

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, AUGUST 23, 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 9:43 a.m. on Friday, August 23, 2013.

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II. INVOCATION

Chairman Scott said, good morning and welcome. I'm going to modify those instructions just slightly. Once we've had our devotional message, and when the father indicates it's time for prayer, he will give us a signal to stand, and would you stand at that time and remain standing through the Pledge of Allegiance. In the mean time, please be seated. It's indeed a pleasure to welcome here today a distinguished and old friend and a leader in the Catholic church. He really don't need an introduction for this Commission. He's as close as we've got to what I would consider a Commission Chaplain, but I would probably have to wrestle the Sheriff for his undivided attention, so I won't name him the Commission Chaplain, but it's my pleasure to present Father Patrick O'Brien, Pastor Emeritus of St. Peter the Apostle Church to give us our invocation of the day. Father, it's a pleasure.

Father Patrick O'Brien said, thank you very much, Mr. Chairman. Ladies, gentlemen and friends, I'm going to read to you this morning a poem. What More Can You Ask is the title. God's love endureth forever. What a wonderful thing to know. When the tides of life run against you and your spirit is downcast and low. God's kindness is ever around you, always ready to freely impart strength to your faltering spirit, cheer to your lonely heart. God's presence is ever beside you as near as the reach of your hand. You have but to tell him your troubles, there's nothing he won't understand. And knowing God's love is unfailing and his mercy unending and great, you have but to trust in his promise, God comes not too soon nor too late. So wait with a heart that is patient for the goodness of God to prevail. For never the prayers of -- for never do prayers go unanswered and His mercy and love never fail.

Father O'Brien said, ladies and gentlemen, we read in depth this morning this little poem. It's written by Helen Steiner Rice. She is a wonderful writer, and I'm a great follower of her writings and reader of her writings. You know you as ladies and gentlemen, excluding the Chairman or should I say excluding the County Manager, between the two of you, I don't know which is -- you know. But gentlemen and friends, ladies and gentlemen, this morning I want you to think about what you really do. You know you do something for us that is so important and very often you're not praised. Very often you're not appreciated for what you do. But if we people as citizens of this great Chatham County would sit back and realize how far we have come. I've been here since about 1970, and I've seen many, many, many changes in our Commission. I have been extremely impressed with you, with the former Commissioners, and even though you may differ where would you be or where would we be without you? You are part of us and we must be part of you. It is not because we have differences. As long as we have respect. Part of our problem in the world today is that we do not fully respect one another.

Father O'Brien said, I was talking to a gentleman, a friend of mine just happen to know his family as well. This morning I met him for the first time, and we were talking about our Washington situation, and you know my friends, Washington has changed drastically in the past 25 years or so. Prior to that because I always follow politics, you know, whether you were a Republican or a Democrat, you argued on the floor that day; you may go for a drink or for dinner that night. If there was something wrong in your home, one of -- or more of the others on the other side of the fence would be right with you. But you know today, and I must be very honest with you, we don't see it as much. We don't see it as much. We need to bring it back. The way it can be brought back in my opinion is going to be very slow, but it can be brought back especially when we see wonderful people like you able to disagree, argue the point on the floor, and then when the meeting is over, we are friends. We never became enemies through the disagreements that we had. We're all entitled to our opinions. The world would be a monotonous place if we all agreed with the County Manager.

County Manager Russ Abolt said, I'd like a second opinion.

Father O'Brien said, I would like to ask you to keep your mouth shut.

Chairman Scott said, Mr. Manager, you're out of order.

Father O'Brien said, but, going back to where we were, you know, that is the way to argue a point, is the way that, you know, you argue the point, you argue the problem, and you're entitled to your opinion. The world would be monotonous, as I mentioned earlier, if we all agreed with one another. We would never get anything accomplished. We must be able to put forward how we feel, how we think, and how we realize what would be best for our county and then we need to move up to our state and move up to our country, and we're all friends at the end of the day. We're not enemies because we disagree with one another. No. If we are, we shouldn't be serving, and that's part of our problem in our -- in Washington today. And you may be very upset with me for saying it, but it is. We need to go back to the days when the men and women up there could stand and argue all day but they took care of each other afterwards. They argued their point. I say to you today, you render a wonderful service to us in Chatham County. Don't worry about disagreeing on a point, but always have respect for one another. There is no relationship; there is no government; and there is no family when you don't respect one another. All of us have our families. We disagree with one another from time to time. Do we love each other? Yes. Do we do for each other? Yes. Are we going to be there for each other when difficulties come up? Yes. If we're not, we're in very serious trouble. So I say to you this morning in conclusion before the prayer, don't worry about having -- having a difference of opinion but the most important thing to worry about is that you always respect one another. You owe that to each other. We as citizens owe that to you our leaders, and you as leaders owe that to us. That we -- you can walk out here on any Friday evening or any other time that you meet, and you may have been back in the back room back there, and you argued out a point, and, you know, maybe some got loud and some didn't get loud, and maybe -- that's all right, as long as you have that respect for each other. There is no substitute for respect. Always respect the other person.

Father O'Brien said, let us pray this morning that we will respect each other in this great Commission and that each one of you will do your very best each day to take care of the business at hand, be there for each other, and help each other in the difficulties that may come up in your own lives, and that you will be always interested in the best that you know how to give to the citizens who have elected you to the wonderful office of Chairman and Commissioners. I thank you very, very much from the very bottom of my heart for what you have done, what you are doing, and what you will do. This County is going to be a much better place because of you, I am convinced, working together.

Father O'Brien gave the invocation as follows:

Loving and most gracious God, we thank you this morning for the opportunity of being together. We thank you for our Chairman. We thank you for our Commissioners, our County Manager, Assistant Manager, and all who work here to help us in this great County of Chatham and that our county will continue to grow abundantly under Your leadership and guidance. We ask you too to help our citizens, especially those who are having difficulties in their lives, that we will all, because we all have a common denominator, that we will all strive to help to make life more easy, more pleasant, and more happy for one another. We make our prayer this day in the Father's name. Amen.

Father O'Brien said, God love you and God bless you.

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III. PLEDGE OF ALLEGIANCE

Chairman Scott said, will the Commission Pro Tem Stone please lead us in the Pledge of Allegiance.

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

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IV. ROLL CALL (Introduction of Youth Commission members present)

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 Bocook, County Clerk

Chairman Scott said, Madam Vice Chair, do we have any members of the Youth Commission here today?

Commissioner Thomas said, no, not today, sir.

Chairman Scott said, okay.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

None.

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VI. CHAIRMAN'S ITEMS

1. MIKE VAQUER REGARDING LAND DISTURBING PERMIT FEE FOR THE LANDINGS CLUB

Chairman Scott said, moving on the agenda, on -- on page three, Section VI, we will have under Chairman's Item, we will hear from representatives from The Landings Club.

Mr. Mike Vaquer said, thank you Mr. Chairman, members of the Commission. I'm Mike Vaquer, I am here today representing The Landings Club to address an issue concerning the land disturbing permit fee that was addressed by the Commission at your meeting April 12th. At that time the Club had requested a waiver of a portion of the land disturbing fee in conjunction with the remodeling of the Oakridge golf course. We had agreed that there were certain aspects of the project that should be subject to the Soil Erosion Sedimentation Ordinance Land Disturbing Permit Activities fee contained therein in -- in Georgia code and local ordinance, however, there were 6.5 acres of landing -- of golf cart path, however, that was currently at that time covered with asphalt that was scheduled to be re -- removed and replaced with concrete to provide a more permanent and more stable surface. This simply involved lifting the existing asphalt surface out and replace it with concrete, and in our mind, did not involve grading or removal of the soil or movement of the soil, and so should not have been subject to the provisions of the Land Disposal Permit fee. We are not talking about a small amount of money here. This was 6.5 acres at \$3,000 per acre, which involved the payment of a fee of \$19,500 for the privilege of performing that work. If I may I'd like to distribute something to you which is a chart that shows the Land Disturbing Activities fees that are charged by other jurisdictions within Chatham County and Bryan and Effingham counties as well. You will readily see that there is a state-mandated \$80 fee. That is required under Georgia Code at a maximum of \$80 replicated in the rules and regulations of the Department of Natural Resources, \$40 of which is to go to the county, \$40 of which is to go to the state. Yes, local governments to -- do have an opportunity to level additional fees for regulations of permitted activities. Chatham County through the Revenue Ordinance

has chosen to elect a \$3,000 per acre fee, which is 20 times higher than the second largest fee in the community, those being levied by the jurisdictions of Pooler and Garden City in the amount of \$150 per acre in addition. So to give this some perspective, the fee that the county charged for this 6.5 acres again was \$19,500. Were this project in Pooler or Garden City, which I will admit it is not, but the same kind of activity there would have resulted in a fee of under \$1500.

Mr. Vaquer said, we feel number one that the work that was accomplished should not have been subject to this fee, and even if it is subject to a fee, we feel that the fee is extraordinarily high, considering that the fee is designed to cover the cost of administering the program, pre-clearing the permits, reviewing the plans, and inspecting the project. To that point, the project has been inspected twice, one on May 14th and one on June the 14th. With that, you received a letter from me a couple of days ago that outlines these points. We would ask your consideration to reduce these fees to something that you feel and we would feel would be much more appropriate for the amount of work that was performed there, and I'll be glad to answer any questions that you would have.

Chairman Scott said, Commissioner from the Third District, Commissioner Center.

Commissioner Center said, thanks, Mr. Vaquer. When the ordinance was passed that set these fees, did The Landings Association appear before the Commission?

Mr. Vaquer said, I doubt it. Quite frankly, I'm not sure when that ordinance was passed. The law itself was passed in either 1974 or 1975. I know that the Revenue Ordinance that this falls under at this point in time I believe was adopted sometime either in '11 or '12. At that time in fact the fees were restructured, and as I recall, the application fee dropped from \$6,000 to \$2,000 and the per acre fee went from 2,000 to \$3,000. Is that correct?

Mr. Chris Steigelman said, yes.

Ms. Suzanne Cooler said, yes.

Mr. Vaquer, and that's the last -- that's the only activity that I am aware of having to do with this particular fee.

Commissioner Center said, thank you.

Chairman Scott said, Commissioner Farrell of the Fourth District.

Commissioner Farrell said, County Manager, when -- when this ordinance was developed, was -- was it envisioned that we were looking at new developments? I mean we went through a hay day of very large projects that involved a multiplicity of tree canopy, drainage, roads and that sort of thing, and was this more of an ordinance that was directed towards raising enough money so that the engineering department could -- could pay -- pay as it goes through these projects to -- to -- to manage and look over basically raw land being developed into neighborhoods perhaps or shopping centers?

