

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, JULY 12, 2013, 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 Albert J. Scott called the meeting to order at 9:40 a.m. on Friday, July 12, 2013.

=====

**II. INVOCATION**

Chairman Scott said, good morning.

Commissioner Holmes said, good morning.

Chairman Scott said, I -- I might offer you some alternative instructions. What I'd ask that you do is that -- that you be seated during the pastor's devotional message, and when he indicate that he's ready for prayer, he will indicate for you to stand and then remain standing through the Pledge of Allegiance. At this time I'm going to recognize the Vice Chair of the Commission, Dr. Priscilla Thomas for the purpose of introduction -- introducing the chaplain of the day, and then afterwards I'm going to ask Commissioner Kicklighter to lead us in the Pledge of Allegiance.

Commissioner Thomas said, thank you Mr. Chairman.

Chairman Scott said, thank you. You -- you may be seated.

Commissioner Thomas said, thank you, Mr. Chairman. Ladies and gentlemen, it is my esteemed pleasure to introduce my pastor, Reverend Aaron M. James, Sr., who will do the invocation. We're so delighted to have him here today. He is pastor of the oldest African American church in the United States, and we're delighted to have him and two of his young siblings here with us today. Pastor James.

Pastor Reverend Aaron M. James, Sr., said, good morning to the Commission. First let me say to all of you thank you so much for inviting us here, allowing us to be here this morning. To you Chairman Scott, Vice Chair Dr. Thomas, and to Commissioner Stone, Commissioner Holmes, Commissioner Center, Commissioner Farrell, Commissioner Shabazz, Commissioner Brady and Commissioner Kicklighter. Again we offer our humblest thanks. We're grateful to be here, and if I might just take one second to introduce these two giants that stand here with me, my two sons, Aaron Michael, Jr. and also Joshua Aaron as well. So we again thank you for being here.

Reverend James said, this morning we just want to offer just a brief devotional talking about giving up your place in line. If you ask ten third graders to form a straight line, chances are -- it's a good time that nine of them will clamor to be the first one in line. In the process they're molding what society has taught them, greatness means coming in first. In Matthew 18:4 and 19:30, Jesus addressed the subject of greatness and clearly his concept of coming in first cut across the grain with the mind set of his day. John Calvin offers an insight comment regarding greatness which is a preoccupation not limited to the first century. John Calvin says the disciples were too accustomed to the common habits of men, each one wanted the first place, but Christ regarded as worthy the man who forgot his superiority and humbled himself. He declares that they are greatest who abase themselves, lest we should think we lose anything when we willingly surrender all greatness. From this we may gather a brief definition of humility. He is truly humbled who neither claims anything for himself over or against God or privately seeks superiority over his brethren but desires only that Christ have preeminence. Humility, it's not a highly regarded commodity in a success-oriented world where back stabbing and ladder climbing have become accepted behaviors. Listen to the world and you will hear this message, greatness consists of how many you lead. Listen to God's voice and you will hear just the opposite, greatness consists of how many you serve. They can both be right -- they cannot, excuse me, both be right. You can push to the head of the line and receive the world's applause or you can give up your place in line and hear God's well done. Let us all stand and pray.

Reverend James gave the invocation as follows:

Our God and our Father, we thank you this morning for this group of Commissioners, God, who will sit and who have decided to give up their place in line of society to be servants of this community, to be servants of this county, to be servants of your people. We ask you God to bless them with all wisdom, with all knowledge, and all understanding. We ask you, God, to give them

grace in justice that their decisions, God, might be your decisions. We ask you, God, to bless them and to keep them and to humble them under your mighty hand that they would be exalted. Bless each and every soul in the building today, God. Bless every person that would have a say so in whatever activities that go on in this meeting today. We ask you, oh God, to comfort us, keep us, lead us, guide us, direct us and protect us. And now unto him that is able to do exceeding, abundantly above all that we ask or think according to the power that worketh in us, unto him be glory in the church by Christ Jesus throughout all ages, world without end. Amen.

=====

**III. PLEDGE OF ALLEGIANCE**

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

Dr. Thomas said, thank you so very much.

Pastor James said, thank you.

=====

**IV. ROLL CALL**

Chairman Scott said, the Clerk will call the roll.

The Clerk called the roll.

Present: Albert J. Scott, Chairman  
Dr. Priscilla D. Thomas, Vice Chairman, District Eight  
Helen L. Stone, Chairman Pro Tem, District One  
James J. Holmes, District Two  
Tony Center, District Three  
Patrick K. Farrell, District Four  
Yusef K. Shabazz, District Five  
Lori L. Brady, District Six  
Dean Kicklighter, District Seven

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

Chairman Scott said, we don't have any members of the Youth Commission --

Commissioner Thomas said, no, not --

Chairman Scott said, -- here today. They're on vacation. Okay.

=====

[NOTE: ITEM IX-1 WAS TAKEN OUT OF ORDER AND HEARD AT THIS TIME.]

**V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

None.

=====

**VI. CHAIRMAN'S ITEMS**

None.

=====

## VII. COMMISSIONER'S ITEMS

### 1. **ARMSTRONG'S CYBER SECURITY PROGRAM (Commissioner Stone)**

Chairman Scott said, okay. If you'll look at page three, Item VII. The first item under the Commissioner's Item would be the Armstrong Cyber Security Program. Commissioner Stone.

Commissioner Stone said, thank you, Mr. Chairman. This actually started -- peaked my interest of a seminar that -- from a seminar that I attended that was put on through the National Association of Counties, and I was made aware of all of the issues that we face now in the world that we live in with computers and technology being as advanced as it is of the threat of people breaking into or hacking into and retrieving information that could be information that in the wrong -- in the hands of the wrong people could be dangerous and at that seminar they offered a group to come down from Washington and give a presentation and through our CEMA organization here, we did so at the -- we hosted a breakfast, and at the breakfast Armstrong sent representatives and shortly after that I received an email and was invited to go out to Armstrong and see what they were doing in respect to cyber security. And it was fascinating, and I thought that it would behoove our fellow -- my fellow Commissioners to know what Armstrong is doing. Armstrong constantly amazes me with their ability to look outside the box and think to the future, and we're very fortunate to have an institution like that here, and I think Dr. Bleicken has gone to great extremes to ensconce the -- the college in the community and be a part of the community and this is just one branch of that. So it is with great pleasure that I introduce Dr. Wilcox -- Chief Wilcox, who gave me the tour of their cyber security program out there, and I'm going to let him tell you a little bit about it, and I -- I don't want to put words in his mouth, but I bet that he would extend the same invitation to anyone on the Commission. And incidentally, he did hook up with Clayton Scott at CEMA, and I'm going to let him tell you what he proffered to help Chatham County through that relationship. So with -- not saying anymore, Chief Wilcox.

Chief Wayne Wilcox said, thank you Commissioner Stone. It's Chief Wilcox not Dr. Wilcox.

Commissioner Stone said, I'm sorry.

Chief Wilcox said, let's not go that direction. It's kind of an interesting story. I had the opportunity to talk to Commissioner Stone and -- and tell her this story as kind of a journey of what has happened at Armstrong, and -- and if you don't mind just for a few minutes, I want to share that with you. This program that we have at Armstrong really has its roots going back to about the year 2000. In the year 2000 there were several members of the criminal justice community here in -- in Savannah that recognized that there was a growing problem with computer crime, and that this problem was just going to get bigger and bigger and bigger and there needed to be some work done not only at the federal level but also at the local level on trying to build capacity so that criminal justice would have tools in which to address it. In 2003 there was actually a conference here in Savannah, and they talked about what it would take to develop a local presence, and the problem with the conference was that like a lot of things is that it required a lot of dollars. As a matter of fact I believe the initial estimates were in order to put what they thought we needed in the City of Savannah and in Chatham County, it would be about a \$30 million initial investment, about \$3 million a year. Well as you know because you deal with dollars every year, that -- that's a hard one to sell. It's kind of like that frog in -- in the hot water. You know, we're in the hot water and it's getting hotter and hotter but you really don't notice it because you're the frog until it's really too late. So it just kind of moved on very slowly but the problem continued to grow, and in 2005 the university decided to move forward, and they created something called the Cyber Security Research Institute, and unfortunately it lacked that type of funding to move forward in that direction so it went in a different direction, and the direction was essentially they were going to provide training to the federal government and -- and other high end people, mostly up in Washington area, Virginia, and it was a good effort, and it had value but it really didn't build anything in our community.

Chief Wilcox said, well 2009 Dr. Bleicken comes to our university, and one of the very first things she does is she tells everybody in the university there's a couple points that we need to do. First off, everybody in the university, every department needs to connect to the academic function. We all need to be a part of that student success, and the other part of it was we have a bigger community that we need to look at. We must provide value to the larger community, to the county that's out there, to the city, to the -- the citizens. Well when you think about a university, you probably think, oh, they've got a lot of expertise, but if I change that a little bit and I say what do you think about the university police, and you probably are going to sit there a little blank expression and think well I don't know too much about those folks, and you certainly don't think about them as having a lot of expertise. So I'm thinking about that as the chief of the police department, and I'm seeing what's going on and I see that there are some issues that have stalled, and I know what the president just said, I need to connect. So I made some proposals to the president of the university, and -- and when I first proposed that she fold the Cyber Security Research Institute into the Armstrong police department, I bet you can guess what her answer was. It was ah, it doesn't make any sense. That -- that -- that's not possible. Let's not go that direction. But if anything, I'm persistent, so I refined the argument and I went back a second time, and I got a, well that's interesting but the answer still is no that's not possible. And then I refined it some more and I took it back a third time, and then she was intrigued.

Chief Wilcox, so upon the faith of what I said I could deliver, she folded cyber security into the Armstrong police department. And I'll tell you why we did that. You're sitting, it doesn't make any sense, cyber security, Armstrong police, university police. What do you guys do? You drive around the parking lots, you issue parking

tickets, you lock doors, you unlock doors. You don't have a lot of expertise. That's true, but we could build expertise, and we have something that your Savannah Metro police department doesn't have, and that's time and resources. I'm not out there chasing a bunch of bad guys. I have 268 acres, and like right now, 90 percent of the population isn't there. They're gone, but I still have the police department. So I can utilize their time better. It doesn't have to be out patrolling. So we went out and instead of spending \$30 million, I found partners, the National White Collar Crime. It's congressionally funded. That center has training. It's available, but unfortunately it's available in West Virginia and places like that, but this is Savannah, and so I convinced them that this would be a great venue to come down here, and we formed a partnership. We did the same thing with Mississippi State and their digital forensics operation and other partners, and we brought them into our fold, and they came to Savannah and they loved it and they put my officers into their training.

Chief Wilcox said, and to make a long story short, over the last few years very quietly we have built capacity at Armstrong to help the future, and one of the questions that's asked of me is well why doesn't anybody know about this? And -- and I'll tell you why, is because I think in the past too many people go and say we're going to do things and then that never happens. So I -- I promised the president we wouldn't say things publicly until we actually could do it, we were doing it, and we had the capacity for the future. So what we did was we trained police officers at Armstrong to be digital forensics technicians. Requires about 300 hours per officer. The cost to the university was zero dollars because I got partners to bring it to us. We are able to equip a state of the art digital forensics lab within the Armstrong police department. I will tell you this, it is the most comprehensive lab in the State of Georgia right now. The big lab up at -- in Atlanta for GBI, they don't have all the equipment that we have nor do they have the equipment as new as we have. They have more equipment, it's just not as good as ours. They have seven technicians. I have six. That makes us the second largest digital forensics operation in the State of Georgia at the moment in terms of capacity.

Chief Wilcox said, now what does that translate though into something for this county? Well first off, I can connect to the academic folks because we put together what we believe is the best, most practical, digital forensics internship for our students. Our students get the opportunity to spend 14 weeks with our police officers in our labs. They learn how to use the equipment, they learn how to use the software, and at the end of it they can take a national certification test. So when they graduate they not only have their degree, they have some practical skills and then the second part of Dr. Bleicken's message which was to connect to the community. So January 1<sup>st</sup> of this year we opened our doors to the law enforcement community. In six months we have assisted the FBI, the DEA, ATF. We're working a case for the secret service right now. We are assisting Savannah Metro. We have assisted Garden City, Pooler. We've assisted Hinesville. We've assisted just about every police department you know around this area, in addition to we are now servicing some state agencies. We've had the Georgia State Patrol bring us things to look at. We have had the -- the GBI, which is the premier investigative agency in the State of Georgia. We find that they lack certain capacity, so they are bringing us devices to look at.

