THEREFORE, the Owners and County agree more particularly as follows:

1. The Owners agree and acknowledge that said outbuilding encroaches into the public right-of-way and that the County has the right to cause said outbuilding to be removed from the public right-of-way.
2. The Owners acknowledge and agree that the County has entered into this Agreement in which it is granted unto the Owners a revocable license for said outbuilding to encroach upon the public right-of-way as shown upon the attached Exhibit "A", but that the County, in its sole discretion, may at any time terminate this Encroachment Agreement and revoke said license so as to require the Owners at Owners' expense to remove said structure and abate any encroachment in the public right-of-way.
3. The Owners agree that this Encroachment Agreement shall be recorded in the Clerk of the Superior Court of Chatham County land records for recording and said Agreement, until terminated by the County, shall be considered as an instrument which runs with the land.
4. The Owners and County agree that the outbuilding, as built and encroaches, do not constitute a safety hazard and Owners agree to not make any additional modifications to the outbuilding without seeking the appropriate right-of-way encroachment permit.
5. The Owners agree to indemnify and hold harmless Chatham County for any claim of damage, negligence, property loss, or injuries, which are alleged to be caused or contributed to as a result of any encroachment into the public right-of-way.

Witness the hand and seal of the undersigned Owner and County.

Witness

Ralph Kenyon Tyson, Jr.

Joyce Tyson

Notary Public

CHATHAM COUNTY

Witness

BY: _____
Pete Liakakis, Chairman
Board of Commissioners

Notary Public

ATTEST: _____
Janice Bocook
Clerk of Commission

[SEAL]

APPROVED AS TO LEGAL FORM:

R. Jonathan Hart
County Attorney

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7. **REQUEST BOARD APPROVAL OF A REQUEST FROM ISAAC LUTEN AND EDITH SHIVER FOR THE COUNTY TO DECLARE UNOPENED ALLEY RIGHT-OF-WAY LOCATED BETWEEN LAKEVIEW COURT AND THEIR PROPERTIES AS SURPLUS AND TO QUITCLAIM THE RIGHT OF WAY. [DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Shay moved for Board approval of a request from Isaac Luten and Edith Shiver for the County to declare unopened alley right-of-way located between Lakeview Court and their properties as surplus and to quitclaim the right of way. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote].

AGENDA ITEM: X-7
AGENDA DATE: May 25, 2012

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

ISSUE: To recommend Board approval of a request from Isaac Luten and Edith Shiver for the County to declare un-opened alley right-of-way (ROW) located between Lakeview Court and their properties as surplus and to quitclaim the ROW.

BACKGROUND: Mr. Luten (PINs 1-0377-05-037 and 1-0377-05-038) and Ms. Edith Shiver (PIN 1-0377-05-006) own property adjacent to the ROW. The alley ROW was created prior to the creation of Lakeview Court ROW. Lakeview Court was improved with a roadway, but the alley ROW was never opened. The alley ROW is not maintained by Chatham County.

FACTS AND FINDINGS:

1. The location of the request is shown on the attached map. Mr. Luten and Ms. Shiver request quitclaim of the entire 15' wide ROW adjacent to their parcels. The ROW is bound by the Lakeview Court ROW, so there are no other adjacent property owners.
2. Staff checked for possible County use for this ROW. There is no need identified to retain the ROW for future road or drainage purposes.
3. The petitioners were notified of the quitclaim request and advised as to the date and time of this meeting.
4. If approved, the petitioners must pay the County the fair market value for the ROW to be determined by a professional appraisal, and provide the necessary appraisal, deed, and plat at their expense. The appraiser is selected by the petitioners and must be certified as a professional appraiser by the State of Georgia. Staff reviews the submitted appraisal, deed and plat for completeness and reasonableness before the deed is sent to the County Clerk for processing and the fair market value payment check is sent to Finance for deposit.

FUNDING: N/A

ALTERNATIVES:

1. To approve a request from Isaac Luten and Edith Shiver for the County to declare un-opened alley right-of-way (ROW) located between Lakeview Court and their properties as surplus and to quitclaim the ROW.
2. Do not approve the request.

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

RECOMMENDATION: That the Board adopt Alternative 1.

District 1

Prepared by: Suzanne Cooler, P.E.

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8. REQUEST BOARD APPROVE SAVE ANTICIPATED COLLECTIONS ADDENDUM FROM NON-FEDERAL SOURCES TO MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF HOMELAND SECURITY, U.S. CITIZENSHIP AND IMMIGRATION SERVICES AND CHATHAM COUNTY BOARD OF COMMISSIONERS.

ACTION OF THE BOARD:

Commissioner Shay moved for the Board to approve SAVE Anticipated Collections Addendum from Non-Federal Sources to Memorandum of Agreement between the Department of Homeland Security, U.S. Citizenship and

immigration Services and Chatham County Board of Commissioners. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote].

AGENDA ITEM: X-8
AGENDA DATE: May 25, 2012

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

ISSUE:

To approve SAVE Anticipated Collections Addendum from Non-Federal Sources (herein "Addendum") to Memorandum of Agreement between the Department of Homeland Security, U.S. Citizenship and Immigration Services and Chatham County Board of Commissioners, Georgia.

BACKGROUND:

Pursuant to O.C.G.A. § 50-36-1, all agencies and political subdivisions are required to verify the lawful presence of any person who has applied for local public benefits as defined by Federal law. The federal government operates a program entitled "Systematic Alien Verification for Entitlements ("SAVE") Program. The SAVE Program is an intergovernmental information-sharing initiative designed to assist Federal, State government agencies and non-government agencies, such as licensing bureaus, in determining an individual's immigration status. The information provided by SAVE will ensure that only entitled applicants will be granted the public benefits that they applied for. SAVE only provides the immigration status of these individuals and does not make determinations or recommendations regarding a non-citizen's eligibility for any public benefit. Pursuant to the terms of the Addendum to the Memorandum of Agreement, the two public benefits for which Chatham County must confirm the immigration status of applicants are Retirement Benefits and Occupation Tax Certificates.