County Manager Abolt said, if I may answer the last part of your question, the answer is yes. We -- we want it to be self-supporting but I want to emphasize that responsibility falls on this county to in effect, you know, to do what the state would have done in our stead relative to the storm water management program. Our county has been faced with our fair share of flooding, and part of our correction was, and this is shortly after Mr. Bungard became county engineer, was to have what amounted to a prevention of future problems in -- in flooding, and on that we took on full force the responsibility to manage this program, and if we don't do it, then the state does it and we get ourselves in all sorts of trouble. There's also -- also was a problem over the -- the genesis of the whole storm water management program where some municipalities did not adopt it, and so just like we talked about upstream, downstream problems, if a municipality is not as aggressive and -- and as -- as responsible as the county in managing this stuff, problems result. Today you have an issue relative to whether or not the -- the asphalt cart pass -- paths should be in -- part of it. We feel it should, but you -- you can exercise your discretion. I would never want you to interpret what the testimony before you as taking a second look at your ultimate responsibility on storm water management. You know, before Mr. Bungard and before this we were in trouble. We corrected that problem, and this should not precipitate a revisit of that in my opinion.

Commissioner Farrell said, well with -- was anything envisioned for something as simple as a replacement of a golf cart path in this fee structure because --

County Manager Abolt said, I'd have to defer to the engineer, sir. I -- I -- obviously we didn't think about it at the

time, but --

Commissioner Farrell said, all right. 'Cause it just -- it doesn't seem like that replacing asphalt with concrete with no other -- no other -- you know, you're picking up one -- one impervious service and replacing it with another would fall into the complexity of managing a new, you know, from scratch neighborhood or -- or --

County Manager Abolt said, you -- you -- if I may, sir, you do have in the staff report of April under the second Facts and Findings, we -- we are reading literally a requirement that says Land Disturbing Activity is defined as any activity which may result in soil erosion from water or wind and the movement of sediments in the state water onto land within the state. That -- that's -- that's --

County Attorney R. Jonathan Hart said, and that's part of it.

County Manager Abolt said, that's --

County Attorney Hart said, this is an ordinance -- well first of all this is a combination of several state statutes that were passed and in the course of passing them the legislature basically said well the cost of this will be put upon the counties but oh by the way send us half the money on the fees. So you really don't have a lot of choice because the state statute says you'll use our definitions. Okay? So we adopted a storm water -- what we did was we took our Land Disturbing Activities Ordinance and combined it with the Soil Erosion and Sedimentation Control Ordinance and the storm water management fees all into one big ordinance so that from an administrative standpoint you didn't have to go hunt things, especially for developers they could go to one place and -- and find everything they needed. The fee structure was set you're correct for handling developments. No question about it, and there was a lot going on then. There's been no development in the last two, three years to be quite honest with you. This is not something we're making a lot of money on. As a matter of fact, it -- it -- we've struggled with it. Currently the fee structure of this supports 2.7 staff, a software package, and, you know, your indirect cost allocations that we do all departments. Beyond that, that's the only place you can get from fees. We clearly understand that we cannot charge fees in excess of the cost it takes to administer. That's -- that's raw bones cost right there. So if you uncover the soil and put it back, then you by definition have disturbed the land. Now if they want to go out there and keep their asphalt golf cart path and re -- resurface it, that's a different matter. So that's pretty much the history of that situation. The only other situation I think you could do if you chose to do is direct staff to study whether there ought to be a different fee structure for golf courses, but you -- you start doing that, everybody's going to have a different fee structure for whatever it is they feel they need. We did change the fee structure on the application fee from six to three or two, I can't -- I think we went to two and then we raised it 1,000 on the other side, and the reason for that was we -- mom's and pop situations follow this ordinance also, and we felt like we could lower the application fee that on smaller projects you could bring down the -- the -- the cost to them. So that's why that change was made.

Mr. Vaquer said, if -- if I may make an observation.

Chairman Scott said, Commissioner Center you had a follow up?

Commissioner Center said, yeah, I just want to follow up. You said half of the fee we collect goes to the State of Georgia?

County Attorney Hart said, not of the entire fee, of the \$80.

Commissioner Center said, okay.

County Attorney Hart said, of the \$80, but that -- that fee is really just part of the overall require -- requirements of our -- our regulations.

Chairman Scott said, Commissioner Shabazz.

Commissioner Center said, thank you.

Commissioner Shabazz said, good morning, sir.

Mr. Vaquer said, good morning.

Commissioner Shabazz said, are you wanting the county to waive the fee or you want it to reduce the fee? What -- what do you want?

Mr. Vaquer said, we would like the County Commission in its wisdom to do what you think is fair. We certainly would endorse a waiver of the fee, but we think an adjustment of the fee would certainly be more appropriate, and I think one thing you need to -- to look at is the land permit fee application structure itself. For anything but non-residential land disturbing activities, the fee per acre is \$3,000. For single family residential construction, which I will contend brings with it a far more -- far more potential for soil erosion sedimentation run-off and the like, the fee is \$450 per unit.

Commissioner Shabazz said, okay.

Mr. Vaquer said, the -- the -- the fee itself is out of -- out of whack with what ought to be charged. I mean, just -- just look at the fact that we paid \$19,500 in fees for the golf cart path, and the entire project had two inspections.

Commissioner Shabazz said, right.

Mr. Vaquer said, that -- there's something -- there's a disconnect there.

Commissioner Shabazz said, you're saying use wisdom in -- in selecting a fee. What do you -- what do you feel in your estimation is a -- is a good fee?

Mr. Vaquer, well I personally feel that something closer to the fee that is collected by Garden City and Pooler in the range of \$150 per acre would be appropriate. I mean we're not dealing with a situation here where we have \$150 an acre that's being charged and maybe \$300 per acre. The -- the -- the fee itself really is totally disconnected from the amount of pollution or pollution protection that you are going to get. There are best management practices that are required to be adhered to by state law, by federal law on these issues. The payment of \$150 fee, an \$80 fee, or a \$3,000 fee is not going to change the level of adherence and compliance with that law.

Commissioner Shabazz said, okay. Now -- now -- when --

County Attorney Hart said, it -- it will change the cost though.

Mr. Vaquer said, well, yes it will.

Commissioner Shabazz said, well now when you disturb this land, you take up the old asphalt that's there --

Mr. Vaquer said, yes.

Commissioner Shabazz said, -- and you -- what are you going to do with it? What are you going to do with the land after you do it? You going to pave it?

Mr. Vaquer said, the golf cart paths were paved with concrete in the exact same footprint --

Commissioner Shabazz said, okay.

Mr. Vaquer said, -- as they existed with asphalt. We were asked by --

Commissioner Shabazz said, have you gotten an estimate on what that will cost you?

Mr. Vaquer said, it's already done. The work is complete.

Commissioner Shabazz said, okay. Okay. So --

Mr. Vaquer said, and unfortunately The Landings Club was given the impression that they would not have an opportunity to address the Commission when this was initially addressed back in April, and so it's just taken us an amount of time to -- to get this brought appropriately to the attention of the Commission and to get it on the agenda, but the work essentially is completed. So what we are asking is --

Commissioner Shabazz said, how -- question -- how much did that cost you?

Mr. Steigelman said, roughly 1.1.

Mr. Vaquer said, 1. -- 1.1 million just for the cart paths or for the whole project?

Mr. Steigelman said, for the whole project, including golf paths, erosion control, greens, projects that we're not contesting.

Mr. Vaquer said, and what would you estimate that the cost of the -- just the path construction was?

Mr. Steigelman said, our path construction was about 900,000.

Mr. Vaquer said, okay.

Commissioner Shabazz said, and you're -- you're complaining about what was the fee? How much?

Mr. Vaquer said, \$19,500.

Commissioner Shabazz said, compared to -- what was the cost of the project?

Mr. Vaquer said, again \$900,000 for the -- for the cart path, removal and restoration.

Commissioner Shabazz said, all right. All right.

Chairman Scott said, Commissioner Kicklighter and then Commissioner Brady.

Commissioner Kicklighter said, thank you, Mr. Chairman. Okay, so, the chart I'm looking at says \$28,180.

Mr. Vaquer said, right.

Commissioner Kicklighter said, you just said \$19,000.

Mr. Vaquer said, there -- there are two components there. There's a \$2,000 fee that we paid to submit the application.

Commissioner Kicklighter said, mm-hmm.

Mr. Vaquer said, there were two acres that were work on a golf cart hole and work that was done on creating some new tee boxes, which we did not object to. That absolutely was appropriate that that be charged the fee. So we paid that fee. That was a total of \$8,000. What we really objected to was the fact that we were being charged 19,500 to remove the cart path and then replace the cart plath -- path plus there's in addition to the fees that were paid, 3,000 plus 40, then there's another \$40 per acre that is paid directly to the state as I understand.

Commissioner Kicklighter said, okay. Well, my question would be if -- listening to the attorney, which I love dearly. I think he's a great guy and does a great job. He -- he stated that this was done at raw bone cost. I'd suggest to staff that maybe we find an inspector that can go out and inspect something for a little bit less than \$9,250 a visit. To take that -- or -- that -- that's really out of line. I think what we have here is I remember when the ordinance was passed and it's like actions in life in ordinances, every action has consequences and sometimes unintended consequences, and I think we're -- if we use logic, we're facing one right now that's unintended consequences. These -- this development, The Landings, if we're talking about storm water, heck, they're a private subdivision. They handle I believe all of their own storm -- their own drainage systems and their streets and everything. They're -- they're a gated community so we're not really doing too much with their storm water anyway. Two visits in there, and heck, that's more, you know, but -- it's a little bit -- it's way out of line. I would suggest, but I'm not going to make a motion until you want one, and I can pull out the calculator and do it. I think we should match the highest rates of any city in the area, especially on this, and should something come in front of -- I don't think we need to change an ordinance, but something come in front of us again that's out of line, we just simply handle the cases individually for what they're worth, and in this case, we -- we -- we gouged them. I mean they simply replaced an existing cart path, and, you know, I -- I'd love to know what I need to do to go back to school to get that job to go out there and get nine grand for one visit, you know, we need some cheaper labor around here if that's the case, you know. So, that's it.

Chairman Scott said, Commissioner Brady.

Commissioner Brady said, thank you, Mr. Chairman. This is mostly --

Chairman Scott said, and then I think the Manager has a comment.

Commissioner Brady said, -- directed at the County Manager involving the - our base fees for the LDA permit. Did the staff do any comparison for LDA permit fees in counties that are similar to Chatham County or comparable to Chatham County to see what their fees were?

County Manager Abolt said, I wouldn't know that, but I -- I do want you as you evaluate it to understand our responsibility under the state's strictures, and it's not just an inspector. It has to do with the overall administration. Whether it's a gated community or not when all is said and done, the important -- the responsibility rests on us. So -- so don't -- don't look at Mr. Vaquer's testimony as focused on two inspections, look at it from the standpoint of the responsibility on staff, the county engineer and his folks to make sure this is done properly, and that -- that's what I'm looking for, and when you look at the comparison with other municipalities without -- without singling anyone out, but there are still problems in other parts of Chatham County in municipalities where they're not doing an adequate job to manage their storm water responsibilities.