Chief Wilcox said, and we're making a difference. I mean on every day we now have detectives in the Armstrong police department bringing in devices, and every day we are helping them uncover evidence that's being used for criminal prosecution. And those type of cases would have not gone forward without digital evidence because if you go to GBI today, you're going to find the backlog is seven months and it's growing. In 2000 it was -- it was about two months, and they were concerned about it, but today it's passed seven months, and we at the Armstrong police department, we can generally take a device in and move it out the door in two weeks. Now that makes it a lot easier for our folks, our police officers, our detectives, to prosecute. It makes it easier for our -- our district attorneys to move forward if they can get that evidence in two weeks as opposed to seven months. And so that -- that's what we've done. Are -- are we charging anybody? No. This is a community service. We're here to help. We have not nearly touched the capacity of the Armstrong police department. I have six technicians, not only do they work in the lab, they also work around the -- in the -- in the community within the -- the campus and do things, and I have four additional ones in training now. After them there will be another four. This is a -- this is the sustainability part, and it doesn't cost the university any extra dollars to do this because it's a funded police department. We're doing our core function. We have to be there. We just are utilizing our time better.

Chief Wilcox said, now the part with -- with -- the Clayton Scott, we also because we've folded in Cyber Security Research Institute, we own technology that is literally unparalleled anywhere in this community. If -- if you told me tomorrow that you needed 35 Mac lap -- laptops and 20 Windows laptops all packed in water tight cases in big displays delivered within the hour to this Commission chambers, you probably wouldn't know where to get that type of equipment, but I have it, and it's set up so that we can set up a command center; we can set up a classroom. We can do anything with a networked group of computers, and we can do it with 50 computers and have it here within an hour. And so we've offered this type of equipment to Clayton Scott because we know that in a case of emergency, you can't always predict how you're going to be able to work your -- your -- your emergency management centers and you may have to go some place else, so we are fully prepared and willing to be a partner with -- with --with Clayton to help the county recover from an emergency.

Chief Wilcox said, and then just to throw one more personal story into. We are the Cyber Security Research Institute, which means we're also -- we have 501(c)(3) status, so we're able to do work outside the academic world and also outside the -- the criminal justice world. And so Clayton just happened to have a -- a problem with a computer. As a matter of fact, there was six years worth of data, and I hope he doesn't mind me telling this story, but there was six years worth of data on it and the hard drive failed, and so he took it to the normal places you would take that to, people who run IT departments and -- and commercial vendors, and in each case,

he was told, well, it's corrupt; you cannot recover the data; we're sorry, the best you can do is go out and get another computer. And he called me one day and he said, you know, Chief, is -- is there any off chance that with all of that equipment and -- and the technicians you've got that you guys could look at this device for me, and I said, ah, sure we could. So we looked at it, and in four hours we recovered 100 percent of his six years worth of data. Why can we do that? Because we have the best-equipped, state of the art lab and the best trained technicians anywhere in Georgia right now. And give me a year, we'll have the largest digital forensics presence in the State of Georgia. We are -- I know this is a big statement, this is my -- my interpretation, but we are the most innovative and unique university police department anywhere because we're not just out there unlocking doors and patrolling parking lots and issuing parking tickets. We're trying to find ways to connect to people to make that organization more useful, and that's what we've done, and I'll -- I'll end it with -- with -- with what Commissioner Stone said, if you want to come out and see the guys and see the equipment and get a tour, come on out. We'll be happy to have you out there. We love showing off the place. You may find it gets a little crowded because we have a lot of detectives now coming in. Generally on any given day we'll have three or four departments bringing us devices to look at, but any time you want to come out, come out. And then one more point. We are the only lab that's opened 24 hours a day, seven days a week, and we can do that because the officers, who are technicians, are assigned to patrol, and -- and that's part of the beauty of this. So if you have a phone or a computer that needs to be looked at at 2:00 o'clock on a Sunday morning, if it's Christmas, we --we'll have somebody there. We can look at it. And there's no other lab around that can do that. So thank you for your time. I -- I would encourage you to come out and see it if you wish. If you have more questions, we're happy to explain it to you. Can you think of anything else Commissioner Stone that we should cover?

Commissioner Stone said, no. I'm just overwhelmed. I -- I really appreciate your coming and sharing that with everybody, and I don't know if anyone has any questions, but thank you so much.

Chairman Scott said, Commissioner -- Commissioner Center and Commissioner Holmes both have questions for you.

Chief Wilcox said, yes.

Commissioner Center said, thank you. Very interesting. What's your telephone number?

Chairman Scott said, you're on the air now.

Chief Wilcox said, one more piece I'd share with you is another thing that makes this program unique is, and you don't expect this from a university police department, but I have been able to hire and procure the services of a full-time attorney. His name is John Taylor. His rank is lieutenant. He's a police officer. He used to be Delta Forces' attorney before he retired from the military. As Delta Forces' attorney, he was required to become an expert in cyber law. So he is in charge of this particular operation of ours. So not only do we do things in a digitally forensic manner to make sure that we can get it into court, but we have an attorney who's an expert in cyber law continually reviewing everything we do to make sure that legally it will stand up to scrutiny in a court of law. Our phone number at the police department is 344-3333. That will get you to our dispatch. If you ask for Lieutenant John Taylor, he's the front man on this. If he's not there, ask for me, Wayne Wilcox, and we'll be happy to set this up for you.

Commissioner Center said, thank you.

Chief Wilcox said, you're welcome.

Commissioner Holmes said, Mr. Wilcox.

Chief Wilcox said, yes.

Commissioner Holmes said, Commissioner Holmes. Look, did I hear you say you've connected with the local police department?

Chief Wilcox said, yes, we are. We have -- matter of fact just yesterday I think we had two Metro detectives in our office.

Commissioner Holmes said, to what degree are you connected with them? I mean on --

Chief Wilcox said, to the degree that we realize, okay, that they have a job to do that is -- is a very big job. They have resources in a lot of areas, and they're stretched, and we're trying to be partners with them. So actually we -- we approached the -- the captain at the southside precinct, Captain Fagerstrom, and we said, look, we have this capability, is it something you can use, and so he made arrangement for us to talk to a larger group at Metro, and we extended that same opportunity, is if you want to bring us devices, bring us devices, and we'll be happy to help you with the cases. And so literally every week, several times a week, we've got Metro detectives from the different precincts coming into our department, bringing us digital devices and we're analyzing them for them.

Commissioner Holmes said, and I think a while ago you kind of touched on the next question I was going to ask, the legal part of that.

Chief Wilcox said, if you look at most of the operations where people are doing digital forensics, they don't have a full-time legal advisor, and we do. And if they do have a full-time legal advisor, it's very hard to find someone that is absolutely connected to cyber law. As a matter of fact, John [Taylor], not only has a background in cyber law, but he teaches the cyber law class at the graduate program for the criminal justice department. So he stays on top of this continually. As a matter of fact, there are a number of stories I could tell you about smaller agencies that are calling us, they need help with search warrants; they need to know whether or not they can move forward. Just last month we got a phone call from a suburb of Houston, Texas, where they are working a cold case. They have an older device that needs to be looked at. They didn't know because it had been sitting in evidence for a number of years how to proceed legally. Their prosecutors were having trouble trying to decide what to do, so they end up calling John Taylor. John Taylor helped them figure out what they needed to do and how to proceed next.

Commissioner Holmes said, Chief Wilcox, great program.

Chief Wilcox said, thank you.

Commissioner Holmes said, maybe we can solve some of them long, long time crimes.

Chief Wilcox said, well we want to be a partner.

Commissioner Holmes said, thank you.

Chief Wilcox said, and -- and you go back to Dr. Bleicken. If you happen to see her, you know, she's the one that really started this ball rolling. But thank you very much. I appreciate that. Thank you for this opportunity.

Chairman Scott said, Commissioner Farrell has a question for you.

Chief Wilcox said, oh, I'm sorry.

Commissioner Farrell said, before you go, very, very interesting what you're doing over there. I want to commend you personally and professionally. It's so easy to just get in a little niche and say, you know, all I got to do is make sure the cars aren't on the yellow curb, and the doors get opened, and I can go home, and, you know, prop my feet up. I just want to personally and professionally commend you for the initiative that you put together here. That was off the chart, you know, what typically is expected from a campus police department to where you are is just, you know, it's just -- it's hard to describe. And I -- I really appreciate the initiative and the drive and the enthusiasm and the intellect that you bring to it, and you're sharing that with the community at large, and sounds like you're going nationwide with it. So, my hat's off to you. Thank you.

Chief Wilcox said, well, thank you, but what I would point out is that collectively it takes a lot of people. I mean, I -- I sold the idea, but we had to get them to do the work. So -- but thank you very much.

Commissioner Farrell said, well, the initiative came from somewhere, and you can't have a great program unless there's an initiator.

Chief Wilcox said, well, thank you.

Commissioner Farrell said, and without that spark, you can't get the engine running, whether it's a 747 or a lawn mower. Thank you.

Chief Wilcox said, thank you.

Chairman Scott said, thank you so much, and we really appreciate you coming here and outlining the program. It's very interesting.

Chief Wilcox said, if we can ever help you, just let us know.

Chairman Scott said, I think it's cutting edge in terms of campus security, and I'm certain it may be a model for other campus securities in the future.

Chief Wilcox said, we'll hope so. We'll hope so. Thank you very much.

Chairman Scott said, okay.

Mr. Nick Batey said, my name is Nick Batey. I'm with the IT department. IT director for ICS -- with ICS. We've met with Commissioner Stone and Clayton Scott with -- with them out there at their facility. It's really nice to see the local college, like you're saying, coming together and partnering with -- with -- with the local law enforcement to help do these. As well, we have a security professional on staff here that has to spend a large majority of the budget that he has, as well as the -- his time doing prevention and detection of -- of security threats. Most of what you see here, that's what he's spending his time on. Using these resources, we can augment our ability here, not only to do the protection and the detection, but also to do some of the forensics and -- and digging down into some of the things that we just don't have the resources to tackle by utilizing this resource. So it's --

it is something that we are aware of. We have met with them on April 22<sup>nd</sup>, and we are working with them any time that we have a need.

Chairman Scott said, all right. Thank you.

Mr. Batey said, thank you.

Chief Wilcox said, thank you.

=====

## 2. MCQUEEN'S ISLAND TRAIL (Commissioner Farrell).

Chairman Scott said, the next item under -- under Commissioners' Items, Item 2, the McQueen's Island Trail. Commissioner Farrell, would you give us a lead into this, please.

Commissioner Farrell said, certainly. I've taken an active interest in the McQueen's Island Trail for quite a number of years, and, you know, we have in the near -- in -- in the recent past we have had an organization that has really gotten some grass roots participation and also coming up with some great interest and great viewpoints on -- on this -- on this item. We're going -- we can start with perhaps -- does this gentleman want to -- introduce yourself.

Mr. Carey Brown said, Mr. Chairman, I'm Carey Brown. I'm the deputy director for Public Works and Park Services in -- in lieu of Robert [Drewry], who's out of town on an APWA task today. With me is Mr. Charlie George. He's from Thomas and Hutton. He's been on this project starting in 2009, and he's pretty much got the -- the information I think you might be looking for.

Commissioner Farrell said, well what we might start with is kind of a looking back, you know, into the recent -- the last, say 10 years, you know, briefly bringing everybody up to speed as to what -- what's going on out there. And -- and we're going to get to the -- the volunteers, and we're going to give you a chance to --

Chairman Scott said, yeah. What we really wanted to hear from is what work has been done out there, and then what's -- what's remaining, and the work that's been done in the past, is it being in need of correction or is that work still holding up, and sort of bring the Commission up to speed on that.

Mr. Charlie George said, as Carey [Brown] says, my name is Charlie George. I'm with Thomas and Hutton Engineering. I've been working on this project with Public Works since 2009. Back then there was a project initiated to deal with some eminent breaching of the trail due to the high tides, storm action, ship wakes propulgating through from the main channel to the south channel. For those that aren't familiar, it's a six-mile trail broken into a three-mile west side, three-mile east side. The west side is particularly susceptible to erosion because of that open cup from the main channel to the south channel, so it gets a lot of erosional wake action and over topping from storms that has basically eroded most of the marsh in two spots. The 2009 project dealt with about 2,000 feet of erosion on the west side which equates to about 6 percent of the total trail width -- length. So it's not -- it's not a huge issue at that particular point, but because of the erosion, because of the -- the wake action, it's an ongoing project. The county spends a lot of time annually out there doing repairs, mainly trying to deal with hot spots, and that's what the 2009 program was. There was some -- some areas that were really eroded where -- that were almost impassible by pedestrians, runners, bikes, things like that. So we went out there and did some -- some slope protection using oyster shell bags. There's a new project out there beginning soon that we're just getting started on to deal with some other spots that have occurred, and just like a beach renourishment project or anything else, you work in one area, if -- you know, there's another area that pops back up that you got to go deal with.