Utilization of the SAVE program for verifying the immigration status of applicants for public benefits set forth above is mandatory and failure to use this program may cause the County to lose state appropriations. We have to use this program to verify the immigration status of those applicants who meet the criteria for verification. In order to continue the use of this program we have to enter into this Anticipated Collections Addendum to Memorandum of Agreement. The County will incur charges related to the use of the SAVE Program to include a minimum monthly charge of \$25, or up to \$1.50 per query.

The purpose of executing the Addendum is to renew the terms and conditions outlined in the Memorandum of Agreement which governs the participation of the User Agency to provide the specified benefit in the DHS-USCIS Systematic Alien Verification for Entitlements (SAVE) Program for the purpose of verifying citizenship and immigration status information of non-citizen and naturalized or derived U.S. Citizen applicants (applicant) applying for Retirement Benefits and Occupational Tax Certificates (benefits). The limited data will be provided to the User Agency an:

- 1) Initial response (initial verification) by SAVE to an on-line inquiry by the User Agency;
- 2) Additional verification procedures where applicable; or
- 3) A response to a properly submitted Form G-845.

FACTS AND FINDINGS:

1. Pursuant to O.C.G.A. § 50-36-1, all agencies and political subdivisions are required to verify the lawful presence of any person who has applied for local public benefits as defined by Federal law.
2. The federal government operates a program entitled "Systematic Alien Verification for Entitlements ("SAVE") Program. The SAVE Program is an intergovernmental information-sharing initiative designed to assist Federal, State government agencies and non-government agencies, such as licensing bureaus, in determining an individual's immigration status;
3. Utilization of the SAVE program for verifying the immigration status of applicants for public benefits set forth above is mandatory.
4. We have to use this program to verify the immigration status of those applicants who meet the criteria for verification. In order to use the program we have to execute the Addendum which renews the terms and conditions contained in the Memorandum of Agreement.

5. A copy of the Addendum to be executed and a copy of the Memorandum of Agreement that was approved June 10, 2011 are attached hereto.

FUNDING: General Fund.

POLICY ANALYSIS:

The execution of this Addendum falls within the discretion of the Board of Commissioners.

ALTERNATIVES:

1. Authorize the Chairman to execute the Addendum to Memorandum of Agreement with the Department of Homeland Security, U.S. Citizenship and Immigration Services, or
2. Do not Authorize the Chairman to execute the Addendum to Memorandum of Agreement with the Department of Homeland Security, U.S. Citizenship and Immigration Services.

RECOMMENDATION:

Alternative 1.

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

ACTION OF THE BOARD:

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Ammunition for C.N.T.	C.N.T.	Precision Delta Corporation	\$10,315	CNT - Confiscated Funds
B. Technical surveillance equipment for C.N.T.	C.N.T.	Saul Mineroff Electronics, Inc. (Sole Source)	\$10,422	CNT - Confiscated Funds
C. Contract to install fiber cabling for the temporary offices for the Sheriff's Department	I.C.S.	Trison Services, Inc.	\$13,337	CIP - Chatham County Detention Expansion Project
D. Voice over Internet Protocol (VOIP) phones with associated licenses for the Sheriff Department Expansion Project	I.C.S.	Mitel Business Systems, Inc.	\$35,478	CIP - Chatham County Detention Expansion Project
E. Cisco network equipment for Oglethorpe Commerce Building	I.C.S.	Entre Solutions	\$49,659	2005 DSA Bonds - South Annex
F. Cisco network equipment for new Public Works and Park Services Facility	I.C.S.	Entre Solutions	\$14,688	SPLOST (2003-2008) - Public Works Building
G. Replacement helicopter main rotor blades	Mosquito Control	HeliMart, Inc.	\$52,500	General Fund/M&O - Mosquito Control

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
H. Neptune radio controlled water meters for Public Works and Park Services	Public Works & Parks Services	Delta Municipal Supply Company	\$73,200	Water & Sewer Enterprise Fund
I. Fiber cabling for new Public Works and Park Services Facility	I.C.S.	Comcast	\$22,820	SPLOST (2003-2008) Capital Asset - Utilities
J. Professional services contract for the expansion and renovation to the Juvenile Court Facility	Juvenile Court	Greenline Architecture	\$334,988	SPLOST (2008-2014) - Juvenile Court
K. First automatic renewal option and CPI increase per meal for Inmate Food Services at the Detention Center	Detention Center	ABL Management, Inc.	2.7% CPI increase of \$0.0202 per meal	General Fund/M&O - Detention Center
L. Cisco network equipment for Detention Center.	I.C.S	Quality Communications Inc.	\$57,050	CIP - Chatham County Detention Center Expansion Project
M. One (1) Edge scrubber and one (1) floor burnisher for the Detention Center	Detention Center	Paper Chemical Supply Co.	\$24,800	CIP - Detention Center
N. Upgrade of the warning sirens and VHF/Paging frequency system for CEMA & I.C.S.	• CEMA • I.C.S.	Motorola Solutions, Inc. (Sole Source)	\$61,425	• General Fund/M&O - Communications • CEMA
O. Change Order No. 1 to construction contract for Basin Road Bike Trail to install geo-grid soil and a new gate	Engineering	Sandhill ALS Construction, Inc.	\$61,250	SPLOST (2008-2014) Unincorporated Projects - Roads, Coastal Georgia Greenway
P. 78 fliptop classroom tables and 14 powered classroom tables for the Muster room	Detention Center	Mason, Inc.	\$39,907	CIP - Detention Center Expansion
Q. Design of Data Center	I.C.S.	Red Dog Solutions	\$100,000	2005 DSA Bonds - South Annex

AGENDA ITEM: X-9 A thru Q

AGENDA DATE: May 25, 2012

TO: BOARD OF COMMISSIONERS

THRU: R.E. ABOLT, COUNTY MANAGER

**FROM: MICHAEL A. KAIGLER, ASSISTANT COUNTY MANAGER/
DIRECTOR OF HUMAN RESOURCES AND SERVICES**

SUBJECT: AWARD OF BIDS

ITEM A

ISSUE: Request Board approval of the \$10,315 purchase of ammunition from Precision Delta Corporation for C.N.T.