Commissioner Brady said, well, and so you're -- you're unable to answer my question.

County Manager Abolt said, I can't.

Commissioner Brady said, okay.

County Manager Abolt said, I don't -- I -- I have no idea what happened back those many years ago. We -- we --

Commissioner Brady said, well I think we certainly need to do the research to see how we compare, you know, on the LDA fees --

County Manager Abolt said, here -- here -- here --

Commissioner Brady said, -- you know, not to the municipalities as they've done but to counties that are similar in size --

County Manager Abolt said, here's your issue.

Commissioner Brady said, -- and demographics.

County Manager Abolt said, permit me. I don't mean to interrupt. Here's your issue. We wanted, as with other operations in the county where -- where appropriate to make them self-supporting, and as long as the responsibility exists, we have the -- the responsibility to staff it adequately. Your other option would be in the event that the fees are not somehow competitive would be to subsidize the operation, and -- and that's what we steered clear of, and that's -- as the Chairman said, Commissioner Farrell said, we've had boom growth, and hopefully we'll have it again, but when you look at the severity of the responsibilities on us we have two choices either the applicant pays for the cost or the tax payer pays for the cost.

County Attorney Hart said, we're also the local issuing authority. If we don't enforce our -- the enforcement part of this, they can take that away from us, which means if you want a permit you can go to Atlanta and wait, which is not a good thing for business. Now this is a regulatory fee, which means the -- the fee, the maximum fee we can -- we can charge is something that's closely related to the cost of delivering services, which would mean that if we had an economic upswing and we had 200 applications for these types of projects, you know, big construction projects and it generated a lot of revenue, the county would have to go back and revisit its fee structure and probably reduce the fee structure as we have multiple times in the building code, up and down depending on what our costs were, 'cause we can only recapture the costs. So, if -- if we see a good upswing in the economy, these fees will probably have to come down.

Commissioner Brady said, thank you.

Chairman Scott said, let -- let me just say that Commissioner Farrell and I brought this to your attention for your future consideration. It was not placed on the calendar today for any sort of action by the Commission, but Commissioner Farrell and I wanted to make certain that The Landing Club had an opportunity to come before this Commission, and I was told that they were not properly informed when we adopted the fee, and in retrospect I wanted them to have an opportunity to come here and argue their point, and so when you're considering fees in the future or if you want to consider making changes, you would have the benefit of their input, and that was the purpose of inviting them here today, and I explained that to -- to -- to Mr. Vaquer earlier. And that's -- that's -- that was the whole purpose of it. I wanted you to have this background so you would know about the fee and how they felt about it. Commissioner Farrell.

Commissioner Farrell said, so what you're saying is we -- if we decide -- if one of the Commissioners wanted to make a motion to make a reduction that that would not be entertained today?

Chairman Scott said, well what I would like to do, if -- if a member of the Commission would like to reduce the fee that they -- they do it in constitution with the staff and bring it to -- before the Commission at the next meeting. I'm not saying it can't be done, but I'm just saying that was not the purpose of putting it on here, and -- and so -- and I -- I said that to -- to Mike that I didn't -- we were not going to take action but we would see if the Commission would be interested in doing anything about it at a future meeting, and that was the whole purpose of putting it on here. So, with that said, Mr. Vaquer thank you so much for your comments.

Mr. Vaquer said, thank you, and I -- I will add that we would certainly look forward to working with the staff to -- if this Commission so sees to see if we can come up with some kind of agreement on how this should be handled and -- and bring it back to your attention at the next meeting if that's the wisdom and the desire of the Commission.

Chairman Scott said, yes.

Mr. Vaquer said, and thank you for your time.

Commissioner Thomas said, thank you.

Chairman Scott said, thank you.

Commissioner Stone said, thank you.

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VII. COMMISSIONER'S ITEMS

None.

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VIII. TABLED/RECONSIDERED ITEMS

<p>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 (*).</p>

- * 1. **NOTE: ACTION ON SECOND READING WAS POSTPONED AT BOARD MEETING OF AUGUST 9, 2013. A REVISED ORDINANCE REGULATING THE DISCHARGE OF WEAPONS IN THE UNINCORPORATED AREA OF CHATHAM COUNTY (AMEND AND REPEAL SECTIONS OF CHAPTER 21, ENTITLED "HEALTH, SAFETY AND SANITATION," ARTICLE II, §§ 21-203, 21-204 AND 21-205).**

Chairman Scott said, on -- on page four, Item XIII, we have a tabled item. Is there any motions to move it off the table? Hearing none, it remains on the table.

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IX. ITEMS FOR INDIVIDUAL ACTION

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

- 1. **TO REQUEST APPROVAL OF THE FOLLOWING BUDGET AMENDMENTS AND**

TRANSFERS: 1) IN THE GENERAL FUND M&O: (a) TRANSFER \$17,500 FROM OTHER PURCHASED SERVICES TO SALARIES WITH THE COUNTY COMMISSION BUDGET, (b) TRANSFER \$2,100 FROM TRAINING TO SALARIES WITHIN THE PROBATE COURT BUDGET, (c) INCREASE REVENUES AND EXPENDITURES \$10,000 FOR PROBATE COURT FILING FEES, (d) TRANSFER \$110 FROM CONTINGENCY TO UNION MISSION DEBT SERVICE, (e) TRANSFER \$1,053 FROM CONTINGENCY TO TRANSFER OUT TO E911 FUND, (f) TRANSFER \$55,300 FROM RESTRICTED CONTINGENCY TO THE CAT TELERIDE BUDGET, (g) INCREASE REVENUES \$23,525 TRANSFER IN FROM SSD AND INCREASE THE ANIMAL CONTROL BUDGET \$23,525, (h) TRANSFER \$1,475 FROM CONTINGENCY TO THE ANIMAL CONTROL BUDGET, (i) TRANSFER \$3,610 FROM OPERATING LINE ITEMS TO SALARIES WITHIN THE AQUATIC CENTER BUDGET, AND (j) TRANSFER \$1,610 FROM PAYMENT TO OTHERS TO SALARIES WITHIN THE COMMUNITY OUTREACH BUDGET; 2) IN THE SPECIAL SERVICE DISTRICT FUND: (a) INCREASE REVENUES \$38,000 TRANSFER IN FROM THE HOTEL/MOTEL FUND, (b) INCREASE TRANSFER OUT TO THE E911 FUND \$24,930, (c) INCREASE CONTINGENCY \$13,070, (d) APPROPRIATE \$170,000 UNASSIGNED FUND BALANCE TO RECORDER'S COURT, (e) INCREASE REVENUES \$23,525 JCA FEES AND INCREASE TRANSFER OUT TO M&O \$23,525; 3) IN THE HOTEL MOTEL FUND INCREASE REVENUES AND EXPENDITURES \$76,000; AND 4) IN THE E911 FUND: (a) INCREASE REVENUES AND EXPENDITURES \$1,053 TRANSFER IN FROM M&O AND \$24,930 TRANSFER IN FROM SSD.

Chairman Scott said, Section IX, page five, Items for Individual Action. One, to request approval of the following budget amendments and transfer in General Fund M&O transfer \$17,500 from other purchased services to salaries within the County Commission budget, transfer 210,000 -- \$2,100 from training to salaries within the Probate Court budget, increase revenues and expenditures by \$10,000 for Probate Court filing fees, transfer \$110 from contingency to the Union Mission Debt Service, transfer \$1,053 from contingency to Transfer Out to 911 Fund, (f) to transfer \$55,300 from restricted contingency to the CAT Teleride budget, (g) increase revenue \$23,525 Transfer into the SSD and increase the -- the annual -- the Animal Control budget \$23,525, (h) transfer \$1,475 from the contingency to the Animal Control budget, transfer \$3,610 from operating line items salaries within the Aquatic Center budget, and transfer \$1,610 from payment to other to salaries within the Community Outreach budget; 2) in the Special Service District Fund increase revenues \$38,000 Transfer In from Hotel/Motel Fund, increase Transfer Out to 911 -- to E911 Fund \$24,930, increase contingency \$13,070, and (d) appropriate \$170,000 unassigned fund balance to the Recorder's Court, and increase the Hotel Motel Fund increase revenue and expenditures \$76,000; 4) in the E911 Fund increase revenues and expenditures \$1,053 Transfer In from M&O; \$24,930 Transfer In from the Special Service District. Do we have a motion?

Commissioner Stone said, so moved, Mr. Chairman.

Commissioner Holmes said, second.

Chairman Scott said, it's been properly moved and second. Any discussion? Hearing none, all in favor of the motion indicate by voting yes, opposed no. The motion carries.

ACTION OF THE BOARD:

Commissioner Stone moved for approval of the following budget amendments and transfers: in the General Fund M&O transfer \$17,500 from other purchased services to salaries with the County Commission budget, (b) transfer \$2,100 from training to salaries within the Probate Court budget, (c) increase revenues and expenditures \$10,000 for Probate Court filing fees, (d) transfer \$110 from contingency to Union Mission Debt Service, (e) transfer \$1,053 from contingency to Transfer Out to E911 Fund, (f) transfer \$55,300 from restricted contingency to the CAT Teleride budget, (g) increase revenues \$23,525 Transfer in from SSD and increase the Animal Control budget \$23,525, (h) transfer \$1,475 from contingency to the Animal Control budget, (i) transfer \$3,610 from operating line items to salaries within the Aquatic Center budget, and (j) transfer \$1,610 from payment to others to salaries within the Community Outreach budget; 2) in the Special Service District Fund: (a) increase revenues \$38,000 Transfer in from the Hotel/Motel Fund, (b) increase Transfer Out to the E911 Fund \$24,930,

(c) increase contingency \$13,070, (d) appropriate \$170,000 unassigned fund balance to Recorder's Court, (e) increase revenues \$23,525 JCA fees and increase Transfer Out to M&O \$23,525; 3) in the Hotel Motel Fund increase revenues and expenditures \$76,000; and 4) in the E911 Fund: (a) increase revenues and expenditures \$1,053 Transfer in from M&O and \$24,930 Transfer in from SSD. Commissioner Holmes seconded the motion and it carried unanimously.

AGENDA ITEM: IX-1

AGENDA DATE: August 23, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Linda Cramer, Assistant County Manager

ISSUE:

To request approval of the following budget amendments and transfers for fiscal year 2013: in the General Fund M&O transfer \$17,500 from other purchased services to salaries with the County Commission budget, (b) transfer \$2,100 from training to salaries within the Probate Court budget, (c) increase revenues and expenditures \$10,000 for Probate Court filing fees, (d) transfer \$110 from contingency to Union Mission Debt Service, (e) transfer \$1,053 from contingency to Transfer Out to E911 Fund, (f) transfer \$55,300 from restricted contingency to the CAT Teleride budget, (g) increase revenues \$23,525 Transfer in from SSD and increase the Animal Control budget \$23,525, (h) transfer \$1,475 from contingency to the Animal Control budget, (i) transfer \$3,610 from operating line items to salaries within the Aquatic Center budget, and (j) transfer \$1,610 from payment to others to salaries within the Community Outreach budget; 2) in the Special Service District Fund: (a) increase revenues \$38,000 Transfer in from the Hotel/Motel Fund, (b) increase Transfer Out to the E911 Fund \$24,930, (c) increase contingency \$13,070, (d) appropriate \$170,000 unassigned fund balance to Recorder's Court, (e) increase revenues \$23,525 JCA fees and increase Transfer Out to M&O \$23,525; 3) in the Hotel Motel Fund increase revenues and expenditures \$76,000; and 4) in the E911 Fund: (A) increase revenues and expenditures \$1,053 Transfer in from M&O and \$24,930 Transfer in from SSD. Commissioner Holmes seconded the motion and it carried unanimously.