Mr. George said, there's an area on the east side now that is one spot on the whole east side of three miles that's about 150 feet that we got to deal with, and then there's some -- some additional areas on the west side that are just becoming problematic, and -- and -- you -- you need to understand that it's an ongoing deal. It's not a one-time fix. To do a long-term, permanent, one time only would just be -- it's not feasible to do, plus you have a -- a portion of that trail, a large portion of it that's stable. It's got a lot of vegetation. It's got a -- a huge expansive marsh to protect it, so you just have to deal with these hot spots, and the -- and the county maintenance have been doing that since its inception when they first did the work back in the, I guess the early '90s. So that's what -- that's what the programs are. It's a continual deal. You have to keep working on it, and it's an important trail for several reasons. One is the recreational use, but it's also a buffer to help protect Highway 80. If you -- if you lose that -- that -- that elevated section then you've got the potential that those ship wakes, high tides will begin to encroach into Highway 80, and in addition, the Federal Transportation Administration through GDOT has -- is working on a program to extend a trail from Tybee over to the Lazaretto Creek -- Creek, and important to that is the fact that they -- they foresee that as a connection to McQueen's Trail to give a long run from basically the Bull River all the way to Tybee. So it's important to keep it stable and useable, and so the county Public Works is continuing to do that, and this next project will help get it stable but you have to understand those are short term solutions. You have to deal with the hot spots as they occur. So that's pretty much what's happened since 2009.

Commissioner Farrell said, all right. I appreciate that prelude. Do we have some folks in the audience that would like to -- to speak to this issue? If they would approach the -- the microphones and introduce yourself, and if you're representing yourself or an organization, and we'd like to hear from you.

Mr. Dan Hernandez said, hi. My name is Dan Hernandez with the save the rails to trails, and I have a company called Run for A Reason. This is Michelle Daniels. It was about a year ago that we approached you, the Commission, and -- regarding the rails to trails and the condition of it. I thank you for allowing us to speak here today. I think Mr. George pretty much covered everything that I wanted to address about the importance of the trail, that it's not just for recreational runners, fisherman, things like that. I mean it does have a value, historically rich value to the -- to the community as it's a trail that extends back to the 1800s. It's also the trail that tied, you know, the Wilmington Island to Tybee Island, and -- and it's just been in the passed 15 years or so that it's begun to erode this way. I believe that the trail -- I mean, I was here when the trail was restored back in 2009, and I saw how it just slowly began to deteriorate once again. Many times when Michelle and I would get together we would -- we tried to reach the Commission -- we -- we tried to reach the Public Works to address the problems there, but many times we were just ignored. I mean we never -- no one ever got back to us, so I -- I -- I definitely agree that this is a process that you're going -- being a coastal trail, you're always going to have to deal with the erosion, and if you do a fix one time and then forget about the trail, you're going to find yourself back a few years later with an astronomical cost to try to restore the trail, and I do believe that that's what's happened.

Mr. Hernandez said, as much as I run that trail, I have seldom seen anyone doing any kind of service to the trail itself. I mean on many occasions, I have actually taken garbage, filled up garbage bags and taken it from there, so I've -- do believe that when this effort gets put in place to restore the trail again, it should be approached as Mr. George said, just to continue to go to it, check on it, make sure that it's still holding up, and whenever it begins to -- the trail begins to be breached, if it can be addressed again and restored. With the -- from the running community we have been able to generate \$10,000 to help with the restoration costs of this trail. It's not, of course, you know, what it's going to take because from what I have read it's \$325,000 that has been approved, but it is a gesture from the running community saying that we do want this trail saved.

Mr. Hernandez said, many of you have probably been bombarded with many emails regarding a petition. That petition was put in place by me because many people are looking to us, to Michelle and I, as the spokes people for this trail. They want it saved. People that come -- when we held the Ledesma Sports Medicine Rails to Trails 50K back in January, we had people coming in from California, from Chicago, from New York to do the -- for this race, and all of them fell in love with the trail. All of them contact us, is, you know, the trail going to be restored? What is happening? And the frustration that we have had is that we have tried to contact people, you know, in the county and just have not heard anything, you know, whether it's going to be saved or not, whether any repairs are going to be done. It was actually through the grapevine on a Facebook post that I learned that June 28<sup>th</sup>, there was a, you know, a vote on -- to approve the restoration of the trail. So, I apologize that you ALL received all the emails that you did, but please understand that the reason for that was to let you all know that this trail is a valuable -- a valuable resource, a valuable place to many people in this community and beyond, and we want to be a part of the solution. And we have \$10,000 that we would like to put into that effort.

Chairman Scott said, Mr. Hernandez, where do you live?

Mr. Hernandez said, pardon me?

Chairman Scott said, where do you live?

Mr. Hernandez said, I live in Savannah just outside of Thunderbolt.

Chairman Scott said, okay. So you live in Thunderbolt or the City of Savannah or?

Mr. Hernandez said, the City of Savannah.

Chairman Scott said, okay. Commissioner Center.

Commissioner Center said, thank you very much, Mr. Chairman. Mr. Hernandez, and I'm sorry for --

Ms. Michelle Daniels said, Ms. Daniels.

Commissioner Center said, Ms. Daniels. Is Mr. McIntosh -- he's not here today?

Ms. Daniels said, I don't see him.

Commissioner Center said, okay. Well I had a couple questions. You -- you said -- he wrote in a letter and you mentioned you raised \$10,000. Where is that \$10,000?

Mr. Hernandez said, it's right now in a -- my bank account for Run for a Reason.

Commissioner Center said, okay. And y'all want -- how were y'all -- y'all just going to use that privately to help the trail or?

Mr. Hernandez said, that would be -- however -- you know, I would like to sit down with you all and discuss that. You know, if you say, hey, you know, write out a check to Thomas and Hutton for \$10,000 for the repairs, that's how we'll do it.

Commissioner Farrell said, Mr. George says, yeah.

Commissioner Center said, Mr. George says yeah, and -- and -- and -- and let me point out to, I -- I'm an advocate of rails to trails. I'm an advocate of turning, you know, areas into pedestrian friendly and citizen friendly areas, and I've even talked with a couple railroad companies to find out who has the rails to trails from downtown Savannah all the way up the southside of President Street, and that unused rail to continue it, so I'm in favor of that. But I want to tell you about these emails, okay? And I learned this long ago from a friend and a member of Congress, when they get a hand-written letter, they're much more responsive than when they get a machine-oriented letter. I don't mind getting emails. I know two -- I knew personally two of the people who signed your email and sent them to me, but let me explain, I have a Chatham County email address, and I have a Tony Center private business email address, and my private business email address got inundated with those signatures interrupting my work for my clients and my day that I set aside to do my stuff that's not county stuff. I -- I know you have -- you had great intentions and good intentions, and you made a fantastic presentation, but you had an advocate for your side, someone who's for your side, who was turned off by emails. If I get an email that I can't respond to 'cause none of those emails had a return address on it. It was that national company that set up a format that you could sign up to that they could send, the return address went to that company because I tried it. So I could not respond to a single one of those persons to tell them how I felt about it, and it's ineffective to me to get an email from someone that I can't return to, and I couldn't find your name on it. I found your website, and all the good stuff -- all the good stuff you've done, and I just wanted you to know, I had an advocate or you had a proponent, a vote, and I'm going to support the trail anyway, but all those emails inundating me at my work had a negative affect. I just wanted to tell you that. I -- I -- I'd like to be able to respond back to the people who write to me, particularly on county business to let them know, you know, my thoughts and what I'm doing.

Mr. Hernandez said, I do, like I said --

Chairman Scott said, Commissioner --

Mr. Hernandez said, I apologize, but, oh, may I, sir?

Chairman Scott said, go ahead. We have another Commissioner that wants to ask you a question.

Mr. Hernandez said, sure. It's again, you know, being ignored or just not -- just not being responded to is what led to the petition. You know, that it's -- when we're for one year -- you know, we were told first of all that there was going to be a fix in October, then it went to November, then it went to January. There -- I mean, I -- I hope you understand that there was a frustration level on our behalf, especially when we have a lot of people who are contacting us and saying, you know, where -- what are you going to do with the money? When is the trail going to be fixed? And it was okay, no one responds to us, you know, petitions have been used in the past, and that's where we went down that way.

Commissioner Center said, I'm hearing your frustration. I appreciate it, but I just want to tell you, my frustration when I'm at work and all the sudden, bam --

Mr. Hernandez said, yes, sir.

Commissioner Center said, every time somebody signs this --

Mr. Hernandez said, I've turned it off.

Commissioner Center said, -- this online petition, and it comes to me, and I can't even respond to them. It's taking my time and cluttering my screen, and I know that -- I think two months ago this -- before the petition even started this came up because I remember -- I remember the county attorney explaining to us that if -- because it's basically a grandfather trail, that if we don't take care of it and it goes away, the Georgia Department of --

County Attorney R. Jonathan Hart said, Natural Resources.

Commissioner Center said, -- Natural Resources won't let us rebuild it. So we're very concerned to make sure it doesn't go away. So there may have been some miscommunication, but I know before I ever heard from you, this came up to this Commission.

Mr. Hernandez said, it's been turned off by the way.

Commissioner Center said, but, you know, I'm on your side, but I just wanted you to know those were annoying.

Mr. Hernandez said, sir, I've turned it off, by the way.

Commissioner Center said, thank you.

Chairman Scott said, Commissioner Brady.

Commissioner Brady said, well, and I would like the county staff and -- and those involved, because I asked this in the green room. In your letter, Mr. Hernandez, you said, and I was sitting in the audience back in 2012 when y'all did the presentation, and there were promises made, and I've got a copy of your -- your letter in my book where it talks about promises were made in 2012 and nothing's been done, and I'd like the county to respond as to what in fact has been done on that trail because I do support the trail, and I appreciate the \$10,000 that you've raised, but I -- I do want the county to respond publicly to -- to your comments about your frustration levels and your -- your letter that's public information at this point that says that the county did nothing from 2000 -- July 2012 until now.

Assistant County Manager Michael Kaigler said, yes, ma'am. We have been actively working on a solution to fix the trail as evident by the county hiring of Mr. George from Thomas and Hutton to provide us with not only a short term fix but also a long term fix so we won't be facing these issues again. One of the things I'd like to recommend, I suggest that, you know, staff work with this group number one, we are going to look at -- see what we can do to establish a -- a monitoring program so when problems like these arise -- arise, we can quickly address them, and also we -- we understand that they've also asked to help with volunteers and they've got some funding. I -- I think that staff sitting down with them and working out a plan to address the monitoring issues and see how they can be most helpful to us will be more -- more beneficial.

County Attorney Hart said, I'd also like to say that, you know, it's not very easy to tell them a date certain on any of this. All of this is in the wetlands. All of this is in the marshlands. All of this is in tidal. So we get the -- anytime we go out there to repair anything on that trail, we got to get a DNR permit, we got to get a Corps of Engineers permit, then they come out and inspect it and tell us how they want us to repair it. The last time we had to -- to go out and get nets, wires, and put --

Assistant County Manager Kaigler said, oyster shells.

County Attorney Hart said, -- oyster shells in them and they had to be a certain kind of oyster shell. So it's not just run out there and let's dump some dirt and get a back hoe and we'll fill it in. I mean if that -- that was the problem, we could have that done this afternoon. So, it's expensive to get the permits. I think there's probably -- the county has probably got the best expertise of probably any organization in this part of the state, maybe in the state getting permits because we handle them all the time, and without Mr. George's assistance, the permitting process would probably be twice as long. So, I -- I -- I'm not being critical of the comments, but it's just not as easy as everyone thinks it is. Now that's not to say we couldn't do better, but when we send an application in, we don't control how long the DNR lets it sit on somebody's desk.

Assistant County Manager Kaigler said, and also this is a project that the county has spent a lot of money on in -- in terms of developing the trails during the early '90s, but also maintaining the trail. It -- it's not our intent to -- to let it wash way, and we provide maintenance to that trail on a regular basis.

Commissioner Brady said, well, and as other Commissioners mentioned in the green room, I also agree with Commissioner Stone and Commissioner Kicklighter that when we have a conversation about county projects for SPLOST that we need to -- to discuss this particular trail, and I can only hope that in the future that we have better lines of communication with your organization so that you understand, you know, that the process is difficult, it's not a matter of just bulldozing a bunch of dirt in there and -- and trying to stop this erosion. So, whoever we can put this organization in contact with, you know, that can help monitor and communicate with county staff would be beneficial to all of us. Thank you.

Assistant County Manager Kaigler said, we'll make sure that gets done.

Commissioner Brady said, thank you.