BACKGROUND: The Board approved at their meeting on November 18, 2011, the use of confiscated funds for the purchase of ammunition.

FACTS AND FINDINGS:

1. Staff was advised by Savannah-Chatham Metropolitan Police Department (SCMPD) personnel, that they purchase their ammunition from Precision Delta Corporation, Ruleville, MS.

2. Quotes were requested and the responses are as follows:

Precision Delta Corp Ruleville, MS	\$10,315
Craig's Firearm Supply, Inc Knoxville, TN	\$13,639
Gulf States Distributors, Inc Montgomery, AL	No Response

3. Staff believes the total cost of \$10,315 to be fair and reasonable.

FUNDING: CNT - Confiscated Funds
(2103222 - 54.25001)

ALTERNATIVES:

1. Board approval of the \$10,315 purchase of ammunition from Precision Delta Corporation for C.N.T.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary equipment for law enforcement activities.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM B

ISSUE: Request Board approval of the \$10,422 sole source purchase of technical surveillance equipment from Saul Mineroff Electronics, Inc for C.N.T.

BACKGROUND: On November 18, 2011, the Board approved the use of confiscated funds to purchase surveillance equipment.

FACTS AND FINDINGS:

1. Saul Mineroff Electronics, Inc is the sole source manufacturer and direct distributor of covert recorders, support microphones and digital recorder support units.
2. This surveillance equipment has been selected based upon its ability to accommodate various surveillance operations.
3. Staff believes the total cost of \$10,422 to be fair and reasonable.

FUNDING: CNT - Confiscated Funds
(2103222 - 54.25001)

ALTERNATIVES:

1. Board approval of the \$10,422 sole source purchase of technical surveillance equipment from Saul Mineroff Electronics, Inc for C.N.T.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary equipment for law enforcement activities.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM C

ISSUE: Request Board approval of a \$13,337 contract with Trison Services, Inc. to install fiber cabling for the temporary offices for the Sheriff's Department.

BACKGROUND: As a part of the construction of the Detention Center Expansion project, fiber cabling is needed to hook up phone and computer connections to County Offices.

FACTS AND FINDINGS:

- 1. Temporary offices are needed to continue daily operations at the Sheriff's department.
- 2. Fiber will be run from temporary offices at 41 Park of Commerce Way to 30 Park of Commerce Way.
- 3. Quotes were requested and the responses are as follows:

Trison Services, Inc. Savannah, GA	\$13,337
All Electric & Specialty System Savannah, GA	\$29,000
NetPlanner Systems Pooler, GA	No Response

- 4. Staff believes the total cost of \$13,337 to be fair and reasonable.

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

ALTERNATIVES:

- 1. Board approval of a \$13,337 contract with Trison Services, Inc. to install fiber cabling for the temporary offices for the Sheriff's department.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary infrastructure for communications.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
LYNN STENNETT

ITEM D

ISSUE: Request Board approval of a \$35,478 purchase of Voice over Internet Protocol (VOIP) phones with associated licenses for the Sheriff Department Expansion Project, from the General Services Administration (GSA) schedule, from Mitel Business Systems, Inc. for I.C.S.

BACKGROUND: The County's phone equipment is used to join the phone systems at various locations thus providing 4 digit dialing to all County extensions.

FACTS AND FINDINGS:

- 1. The County's telephone system has been upgraded to a VOIP system. For all new projects, IP telephones and licences are required for communication.
- 2. This procurement allows the County to use VOIP telephones, which will reduce cost in the future with less cable runs and equipment cost.

3. Staff believes the cost of \$35,478 from the GSA contract to be fair and reasonable.

FUNDING: CIP - Sheriff Department Project Fund
(3803355 - 54.25001 - 38060407)

ALTERNATIVES:

- 1. Board approval of a \$35,478 purchase of Voice over Internet Protocol (VOIP) phones with associated licenses for the Sheriff Department Expansion Project, from the General Services Administration (GSA) schedule, from Mitel Business Systems, Inc. for I.C.S.
- 2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
LYNN STENNET

ITEM E

ISSUE: Request Board approval of a \$49,659 purchase of Cisco network equipment from Entre Solutions, a local MBE firm, for I.C.S.

BACKGROUND: The entire County network operates on a Cisco network and this equipment is essential to ensure functioning network operations. This equipment is for the Oglethorpe Commerce Building.

FACTS AND FINDINGS:

1. Request for Quotes were advertised and four (4) quotes were received on April 2, 2012. The quote responses are as follows:

*	Entre Solutions Savannah, GA	\$49,659
	Diversified Computer Solutions, Inc. Atlanta, GA	\$51,816
**	Adcap Network Systems Alpharetta, GA	\$53,844
*	Quality Communications, Inc. Savannah, GA	\$55,962
**	WBE Firm	
*	MBE Firm	

2. Staff believes the total cost of \$49,659 to be fair and reasonable.

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

ALTERNATIVES:

- 1. Board approval of a \$49,659 purchase of Cisco network equipment from Entre Solutions, a local MBE firm, for I.C.S.
- 2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
LYNN STENNETT

ITEM F

ISSUE: Request Board approval of a \$14,688 purchase of Cisco network equipment from Entre Solutions, a local MBE firm, for I.C.S.