FACTS AND FINDINGS:

1. The Board of Commissioners approved an adjustment to the Salaries of Board members at their December 21, 2012 meeting. A transfer to salaries is needed to cover the adjustments.
2. The Probate Court salary line item exceeded the budget. A transfer of \$2,100 from training to salaries will cover the overage and avoid an audit finding.
3. A portion of the fees collected by Probate Court is distributed to other agencies. The revenues and expenditures for FY2013 have exceeded the adopted budget. A budget amendment of \$10,000 to increase the revenues and expenditures is needed. A resolution is attached (to the original staff report in the Clerk of Commission's meeting file).
4. Union Mission debt service fiscal agent fees exceeded the budget. A \$110 transfer from contingency will cover the fees.
5. Additional funding in the amount of \$25,983 is needed to cover payments to the City of Savannah. Funding in the amount of \$1,053 is requested from the General Fund and \$24,930 from the Special Service District Fund.
6. Additional funds of \$55,300 are needed for CAT Teleride expanded services and fuel. A transfer from restricted contingency is requested.
7. JCA fees collected for FY2013 have exceeded the budget. Budget amendments of \$23,525 to increase revenues and expenditures are needed. The additional fees will be used to cover Animal Control expenditures which exceeded the budget. A resolution is attached (to the original staff report in the Clerk of Commission's meeting file).

8. The Aquatic Center salaries for FY2013 exceeded the budget. A transfer from operating line items within the Aquatic Center budget of \$3,610 will cover the shortage.
9. The Community Outreach salaries for FY2013 exceeded the budget. A transfer of \$1,610 within the Community outreach budget will cover the salaries.
10. Hotel Motel taxes collected exceeded the budget. A portion of the taxes collected are transferred to the Special Service District Fund. An amendment to increase the revenues and expenditures are needed. A resolution is attached (to the original staff report in the Clerk of Commission's meeting file).
11. Recorder's Court indigent defense charges have exceeded the budget. A \$170,000 appropriation of unassigned fund balance is requested to cover the charges and avoid an audit finding.

FUNDING:

Funds are available in the General Fund M&O and Special Service District Funds for the transfers. The budget amendments will establish funding in the General Fund M&O, Special Service District, Hotel Motel and E911 Funds.

ALTERNATIVES:

1. That the Board approve the following:

GENERAL FUND M&O

- a) Transfer \$17,500 from other purchased services to salaries within the County Commission budget.
- b) Transfer \$2,100 from training to salaries within the Probate Court budget.
- c) Increase revenues \$10,000 Probate Court marriage license fees.
- d) Increase expenditures \$10,000 Probate Court filing fees.
- e) Transfer \$110 from contingency to Union Mission Debt Service.
- f) Transfer \$1,053 from contingency to Transfer Out to E911.
- g) Transfer \$55,300 from restricted contingency to Transfer Out to E911.
- h) Increase revenues \$23,525 Transfer In from SSD.
- i) Increase the Animal Control budget \$23,525.
- j) Transfer \$1,475 from contingency to Animal Control.
- k) Transfer \$3,610 from operating line items to salaries within the Aquatic Center budget.
- l) Transfer \$1,610 from payment to others to salaries within the Community Outreach budget.

SPECIAL SERVICE DISTRICT FUND

- a) Increase revenues \$38,000 Transfer In from the Hotel Motel fund.
- b) Increase Transfer Out to the E911 fund \$24,930.
- c) Increase contingency \$13,070.
- d) Appropriate \$170,000 unassigned fund balance to Recorder's Court.
- e) Increase revenues \$23,525 for JCA fees.
- f) Increase Transfer Out to M&O \$23,525.

HOTEL MOTEL FUND

- a) Increase revenues \$76,000 hotel motel tax.
- b) Increase Transfer Out to SSD \$38,000.
- c) Increase expenditures \$38,000.

E911 FUND

- a) Increase revenues \$1,053 Transfer In from M&O.
- b) Increase revenues \$24,930 Transfer In from SSD.
- c) Increase expenditures \$25,983.

2. Amend or deny the request.

POLICY ANALYSIS:

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

RECOMMENDATION:

That the Board approve Alternative 1.

Prepared by: Estelle Brown

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2. ADOPTION OF RESOLUTIONS FOR ELECTION AND REFERENDUM TO IMPOSE SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) AND NOTICE TO BE SENT TO COUNTY ELECTIONS SUPERINTENDENT TO CALL FOR ELECTION AND REFERENDUM; AND RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE INTERGOVERNMENTAL AGREEMENT WITH APPROPRIATE MUNICIPALITIES FOR SPLOST.

Chairman Scott said, Item 2, adoption of resolution for election and referendum to impose Special Purpose Local Option Tax (SPLOST) and notice to be sent to the County Elections Superintendent to call for election and referendum; and resolution authorizing the Chairman to execute an intergovernmental agreement with the appropriate municipalities for the Special Local Option Sales Tax. This is a resolution that will allow us to present the local option -- the Special Purpose Local Option Sales Tax to the voters in November, and to work with the municipalities to come up with the intergovernmental agreement that will incorporate the items on their list and also to have one project that would benefit the entire county, and that's the industrial park for the purpose of creating jobs. Hearing the motion -- hearing the resolution, is there a motion?

Commissioner Brady said, I make a motion we approve.

Commissioner Stone said, second.

Chairman Scott said, it's been properly moved and second. Is there any discussion?

Commissioner Shabazz said, yes.

Chairman Scott said, Commissioner Shabazz.

Commissioner Shabazz said, yes. I have a general idea what intergovernmental agreement is, but can someone explain that to me.

County Attorney Hart said, sure.

Commissioner Shabazz said, and explain it to those who are listening.

County Attorney Hart said, yes. I'd be glad to. When SPLOST was created, they gave you a number of ways that you could pass SPLOST. One of the preferred ways to do it is through the use of an intergovernmental agreement, and that requires that the county have an agreement with enough of the municipalities to constitute at least 50 percent of the population, which I think the City of Savannah is 51 percent. So in a technical sense, the only two people that -- that are necessarily going to have to have the intergovernmental agreement would be the City of Savannah and the County, and that's just because of the percentages, that doesn't mean Tybee or Pooler or the other municipalities couldn't participate. Traditionally we sign -- we have always done this through an intergovernmental agreement, and then what we've done is once everybody's agreed, including the small municipalities, we enter the agreement and then we get smaller municipalities at a later date to sign off on the agreement that they already agreed to.

County Attorney Hart said, now the reason we prefer the intergovernmental agreement route as opposed to doing it under two other methods that you could do it is that you can impose -- number one you can tailor your intergovernmental agreement to the needs of each jurisdiction, and number two, you can have a six-year collection period which gives you the opportunity to do a lot of projects. If you do not have an intergovernmental agreement, under the other two methods, you would then only be able to collect the tax for five years, which would be about a 63, \$64,000 differential -- or million excuse me. It's easy to throw thousands around but millions, so it -- it makes a -- makes a difference in the ability of the county to perform some of its larger projects, same for the City of Savannah or Tybee or any of the others, so traditionally there's been enough cooperation between the municipalities and the county that we've been able to obtain an intergovernmental agreement. That's why we have it.

Commissioner Shabazz said, okay. Thank you.

Chairman Scott said, any further comments? Hearing none, all in favor of the motion to adopt indicate by voting yes, opposed no. I might -- the motion carries. I might also add just for the benefit of the public that's listening the current Special Purpose Local Option Sales Tax that we are currently collecting will expire in September 30th of 2014. This resolution and ultimately placing on the ballot in November along with several municipal elections throughout the county will afford an opportunity for the tax to continue to be elected [sic] uninterrupted in 2014. A detailed list of projects will appear at a later date in the legal organ of the county, and it will run for approximately four weeks to provide further information to the public as to what we refer to as SPLOST VI will fund in the county, and I just wanted to say that for those who -- who may be listening and have some questions about what's on the list. That will be published at a -- at a later date for four consecutive weeks prior to the election. Okay. Any -- anybody else on the Commission has anything they wanted to comment on that?

ACTION OF THE BOARD:

Commissioner Brady made a motion to adopt a resolution for election and referendum to impose SPLOST and notice to be sent to County Elections Superintendent to call for election and referendum; and resolution authorizing the Chairman to execute intergovernmental agreements with the appropriate municipalities for SPLOST. Commissioner Stone seconded the motion and it carried unanimously.

AGENDA ITEM: IX-2
AGENDA DATE: August 23, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: R. Jonathan Hart, County Attorney
Leon Davenport, P. E., Assistant County Engineer

ISSUE:

Adoption of Resolution for election and referendum to impose Special Purpose Local Option Sales Tax (SPLOST) and notice to be sent to County Elections Superintendent to call for election and referendum; and resolution authorizing Chairman to execute an intergovernmental agreement with appropriate municipalities for SPLOST.

BACKGROUND:

SPLOST is an optional one percent county sales tax used to fund capital outlay projects proposed by the county government and participating qualified municipal governments. County and municipal governments may not use SPLOST proceeds for operating expenses or maintenance of a SPLOST project or any other county or municipal facility or service. Technically, the SPLOST is levied in what the law refers to as a special district comprising the entire territory of the county calling for imposition of the tax.

The tax is imposed when the county Board of Commissioners calls a local referendum in conformance with O.C.G.A. §48-8-111. The referendum is subsequently passed by the voters within that special district, i.e., county. The tax is collected on items subject to the state sales and use tax within the county, including the sale of motor fuels as defined in O.C.G.A. §48-9-2. The SPLOST is also imposed on the sale of food and beverages, which are not subject to the state sales tax [O.C.G.A. §48-8-3(57)(D)(I)].

In general, the tax may be levied for five years. If the county and qualified municipalities enter into an intergovernmental agreement, the tax may be imposed for six years with an intergovernmental agreement signed by a sufficient amount of municipalities that the population thereof comprise one half of the aggregate municipal population for the county. Only the county can call for imposition of the tax and the County alone declares what projects shall be deemed "Level One" or "Level Two" within the confines of the law of O.C.G.A. §48-8-110. Should the municipal governments fail to reach an agreement as to what projects shall be included, then no intergovernmental contract would exist and the tax would be levied for five years only.