Chairman Scott said, we have Commissioner Shabazz and then Vice Chair Commissioner Thomas would like to ask you a question.

Commissioner Shabazz said, first of all I would like -- good -- good morning.

Ms. Daniels said, good morning.

Commissioner Shabazz said, I would like to ask the county how will this be paid for?

Assistant County Manager Kaigler said, I think the -- the fix that we've got -- that y'all approved originally will come out of the county CIP -- CIP fund.

Commissioner Shabazz said, CIP.

Assistant County Manager Kaigler said, and it's to the tune of \$300,000.

Commissioner Shabazz said, so, the repairs will take \$300,000? In the area of that?

Assistant County Manager Kaigler said, that -- that's what we've got budgeted currently for that, yes.

Commissioner Shabazz said, okay, but it would -- it is more?

Assistant County Manger Kaigler said, the long term fix will be more.

Commissioner Shabazz asked, the actual costs will be more?

Assistant County Manager Kaigler said, it will be more.

Commissioner Shabazz said, okay. What's the long -- what's the short-term fix?

Assistant County Manger Kaigler said, I'll have to -- Mr. George is currently putting that together. I'll ask him to come speak to that.

Mr. George said, we're working on that now. I mean there's several options, but the goal is to try to just stop the breaching that's occurring so that people can still use the -- the path. It's a -- it's a combination of stone rip rap, there could be areas where we actually put a timber wall in trying to build basically a curve. We're still looking at that. We're just getting started on this, so we're going to look at different options that we can get the quickest permit possible so that we can get the quickest repair done possible before it gets any worse.

Commissioner Shabazz said, the solution is that -- is it centered around preventing it from happening again, once you make those repairs?

Mr. George said, what the -- yeah, the goal is to prevent it from happening at that spot, but what happens is, it just -- as in -- if you work in this one area, because of the -- the nature of the tidal situation, it could -- it could hit the next spot down that's right now vegetative. For example, in 2009, there were no erosion on the east side. There is one now. So I mean we worked all on the west side in 2009, but in this particular project, we've got to do some stuff on the east side. So it's -- it's -- it's a dynamic situation that you can -- you can fix this one area and it's good, but then the next -- right next to it, you know, 100 feet, 50 feet down, it starts hitting there 'cause it's going to go where it -- the least resistance, so the -- the current, the tides, the wakes are going to go find a weak spot, and until you go to a program that's a long-term solution but really, really expensive is to armor the whole thing and right now it's not necessary because most of the trail is protected by a substantial marsh field. But there's a lot of debris that comes down the river, and if you ever walk out there you'll -- you'll see a -- huge logs, huge timbers that get in there at high tide, lay on that marsh, kill it, and then that whole side of the trail's susceptible to erosion.

Commissioner Shabazz said, so the short-term fix for this, how many miles is it? Is it miles in terms of miles that you're going to repair?

Mr. George said, no.

Commissioner Shabazz said, someone mentioned something about six miles this morning.

Mr. George said, the trail -- the total trail is six miles.

Commissioner Shabazz said, okay.

Mr. George said, in 2009 we -- we repaired 2,000 feet, which is basically six percent of the -- the total length. Right now we're looking at somewhere a little less than the two -- the 2,000 feet, but we're, like I say we're still looking into that. We're just getting started. So it's going to be in that same -- that same range as what the 2009 repair was.

Commissioner Shabazz said, okay. Another question for the county -- how many trails do we have right now in Chatham County? Trails similar to this right here.

Chairman Scott said, there -- there isn't one similar to this. No.

Mr. George said, nothing -- nothing similar. There's nothing similar.

Commissioner Shabazz asked, there's nothing similar?

Assistant County Manager Kaigler said, we have other trail projects but nothing similar to this rails to trails project.

Chairman Scott said, no.

Commissioner Shabazz said, okay. So if we don't make these repairs then what happens?

County Attorney Hart said, the --the trail goes away number one and it is unusable, and number two we never can build it back because they will claim that the trail was taken over by the marsh and it should be marsh and

it's going to forever remain marsh. And all that area when it was put in for the old railroad was basically filled in marsh. You couldn't even build the thing in this day and time. And when we talk about temporary repairs and Mr. George comes up with a plan for what he thinks it takes to repair it, that's subject to getting that approved,

and when we get ready to do a permanent fix, we may have the greatest permanent fix you've ever seen, but somebody else at one of the agencies might make a comment on it.

Chairman Scott said, and you may not even be able to get it approved.

County Attorney Hart said, yeah.

Commissioner Thomas said, exactly.

County Attorney Hart said, so you just kind of, you do as good as you can do, and I think everybody on the county staff is cognizant of that trail as being an asset to the community and none of us want to see it go away.

Mr. George said, if I can make one comment to what Mr. Hart says, he -- I mean he's exactly right on the permit side of things. The permanent solution would be to armor that entire length with a stone rip rap preventment, which is basically just an armored slope. The problem is the DNR's not going to let you put that in the marsh. So and really until the marsh erodes, you can't put it there. So you almost have to -- to wait till it either erodes or there's beginning of erosion to be able to put that in there. And so you're -- you're kind of fighting the dynamics of both the environment and the regulatory system.

Commissioner Shabazz said, thank you.

Chairman Scott said, all right. Thank you. We appreciate it.

=====

### **3. DISCHARGING WEAPONS NEAR RESIDENTIAL AREAS. (Commissioner Kicklighter.)**

Chairman Scott said, the next item, Item 3 on the Commissioners' Item is the discharging weapons near residential areas. Commissioner Kicklighter and then staff.

Commissioner Kicklighter said, thank you, Mr. Chairman. I guess I'm proud to say -- start out here that we are not Congress, we're not anything federal government. We're not the state government. In my opinion we're the government that's actually closest to the citizens. We're the local government, and I believe we're the only government that actually utilizes a little bit of logic and common sense with what we try to do. That's why I put this topic on the agenda today. Not to make a statement about -- for firearms, against firearms, or whatever, just simply that we've developed a little problem in my opinion and we need to address it. It's my guess that when the ordinance was written regarding the discharge of firearms that the -- in the unincorporated areas, that -- that the unincorporated area was pretty much undeveloped, and as time passed, the unincorporated area has now developed a lot, and, in fact, it would be the second largest city in the area if -- if it were actually incorporated. We now have undeveloped land that abuts major subdivisions throughout the unincorporated area, and our current outdated ordinance pretty much in my opinion does not protect citizens in the residential areas. Now I have the utmost respect also for hunters and whatever sportsmen that -- that utilize their weapons, and I support that also, but what I believe we have here today that I'm going to propose I believe is logical and -- again a little bit of common sense. Currently the ordinance that's in place allows any gun, which would be a rifle, shotgun, pistol, whatever, even a shotgun with buckshot to be fired within 300 feet, or 100 yards that is, just one football field away from any of our public roads or public streets. It actually allows all of those weapons to be fired within 1,000 feet, which is just 333 yards, which -- a little over three football fields away from someone's home without permission from the homeowner. Keep in mind that a rifle can actually shoot a mile, and that's 5,280 feet. So, you know that -- that's pretty dangerous considering that the ordinance allows a rifle within, you know, just 1,000 feet away.

Commissioner Kicklighter said, currently, the ordinance will actually allow shotguns to be fired with birdshot 150 feet away from any of the public roads, 50 yards, half a football field away someone can be standing there shooting a shotgun. It will also allow someone to shoot a shotgun with birdshot 250 feet away from a house, some dwelling, which is only 83 yards, not even a football away -- football field away, and you can sit on your back porch and watch somebody shoot and that would have to be pretty scary there. What I would propose here is -- Jon Hart did a great job looking at the outdated ordinance and recommended striking many sections that can't be enforced and on -- under Section 21-204, titled Discharge of Weapons, under paragraph e, the blank space there which he's left up to us for our opinion or our input on, in my opinion should remain as is, which is 1500 feet, which is the current distance mandated in the ordinance, but by striking the other areas out that he's struck out, it eliminates all those short distances from the homes and all. In my opinion by striking through the areas as shown in our agenda, the gun and explosive ordinance will be updated in a manner that follows federal and state guidelines on purchasing and selling firearms, and by striking the parts of the ordinance that's struck out of there, it will eliminate the dangerous distances from the residential and commercial areas that people are

currently allowed to shoot guns. Meanwhile this does protect the rights of -- of gun owners, sportsmen, people that shoot for sports, as well as the hunters and their rights also. So it's a nice, common sense, logical balance, so I make a motion to approve as shown in our agenda, and ask for someone to second, please.

Assistant County Manager Kaigler said, Mr. Chairman, it -- in order to do that we have to --

Chairman Scott said, we're -- we're not quite ready for a motion yet. I'll recognize you for a few minutes for one.

Commissioner Kicklighter said, okay. We have to what?

Assistant County Manager Kaigler said, I would -- we would have to put it on --

County Attorney Hart said, first --

Assistant County Manager Kaigler said, First Reading and have a First and Second Reading.

Commissioner Kicklighter said, okay.

County Attorney Hart said, we just have to go through the ordinance process.

Chairman Scott said, yeah.

County Attorney Hart said, and I think you pretty well laid out and explained pretty accurately everything. You know, we've made some exceptions for existing, you know, indoor gun ranges, places where it's zoned to be permitted, fire safety control ranges at an outdoor facility that's deemed a sport shooting range, which is controlled by state law, and existing gun clubs so established and operating at the time of the ordinance because we don't want to put, you know, Forest City Gun Club, for example, create problems for them because they well-manage their -- their facility out there. And that's under Section 204, and obviously if anybody on the Commission can find a -- another exception that we hadn't thought of that's appropriate, we'll be glad to put that in. The real issue here is exactly what Commissioner Kicklighter stated is what's the distance do you want to put? And the example he used was an example we discussed when we were trying to do this. You don't want to make it so -- such a distance that basically you eliminate it because you can't find somebody that isn't contiguous to somebody else in the county. Everybody's contiguous to somebody. So we kind of left that blank, and we will do whatever the Commission thinks is appropriate.

Chairman Scott said, Commissioner Kicklighter, what we -- what we'd like to do on this one is -- because there will be a lot of folk who will want to comment on it, and we will entertain a motion that it be placed on the calendar at the next meeting as a First Reader --

Commissioner Kicklighter said, that would be wonderful.

Chairman Scott said, as an ordinance, and -- and then we'll proceed and follow a normal order so it will be advertised so people who may want to speak to it --

Commissioner Kicklighter said, yeah.

Chairman Scott said, -- will have an opportunity. So at that time can you make a motion to that affect?

Commissioner Kicklighter said, yes, sir. I'll make a motion that we place it on the agenda as a First Reading.

Commissioner Thomas said, I'll second.

Commissioner Stone said, second.

Commissioner Center said, do we have to vote on -- that automatically goes on a First Reading, doesn't it?

Chairman Scott said, no, it doesn't.

County Attorney Hart said, no, it's -- the agenda's controlled by the Chairman.

Chairman Scott said, no, it doesn't automatically go.

County Attorney Hart said, if the Chairman directs it, then we will do it.

Chairman Scott said, yeah.

Commissioner Kicklighter said, and -- and Mr. Chairman, thank you for stating that, and I'm interested to hear if there's anyone out there with a better idea, bring it, 'cause, you know, I'm not out to hurt anybody. I want to protect the homeowners, and I don't want to hurt any, you know, gun enthusiasts at the same time. So.

Chairman Scott said, the motion is that this be placed on the calendar as a First Reader. Is there a second?

Commissioner Thomas said, I seconded it.

Commissioner Stone said, second.

Chairman Scott said, it's been properly moved and second. Any discussion?

Commissioner Brady said, can I ask a question?

Chairman Scott said, yes. This is the time.

Commissioner Brady said, thank you, Mr. Chairman. In reference to -- to what was just discussed, how would -- would it impact -- I thought I heard you say it would not impact like a sport -- private sports shooting range.

County Attorney Hart said, correct.

Commissioner Brady said, that's currently in --

County Attorney Hart said, that's controlled by state law and our local ordinance if it is in conflict with the general law of the state would not be applicable to that.

Chairman Scott said, it does not supercede state law.

Commissioner Thomas said, right.

Commissioner Brady said, okay. All right. Just wanted to confirm. Thank you.

Chairman Scott said, and also now, this -- this will allow before we could actually make these changes, we will have to have a second reader, and then after the second reader, we'll have to move to put it on the calendar and then vote on it, and this will allow anyone who have interest in discussing it or presenting to the Commission an opportunity to do so. So all we're voting now is just to make it a first reader.

County Attorney Hart said, and -- and for the public's benefit, when we do a first reading, the public does not comment at the first meeting.