BACKGROUND: The entire County network operates on a Cisco Network and this equipment is essential to ensure functioning network operations. This equipment is for the new Public Works and Park Services Facility.

FACTS AND FINDINGS:

1. Request for Quotes were advertised and four (4) quotes were received on April 2, 2012. The quote responses are as follows:

- * Entre Solutions Savannah, GA \$14,688
- Diversified Computer Solutions, Inc. Atlanta, GA \$14,720
- ** Adcap Network Systems Alpharetta, GA \$15,584
- * Quality Communications, Inc. Savannah, GA \$15,681
- ** WBE Firm
- * MBE Firm

2. Staff believes the total cost of \$14,688 to be fair and reasonable.

FUNDING: SPLOST (2003-2008) - Public Works Building
(3234980 - 53.12904 - 32360436)

ALTERNATIVES:

- 1. Board approval of a \$14,688 purchase of Cisco network equipment from Entre Solutions, a local MBE firm, for I.C.S.
- 2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM G

ISSUE: Request Board approval of a \$52,500 purchase for replacement helicopter main rotor blades from HeliMart, Inc.

BACKGROUND: Mosquito Control staff conduct aerial missions with three helicopters and one airplane. Staff perform the required annual, and 100hour inspections on all aircraft. Time life components are replaced in accordance with the manufacturers requirements that are FAA approved.

FACTS AND FINDINGS:

1. Chatham County owns and operates four aircraft: three (3) MD 500 helicopters are used for mosquito surveillance inspection flights, both immature and adult mosquito control missions, police operations, fire fighting, and several emergency support functions including search and rescue, and damage assessment; one (1) Air Tractor airplane is used for immature mosquito control and fire fighting.
2. The main rotor blades installed on the helicopter purchased in 2010 are reaching the maximum FAA approved life of 4000 flight hours.
3. Without replacement, after approximately 100 flight hours, the aircraft must be grounded and cannot be flown until the main rotor blades are replaced.
4. The main rotor blades being replaced have been in service since July 2004.
5. Mosquito Control Aviation staff have received three quotes:

<u>Vendor</u>	<u>Price</u>
HeliMart, Inc.	\$52,500
MDHI, Inc.	\$95,080
Helicopter Technology Company	\$55,225

6. HeliMart, Inc. provided the lowest quote of \$52,500 for the five (5) main rotor blades.

ALTERNATIVES:

1. Board approval of a \$52,500 purchase for replacement helicopter main rotor blades from HeliMart, Inc.
2. Provide staff with other direction.

FUNDING: General Fund/M&O - Mosquito Control
(1005144 - 52.22001)

POLICY ANALYSIS: It is consistent with Board policy to support environmentally sound, cost effective mosquito control operations.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM H

ISSUE: Request Board approval to purchase 400 Neptune radio controlled water meters in the amount of \$183 per meter for a total amount of \$73,200 from Delta Municipal Supply Company for Public Works and Park Services.

BACKGROUND: The Environmental Protection Division (EPD) has a requirement that water systems owners and operators replace a percentage of their water meters every year. All old meters are now being replaced with new technology that permits reading meters with a hand-held unit. These meters are more accurate than the original mechanical meters, and using the hand-held reader unit allows meters to be read more quickly and accurately. The County Water & Sewer Department has been using this type of meter since March 2009. This purchase is a continuation of the replacement program to bring the entire water system into the new automatic reading technology.

FACTS AND FINDINGS:

1. Replacement of a percentage of all existing meters must be done every year due to a mandate by EPD. The County originally began replacing all meters scheduled for replacement with the newer automated meter reading technology in March 2009.
2. In 2011, staff solicited quotes for radio controlled water meters and received two (2) responses. Delta Municipal Supply Company provided the low quote of \$183 per meter. Delta Municipal Supply Company is the Neptune distributor in Georgia.
3. Using the automatic meters versus the old mechanical meters provides the following increased efficiencies and accuracy levels:

- a. Allows meter reading by drive-by or walk-by reducing the time devoted to meter reading and increases meter reading accuracy.
- b. Allows a three (3) month data logging from individual meters, which permits easy usage information retrieval, minimizing customer billing disputes.
- c. Permits retrieval of information regarding either continuous or intermittent water leaks in individual systems.
- d. The meter reading information can be directly downloaded from the hand-held device(s) eliminating the need for manual data transfer into the Pentamation billing system which eliminates clerical data entry and billing errors.

FUNDING: Water and Sewer Enterprise Fund
(5054400 - 54.25001)

ALTERNATIVES:

1. Board approval to purchase 400 Neptune radio controlled water meters in the amount of \$183 per meter for a total amount of \$73,200 from Delta Municipal Supply Company for Public Works and Park Services.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve purchases in order to comply with governmental requirements.

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM I

ISSUE: Request Board approval of a \$22,820 purchase of fiber cabling from Comcast for the new Public Works and Park Services Facility.

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

FACTS AND FINDINGS:

1. Fiber cabling will be run from the Chatham County Aquatic Center to the New Public Works Site located at 7226 Varnadoe Drive to link all data and communications equipment to County infrastructure.
2. Comcast provides special pricing to the County as part of their franchise agreement. Staff believes the total cost of \$22,820 to be fair and reasonable.