FACTS AND FINDINGS:

1. The period of collection for the current six year SPLOST will expire September 30, 2014.

The taxing period for an extension of the SPLOST can be for six years with an intergovernmental agreement.

2. If there is to be an intergovernmental agreement, the county must enter into an agreement prior to the call of the election with a municipality or municipalities containing more than one-half of the aggregate population of all municipalities within the county. In the case of Chatham County, the City of Savannah has more than one-half of the aggregate population. Hence, without the City of Savannah entering into an intergovernmental agreement, the tax shall be imposed for only 5 years which would anticipate approximately a \$65 million reduction in revenues available for capital outlay projects.
3. SPLOST funds can be used to retire previously incurred general obligation debt, but it must be specified in the resolution and the referendum question.
4. Based on the Board's resolution, the Election Superintendent issues the call for the election. The Resolution calling for the special election must be delivered no later than September 5, 2013, so that the notice can be published weekly for four weeks before the special election. The expense of the election must be paid from County funds.
5. It is unclear if the continuation of the SPLOST by special election requires pre-clearance of the United States Department of Justice (DOJ) because the State of Georgia was on notice from past violations of the Voting Rights Act of 1965. Section 4 of the Voting Rights Act was held to be unconstitutional by the United States Supreme Court in June of 2013. Thus, while there is no formula presently available to determine who must seek preclearance under Section 5, Section 2 of the Act remains in full force and effect. The County must be cautious to ensure that all citizens are given equal rights to engage in self-governance by voting. As such, out of an abundance of caution, the County Attorney's office will see approval of the Department of Justice. The pre-clearance request must be mailed to the DOJ by September 6, 2013.

ALTERNATIVES:

1. Adopt Resolutions for election and referendum to impose Special Purpose Local Option Sales Tax and notice to be sent to County elections Superintendent to call for election and referendum; and resolution authorizing Chairman to execute intergovernmental agreement with appropriate municipalities for SPLOST.
2. To not adopt the resolutions.

FUNDING:

The projected revenue for a six year period of collection commencing October 1, 2014 is \$370 million. No authorization of funds is required to approve the resolutions.

POLICY ANALYSIS:

The tax can be imposed when the county Board of Commissioners calls a local referendum in conformance with O.C.G.A. §48-8-111 and O.C.G.A. §48-8-123. The referendum is subsequently passed by the voters within that special district, i.e., Chatham County.

RECOMMENDATION:

That the Board approve Alternative #1.

All Districts

1. On November 5, 2013, a special election will be held in Chatham County to submit to the qualified voters of Chatham County the following question:

- | | |
|---|---|
| <input type="checkbox"/> YES
<input type="checkbox"/> NO | <p>Shall a special one percent sales and use tax be imposed in Chatham County for a period of six years for the raising of an estimated amount of \$370,000,000 for the purpose of funding certain capital outlay projects within Chatham County and the municipalities in Chatham County including storm-water and drainage; road, bridge, and transportation; water and sewer; administrative facilities, cultural, judicial, and recreational facilities and improvements; park facilities and</p> |
|---|---|

improvements; greenspace; public works and public safety equipment and facilities; and the issuance and retirement of general obligation debt.

If imposition of the tax is approved by the voters, such vote shall also constitute approval of the issuance of general obligation debt of Chatham County in the principal amount not to exceed \$30,000,000 for the courthouse renovations project.

2. All qualified voters desiring to vote in favor of imposing the tax shall vote "Yes" and all qualified voters opposed to levying the tax shall vote "no." If more than one-half of the votes cast are in favor of imposing the tax then the tax shall be imposed beginning October 1, 2014, or the earliest date authorized by law.

3. If such special purpose sales and use tax is to be imposed, Chatham County, acting by and through the Board of Commissioners of Chatham County, may issue general obligation debt, in an aggregate principal amount not to exceed \$30,000,000. The proceeds from such general obligation debt, if issued, shall be used to fund all or a portion of the projects described in the foregoing question. The maximum amount of principal to be paid in each year during the life of the debt shall be as follows:

Exhibit A-1

<u>Year</u>	<u>Principal Amount Maturing</u>
2016	\$15,000,000
2017	\$15,000,000

The Board of Commissioners may issue aggregate general obligation debt which is less than \$30,000,000 and reduce the principal amount maturing shown above.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY TO IMPOSE, LEVY, AND COLLECT A SPECIAL SALES AND USE TAX WITHIN CHATHAM COUNTY, CONDITIONED UPON APPROVAL BY A MAJORITY OF THE QUALIFIED VOTERS RESIDING WITHIN CHATHAM COUNTY VOTING IN A REFERENDUM THEREON TO BE HELD NOVEMBER 5, 2013; TO AUTHORIZE THE IMPOSITION OF GENERAL OBLIGATION DEBT OF CHATHAM COUNTY; TO AUTHORIZE THE EXECUTION OF AN INTERGOVERNMENTAL CONTRACT OR CONTRACTS BY AND AMONG CHATHAM COUNTY, THE CITY OF SAVANNAH, AND OTHER MUNICIPALITIES AND DEVELOPMENT AUTHORITIES IN CHATHAM COUNTY; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners of Chatham County (the "Board of Commissioners") considered and evaluated the provisions of Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated (the "Act") which authorize a special county one percent sales and use tax for various capital outlay projects and considered the effects of the implementation of such special one percent sales and use tax (the "Special Sales Tax") in Chatham County (the "County") and its residents; and

WHEREAS, a special sales tax is being collected in the County, as approved by a majority of the voters of the County voting in an election held for such purpose, which tax was imposed beginning October 1, 2008, and which the County anticipates will cease to be collected on September 30, 2014; and

WHEREAS, the Board of Commissioners determined that it is in the best interest of the citizens of the County that the imposition of the special sales tax continue and that such tax be reimposed in the County beginning October 1, 2014, or upon the termination of the special sales tax now in effect, said new Special Sales Tax to be imposed for the purpose of funding the various capital outlay projects and the retirement of general obligation debt for the County and other such projects of the municipalities as described in the Notice of Election (the "Notice of Election") attached hereto as Exhibit A; and

WHEREAS, the Board of Commissioners mailed a written notice (the "Notice") to the mayor in each municipality located within the County regarding the implementation of the Special Sales Tax; and

WHEREAS, the notice contained the date, time, place, and purpose of a meeting at which designated representatives of the County and the City of Savannah, the City of Tybee Island, the City of Thunderbolt, the City of Garden City, the City of Pooler, the City of Port Wentworth, the City of Bloomingdale, and the Town of Vernonburg (the "Municipalities") met and discussed the possible projects for inclusion in the election, including municipally owned and operated projects; and

WHEREAS, the Notice was delivered or mailed at least 10 days prior to the date of the meeting, and the meeting was held at least 30 days prior to the issuance of a call for the election; and

WHEREAS, the Mayor and Aldermen of the City of Savannah (the "City of Savannah"), which contains an aggregate population no less than fifty percent of the aggregate population of all municipalities within the County, there must be a contract or agreement with the County as authorized by Article IX, Section III of the Constitution of the State of Georgia (the "Intergovernmental Contract") for the SPLOST collection to last six years. Absent such an agreement, the tax shall be collected for five years only; and

WHEREAS, the remaining Municipalities in the County are in need of funds with which to undertake certain capital outlay projects and retire previously incurred general obligation debt, and the County provided for the distribution of a portion of the proceeds of the Special Sales Tax, if approved, to the remaining Municipalities under the terms of the Intergovernmental Contract; and

WHEREAS, the Board of Commissioners recognizes that in order to facilitate construction of the projects it may be necessary for the County to issue general obligation debt for such purpose; and

WHEREAS, Savannah Economic Development Authority is of vital importance to the continued growth of industry within Chatham County so that jobs are created for all citizens throughout the County and such growth is of countywide benefit; and

WHEREAS, the Board of Commissioners desires to provide the voters of the County with the opportunity to vote pursuant to law in favor of or against the reimposition of the Special Sales Tax and the issuance of general obligation indebtedness in anticipation of the collection thereof; and

WHEREAS, the Board of Commissioners determined that and it is hereby declared that during each year in which any payment of principal of or interest on such general obligation debt will come due, if such debt is incurred, the county will receive from the Special Sales Tax authorized by this resolution, net proceeds sufficient to fully satisfy the County's obligation with respect to payment of such principal and interest on a current basis;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Chatham County in public meeting assembled, and it is hereby resolved by the authority of the same that:

1. The Board of Commissioners of Chatham County, subject to the assent of a majority of the qualified voters of the County voting in an election for such purpose, shall impose within the County a Special Sales Tax for a period of six years for the raising of an estimated amount of \$370,000,000 for (a) the acquisition, construction, and equipping of the capital outlay projects set forth in the Intergovernmental Contract and in the Notice of Election attached hereto and made a part hereof as Exhibit A. If imposition of the tax is approved by the voters, such vote shall also constitute approval of the issuance of general obligation debt of the County in a principal amount not to exceed \$30,000,000 for the projects in Exhibit A. Such general obligation debt shall be payable first from the proceeds of such Special Sales Tax; however, such general obligation debt which is not satisfied from the proceeds of the Special Sales Tax shall be satisfied from the general funds of the County.
2. Assuming the County and City of Savannah enter into an intergovernmental agreement, the period of time for which the Special Sales Tax shall be imposed shall be six years (24 calendar quarters). The Special Sales Tax shall be collected beginning on the earlier of October 1, 2014 or the termination of the special sales tax now in effect. Proceeds received from the Special Sales Tax shall be kept in a separate account from other funds of the County in accordance with O.C.G.A. §48-8-121.
3. The proceeds of the Special Sales Tax shall be applied toward any of the purposes set forth in the intergovernmental agreement in an order of priority and in such amounts as the Board of