Chairman Scott said, second reader is when they have a chance to --

County Attorney Hart said, the second reading is where all the public comment is, so if you came down here, don't be disappointed at the first meeting if you don't get to speak.

Chairman Scott said, all in favor indicate by voting yes, opposed no. Okay. The motion carries. Thank you Commissioner Kicklighter.

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to place the proposed amendment to the ordinance on the agenda for the next Commission meeting as a First Reading. Commissioner Thomas seconded the motion and it carried unanimously.

**AGENDA ITEM: VII-3**  
**AGENDA DATE: July 12, 2013**

STATE OF GEORGIA     )  
  )  
COUNTY OF CHATHAM    )

An ordinance to amend and repeal sections of Chapter 21, entitled "Health, Safety and Sanitation", Article II, §§ 21-203, 21-204 and 21-205.

Section 21-203 deletes in part and amends in part. The following language with strike through is hereby deleted and the non-strike through language shall remain as follows:

**§21-203 Handguns.**

1. Every person desiring to purchase or otherwise acquire a pistol, revolver, or other type handgun in Chatham County, Georgia outside the boundaries of any incorporated municipality therein, shall conform with all state and federal laws and regulations regarding purchase, licencing and transfer of gun ownership and possession. ~~sign in duplicate and deliver to the seller or person disposing thereof an application for the purchase of a pistol, revolver, or other type handgun, containing his full name, address, height, weight, race, date of birth, place of birth, and social security (or other reliable identification)~~

number, type of weapon, model, caliber or gauge, serial number and manufacturer. The application in duplicate shall be on a form as prescribed by the Chatham County Commissioners.

2. The seller or persons disposing of such weapons shall within six hours after such application, sign and attach his address and deliver two copies of the application to the office of the Chief of the police or other law enforcement agency for the unincorporated area of Chatham County. It shall be unlawful to give false information or offer false evidence of the identity of such person in making such application or in acquiring a weapon as set forth herein. No person shall, within Chatham County, outside the boundaries of any municipality therein, deliver or otherwise dispose of a pistol, revolver, or other type handgun, until seventy-two hours shall have elapsed from the time of receipt of the application in the office of the Chief of the police or other law enforcement agency for the unincorporated area of Chatham County.

3. No person within Chatham County, outside the corporate boundaries of any municipality therein, shall sell or otherwise dispose of a pistol, revolver, or other type handgun to; a person whom he has reasonable cause to believe is not a fit and proper person to possess the same; is not of sound mind; is under 21 years of age; is a drug addict; or is a person who has been convicted of a crime of violence felony.

4. If, within the seventy-two hour waiting period required by this Section the Chief of the police or other law enforcement agency for the unincorporated area of Chatham County or a person designated by him from his office shall inform the proposed seller or person proposing to dispose of a pistol, revolver, or other type of handgun, that the applicant is not a fit and proper person to possess the weapon; is not of sound mind; is under 21 years of age; is a drug addict; or is a person who has been convicted of a crime of violence, such information shall be prima facie evidence that the seller or person disposing thereof had reasonable cause to believe the applicant is unqualified to acquire such a weapon. A crime of violence, as used in this section, shall be taken to mean murder, manslaughter, rape, mayhem, kidnapping, burglary, robbery by force, aggravated assault, and aggravated battery.

5. This Section shall not be construed to apply to toy pistols, toy revolvers, or toy weapons of any kind, or antique souvenir weapons used only for display or decorative purposes.

6. Any person violating any of the provisions of this Section shall upon conviction before an appropriate court having jurisdiction thereof, be fined not less than one (\$1.00) dollar nor more than five hundred (\$500.00) dollars, or imprisoned for a term not exceeding thirty (30) days, either or both, in the discretion of the court trying such person. (#323a, 10/10/69)

Section 21-204 is hereby deleted in its entirety and the the following language is substituted in lieu thereof:

**§21-204 Discharge of Firearms or Explosives.** A person is guilty of a violation of this Ordinance when, without legal justification, he or she discharges the following firearms or explosives under the following circumstances:

1. Discharge of center fire rifles and pistols and shotguns with slugs within 1,500 feet of a dwelling without the permission of the inhabitant;
2. Discharge of rim fire rifles and pistols and shotguns with buckshot within 300 feet of a public highway, road or street, or within 1,000 feet of a dwelling without the permission of the inhabitant;
3. Discharge of shotguns with birdshot within 150 feet of a public highway, road or street, or within 250 feet of a dwelling without the permission of the inhabitant.
4. Nothing herein shall apply to nor be construed to apply to an authorized safely controlled firing range or other authorized activity. (Amended October 20, 1989)

§21-204 Discharge of Weapons.

Except as otherwise provided by law, it shall be unlawful for any person to discharge any explosive, pistol, handgun, gun, other weapon or instrument likely to produce injury or harm to property or persons, within in the unincorporated area of the count except:

- (A) where expressly permitted under the zoning ordinance;
- (B) within an indoor shooting range;
- (c) within an authorized, safety-controlled firing range or such other outdoor facility that has been deemed a sport shooting range under state law;

- (D) within an existing gun club so established and operating at the time of the amendment of this ordinance;
- (E) an owner of property, his guest or his invitees, who without charge or other payment to discharge upon owner's property a weapon such that the entirety of the event is within the boundaries of the owner's property and \_\_\_ feet\* away from all contiguous property lines and public or private right of ways.

\*(Currently, the ordinance requires 1500 feet which may be increased or decreased upon the Commission's policy decision.)

Section 21-205 is hereby deleted in its entirety.

~~§21-205 Shooting Matches.~~

~~1. Except as otherwise provided by law, it shall be unlawful for any person, firm or corporation to conduct any activity providing for the discharge of any explosive, pistol, gun or other weapon or instrument likely to produce injury, without a license. (11/20/81, Sec. 1) (Amended April 30, 1993)~~

~~2. Licenses issued pursuant to this Article shall be valid provided the following regulations are adhered to:~~

~~a. The shooting activity shall be held on an authorized, safely controlled firing range. (Amended April 30, 1993)~~

~~b. No alcohol shall be sold or consumed within fifty (50) feet of the area.~~

~~c. The shooting area cannot be located less than one hundred fifty (150) feet from the nearest public highway, street or residential dwelling or adjacent places of business.~~

~~d. Shooting activity shall not be performed except between the hours of 8:00 a.m. and 10 p.m. No such activity shall be performed on Sunday except at an approved gun club range which is supervised by representatives of a local, state, or national gun club. (Amended April 30, 1993)~~

~~e. The targets shall be placed in front of barriers capable of stopping the projectiles being fired at the target. The barrier shall extend from a point not less than three (3) feet higher than the top of the target's highest elevation and shall encompass the entire outer perimeter of the target area by at least a minimum of five (5) feet. (11/20/81, Sec. 2)~~

~~3. No such license shall be issued until the physical arrangements have been completed and approval has been given after actual inspection by the Chief of the Chatham County Police department who shall make or cause to be made an on-site inspection. (11/20/81, Sec. 3)~~

~~4. If any portion or section of this Ordinance shall be deemed invalid, it shall not affect the remaining sections which shall be deemed valid. (11/20/81, Sec. 4)~~

~~5. All ordinances or parts of ordinances in conflict herewith are hereby repealed. (11/20/81, Sec. 5)~~

~~6. This Ordinance shall be deemed effective on the 20th day of November, 1981. (11/20/81, Sec. 6)~~

These amendments to Chapter 21, Article II, §§ 203, 204 and 205 of the Code of Chatham County were adopted this \_\_\_ day of \_\_\_\_\_, 2013.

CHATHAM COUNTY, GEORGIA

BY: \_\_\_\_\_  
 Albert J. Scott, Chairman  
 Board of Commissioners

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

SEAL

=====

## 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 (\*)

None.

=====

(NOTE: ITEM IX WAS TAKEN OUT OF ORDER AND HEARD FOLLOWING THE ROLL CALL)

## 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. **REQUEST BOARD APPROVAL TO WAIVE THE SPORTS AND PARKS SPACE RENTAL FEES FOR A BASEBALL TOURNAMENT AT THE JIM GOLDEN SPORTS COMPLEX TO RAISE FUNDS FOR THE PURCHASE OF AN AUTOMATED EXTERNAL DEFIBILLATOR (AED) FOR THE FACILITY IN HONOR OF CORY WILSON.**

Chairman Scott said, on the agenda we have some folk in the audience who are here for the express purpose of looking at one issue on the agenda, and that is to request the Board approval to waive the sport and parks space rental fees for a baseball tournament at the Jim Golden Sports complex, and the purpose is to raise fund for an automatic external defibrillator that will ultimately be placed at that facility. And at this time I'm going to ask -- recognize Commissioner Farrell for comments, and then invite some members of the audience who are here to speak on this particular issue before we take action on it.

Commissioner Farrell said, yeah, I'd like to make a motion that we approve Item 1 on Items for Individual Action.

Commissioner Brady said, second.

Chairman Scott said, okay. It's been properly moved and second. Any discussion?

Commissioner Farrell said, I think there's one member of the audience who would like to speak to us.

Chairman Scott said, yes. Before we vote, let's -- we have some folk who would like to talk about this.

Commissioner Center said, we just voted to move it up in the order?

Chairman Scott said, yeah.

Mr. Robert Fritts said, thank you Mr. Chairman and fellow Commissioners. My name is Robert Fritts. About 12 years ago a young man came to play on my baseball team named Cory Wilson. He was a very great kid, loved the game of baseball, and tragically this past January while standing -- or while in a classroom at Georgia Southern, he suffered a cardiac event that ultimately led to his death. After review, had an AED, which is something that you have in this building, had it been close proximity to that, his life could have been saved. The family and friends of the Wilsons decided to take up a charity event, essentially a baseball tournament, to raise money for the purchase of an AED for Scott Stell Park, and we're asking for a waiver on the fees, which will eventually help procure that AED. And I'd like to introduce the family, Mr. and Mrs. Wilson.

Mr. and Mrs. Wilson said, good morning.

Chairman Scott said, good morning.

Commissioner Center said, good morning.

Commissioner Stone said, good morning.

Mr. Fritts said, and the coordinator of the event, Mr. Miller, and we're ready to answer any other questions you may have.

Chairman Scott said, anybody have any questions?

Commissioner Kicklighter said, Mr. Chairman?

Chairman Scott said, Commissioner Kicklighter.

Commissioner Kicklighter said, I just want to tell y'all that my daughter is, I believe a year or two behind your son in age, and I've heard nothing but just great things about your son, and that comes from her and her friends, and I've heard it from other adults in the community and all, and -- and I'll just say I can clearly tell where he got that from. This is just awesome of y'all to take and now try to help others out, and thank y'all.

Commissioner Brady said, may I?

Chairman Scott said, Commissioner Brady.

Commissioner Brady said, I just want to offer my deepest sympathy and condolences to your family. The loss of a child is devastating, and I truly appreciate you trying to do something wonderful in his memory, and the county will always appreciate your work in that area.

Chairman Scott said, Commissioner Stone.

Commissioner Stone said, thank you, Mr. Chairman. I also am very saddened by your loss and what you're doing here today is actually benefitting Chatham County and all the citizens of Chatham County by taking your time and your efforts to do this so that another life won't be tragically lost, and I really thank you, and I know the citizens of this community thank you. And I know it takes a lot out of you to do this, so it is deeply appreciated.

Mr. Mike Miller said, I just want to thank y'all individually as a Commission. I also want to thank Vicki Bloom [sic], who's -- works at the Parks and Recreation Department, because I've reserved that field in anticipation before Bob [Fritts] had this idea, and she was very helpful in terms of doing that, and just wanted to mention that as well. So thank y'all.

Mrs. Lisa Wilson said, I would like to take just a minute to thank you first of all for letting us come today. I also want to introduce Pop-Pop because he got left out of our introductions accidentally, Jerry Wilson, one of Cory's grandfathers who was kind enough to join us today. And I wanted to say that this baseball tournament is a gift to my family. It is a gift from family and friends that loved Cory enough to do this for him and in some way help us through healing. I was touched by Pastor James and his two young men that he had the blessing of bringing with him today, and I sat and thought how wonderful it was for a man to take a stand with his sons because I watched my husband do that for 21 years, and it was a blessing. And unfortunately the only way that I will ever get to introduce my son again is through his memory, and that is what this baseball tournament is about, is extending Cory's memory and introducing him to people who weren't fortunate enough to know him and help to extend his memory to those who were. We hope that it will be a blessing for all involved and again we thank you all for letting us come today.

Chairman Scott said, okay. Vice Chair Thomas and then Commissioner Shabazz would like to make a comment.