FUNDING: SPLOST (2003-2008) Cap Asset - Utilities
(3234980 - 53.12901 - 32360433)

ALTERNATIVES:

1. Board approval of a \$22,820 purchase of fiber cabling from Comcast for the new Public Works and Park Services Facility.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM J

ISSUE: Request Board approval to award a professional services contract in the amount of \$344,988 to Greenline Architecture for the pre-design strategic planning/needs assessment, design and engineering services and construction contract administration for the expansion and renovation to the Chatham County Juvenile Court Facility.

BACKGROUND: The Juvenile Court Facility has operated in its current location at 197 Carl Griffin Drive since the fall of 1997. Since that time, two judgeships have been created and new staff positions added to address the increased workload. Administrative office space is provided at the Juvenile Court for the District Attorney's Office, Victim Witness, Public Defenders Office, and a Chatham County Sheriff's Office. These staffs have also grown, adding to the need for additional office space. To address the need for additional space, an 8,400 square foot modular village was constructed on the property in 2008 to provide additional office space and a training room. The Juvenile Court Facility also provides treatment groups and programs to clients. The majority of these services are provided in-house by Juvenile Court staff. These services have expanded, and additional space is needed to provide these services.

FACTS AND FINDINGS:

1. This expansion/renovation will allow all Juvenile Court staff and services to be housed in one structure. Currently, due to the overcrowding in the Courthouse, there are 14 staff members, as well as the Courts Training Unit, that are housed in a modular village that is adjacent to the Juvenile Court Facility.
2. As part of this project, staff is requiring a Pre-Design Strategic Planning /Needs Assessment Study for 15 years future growth of the facility. Greenline's design services will also provide design and construction documents, along with construction contract administration, for the expansion and renovations to the existing Juvenile Court building. Due to the requirements of the County, the expansion/renovation will be designed to meet at the minimum LEED Silver certification.
3. Funds are available in the amount of \$3.3M in SPLOST IV for the design/engineering and the construction of the expansion/renovation of this facility.
4. Proposals were solicited for Design/Engineering Services for the facility addition/renovation. Nine (9) design firms submitted proposals. The proposals were scored by the evaluation committee and the top four high scoring firms were interviewed. **(See attached matrix for detailed scoring on pages 20 and 21).** After adding the scores from their proposal and their interview, Greenline Architecture received the highest score.
5. Greenline Architecture has since submitted a Scope of Services and the fee of \$334,988 for this project. The services covered by this fee are design documents for construction, including architectural, structural engineering, MEP engineering, civil engineering, technology/data/AV/security, FF&E design, landscape design, cost estimating, along with strategic planning/needs assessment study, LEED energy modeling, LEED documentation and construction administration. The Juvenile Court Administrator, along with the Project Manager for this project believes that the fee is fair and reasonable for this project.

FUNDING: SPLOST (2008-2014) - Juvenile Court
(3244980 - 54.13001 - 32460220)

ALTERNATIVES:

1. Board approval to award a professional services contract in the amount of \$334,988 to Greenline Architecture for the pre-design strategic planning/needs assessment, design and engineering services and construction contract administration for the expansion and renovation to the Chatham County Juvenile Court Facility.
2. Provide staff with other direction.

POLICY ANALYSIS: It is consistent with Board policy to award design contracts to the highest scoring professional services firm.

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____

LYNN STENNETT

ITEM K

ISSUE: Request Board approval to exercise the first automatic renewal option and a 2.7% CPI increase of

\$0.0202 per meal to the contract with ABL Management, Inc., of Baton Rouge, LA for providing Inmate Food Services for the Chatham County Detention Center.

BACKGROUND: On March 11, 2011, the Board approved a year to year extension of the contract with ABL Management, Inc., of Baton Rouge, LA for an additional three (3) one (1) year terms.

FACTS AND FINDINGS:

1. ABL Management has requested an increase of 2.7% based on the May 2012 CPI for wholesale food. The CPI increase will bring the per meal cost to \$ 0.7666.

2.. The CPI increase is as follows:

2012 Price per Meal	\$ 0.7464
CPI Increase (2.7%)	\$ 0.0202
Adjusted Price per Meal	\$ 0.7666

3. Staff believes the price increase of \$0.0202 per meal to fair and reasonable.

FUNDING: General Fund/M&O - Detention Center
(1003326 - 53.13021)

ALTERNATIVES:

1. Board approval to exercise the first automatic renewal option and a 2.7% CPI increase of \$0.0202 per meal to the contract with ABL Management, Inc., of Baton Rouge, LA for providing Inmate Food Services for Chatham County Detention Center.

2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to renew contracts that are in the best interest of the County.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM L

ISSUE: Request Board approval of a \$57,050 purchase of Cisco network equipment from Quality Communications, Inc., a local MBE firm, for the I.C.S. Department.

BACKGROUND: The entire County network operates on a Cisco network and this equipment is essential to ensure functioning network operations. This equipment is for the Chatham County Detention Center Expansion Project.

FACTS AND FINDINGS:

1. Request for Quotes were advertised and four (4) quotes were received on April 24, 2012. The quote responses are as follows:

*	Quality Communications, Inc Savannah, GA	\$57,050
	Diversified Computer Solutions, Inc. Atlanta, GA	\$61,817
*	Entre Solutions Savannah, GA	\$62,830
**	Adcap Network Systems Alpharetta, GA	\$66,950
**	WBE Firm	
*	MBE Firm	

- 2. Staff believes the total cost of \$57,050 to be fair and reasonable.

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

ALTERNATIVES:

- 1. Board approval of a \$57,050 purchase of Cisco network equipment from Quality Communications, Inc., a local MBE firm, for the I.C.S. Department.
- 2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
LYNN STENNETT

ITEM M

ISSUE: Request Board approval of \$11,950 to purchase an edge scrubber and \$12,850 to purchase a floor burnisher from Paper Chemical Supply Co., Savannah, GA for the Chatham County Detention Center.