- Commissioners may determine prior to or during the acquisition, construction, and equipping of such projects.
4. General obligation debt may be issued in conjunction with the imposition of the Special Sales Tax. The principal amount of the debt to be issued shall not exceed \$30,000,000. The purpose for which the debt is to be issued shall be to pay all or a portion of the cost of the projects listed in Exhibit A. The maximum amount of principal to be paid in each year during the life of the debt shall be as follows:
- | <u>Year</u> | <u>Principal Amount Maturing</u> |
|-------------|----------------------------------|
| 2016 | \$15,000,000 |
| 2017 | \$15,000,000 |
5. A copy of this resolution shall be delivered to the Board of Elections of Chatham County, as election superintendent (the "Board of Elections"), and the Board of Elections is requested to issue the call for the election to be held on November 5, 2013, for the purpose of submitting the question of the imposition of the Special Sales Tax to the voters of the County. Such call shall be issued not less than twenty-nine days prior to the date of the election. The Board of Elections shall cause the date and purpose of the election to be published once a week for five weeks immediately preceding the date of the election in the official organ of the County and the Notice of Election will be substantially in the form attached hereto and made a part hereof as Exhibit A.
6. All qualified voters desiring to vote in favor of imposing the tax shall vote "Yes" and all qualified voters opposed to levying the tax shall vote "No." If more than one-half of the votes cast are in favor of imposing the tax, then the tax shall be imposed as provided by Georgia law. Otherwise, the tax shall not be imposed and the question of imposing the tax shall not again be submitted to the voters of the county until after twelve months immediately following the month in which the election is to be held. The Board of Elections shall hold and conduct the election under the same rules and regulations as govern special elections. The Board of Elections shall canvas the returns, declare the results of the election, and certify the result to the Secretary of State and to the Commissioner of the Department of Revenue of the State of Georgia. The expense of the election shall be paid from County funds.
7. If more than one-half of the votes cast are in favor of imposition of the Special Sales Tax, then the authority to issue debt in accordance with Article IX, Section V, Paragraph I of the Constitution is given to the Board of Commissioners of Chatham County; otherwise, such debt shall not be issued. If the authority to issue such debt is approved by the voters, then such debt may be issued without further approval by the voters.
8. The Clerk of the Board of Commissioners is hereby authorized and directed to deliver to the Board of Elections a certified copy of this Resolution.
9. The proper officers and agents of the County are hereby authorized to take any and all further actions as may be required in connection with (a) the calling and holding of the special election, (b) the imposition of the Special Sales Tax, (c) the expenditure of Special Sales Tax proceeds and the acquisition, construction, and equipping of the capital outlay projects described herein, (d) the issuance of the general obligation debt as herein provided, and (e) the execution of an intergovernmental contract or contracts with the City of Savannah, and if determined to be appropriate, with the other Municipalities in the County, as authorized by Article IX, Section III of the Constitution of the State of Georgia, all as herein provided.
10. Should general obligation debt of the County be issued, the Board of Commissioners shall be directed to levy a tax upon all property subject to taxation for general obligation bond purposes within the County sufficient in amount to pay the principal of and interest on said general obligation debt to the extent of any deficiency in the proceeds from the Special Sales Tax.
11. If general obligation debt of the County is to be issued, the Board of Commissioners reasonably expects that prior to the issuance of such debt, it will be necessary to expend funds on the projects and wishes to be reimbursed for such expenditures from proceeds from the sale of such general obligation debt. Therefore, subject to approval of the voters of Chatham County, the Board of Commissioners hereby declares its official intent to issue general obligation debt in the principal

amount not to exceed \$30,000,000 and to reimburse original expenditures on such capital outlay projects in the maximum principal amount of \$30,000,000 with proceeds from the sale of such debt (to the extent permitted by Section 1.150-2 of the Treasury Regulations).

- 12. All resolutions or parts of resolution, if any, in conflict herewith, shall be and the same are hereby repealed.

ADOPTED this _____ day of _____, 2013.

BOARD OF COMMISSIONERS OF CHATHAM COUNTY

BY: _____
Albert J. Scott, Chairman

Attest: _____
Janice E. Bocook, Clerk

CLERK'S CERTIFICATE

The undersigned Clerk of the Board of Commissioners of Chatham County, keeper of the records and seal thereof, certifies that the foregoing is a true and correct copy of a resolution approved and adopted by majority vote of said Board of Commissioners in a meeting assembled on August 23, 2013, the original of which resolution has been entered into the official records of the Board of Commissioners under my supervision and is in my official possession, custody and control.

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

Janice E. Bocook
Clerk

SEAL

STATE OF GEORGIA)
) ORDER
COUNTY OF CHATHAM)

The Board of Elections of Chatham County, Georgia, having been furnished with a certified copy of the resolution of the Board of Commissioners of Chatham County, adopted on August 23, 2013, requesting the Board of Elections to call an election on November 5, 2013, relative to the imposition of a special sales and use tax and issuance of the general obligation debt described in said resolution, does hereby call said election on November 5, 2013, and orders and directs that the form of election notice contained in said resolution be published in connection with the election as provided by law.

This _____ day of _____, 2013.

Chairman, Board of Elections of Chatham
County, Elections Superintendent

=====

- 3. **ADOPTION OF A RESOLUTION FOR AN ELECTION AND REFERENDUM TO REPURPOSE SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) LEVIED TAXES FOR NECESSARY SPLOST PROJECTS SUCH THAT NOTICES WILL BE SENT TO COUNTY ELECTIONS SUPERINTENDENT TO CALL AN ELECTION ON THE REFERENDUM.**

Chairman Scott said, if not, we'll go to Item 3, and this is adoption of a resolution for a -- an election and referendum to repurpose -- to repurpose Special Purpose Local Option Sales Tax, SPLOST, levied for necessary SPLOST projects such as the notices will be sent to the County Elections Superintendent call an election on the referendum. This is to repurpose some funds that we discussed earlier in our pre-meeting. There's roughly \$16 million that was not used from SPLOST IV, and we're looking to do two things, to redirect the money for similar use, \$12 million, and -- and there's a detailed list of projects attached, and the other part of it will rebate -- rebate to the tax payers some \$4 million in 2014. That's essentially what we're trying to accomplish with this resolution.

Commissioner Farrell said, so moved.

Commissioner Thomas said, second.

Commissioner Kicklighter said, Chairman?

Chairman Scott said, discussion?

Commissioner Kicklighter said, thank you, Mr. Chairman.

Chairman Scott said, Commissioner Kicklighter.

Commissioner Kicklighter said, just more information for people maybe watching at home, back in -- well when I first got on here we -- one of the SPLOST referendums, voters approved \$17 million for flood pumps along Pipemakers Canal. I held a series of public hearings, in -- throughout four different municipalities, Garden City, Pooler, Port Wentworth, and Bloomingdale, pushed for this really hard. So people will know at home, what's happened is I guess technicalities, wording, has limited possibly somewhat or restrained us from being able to address the issue because worded Pipemakers Canal with flood pumps, limits it to just flood pumps on Pipemakers Canal. Because back in the past we actually increased or enhanced the prior drainage plan on Pipemakers, we put sluice gates in rather than what was previously planned, and rather than hitting -- it's my understanding the 50 -- 50 year flood mark with that, we've now achieved the 100-year mark. So drainage is going good to this point there, but what -- what's happened is the areas that I would say kind of bottlenecks near the river that -- that I had in mind when specifically proposing this, there is still a need for a flood pump, but it's where water dumps from one of the Garden City canals into Pipemakers Canal, but the way it's worded, we could not utilize the funds, it's my understanding, to be able to put the pump there, so we needed to change that. In addition, we do not need the other \$13 million that was left when originally intended to go at the river to throw it over into the river because the sluice gates are working so well, and we've achieved the 100-year plan here on this. So, in my opinion, this is needed to repurpose it.

Commissioner Kicklighter said, I commend staff. I think Benton Boulevard Extension to Highway 30 will be huge. I think it's very much needed on the westside and it will be a great asset, and I also definitely know that we need to continue improving Pipemakers Canal and work -- keep working upstream like we've been doing. Logically we started where it dumps out, and we've been working our way back, so this is very good. However, in an attempt to keep faith with the citizens who voted for this in the past, and because we have seen existing plans for a pump along Pipemakers Canal near that one specific neighborhood I'm talking, I would like to add an amendment and slightly change this resolution, and I would like for the amendment to the resolution to -- to state quote to include but not limited to pump stations on drainage facilities that discharge into Pipemakers Canal with \$3 million dedicated towards this, and --

Commissioner Center said, point -- point of information. Is that the language that you and the --

Commissioner Kicklighter said, yes.

Commissioner Center said, -- engineering staff and the County Attorney agreed on?

Commissioner Kicklighter said, I added with 3 million dedicated -- dedicated towards this.

County Manager Abolt said, okay, if I may, Mr. Chairman?

Commissioner Kicklighter said, and I will lay it out there for the public why exactly I believe in my heart of hearts that this has to be worded in here if necessary. But I don't believe it's -- I believe everyone has an understanding of why I believe it.

Chairman Scott said, yeah. I think we'll recognize the County Manager at this time.

County Manager Abolt said, thank you, Mr. Chairman. You're ahead of us. You -- permit me. I would ask you adopt Item Number 3.

Chairman Scott said, yeah.

County Manager Abolt said, and then you have to add Number 4 to your agenda, and then on Number 4 --

Chairman Scott said, yep.

County Manager Abolt said, -- before you amend your CIP, the language you've read would be in that, so -- you're -- you're ahead of us. When I say adopt 3 --

Chairman Scott said, yeah, it's Item 4 that you need to amend.

Commissioner Kicklighter said, I'm sorry.

County Attorney Hart said, that's okay.

Chairman Scott said, it's -- it's not -- your language is appropriate, it's just that it's not for this resolution but for the next item on the agenda.

Commissioner Kicklighter said, I'm sorry.

Commissioner Thomas said, the next one.

Commissioner Kicklighter said, and I even have it highlighted.

Chairman Scott said, yeah. It's all right, and I'll -- I'll recognize you at that time.

Commissioner Kicklighter said, thank you.

Chairman Scott said, for that purpose.

Commissioner Kicklighter said, okay.

Chairman Scott said, any further discussion? Hearing none, all in favor of the motion indicate by voting yes, opposed no. The motion carries.

ACTION OF THE BOARD:

Commissioner Farrell made a motion to adopt the resolution for an election and referendum to repurpose SPLOST levied taxes for necessary SPLOST projects such that notices will be sent to the County Elections Superintendent to call an election on the referendum. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: IX-3

AGENDA DATE: August 23, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: R. Jonathan Hart, County Attorney
Leon Davenport, P. E., Assistant County Engineer

ISSUE:

Adoption of a Resolution for an election and referendum to repurpose Special Purpose Local Option Sales Tax (SPLOST) levied taxes for necessary SPLOST projects such that notices will be sent to County Elections Superintendent to call an election on the referendum.

BACKGROUND:

SPLOST is an optional one percent county sales tax used to fund capital outlay projects proposed by the county government for the benefit of the county as well as participating qualified municipal governments and certain development authorities. County and municipal governments may not use SPLOST proceeds for operating expenses or maintenance of a SPLOST project or any other county or municipal facility or service.

O.C.G.A. §48-8-123 was enacted in 2011 thereby changing how counties can declare previously funded projects no longer feasible. An infeasible project is one where the Board of Commissioners find and pass a resolution that the project is not in the best interest of the county. Upon resolving such, the voters may approve the repurposing of those funds for additional SPLOST eligible projects. Should the voters not approve the amended use of those funds, the funds would be used to reduce outstanding general obligation debt, to reduce ad valorem taxes, or both. O.C.G.A. §48-8-123. This would place the funds in the general fund.