Commissioner Thomas said, thank you, Mr. Chairman. I just want to say to the family I share your feelings here today, and I feel that the steps that you have taken to come before us today is well worth the while, and I want you to also understand is that although Cory is gone, he will never be forgotten in this community.

Chairman Scott said, Commissioner Shabazz.

Commissioner Shabazz said, good morning. How you doing? I offer my condolences and my family as well to the loss of your son. I wanted to know do you have the cost of the defibrillator that -- that you're trying to purchase?

Mrs. Wilson said, we actually have two vendors that we are working with, Zoll and Cardiac Science. Cardiac Science donated an AED in Cory's memory to Georgia Southern so that there is one in the building where he collapsed. The prices range from 1600 to 2200 depending on the unit and the features that are offered, and what we will do is take the first profits that we make off the top and purchase what we feel at the time will be the best unit that we research. So we're looking at between 1600 and 2200, and while that's a pretty significant difference, the difference is mainly in whether or not it is a fully automated unit or whether or not we purchase one that requires that you push the button. Both companies have just recently come out with an automated external defibrillator that will allow the machine to actually initiate the charge, taking the pressure off the bystander to actually push the button and deliver the electrical charge. That's a new feature. It's something that we're looking at, but it does add to the price, and we want to make sure that we know about the warranty, the extended manufacturer's warranty, as well as the routine warranty before we make a set purchase.

Commissioner Shabazz said, very good. Who -- who's idea was the fundraiser?

Mrs. Wilson said, the idea actually came from Mike Miller who is with me today.

Commissioner Shabazz said, Mr. Miller?

Mrs. Wilson said, yes, sir.

Commissioner Shabazz said, very good. Very good.

Mrs. Wilson said, he is our Sunday School leader.

Mr. Kenny Wilson said, he's the leader of our Sunday School class.

Commissioner Shabazz said, very good. Very good.

Mrs. Wilson said, he and his wife Tammy offered to --

Commissioner Shabazz said, the reason why I asked is because I think it's a worthwhile effort to try to purchase the equipment that you need, but I want to make a contribution. I can't say what -- the amount right now, but I would like to make a contribution for my -- myself and my family.

Mrs. Wilson said, we thank you for that.

Commissioner Shabazz said, and I'm -- and I'm in favor of this what -- in your efforts.

Mr. Wilson said, thank you very much.

Commissioner Shabazz said, and once again my condolences.

Mrs. Wilson said, thank you all again.

Commissioner Shabazz said, thank you.

Chairman Scott said, no further discussion?

Commissioner Center said, is there a motion or do you need a motion?

Chairman Scott said, no, we have a motion. Any further discussion? Hearing none, all in favor indicate by voting yes, opposed no. The motion carries. Thank you all so much for coming.

Mr. Fritts said, thank you so very much.

Commissioner Kicklighter said, thank you.

Mr. Wilson said, thank you.

Mrs. Wilson said, thank you.

Commissioner Farrell said, appreciate your great efforts for the county.

Mr. Fritts said, appreciate that.

**ACTION OF THE BOARD:**

Commissioner Farrell moved for approval to waive the sports and parks space rental fees for a baseball tournament at the Jim Golden Sports Complex to raise funds for the purchase of an automated external defibrillator (AED) for the facility in honor of Cory Wilson. Commissioner Brady seconded the motion and it carried unanimously.

**AGENDA ITEM: IX-1**  
**AGENDA DATE: July 12, 2013**

**TO:** Board of Commissioners

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

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

**ISSUE:**

Request Board approval to waive the Sports and Park Space Rental Fees for a baseball tournament at the Jim Golden Sports Complex to raise funds for the purchase of an Automated External Defibrillator (AED) for the facility in honor of Cory Wilson.

**BACKGROUND:**

Cory Wilson was an avid baseball player who at 20 years old died of a heart related illness while in class at Georgia Southern University. His parents, Lisa and Kenny Wilson, have been inspired to coordinate the purchase of an AED in public locations such as airports, colleges, etc. Since Cory was an avid

baseball player, friends of the family have decided to hold a fundraising tournament and honor Cory's memory by purchasing an AED for the Jim Golden Sports Complex at Stell Park.

**FACTS AND FINDINGS:**

1. The rental fee for the Jim Golden Sports Complex for a two-day baseball tournament is \$400. The Cory Wilson tournament is scheduled for August 2<sup>nd</sup> and 3<sup>rd</sup>.
2. The sports complex does not have an AED. This equipment is costly and because of the location of Stell Park, the response time that an ambulance would take to arrive gives good reason for this equipment at the complex.
3. The funds raised from this tournament will fund the cost of an AED which will be donated to the County and placed at the complex.

**FUNDING:**

Funds are not requested.

**POLICY STATEMENT:**

Staff cannot waive fees. Board action is required to waive Recreation Fees.

**ALTERNATIVES:**

1. Board to waive the Sports and Park Space Rental Fees for a baseball tournament at the Jim Golden Sports Complex to raise funds for the purchase of an Automated External Defibrillator (AED) for the facility in honor of Cory Wilson.
2. Board to provide staff with other direction.

**RECOMMENDATION:**

Board approve Alternative #1.

District 5

=====

**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 Scott said, if -- if you'll follow me on the calendar, we have -- we have Commissioner Center --

Commissioner Center said, yes.

Chairman Scott said, on Item IX, we've -- we've dispatched of that earlier on, so now we are on Section X, page 6, the Action Calendar.

Commissioner Center said, yes.

Chairman Scott said, in the -- in the green room you expressed some comments about wanting to make a motion to make some changes to the minutes.

Commissioner Center said, I would like to amend --

Chairman Scott said, Item 1 on the Action Calendar.

Commissioner Center said, this is Item 1 on -- on the Action Calendar, Section X, I guess. I would like the minutes to show that the three members of the Board of Commissioners of Chatham County that were appointed to the CAT Board at our last meeting serve terms of one year, and that's in the Georgia Code that set up the CAT Board, so those three Commissioners have a one year term, not a two-year term, and I'd like the minutes to correctly reflect that.

Chairman Scott said, what I'd like to do at this time on Item 1 on the Action Calendar, I'd like to entertain a motion that the minutes be approved as amended.

Commissioner Center said, I -- I move that the minutes be approved as I just suggested the amendment.

Commissioner Kicklighter said, second.

Chairman Scott said, it's been properly moved and second that the minutes be approved as amended. All in favor indicate by voting yes, opposed no. So we've got Item 1 on the Action Calendar out of the way.

Commissioner Center said, may I also say one thing? I -- I just want to commend our county clerk because she single-handedly has to keep up with these 39 Boards and all the different appointees and whether they're still alive or deceased or moved or still on the board and their terms, and I've been looking at it myself. It's a very difficult task, and I want to commend county clerk on what she's done on this.

Clerk said, thank you.

Commissioner Stone said, Mr. Chairman?

Chairman Scott said, okay. We -- we now have --

Commissioner Stone said, Mr. Chairman?

Chairman Scott said, -- the remaining items on the Action Calendar. We have amended and approved the minutes, and now we have the remaining items. Anybody?

Commissioner Stone said, Mr. Chairman?

Commissioner Farrell said, I make a motion to approve all the items.

Chairman Scott said, okay. It's been properly moved. Is there a second?

Commissioner Farrell said, with whatever exceptions.

Commissioner Stone said, no, no. I just had a statement about the minutes, but we can vote on this and then go back about that.

Chairman Scott said, okay. It's been properly moved and --

Commissioner Kicklighter said, second.

Chairman Scott said, and second. Any discussion? Hearing none, all in favor of approval of the Action Calendar, indicate by voting yes, opposed no. Okay. Commissioner Stone. The motion carries. Commissioner Stone.

Commissioner Stone said, thank you, Mr. Chairman. In receiving the minutes and oftentimes they're very voluminous, and I was wondering if this Board would consider receiving the minutes electronically instead of having all these minutes printed, and they could be sent to us that way, and it might save our clerk some time as well. So it's a thought. I -- I -- I just -- the last pack was, the last minutes were about that thick, and it's just something to take into consideration.

Commissioner Kicklighter said, it's fine with me.

Chairman Scott said, we'll -- we'll take that under consideration, Commissioner Stone.

Commissioner Stone said, thank you.

Chairman Scott said, okay.

Commissioner Kicklighter said, y'all can send mine that way.

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

- a. Commissioner Center moved to approve the minutes of the regular meeting of June 28, 2013, as amended by changing to the length of the terms of the Commissioners on the CAT Board from two years to one year. Commissioner Kicklighter seconded the motion and it carried unanimously.
- b. Commissioner Farrell moved to approve the Action Calendar, Items 2 through 5 and under Item 5, Items A through G. Commissioner Kicklighter seconded the motion and it carried unanimously.

=====

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

=====

**1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF JUNE 28, 2013, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Center moved to approve the minutes of the regular meeting of June 28, 2013, as amended by changing to the length of the terms of the Commissioners on the CAT Board from two years to one year. Commissioner Kicklighter seconded the motion and it carried unanimously.

=====

**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JUNE 20, 2013 THROUGH JULY 3, 2013.**

**ACTION OF THE BOARD:**

Commissioner Farrell moved to authorize the Finance Director to pay the claims against the County for the period June 20, 2013 through July 3, 2013, in the amount of \$13,650,939. Commissioner Kicklighter seconded the motion and it carried unanimously.

=====

**3. REQUEST BOARD APPROVAL TO AUTHORIZE CHAIRMAN'S SIGNATURE ON THE FISCAL YEAR 2013-2014 CONTRACT BETWEEN THE SAVANNAH-CHATHAM COUNTY DRUG COURT AND THE GEORGIA DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES.**

**ACTION OF THE BOARD:**

Commissioner Farrell moved for Board approval to authorize the Chairman's signature on the fiscal year 2013-2014 contract between the Savannah-Chatham County Drug Court and the Georgia Department of Behavioral Health and Development Disabilities. Commissioner Kicklighter seconded the motion and it carried unanimously.

**AGENDA ITEM: X-3**  
**AGENDA DATE: July 12, 2013**

**TO:** Board of Commissioners  
**THRU:** R. E. Abolt, County Manager  
**FROM:** Jean N. Cottier, Deputy Court Administrator/Drug Court Coordinator

**ISSUE:**

To request Board approval to authorize the Chairman's signature on the Fiscal Year 2013-2014 contract between the Savannah-Chatham County Drug Court and the Georgia Department of Behavioral Health and Development Disabilities. ("DBHDD").

**BACKGROUND:**

The Savannah-Chatham County Drug Court contracts yearly with the DBHDD to receive grant funding. The FY 2014 contract (contract number 441-93-1435AAJ) provides funding in the amount of \$194,750 to defray the costs associated with substance abuse treatment for Drug Court clients. The contract was received on July 1, 2013.

**FACTS AND FINDINGS:**

1. Chatham County will serve as the fiscal agent for the \$194,750 begin made available by the DBHDD.

**FUNDING:**

No Chatham County funds are needed.

**ALTERNATIVES:**

1. Board approves Chairman's signature of contract amendment.
2. Provide staff other direction.

**POLICY ANALYSIS:**

It has been consistent with Board policy to authorize the Chairman's signature on contracts for the Savannah-Chatham County Drug Court to receive grant funding to defray the cost of operating expenses and necessary services, and to ensure uninterrupted receipt of grant funds.

**RECOMMENDATION:**

Accept Alternative 1.

=====

**4. REQUEST BOARD APPROVE A RESTRICTIVE COVENANT AGREEMENT BETWEEN CHATHAM COUNTY, GEORGIA, AND JAMES DIXON, 150 FAIRWIND DRIVE, TO ALLOW MR. DIXON TO PLACE A SECOND ELECTRICAL METER ON AN EXISTING ACCESSORY STRUCTURE (GUEST HOUSE). [DISTRICT 4].**

**ACTION OF THE BOARD:**

Commissioner Farrell moved the Board to approve a restrictive covenant agreement between Chatham County, Georgia, and James Dixon, 150 Fairwind Drive, to allow Mr. Dixon to place a second electrical meter on an existing accessory structure. Commissioner Kicklighter seconded the motion and it carried unanimously.

**AGENDA ITEM: X-4**  
**AGENDA DATE: July 12, 2013**

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

**ISSUE:**

To approve a restrictive covenant agreement between Chatham County, Georgia and James Dixon.

**BACKGROUND:**

James Dixon applied for a variance from section 3-3 of the Chatham County Zoning Ordinance which limits residential lots to a single electrical meter. Mr. Dixon requested he be allowed to place a second meter on an existing accessory structure (guest house).

**FACTS AND FINDINGS:**

On April 23, 2013, the Chatham County Zoning Board of Appeals conditionally approved the petition so long as a restrictive covenant be recorded so as to restrict the subject structure to be used as a guest house only. A copy of the Zoning Board of Appeals' decision and proposed restrictive covenant agreement is attached.