BACKGROUND: The floors of the facility are currently being taken care of manually. As the complex expands throughout the construction project, manual labor will no longer be feasible.

FACTS AND FINDINGS:

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

Vendor	Edge Scrubber	Burnisher
Paper Chemical Co. Savannah, GA	\$11,950	\$12,850
Georgia Industrial Equipment East Point, GA	\$12,995	\$13,500
RPS Corporation Racine, WI	\$13,800	\$13,492

- 2. Staff has researched various methods and equipment options and determined that a floor burnisher is best suited for the facility as it combines the various tasks associated with floor care. The burnisher will be used for the main area of the floors and hallways. The edge scrubber is needed to clean the corners.
- 3. Staff believes the pricing provided by Paper Chemical Supply Co., to be fair and reasonable.

FUNDING: CIP - Detention Center
(3503326 - 54.25001 - 35030518)

ALTERNATIVES:

- 1. Request Board approval of \$11,950 to purchase an edge scrubber and \$12,850 to purchase a floor burnisher from Paper Chemical Supply Co., Savannah, GA for the Chatham County Detention Center.
- 2. Provides staff other directions.

POLICY ANALYSIS: It is consistent with Board Policy to purchased for equipment necessary for janitorial maintenance requirements.

RECOMMENDATION: That the Board adopts Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM N

ISSUE: Request Board approval of a \$61,425 sole source agreement for the upgrade of the warning sirens and VHF/Paging narrowband frequency system with Motorola Solutions, Inc., for Chatham Emergency Management Agency.

BACKGROUND: On January 1, 2013, all public safety and business industrial land mobile radio systems operating in the 150-512 MHz radio bands must cease operating using 25 kHz efficiency technology, and begin operating using at least 12.5 kHz efficiency technology, commonly referred to as "Narrowbanding." This deadline is the result of an FCC effort that began almost two decades ago to ensure more efficient use of the spectrum and greater spectrum access for public safety and non-public safety users. Narrowbanding will allow the creation of additional channel capacity within the same radio spectrum, and support more users.

FACTS AND FINDINGS:

1. The narrowbanding operation is federally mandated and Chatham County must comply.
2. Our current VHF system is incapable of meeting the FCC narrowbanding requirements. The narrowbanding must be completed on or before January 1, 2013.
3. This VHF system is core infrastructure required for the operation of the Chatham County outdoor warning sirens as well as the paging system used by fire station personnel.
4. The replacement system will operate with the same capabilities as our current system at the necessary narrowband frequencies required.
5. The replacement system is capable of later expansion into fault tolerance for our emergency warning system, further enhancing the safety of Chatham County citizens.
6. The sole source manufacturer and service provider, Motorola Solutions Inc, provides contractual services locally through Savannah Communications, the only company technically qualified and authorized by license to maintain the communication system.

FUNDING: General Fund/M&O – Communications

(1001536 – 54.25005) - \$20,425

CEMA

(1003920 - 52.32020) - \$41,000 (pending board approval of budget amendment)

ALTERNATIVES:

1. Board approval of a \$61,425 sole source agreement for the upgrade of the warning sirens and VHF/Paging narrowband frequency system with Motorola Solutions, Inc., for Chatham Emergency Management Agency.
2. Dismantle the VHF transmitter and Chatham County sirens before January 1, 2013.
3. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM O

ISSUE: Request Board approval of Change Order No. 1 in the amount of \$61,250 to the construction contract with Sandhill ALS Construction, Inc., for the Basin Road Bike Trail to install geo-grid soil reinforcement material and a new gate.

BACKGROUND: On February 24, 2012, the Board awarded a construction contract to Sandhill ALS Construction, Inc., to grade and mill approximately 10,050 square yards of asphalt, install a new box culvert and storm drainage system and construct a new bike path along Basin Road and a portion of Canebrake Road.

FACTS AND FINDINGS:

1. Soil reinforcement fabric (geo-grid) is required to stabilize the soils in the wetland areas to allow for long term stability and reduce maintenance costs associated with the bike path.
2. The existing gate into the Chatham County Wetland Mitigation Bank is being relocated to restrict access onto the bike path for all vehicles other than maintenance vehicles. The proposed gate will replace the original gate into the Chatham County Wetland Mitigation Bank.
3. Staff believes that the price quoted for the additional work is fair and reasonable.
4. Contract History:

Original Contract (12-0006-4)	\$795,262
Change Order No. 1 (Pending)	<u>\$ 61,250</u>
Revised Contract Amount	\$856,512

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

ALTERNATIVES:

1. Board approval of a Change Order No. 1 in the amount of \$61,250 to the construction contract with Sandhill ALS Construction, Inc., for the Basin Road Bike Trail to install geo-grid soil reinforcement material and a new gate.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
LYNN STENNETT

ITEM P

ISSUE: Request Board approval of a \$39,907 purchase of seventy-eight (78) flip-top classroom tables and fourteen (14) powered classroom tables for the Muster room in Building A of the Chatham County Detention Center (CCDC) from Mason, Inc., of Savannah, GA.

BACKGROUND: The Chatham County Detention Center (CCDC) has a requirement for new classroom tables for the Muster Room of the new facility.