FACTS AND FINDINGS:

1. In the approved SPLOST vote held in 2003 the County duly authorized the collection of SPLOST funds totaling \$17 million for improvements to Pipemakers Canal, to include the partial funding for the building of a pump station. The County is in receipt of \$16 million for said purpose. In 2012 the Chatham County Department of Engineering determined through hydrologic studies that such a pump station would not provide additional protection from structural flooding. Furthermore, the pump station provides no significant storm-water flood protection upstream of Interstate 95.
2. Additionally improvements are needed to Pipemakers Canal downstream of Interstate 95 which would improve drainage in Port Wentworth, Garden City, Savannah, Pooler and part of the unincorporated area of the county. Without such improvements along the canal, the county and municipalities will continue to have drainage issues in these areas.
3. Should the SPLOST funds set aside for the pump station not be used to further improve Pipemakers Canal, then the County will have to fund the additional \$16 million dollars in improvement through the levy of taxes that fund the Capital Improvement Plan (CIP). To raise the \$16 million the County would require a levy of 1.49 mills.
4. It is in the best interest of the County and all its citizens to declare that the pump station is no longer a feasible project and repurpose those funds for the otherwise SPLOST-eligible drainage improvements along Pipemakers Canal. By repurposing these funds, the County prevents the millage increase that would otherwise be necessary to fund this essential drainage project.
5. Similarly, an extension of Dean Forest Road was approved as a SPLOST project in 2003 and \$1.5 million remains allotted for this purpose. Based upon a concept report the Chatham County Department of Engineering determined that such extension is infeasible due to a weak need and purpose, significant environment impacts and a low benefit to cost ratio.
6. It is in the best interest of the County and all its citizens to declare the extension of Dean Forest Road no longer a feasible project and repurpose those funds for the otherwise SPLOST eligible road improvements. By repurposing these funds, the County prevents the millage increase that would otherwise be necessary to fund an extension of Benton Boulevard.
7. Should the SPLOST funds set aside for the extension of Dean Forest Road not be used to further improve road projects, then the County will have to fund the additional \$1.5 million dollars in improvement through the levy of taxes that fund the Capital Improvement Plan (CIP). To raise the \$1.5 million, the county would have to levy a millage increase of 0.139 mills.
8. Based on the Board's resolution, the Election Superintendent issues the "call" for the election. The Resolution calling for the special election must be delivered no later than September 5, 2013, so that the notice can be published weekly for four weeks before the special election. The expense of the election must be paid from County funds.

9. It is unclear if the referendum repurposing SPLOST revenues requires pre-clearance of the United States Department of Justice (DOJ) because the State of Georgia was on notice from past violations of the Voting Rights Act of 1965. Section 4 of the Voting Rights Act was held to be unconstitutional by the United States Supreme Court in June of 2013. Thus, while there is no formula presently available to determine who must seek preclearance under Section 5, Section 2 remains in full force and effect. The County must be cautious to ensure that all citizens are given equal right to engage in self-governance by voting. As such, out of an abundance of caution, the County Attorney's Office will see approval by the Department of Justice. The pre-clearance request must be mailed to the DOJ by September 6, 2013.

ALTERNATIVES:

1. Adopt a Resolution for election and referendum to repurpose previously imposed Special Purpose Local Option Sales tax funds already collected as outlined above. Notice shall be sent to County Elections Superintendent to call for an election on the referendum.
2. To not adopt the resolution.

FUNDING:

The repurposed revenue from both projects total \$17.5 million. Should the county be required to levy ad valorem taxes to fund these necessary projects, a levy of 1.629 mills would be required. No authorization of funds is required to approve the resolutions.

POLICY ANALYSIS:

The tax is imposed when the County Board of Commissioners calls for local referendum in conformance of O.C.G.A. §48-8-111 and O.C.G.A. §48-8-123. The referendum is subsequently passed by the voters within that special district, i.e., Chatham County.

RECOMMENDATION:

That the Board approve Alternative #1.
All Districts.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY TO REPURPOSE MONIES PREVIOUSLY IMPOSED, LEVIED, AND COLLECTED AS A SPECIAL SALES AND USE TAX WITHIN CHATHAM COUNTY, APPROVED BY A MAJORITY OF THE QUALIFIED VOTERS RESIDING WITHIN CHATHAM COUNTY VOTING IN A REFERENDUM HELD IN 2003, FOR CAPITAL OUTLAY PROJECTS WHICH ARE NO LONGER FEASIBLE; TO AVOID ADDITIONAL MILLAGE INCREASES THAT WOULD OTHERWISE BE NECESSARY TO FUND CAPITAL OUTLAY PROJECTS; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners of Chatham County (the "Board of Commissioners") considered and evaluated the provisions of Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated (the "Act") which authorizes a special county one percent sales and use tax for various capital outlay projects and considered the effects of the implementation of such special one percent sales and use tax (the "Special Sales Tax") in Chatham County (the "County") and its residents; and

WHEREAS, a special sales tax was collected in the County, as approved by a majority of the voters of the County voting in an election held for such purpose in 2003; and

WHEREAS, the County collected SPLOST funds totaling \$17 million and retains \$16 million for said purpose of improvements to Pipemakers Canal, to include the partial funding for the building of a pump station; and

WHEREAS, the Chatham County Department of Engineering determined through hydrologic studies that such a pump station would not provide additional protection from structural flooding; and

WHEREAS, additional improvements are needed to Pipemakers Canal downstream of Interstate 95 which would improve drainage in Port Wentworth, Garden City, Savannah, Pooler and part of the unincorporated area of the county; and

WHEREAS, should SPLOST funds not be used to further improve Pipemakers Canal, then the

county will have to fund the additional \$16 million in improvements through the levy of taxes that fund the Capital Improvement Plan (CIP).

WHEREAS, the County would require a levy of 1.49 mills to raise the \$16 million; and

WHEREAS, it is in the best interest of the County and all its citizens to declare the pump station no longer a feasible project and repurpose those funds for the other SPLOST drainage improvements along Pipemakers Canal; and

WHEREAS, an extension of Dean Forest Road was approved as a SPLOST project in 2003 and \$1.5 million remains allotted for this purpose; and

WHEREAS, the Chatham County Department of Engineering determined that such extension is infeasible due to a weak need and purpose, significant environmental impacts and a low benefit to cost ratio; and

WHEREAS, it is in the best interest of the County and all its citizens to declare the extension of Dean Forest Road no longer a feasible project and repurpose those funds for the other SPLOST road improvements to include Benton Boulevard; and

WHEREAS, the County would have to levy a millage increase of 0.139 mills to fund the additional \$1.5 million in improvement through the levy of taxes that fund the Capital Improvement Plan (CIP); and

WHEREAS, the Board of Commissioners determined that it is in the best interest of the citizens of the County that the issue of repurposing previously imposed tax revenues in the county be considered at the same time as the referendum imposing said new Special Sales Tax October 1, 2014, as described in the Notice of Election (the "Notice of Election") attached hereto as Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Chatham County in public meeting assembled, and it is hereby resolved by the authority of the same that;

1. The Board of Commissioners of Chatham County, subject to the assent of a majority of the qualified voters in the County voting in an election for such purpose, declares that the pump station along Pipemakers Canal is no longer feasible or otherwise is not in the best interest of the county.
2. The Board of Commissioners, subject to the assent of a majority of the qualified voters of the County voting in an election for such purpose, declares that further improvements along Pipemakers Canal totaling approximately \$16 million are necessary and an appropriately repurposed use of SPLOST funds.
3. The Board of Commissioners of Chatham County, subject to the assent of a majority of the qualified votes of the county voting in an election for such purpose, declares that the extension of Dean Forest Road is no longer feasible or otherwise is not in the best interest of the county.
4. The Board of Commissioners, subject to the assent of a majority of the qualified voters of the County voting in an election for such purpose, declares that further improvements along Benton Boulevard totaling approximately \$1.5 million are necessary and an appropriately repurposed use of SPLOST funds.
5. A copy of this resolution shall be delivered to the Board of Elections of Chatham County, as election superintendent (the "Board of Elections"), and the Board of Elections is requested to issue the call for the election to be held on November 5, 2013, for the purpose of submitting the question of the repurposing the collected Special Sales Tax to the voters of the County. Such call shall be issued not less than twenty-nine days prior to the date of the election. The Board of Elections shall cause the date and purpose of the election to be published once a week for four weeks immediately preceding the date of the election in the official organ of the County.
6. The Notice of Election will be sent with a copy of this resolution and shall be labeled Exhibit A.
7. All qualified voters desiring to vote in favor of repurposing tax money shall vote "Yes" and all qualified voters opposed to repurposing tax money shall vote "No." If more than one-half of the

votes cast are in favor of repurposing the taxes collected, then the tax revenues shall be used as provided for herein. Otherwise the tax money collected shall not be repurposed and shall instead be used to reduce general obligation debt or reduce ad valorem taxes as outlined in O.C.G.A. 48-8-123.

- 8. The Clerk of the Board of Commissioners is hereby authorized and directed to deliver to the Board of Elections a certified copy of this resolution.
- 9. The proper officers and agents of the County are hereby authorized to take any and all further actions as may be required in connection with (a) the calling and holding of the special election, (b) the repurposing of the Special Sales Tax, (c) the expenditure of repurposed Special Sales Tax proceeds and the acquisition, construction, and equipping of the capital outlay projects described herein.
- 10. All resolutions or parts of resolutions, if any, in conflict herewith, shall be and the same are hereby repealed.

ADOPTED, this _____ day of _____, 2013.

BOARD OF COMMISSIONERS OF CHATHAM COUNTY

BY: _____
Albert J. Scott, Chairman

Attest: _____
Janice E. Bocook, Clerk

CLERK'S CERTIFICATE

The undersigned Clerk of the Board of Commissioners of Chatham County, keeper of the records and seal thereof, certifies that the foregoing is a true and correct copy of a resolution approved and adopted by majority vote of said Board of Commissioners in a meeting assembled on August 23, 2013, the original of which resolution has been entered into the official records of the Board of Commissioners under my supervision and is in my official possession, custody and control.

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

Janice E. Bocook
Clerk

SEAL

STATE OF GEORGIA)
)
) ORDER
COUNTY OF CHATHAM)

The Board of Elections of Chatham County, Georgia, having been furnished with a certified copy of the resolution of the Board of Commissioners of Chatham County, adopted on August 23, 2013, requesting the Board of Elections to call an election on November 5, 2013, relative to the imposition of a special sales and use tax and issuance of the general obligation debt described in said resolution, does hereby call said election on November 5, 2013, and orders and directs that the form of election notice contained in said resolution be published in connection with the election as provided by law.

This _____ day of _____, 2013.

Chairman, Board of Elections of Chatham

County, Elections Superintendent

=====

**4. (NOTE: THERE SHOULD BE A MOTION TO ADD THIS TO THE AGENDA.)
ADOPTION OF AN AMENDMENT TO THE COUNTY'S CURRENT CAPITAL
IMPROVEMENT PLAN (CIP) TO INCLUDE NECESSARY IMPROVEMENTS
ALONG PIPEMAKERS CANAL AND AN EXTENSION OF BENTON
BOULEVARD.**

Chairman Scott said, now Item 4. Now first thing I need -- we need a motion to add Item 4 to the agenda.