**FUNDING:**

N/A

**ALTERNATIVES:**

1. Approve the restrictive covenant agreement between Chatham County, Georgia and James Dixon.
2. Do not approve the restrictive covenant agreement between Chatham County and James Dixon.

**RECOMMENDATION:**

Alternative 1.

**CHATHAM COUNTY ZONING BOARD OF APPEALS**

**DECISION OF BOARD**

**PETITIONER: JAMES DIXON**  
**150 FAIRWIND ROAD**  
**SAVANNAH, GEORGIA 31410**

**FILE NO: B-130328-00018-1**

**ADDRESS: 150 FAIRWIND ROAD**

**DATE: APRIL 23, 2013**

**Nature of Request**

The petitioner is requesting a variance from section 3-3 of the Chatham County Zoning Ordinance which limits residential lots to a single electrical meter. The request is to place a second meter on an existing accessory structure.

**Findings**

1. The subject property, located at 150 Fairwind Road on Whitemarsh Island, includes an existing single family residence, a one room guest cottage and a detached garage. The property is zoned R-1-A E/O (One Family Residential Environmental/Overlay). The proposed second meter would serve the guest cottage.
2. In 2012, the petitioner discovered that the cable which provides power to his neighbor's home at 160 Fairwind Road was routed through his guest cottage. The guest cottage predates the primary residence. The neighboring home at 160 Fairwind Road was built approximately 10 years prior to the petitioner's residence. The power was disconnected from the guest cottage then reconnected by way of a temporary above ground facility provided by Georgia Power.
3. The Zoning Ordinance states in section 3-3 that only one electrical meter shall be allowed per residential lot. The intent of this regulation is to deter the possibility of detached accessory structures being used as independent residences on a parcel of land designated for single family use.
4. Variances from the standard have been granted in the past in cases where distance from the primary structure has been a factor. Staff finds that alternatives that meet the single meter requirement are possible in this case.
5. The Zoning Board of Appeals may authorize a variance in an individual case upon a finding that:
  - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.  
**The size, shape or topography of the property does not pose any exceptional conditions.**
  - (b) The application of this chapter to this particular piece of property would create an unnecessary hardship.  
**Although additional labor and expenses may be required in order to comply with the current regulation, these factors are not considered a hardship.**
  - (c) Such conditions are peculiar to the particular piece of property involved.  
**The primary residence and guest cottage are physically situated in a way in which compliance with the regulations can be achieved. No features of the subject property prohibit single meter service.**
  - (d) Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the Savannah Zoning Ordinance.  
**The Chatham County Zoning Ordinance states that each residential lot shall be allowed one electrical meter. Allowing a second meter without the presence of an undue hardship is contrary to the intent of the Ordinance.**

**Decision of Board**

Upon a motion made by Mr. Brian Felder and seconded by Mr. Wayne Noha, the Chatham County Zoning Board of Appeals adopts the following resolution:

Resolved, that the Chatham County Zoning Board of Appeals does hereby conditional approve the petition based on that the relief would not impair the intent of the zoning ordinance.

**Condition: the legal recordation of an agreement to be approved by the County Attorney, which restricts the subject structure to use as a guest house only. Approval shall be provided to the Zoning Administrator in writing prior to the issuance of any associated permits.**

This decision and any approvals related thereto will expire on October 23<sup>rd</sup>, 2013 unless a Building permit is obtained prior to said expiration date.

This decision is limited to the development plan submitted and reviewed by the Chatham County Zoning Board of Appeals.

**VOTING FOR  
DECISION**  
Wayne Noha  
Coren Ross  
Brian Felder

**VOTING AGAINST  
DECISION**

**\*ABSENT OR  
FAILING TO VOTE**  
\*Lucy Hitch, Chairman  
James Blackburn, Jr.

Quentin Marlin  
James Overton

Marcus Lotson  
Secretary

Coren Ross  
Vice Chairman

Prepared by and return to:

Parker C. Morgan, Esq.  
Hunter, Maclean, Exley & Dunn, P.C.  
Post Office Box 9848  
Savannah, GA 31412-0048

Cross Index: Deed Book 235-G, Page 750

STATE OF GEORGIA            )  
  )  
COUNTY OF CHATHAM        )

**RESTRICTIVE COVENANT AGREEMENT**  
**AFFECTING REAL PROPERTY**

**THIS RESTRICTIVE COVENANT AGREEMENT** (herein "Agreement") is made and entered into as of the \_\_\_\_ day of June, 2013 by and between **CHATHAM COUNTY, a political subdivision of the State of Georgia**, by and through the Board of Commissioners of Chatham County ("County") and **JAMES B. DIXON** an individual resident of Chatham County, Georgia ("Dixon").

**WHEREAS**, Dixon is the owner of real property located at 150 Fairwind Road in Chatham County, Georgia, more particularly described on Exhibit "A" and shown on Exhibit "A-1" attached hereto and by this reference incorporated herein ("Property"); and

**WHEREAS**, located on the Property is an accessory structure, the location of which is marked as "Existing Boat House" on Exhibit "A-1" ("Guest Cottage"); and

**WHEREAS**, Section 3-3 of the Chatham County Zoning Ordinance ("Ordinance") does not allow more than one electrical meter per residential lot; and

**WHEREAS**, the Property is currently served by one electrical meter; and

**WHEREAS**, Dixon received conditional approval of a variance from Section 3-3 of the Ordinance from the Chatham County Zoning Board of Appeals on April 23, 2013 (File No. B-130328-00018-1) to install an electrical meter at the Guest Cottage; provided that Dixon restrict the use of the Guest Cottage to a guest house only in a form to be approved by the County; and

**WHEREAS**, Dixon desires to restrict the use of his Property so that the Guest Cottage may only be used for a guest house as required by the Chatham County Zoning Board of Appeals and the County.

**NOW, THEREFORE**, for and in consideration of the variance granted, the promises and obligations set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Dixon, as owner of the Property, hereby restricts and limits use of the Guest Cottage to use as a guest house only, and expressly prohibits the use of the Guest Cottage as a permanent residence or full-time residence of any kind or nature whatsoever. The use restriction created hereby shall be considered a restrictive covenant which shall run with the land and be binding upon Dixon, and his heirs and his successors and assigns. This Agreement shall automatically renew for successive twenty (20) year terms unless otherwise prohibited by Georgia law.

This Agreement shall be construed and enforced in accordance with the laws of the State of Georgia.

**IN WITNESS WHEREOF**, the undersigned have executed this Agreement under seal as of the day and year above written.

Signed, sealed and delivered  
in the presence of:

\_\_\_\_\_  
Unofficial Witness

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_  
(NOTARY SEAL)

**COUNTY:**

**CHATHAM COUNTY**, a political subdivision of the  
State of Georgia, by and through the Board of  
Commissioners of Chatham County

By: \_\_\_\_\_ [SEAL]

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Approved: \_\_\_\_\_, 2013

Attest:

\_\_\_\_\_  
Name: \_\_\_\_\_

Title: \_\_\_\_\_

**DIXON:**

By: \_\_\_\_\_ [L.S.]  
James Dixon

Signed, sealed and delivered  
in the presence of:

\_\_\_\_\_  
Unofficial Witness

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_  
(NOTARY SEAL)

**EXHIBIT "A"  
LEGAL DESCRIPTION**

ALL that certain lot, tract, or parcel of land situate, lying and being in the State of Georgia, County of Chatham and being known as LOT NUMBER 1, DIXON SUBDIVISION as shown on a map or plan which is recorded in the office of the Clerk of the Superior Court of Chatham County, Georgia in Subdivision Map Book 19-S, page 30-B. For a more particular description, reference is hereby made to the map or plat herein referred to.

SUBJECT, however, to all easements, covenants, conditions and restrictions of record affecting the herein described property.

=====

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

**ACTION OF THE BOARD:**

Commissioner Farrell moved for approval to award bids as follows: (Please note that new purchase thresholds of \$10,000 or more have been enacted; however, contracts and change orders of a lesser amount still will appear.) Commissioner Kicklighter seconded the motion and it carried unanimously.

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. Renewal of contract for the preferred supplier of office supplies for County departments	Purchasing and Contracting	Staples Advantage	Various	•General Fund/M & O - Various •SSD - Various
B. Confirmation of emergency approval for purchase and installation of a 15- ton roof top HVAC condenser unit at the Department of Drivers Services	Facilities Maintenance	Southeastern Air Conditioning Company, Inc.	\$17,950	General Fund/M&O - Facilities Maintenance
C. Renewal of Workers' Compensation Excess Insurance for the period July 1, 2013 through June 30, 2014 for Risk Management	Finance	Safety National	\$141,412	Risk Management Internal Service Fund
D. Contract for engineering services to design the rehabilitation project for the Runaway Point Lift Station	Public Works and Park Services	Integrated Science and Engineering, Inc.	\$12,610	Water & Sewer Fund Reserves
E. Change Order No. 1 to the construction contract for the CNT building addition	Building and Safety	RL Construction Group, Inc.	\$14,520	CNT Confiscated Funds
F. New roof for the modular building at the Firing Range	Sheriff's Department	*RPI Residential, Inc. (WBE)	\$35,200	CIP - Detention Center Expansion SPLOST project

**AGENDA ITEM: X-5 A thru F**  
**AGENDA DATE: July 12, 2013**

**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 renewal of Staples Advantage as the preferred supplier of office supplies for County departments.

**BACKGROUND:** On April 29, 2011, the Board approved the use of the City of Savannah's contract which was competitively bid.

**FACTS AND FINDINGS:**

1. Staples was competitively awarded the City of Savannah's contract. The Purchasing Ordinance allows the County to "piggy-back" contracts in co-operative alliances with other government agencies. Staples' prices are very competitive.
2. The Staples contract includes a \$6 rebate for individual orders over \$200 and an annual rebate of 1% for expenditures up to \$300,000 and 2% for expenditures over \$300,000.
3. Statistics for June 1, 2012 - May 2013

Expenditures	\$278,676
Instant Credits paid	\$ 2,434
Annual Rebate paid in May 2013	\$ 2,839

M/WBE Purchases	\$ 9,806
Recycled Purchases	\$ 34,248

95% of items ordered delivered Next Day

4. The Staples program offers on-line ordering and desk top delivery. Their software ordering system contains the ability for supervisors to monitor or approve at user level and includes the ability for Purchasing to monitor/approve/disapprove orders.
5. This contract does not exclude the use of other local office suppliers. However, in order to maximize credits and rebates back to the County, Purchasing will encourage the use of this contract by requesting that departments obtain quotes when they are contemplating the use of a different office supply vendor.

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

**ALTERNATIVES:**

1. Board renewal of Staples Advantage as the preferred supplier of office supplies for County departments.
2. Provide staff other direction.

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

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

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

**ITEM B**

**ISSUE:** Request Board confirmation of emergency approval for the \$17,950 purchase and installation of a 15-ton roof top HVAC condenser unit from Southeastern Air Conditioning Company, Inc., at the Department of Drivers Services (DDS), 1117 Eisenhower Drive.

**BACKGROUND:** The current HVAC condenser unit is well over ten years old and has been constantly repaired by in-house County HVAC staff and outside contractors, the HVAC unit services the employee offices, public seating area and restrooms.

**FACTS AND FINDINGS:**

1. Staff requested quotes from three (3) local HVAC contractors. Quotes are as follows:

Southeastern Air Condition Company, Inc.	\$17,950
Air Services & Refrigeration Specialties, Inc.	\$18,855
Boaen Mechanical	\$19,725
2. Southeastern Air Conditioning Company agreed to remove the old unit and install a new 15-ton condenser unit, test, balance, and put system back in normal operation. All work is to covered with a one year workmanship warranty.
3. Staff requested emergency approval from the Chairman to replace the 15-ton roof top condenser unit. The Chairman concurred (see attached page 8) and directed staff to seek Board confirmation at their next scheduled meeting.

**FUNDING:** General Fund/M&O - Facilities Maintenance  
(1001565 - 54.13001)

**ALTERNATIVES:**

1. Board confirmation of emergency approval for the \$17,950 purchase and installation of a 15- ton roof top HVAC condenser unit from Southeastern Air Conditioning Company, Inc., at the Department of Drivers Services (DDS), 1117 Eisenhower Drive.
2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to confirm emergency purchases over \$10,000.

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

BUDGET APPROVAL \_\_\_\_\_  
MELVA SHARPE

#### ITEM C

**ISSUE:** Request Board approval of the \$141,412 premium renewal of Workers' Compensation Excess Insurance for the period July 1, 2013 through June 30, 2014, with Safety National for Risk Management in the Finance Department.