FACTS AND FINDINGS:

1. Bids were received from twelve (12) bidders. The bids are listed below:

Georgia Correctional Industries Decatur, GA	\$37,050
Office Services Savannah, GA	\$37,717
Mason, Inc. Savannah, GA	\$39,907
National Office Systems Savannah, GA	\$45,181
Business Interiors by Staples Atlanta, GA	\$45,824
VIP Office Furniture & Supply Savannah, GA	\$47,518
M.S. Harris & Associates, Inc. Macon, GA	\$48,813

VERSA Products, Inc. Los Angeles, CA	\$48,840
McWaters Savannah, GA	\$50,529
Total Office Solutions Jacksonville, FL	\$51,893
Hampton Interior Savannah, GA	\$52,230
School Specialty, Inc. Mansfield, OH	\$55,974

2. Georgia Correctional Industries did not bid on all items and was therefore not low. The bid submitted by Office Services did not meet specifications.
3. The bid from Mason, Inc., was deemed to be fair and reasonable.

FUNDING: CIP - Detention Center Expansion
(3800335 - 54.25001 - 38060407)

ALTERNATIVES:

1. Board approval of a \$39,907 purchase of seventy-eight (78) floptop classroom tables and fourteen (14) powered classroom tables for the Muster room in Building A of the Chatham County Detention Center(CCDC) from Mason, Inc., of Savannah, GA.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve purchase of equipment necessary to the operation of the Chatham County Detention Center.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
LYNN STENNETT

ITEM Q

ISSUE: Request Board approval of a \$100,000 design agreement for Phase I of the Chatham County Data Center from Red Dog Solutions.

BACKGROUND: The Chatham County Data Center houses most of the hardware required for the operation of the Chatham County data network and telecommunications infrastructure. Protection and proper environmental conditioning of this hardware is crucial for the reliability and availability of these services.

FACTS AND FINDINGS:

1. The Chatham County data and telecommunications services are utilized by all County departments and directly affect the ability for these departments to service public needs.
2. The current datacenter is unfit to protect against category 1 hurricane force winds and cannot protect against water intrusion.
3. The proposed datacenter will protect against category 3 hurricane force winds and rain.
4. The current datacenter space within the Montgomery St. courthouse must be re-allocated for court services during the courthouse renovation.
5. Phase I of this project includes design, planning, and long lead time materials.
6. Phase II of the project will be the Data Center build out which will begin in July, 2012 at a cost of \$453,925.

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

ALTERNATIVES:

1. Board approval of a \$100,000.00 design agreement for Phase I of the Chatham County Data Center from Red Dog Solutions.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary infrastructure needed for daily operations with provisions for continuity of operations in the event of a disaster.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
LYNN STENNETT

PREPARED BY _____
PURCHASING AGENT

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XI. FIRST READINGS

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

1. **MODIFY THE CHATHAM COUNTY REVENUE ORDINANCE TO INCREASE THE SOLID WASTE FEES FOR DRY TRASH, TO AMEND THE DEFINITION OF SINGLE FAMILY RESIDENTIAL PROPERTIES FOR THE DRY TRASH FEES, TO INCREASE THE SEWER SERVICE FEES BY FIVE PERCENT (5%); AND TO PROVIDE CONCEPTUAL APPROVAL TO PROCEED WITH THE IMPLEMENTATION OF AN ENERGY EXCISE TAX.**

Chairman Liakakis said, first readings.

Chairman Liakakis read this item into the record as the first reading.

Chairman Liakakis said, now I'm just reading this particular – this is the first reading. There's no action on those whatsoever. We just give the information out.

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2. **AMEND SECTION 7-3 C (5) - (SIGN STANDARDS RESTRICTED SIGNS) AND 7-3 D (3) - (ANNOUNCEMENT SIGN REQUIREMENTS). TO ALLOW ELECTRONIC ANNOUNCEMENT SIGNS IN SELECTED ZONING DISTRICTS, SUBJECT TO LIMITATIONS. MPC RECOMMENDS APPROVAL. MPC FILE NO. Z-120404-62747-1 TEXT AMENDMENT - UNINCORPORATED AREA**

Chairman Liakakis read this item into the record as the first reading.

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3. **THE PETITIONER, NICOLE THIEKLE, IS REQUESTING APPROVAL OF A REZONING FROM AN R-A (RESIDENTIAL AGRICULTURE) ZONING CLASSIFICATION TO A B-C (COMMUNITY BUSINESS) ZONING CLASSIFICATION. THE MPC RECOMMENDS APPROVAL. MPC FILE NO. Z-120228-00008-1 [DISTRICT 7.]**

Chairman Liakakis read this item into the record as the first reading.

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XII. SECOND READINGS

Chairman Liakakis said, there are no Second Readings.

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XIII. INFORMATION ITEMS

Chairman Liakakis said, you've all been given information in your packet for information items.

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

ACTION OF THE BOARD:

A status report was attached as information.

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

AGENDA ITEM: XIII-2
AGENDA DATE: May 25, 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>
A. Ammunition for C.N.T.	C.N.T.	Precision Delta Corporation	\$10,315	CNT - Confiscated Funds
B. Technical surveillance equipment for C.N.T.	C.N.T.	Saul Mineroff Electronics, Inc. (Sole Source)	\$10,422	CNT - Confiscated Funds
C. Contract to install fiber cabling for the temporary offices for the Sheriff's Department	Sheriff's Department	Trison Services, Inc.	\$13,337	CIP - Chatham County Detention Expansion Project
D. Voice over Internet Protocol (VOIP) phones with associated licenses for the Sheriff Department Expansion Project	I.C.S.	Mitel Business Systems, Inc.	\$35,478	CIP - Sheriff Department Project Fund
E. Cisco network equipment for Oglethorpe Commerce Building	I.C.S.	Entre Solutions	\$49,659	2005 DSA Bonds - South Annex
F. Cisco network equipment for new Public Works and Park Services Facility	I.C.S.	Entre Solutions	\$14,688	SPLOST (2003-2008) - Public Works Building
G. Replacement helicopter main rotor blades	Mosquito Control	HeliMart, Inc.	\$52,500	General Fund/M&O - Mosquito Control
H. Neptune radio controlled water meters for Public Works and Park Services	Public Works & Parks Services	Delta Municipal Supply Company	\$73,200	Water & Sewer Enterprise Fund

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
I. Fiber cabling for new Public Works and Park Services Facility	Public Works & Parks Services	Comcast	\$22,820	SPLOST (2003-2008) Cap Asset - Utilities
J. Professional services contract for the expansion and renovation to the Juvenile Court Facility	Engineering	Greenline Architecture	\$334,988	SPLOST (2008-2014) - Juvenile Court
K. First automatic renewal option and CPI increase per meal for Inmate Food Services at the Detention Center	Detention Center	ABL Management, Inc.	2.7% CPI increase of \$0.0202 per meal	General Fund/M&O - Detention Center
L. Cisco network equipment for I.C.S.	I.C.S	Quality Communications Inc.	\$57,050	CIP - Chatham County Detention Center Expansion Project
M. One (1) Edge scrubber and one (1) floor burnisher for the Detention Center	Detention Center	Paper Chemical Supply Co.	\$24,800	CIP - Detention Center
N. Upgrade of the warning sirens and VHF/Paging frequency system for CEMA & I.C.S.	• CEMA • I.C.S.	Motorola Solutions, Inc. (Sole Source)	\$61,425	• General Fund/M&O - Communications • CEMA
O. Change Order No. 1 to construction contract for Basin Road Bike Trail to install geo-grid soil and a new gate	Engineering	Sandhill ALS Construction, Inc.	\$61,250	SPLOST (2008-2014) Unincorporated Projects - Roads, Coastal Georgia Greenway
P. 78 fliptop classroom tables and 14 powered classroom tables for the Muster room	Detention Center	Mason, Inc.	\$39,907	CIP - Detention Center Expansion
Q. Design of Data Center	I.C.S.	Red Dog Solutions	\$100,000	2005 DSA Bonds - South Annex

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3. ROADS AND DRAINAGE REPORTS.

ACTION OF THE BOARD:

A status report was attached as information.

AGENDA ITEM: XIII-3 ROADS
AGENDA DATE: May 25, 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. 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 four more months is expected.
5. Jimmy Deloach Parkway Phase 2 and Interchange of Jimmy Deloach Parkway at U.S. 80. Design ongoing. ROW acquisitions expected to begin summer 2013.
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. Wendy Hill Road. Substantially complete. Estimated completion by June, 2012.
 - b. Hunt Road and Faye Road bridge replacement projects. Design and ROW acquisitions complete. Awaiting final permits. Construction summer 2012.
 - c. Ridgewood Avenue, Beechwood Avenue and Elmhurst Avenue. Construction contract awarded by the Board May 11, 2012.

RECOMMENDATION: For information.

Districts All

AGENDA ITEM: XIII-3 DRAINAGE
AGENDA DATE: May 25, 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. The County is currently soliciting bids for construction of the Phase 2B project which includes 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. Development of the hydraulic model is near complete. The model will be used to identify and assess improvement alternatives. Work will also begin on determination of permitting issues.
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 drainage improvements in the area of the recently completed culvert project at Dean Forest

Road. A project to extend a maintenance access road and improve an outfall into the canal is underway.

4. Queensbury Drainage Improvements. The project area is south of Montgomery Cross Road and west of Ferguson Avenue (includes Tara Manor, Ennis Mobile Home Park-Elmhurst Court, and the Forest City Gun Club.) Design is underway on a project to improve drainage at Tara Manor. A project to improve drainage and provide maintenance access in the area of Remington Drive is substantially complete.

5. Wilmington Park Canal. The Wilmington Park Canal extends from North Cromwell Road to the Wilmington River (about 1.4 miles). The project includes canal widening, bank stabilization and culverts. 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. 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. A project to extend the improvements to a point north of Marshall Avenue is under design.

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). Construction commenced for Phase III at Ridgeland Road and Yemassee Road in February 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 for a replacement structure in a new location that is accessible for maintenance.

10. Laberta-Cresthill Area. The project will relieve flooding within the Cresthill Subdivision. Construction on Laberta Avenue and Whitefield Avenue 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 July 2012.

11. Norwood Drainage Outfalls. The project will improve drainage capacity and access for maintenance for two drainage outfalls from Norwood Avenue. Construction of improvements is complete at Norwood Place. 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). Projects to replace the golf cart culvert and culvert at Henderson Oaks Drive and Little Neck Road are 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. Lehigh-Shipyard Lane Area. The project will relieve roadside drainage issues causing nuisance flooding in the Lehigh Avenue and Shipyard Lane area. Final design work and permitting are complete.

15. 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.

16. 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.

17. 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.

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. Design work is expected to start by July 2012.

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 since there is only one other item, Mr. –

County Manager Abolt said, we ask you recess into exec session for the purpose of litigation.

Chairman Liakakis said, okay.

Commissioner Shay said, so moved, Mr. Chairman.

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

Commissioner Stone said, second.

Chairman Liakakis said, let's see. Motion passes.

ACTION OF THE BOARD:

Commissioner Shay moved to recess to executive session to discuss personnel, litigation and land acquisition. Commissioner Stone seconded the motion and it unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

The Board recessed at approximately 10:10 a.m.

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ITEMS FROM EXECUTIVE SESSION

1. LITIGATION RE: SESOLINE GROUP, INC.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the settlement of \$30,600, with the understanding the County would own all schematics and the Company, Sesoline Group, Inc. cannot bid on the job at 222 West Oglethorpe Avenue. Commissioners Farrell and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly 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 10:30 a.m.

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APPROVED: THIS _____ DAY OF JUNE, 2012.

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

JANICE E. BOCOOK, CLERK OF COMMISSION