**BACKGROUND:** Since 1990 specific excess insurance has been purchased to fund medical and indemnity (lost wage) expense that exceed annual per claim retention. The County self-funds Workers' Compensation with the assistance of a Third-Party Administrator, Underwriters Safety & Claims.

#### **FACTS AND FINDINGS:**

1. The current carrier, Safety National, is offering a renewal quotation with a \$750,000 per claim retention and an annual premium of \$141,412. The expiring annual premium is \$121,033 with a \$650,000 per claim retention.
2. The rate increase is based on increased costs associated with on-going large losses that have developed in excess of \$100,000. The annual premium increase is consistent with increased medical costs; increase in claim severity; and a decline in the number of insurers interested in underwriting government operations.
3. If trends continue, the per claim self-insured retention or SIR will likely increase to \$1,000,000 next year.
4. A former insurance carrier declined to provide a quotation due to the County's claims experience. Two (2) other carriers provided quotations that were not economically competitive.
5. Workers' Compensation Rule 121 requires self-insured government entities purchase excess Workers' Compensation Insurance.

**FUNDING:** Risk Management Internal Service Fund  
(6259926 – 51.27008)

#### **ALTERNATIVES:**

1. Board approval of the \$141,412 premium renewal of Workers' Compensation Excess Insurance for the period July 1, 2013 through June 30, 2014, with Safety National for Risk Management in the Finance Department.
2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to approve annual Worker's Compensation Insurance premiums based on financial consideration and recommendation of staff.

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

BUDGET APPROVAL \_\_\_\_\_  
ESTELLE BROWN

#### ITEM D

**ISSUE:** Request Board approval to award a \$12,610 contract to Integrated Science and Engineering, Inc., Savannah, GA, for engineering services to design the rehabilitation project for the Runaway Point Lift Station.

**BACKGROUND:** The Runaway Point Lift station is currently on by-pass pumps because both of the original pumps were damaged by an electrical shortage over four (4) months ago. The wet well coating has deteriorated to the point that it is falling off the walls and clogging up the pipes. All piping associated with the lift station is completely corroded and needs to be replaced. Engineering services are needed to design the rehabilitation project since the lift station is over twenty-years old and standards have changed during that period.

**FACTS AND FINDINGS:**

1. The Runaway Point Lift Station is currently over twenty years old, in a state of disrepair and has been running on by-pass pumps for over four (4) months.
2. Standards for the Lift Station design have changed during the last twenty years, and engineering services are needed to enable the rehabilitation work on this lift station to occur.
3. Bids were solicited and received from five (5) engineering firms for this project as follows:

Integrated Science & Engineering, Inc.    \$12,610  
Savannah, GA

EMC Engineering Services, Inc.            \$14,450  
Savannah, GA

Thomas and Hutton                            \$18,700  
Savannah, GA

Hussey, Gay, Bell & DeYoung, Inc.        \$25,000  
Savannah, GA

Port City Design Group                      \$34,000  
Port Wentworth, GA

4. Upon completion of the design work, bids will be solicited for the actual upgrade, repair/rehabilitation construction work.

**FUNDING:** Water & Sewer Fund Reserves  
(5054400 - 54.13009)

**ALTERNATIVES:**

1. Board approval to award a \$12,610 contract to Integrated Science and Engineering, Inc., Savannah, GA, for engineering services to design the rehabilitation project for the Runaway Point Lift Station
2. Provide Staff with other direction

**POLICY ANALYSIS:** It is consistent with Board policy to proceed with all remediation, upgrades and repairs on County-owned infrastructure.

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

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

**ITEM E**

**ISSUE:** Request Board approval of a \$14,520 Change Order No. 1, to the construction contract with RL Construction Group, Inc., for the CNT building addition.

**BACKGROUND:** The Chatham County Counter Narcotics Team is adding approximately 1,000 square feet to the existing office building. The telecommunication interception facility will provide work space for the electronic surveillance staff. The building addition is to be a 40' x 26' eave height single story stand alone pre-engineered metal building structure with concrete foundation. A small overhead steel frame canopy will be installed between the new building and the adjacent existing structure.

**FACTS AND FINDINGS:**

1. This change order is for relocating 60 LF of the existing eight foot high security fence toward Ross Road approximately eight feet from the new addition and six inches off the front property line and installation of 110 LF of new fencing. This work is needed to provide adequate working space between the new building and the fence. This will also provide room to provide positive drainage away from the building slab. This change order also includes the removal of existing dirt and the grading needed to provide a swale area after grading is completed. This work will take place and be scheduled to keep the CNT facility a secured area at all times during the process.
2. The work breakdown is as follows: New fence - supply and install new posts for the new and relocated fence. Remove/relocate 60 LF of existing 8' high galvanized chain link fence with barbed wire and razor ribbon. Supply additional new fencing material to secure the new facility fence layout. Removal and disposal of the existing posts and 100 LF of existing screening.

Supply and install 110 LF of 8' high 100% black screening with top, middle and bottom grommets. The new posts will be set in one trip and the fence removed and relocated, posts pulled and new screening installed in one day to secure the area at all times. Fencing complete: \$8,160. Earthwork: This includes the removal of dirt and grading to cut a swale to produce positive drainage away from the building and drain to the existing storm inlet. It also includes providing an opening at top of concrete box and the existing solid top to remain. Earthwork complete: \$6,360.

3. Contract history:

Original Contract (2-8-13)	\$184,737
Change Order No. 1 (pending)	\$ 14,520
Revised Contract Amount	\$199,257

**FUNDING:** CNT Confiscated Funds  
(2103222 - 54.13011)

**ALTERNATIVES:**

1. Board approval of a \$14,520 Change Order No. 1, to the construction contract with RL Construction Group, Inc., for the CNT building addition.
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 recommend approval of Alternative 1.

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

**ITEM F**

**ISSUE:** Request Board approval to award a \$35,200 contract with RPI Residential, Inc., for the installation of new roof on the modular units at the Chatham County Sheriff's Department Firing Range.

**BACKGROUND:** The existing roof has multiple leaks and is in need of replacement. The Sheriff's Department obtained three quotes; however the bids were not comparable and were above the required sealed bid limit. Purchasing and Contracting prepared a solicitation that would allow all bidders to bid on the same scope of work. Bids were expedited due to the critical timing of the project.

**FACTS AND FINDINGS:**

1. The new roof is to be installed at the modular building located on the firing range.
2. Bids were received on July 9, 2013.
3. The project was posted on the County website and local bidders were notified. Bid responses as follows:

* RPI Residential, Inc. Richmond Hill, GA	\$35,200
Danny Morgan Roofing & Repair Ellabell, GA	\$38,000
* WBE	

4. Staff believes the low bid for the installation of the TPO roof to be fair and reasonable.

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

**ALTERNATIVES:**

1. Board approval to award a \$35,200 contract with RPI Residential, Inc., for the installation of new roof on the modular units at the Chatham County Sheriff's Department Firing Range.
2. Provide staff other directions.

**POLICY ANALYSIS:** It is consistent with Boards policy to approve purchases necessary for the operations of county departments.

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

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

PREPARED BY \_\_\_\_\_  
PURCHASING AGENT

=====

**XI. FIRST READINGS**

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

- 1. **TEXT AMENDMENT TO THE CHATHAM COUNTY ZONING ORDINANCE RE: AMENDMENT TO SEC. 2 DEFINITIONS; SEC. 4-5.1 C&R DISTRICTS USE SCHEDULE; SEC. 4-5.2 B&I USE SCHEDULE; SEC. 4-6.611a. 1, CULTURAL FACILITIES; SEC. 4-6.613(e)(3)b. CULTURAL FACILITIES; SEC. 4-8d.(1)b. MPC RECOMMENDS APPROVAL. MPC FILE NO. Z-130523-00038-1.**

Chairman Scott said, on Section XI, we have a First Reader. Text Amendment to the Chatham County Zoning Ordinance, Amendment to Section 2 Definition; District Use Schedule; Use Schedule; Cultural Facilities, and MPC recommended approval. This is just a first reader on that.

=====

**XII. SECOND READINGS**

Chairman Scott said, we have no Second Readers.

=====

**XIII. INFORMATION ITEMS**

Chairman Scott said, the rest of the item is, if you look at Section XIII, this is the informational, quarterly listing of appointments.

Commissioner Center said, where are we?

Chairman Scott said, and we do -- at this time that completes the -- the agenda. You also have a list of purchases that's under \$10,000.

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

**ACTION OF THE BOARD:**

A status report was attached as information.

=====

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

**ACTION OF THE BOARD:**

A status report was attached as information.

**AGENDA ITEM: XIII-2**  
**AGENDA DATE: July 12, 2013**

List of Purchasing Items between \$2,500 and \$9,999  
That Do Not Require Board Approval

<b>ITEM</b>	<b>DEPT.</b>	<b>SOURCE</b>	<b>AMOUNT</b>	<b>FUNDING</b>
Cut and mulch trees at Henderson Branch Canal	Engineering	T Clearing	\$9,875	SPLOST (2008-2014) Gateway/Henderson
Four (4) laptops for I.C.S./Communications	I.C.S	Dell Marketing L.P.	\$8,831	General Fund/M&O - Communications
Liquefied petroleum gas on mobile kitchen for Detention Center expansion project	Detention Center	Amerigas	\$6,500	CIP-Detention Center Expansion SPLOST project
Annual maintenance agreement on land development software	Building Safety and Regulatory Services	ACS Government Systems, Inc.	\$9,821	SSD-Building Safety and Regulatory Services

=====

## **EXECUTIVE SESSION**

Chairman Scott said, but we do have the need for an executive session.

Commissioner Center said, I move that we recess to executive session for the purpose of discussing litigation and personnel.

Commissioner Brady said, second.

County Attorney Hart said, for the record, we're going to have that meeting in the green room. It will be an executive session. Discussion will be there. There will be no vote, and as has been the practice for I don't know how long, we open the door thereafter, and the media is welcome to come in and ask questions.

Chairman Scott said, at the end of the executive session.

County Attorney Hart said, at the end of the executive session, and we'll give them all the appointments, but they have to stay around to do that.

Commissioner Kicklighter said, and we open the door before we actually vote.

Commissioner Thomas said, exactly.

County Attorney Hart said, correct.

Commissioner Center said, Mr. Chairman, may I? I'd like to add to that that we -- it's been my understanding that we look out, and if there are still a number of members of the public, we actually come back here, but if there's no one out in the public, just one person we can invite back, we invite them to come there, and that's why we just open the door.

Commissioner Farrell said, we just invite them in if there's somebody out here.

Chairman Scott said, the -- the misnomer is that there are cameras running 24/7 in this room when in fact when the meeting is adjourned, the cameras are cut off.

Commissioner Brady said, Mr. Chairman? Well, and I appreciate the -- on the information items when you show that we recess to executive session, and you show the appointments, I would like to say in the future that, you know, transparency is the best, and that we should always do this in reference to our agendas going forward. So I appreciate it being put on there. Mr. Chairman, I'm sure you had a lot to do with that, and thank you.

Commissioner Stone said, there's a motion.

Chairman Scott said, if there's nothing else. We've moved to executive session. All in favor indicate by voting yes, opposed no. We're now heading to executive session. The regular scheduled meeting is adjourned.

**ACTION OF THE BOARD:**

Commissioner Center moved to recess to executive session to discuss personnel and litigation. Commissioner Brady seconded the motion and it carried unanimously. [NOTE: Commissioner Shabazz did not vote.]

The Board recessed at approximately 11:00 a.m.

=====

**ITEMS FROM EXECUTIVE SESSION**

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

**ACTION OF THE BOARD:**

Motion was made to authorize the Chairman to execute an Affidavit that the Executive Session was held in compliance with the Open Meetings Act and it carried unanimously.

=====

2. **JAMES WILLIAMS WORKERS' COMPENSATION CLAIM**

**ACTION OF THE BOARD:**

Commissioner Center moved to authorize partial settlement of the James Williams workers' compensation claim. Commissioner Holmes seconded the motion and it carried unanimously.

=====

3. **TOYKA BUTLER-SHUFORD EEOC CLAIM**

**ACTION OF THE BOARD:**

Commissioner Brady moved to authorize the settlement of the Toyka Butler-Shuford EEOC claim. Commissioner Stone seconded the motion and it carried unanimously.

=====

**ADJOURNMENT**

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 11:35 a.m.

=====

APPROVED: THIS \_\_\_\_\_ DAY OF JULY, 2013.

---

ALBERT J. SCOTT, CHAIRMAN, BOARD OF  
COMMISSIONERS OF CHATHAM COUNTY,  
GEORGIA

---

JANICE E. BOCOOK, CLERK OF COMMISSION