Commissioner Farrell said, so moved.

Commissioner Stone said, so moved.

Commissioner Center said, second.

Chairman Scott said, it's been properly moved and second to add Item 4 to the agenda. Any discussion? Hearing none, all in favor indicate by voting yes. Okay. Now, Item 4 is on the agenda. Now, the motion to add it to the agenda has been approved. Now, item 4, adopt an amendment to the County current Capital Improvement Plan to include the necessary improvements along Pipemakers Canal and the extension of Benton Boulevard, and I recognize the Commissioner from the Seventh District, Commissioner Kicklighter.

Commissioner Kicklighter said, thank you. I'll start over -- no, I'm just kidding, and everything I just said a minute ago. I would ask y'all to please add that as an amendment, and I'll restate the amendment and put it in the form of a motion with your permission.

Chairman Scott said, Commissioner Kicklighter would -- could -- could you -- could you not be satisfied if you do not put a dollar amount in there and just add the pumps because if -- it -- it could cost more, it could cost less.

Commissioner Kicklighter said, I -- I would be very satisfied if that's the concern to put with at least 3 million dedicated towards this, at least but not limited to.

Chairman Scott said, why -- why wouldn't you say funds necessary to complete or -- or something to that effect and -- so if it's two million, eight, then that's what we'll spend, if it's two five or whatever the number happens to be to accomplish the project. Could you --

Commissioner Kicklighter said, how -- how would I word that?

Chairman Scott said, by just saying that -- spend necessary funds to install the --

Commissioner Kicklighter said, to construct --

County Manager Abolt said, if I may Mr. Chairman, to -- to allow the Clerk to follow this, the amendment would actually affect page three of the staff report.

Chairman Scott said, yeah.

County Manager Abolt said, and it would be under project information.

Chairman Scott said, okay. Thank you. You want to try your motion again?

Commissioner Holmes said, Mr. Chairman?

Commissioner Kicklighter said, how about -- okay, could I word it like this to safeguard it, Mr. Chairman, with at least \$3 million set aside for construction of the pumps, but how -- how would that be worded, Jon?

County Attorney Hart said, well one thing you could say is -- is set aside such funding as necessary in order to complete the project as intended, and then you could put not to exceed \$3 million, but -- but the point is, you --

you know --

Commissioner Kicklighter said, the point -- okay --

County Attorney Hart said, we're doing all this right now because we trapped some money, unintended.

Commissioner Kicklighter said, okay.

County Attorney Hart said, you know, we -- we -- at the time you were campaigning on that, the technology did not exist to -- to -- to really do that, to -- to find out whether they're needed or not needed. Well, and fortunately a few years later we got that LIDAR which they can fly over the county and tell you the elevation of every square foot of the county within an inch.

Commissioner Kicklighter said, well they would have been needed had we not improved the gates.

County Attorney Hart said, correct. Correct.

Chairman Scott said, that's correct.

County Attorney Hart said, that is correct, and what we're really doing is going upstream.

Commissioner Kicklighter said, but they're now needed -- they're needed -- one is needed and I saw the plans --

Chairman Scott said, from one of the tributaries --

Commissioner Kicklighter said, yes.

Chairman Scott said, -- to the Pipemakers Canal.

Commissioner Kicklighter said, right to it, the subdivision closest to the river there, and I want to ensure that there is money set aside to construct that should Garden City agree to maintain it.

Chairman Scott said, Commissioner Kicklighter would you -- would you agree to allow the County Attorney help you with your substitute -- with your amendment?

Commissioner Kicklighter said, absolutely if he can word it.

County Attorney Hart said, sure. I think -- I think the motion that -- that ought to give Commissioner Kicklighter the relief he seeks is that necessary funding in order to complete the project --

Commissioner Thomas said, whatever it might be.

County Attorney Hart said, -- of a pump station as is necessary on Smith -- on -- on the tributary canals

Chairman Scott said, to the Pipemakers.

County Attorney Hart said, -- of Pipemakers Canal.

Chairman Scott said, okay. Is that language --

Commissioner Kicklighter said, can it be worded with this -- this -- all the money won't be spent before -- that's what I'm saying. I want to make sure there is enough money there to put a pump on that canal right there. How can that be worded to --

County Attorney Hart said, well let me -- let me back up just for a second. The -- the thing that you need to remember folks is that you're approving a wide set of projects that are in general categories, okay? You're going to develop a list of priorities and details, okay? At the same time, before we go out and spend money on a project, be it your Pipe -- your -- your flood pump on one of the tributaries or upstream improvements on the Pipemakers Canal, which all of us know needs to be done, we're going to have to come back to this Commission and -- and ask whether you still give us permission to do that.

Commissioner Thomas said, right.

County Attorney Hart said, so you kind of got a -- a second chance if we come in here and --

Chairman Scott said, you set -- you set the priorities at a later date.

County Attorney Hart said, yeah.

Commissioner Kicklighter said, but -- but, you know, I need a -- not I, we, the people that vote SPLOST through, we need a safeguard. This appeared on the agenda either last night or the -- last night we got it in. Should I be on vacation in the future, and it appear on the agenda to spend every penny to construct a road, and I'm not here, and it appears the night before --

Chairman Scott said, you can be -- you can be assured the Chairman would not entertain --

Commissioner Kicklighter said, oh, I -- I know that Mr. Chairman.

Chairman Scott said, -- anything like that in your absence.

Commissioner Kicklighter said, and I -- and I believe you, sir, wholeheartedly, but you're my third Chairman I've worked with, and this may come about when there's a fourth Chairman sitting there, and he may not be as trustworthy as you are. So, I -- we need it in writing. So how can we word it, Jon, just to safeguard the amount --

County Attorney Hart said, I would recommend not to exceed 3 million, okay? That way you've got your 3 million. If it's less we save some money, if it's over --

Commissioner Thomas said, that's it.

Chairman Scott said, you have to approve it.

County Attorney Hart said, -- then staff comes to you and says, hey --

Commissioner Kicklighter said, right.

County Attorney Hart said, -- we can't do it for 3 we need 4, and y'all tell us you're going to give us another million, and we'll go do it.

Commissioner Kicklighter said, that -- that --that's good, but -- but -- so that safeguard -- that sets aside 3 million of the 16 million?

County Attorney Hart said, not to exceed, yes, sir.

Commissioner Holmes said, Mr. Chairman?

County Attorney Hart said, so if we -- if we can build it for two --

Commissioner Holmes said, may I have the floor, please?

County Attorney Hart said, -- we save one, and maybe there's some more upstream stuff. On the other hand, we tell you it's three, it ends up being four, we're going to come ask you for \$1 million.

Chairman Scott said, now the question would be adoption as amended with the language suggested by the County Attorney.

Commissioner Kicklighter said, as --

Chairman Scott said, now --

Commissioner Kicklighter said, -- yes, I'll make that motion, as stated by the Chairman.

Commissioner Center said, I'll second that.

Chairman Scott said, okay, now we got further discussion. Commissioner from the Second District, Commissioner Holmes.

Commissioner Holmes said, I -- I just want to get some clarity on the words that we're voting on. I don't want to vote, and I don't think it would be very careful for us to vote to put \$3 million in a job, and put it on the shelf, and we vote on that publicly. I think that need to be worded in such a way as our Attorney state and leave it as that and not declare publicly that we putting aside \$3 million for that. Dean, I understand exactly what you're saying, but I think for our overall protection of that money, I think it needed to be worded in such a way as our Attorney stated.

Chairman Scott said, I think that's what we just agreed to.

County Attorney Hart said, not to exceed.

Commissioner Kicklighter said, yeah. Yeah. As he just stated.

Commissioner Holmes said, yeah. Mm-hmm.

Commissioner Shabazz said, with no dollar amount?

Chairman Scott said, not to exceed.

Commissioner Holmes said, no dollar amount.

Commissioner Shabazz said, he's saying no dollar amount.

Commissioner Thomas said, not to --

Commissioner Shabazz said, Commissioner Holmes.

County Attorney Hart said, well what we -- what I tried to do was include the 3 not to exceed, so if it's 2 we can -- we can do it, you know, we can save \$1 million.

Commissioner Thomas said, and if it's over --

County Attorney Hart said, if it's over three, we would have to come back and ask you for more money if you wanted to do that, but at least, Commissioner Kicklighter would know that there is a commitment if the project is required that we'd spend up to \$3 million.

Commissioner Kicklighter said, and this puts 1 million back in the tax paying reimbursement rather than 4, right? Correct?

Chairman Scott said, no.

County Attorney Hart said, hmm-mm.

Chairman Scott said, no. No. Your three will be part of that 12.

Commissioner Kicklighter said, okay.

Chairman Scott said, okay.

Commissioner Holmes said, say that again now.

Chairman Scott said, the 3 million would be part of the 12 million. We are -- we will still be rebating \$4 million to the tax payers.

Commissioner Holmes said, you're -- you're setting it aside of the tax -- two different things, right?

Commissioner Farrell said, for a rollback.

Commissioner Holmes said, right.

Commissioner Farrell said, for the tax payers.

Commissioner Holmes said, yeah. Okay. Okay.

Chairman Scott said, okay?

Commissioner Holmes said, just wanted to make sure.

Chairman Scott said, everybody's clear on it? On the language?

Commissioner Holmes said, right.

Chairman Scott said, all right. All in favor -- we got a second and a motion -- a motion and a second. All in favor indicate by voting yes, opposed, no.

Commissioner Kicklighter said, thank y'all.

Chairman Scott said, you're welcome.

Commissioner Holmes said, I -- I knew it been something when you wore a tie today.

Commissioner Farrell said, something important.

Commissioner Holmes said, yes.

ACTION OF THE BOARD:

- a. Commissioners Farrell and Stone moved to add item four, amendment to the County's current Capital Improvement Plan (CIP) to include necessary improvements along Pipemakers Canal and an extension of Benton Boulevard. Commissioner Center seconded the motion and it carried unanimously.
- b. Commissioner Kicklighter made a motion to amend the County's current Capital Improvement Plan (CIP) to include, necessary funding in order to complete the project of a pump station as is necessary on tributary canals to the Pipemakers Canal not to exceed \$3 million, necessary improvements along Pipemakers Canal and an extension of Benton Boulevard. Commissioner Center seconded the motion and it carried unanimously.

AGENDA ITEM: IX-4

AGENDA DATE: August 23, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Leon Davenport, P. E., County Engineer
R. Jonathan Hart, County Attorney

ISSUE:

Adoption of an amendment to the County's current Capital Improvement Plan (CIP) to include necessary improvements along Pipemakers Canal and an extension of Benton Boulevard.

BACKGROUND:

Pipemakers Canal is a major drainage outfall for a part of the County. Pooler, Port Wentworth, Garden City, Savannah and the unincorporated area are all directly impacted by drainage through this canal. The County improved the canal downstream of Interstate 95 to ensure proper drainage for the 50 year flood event. However, additional improvements to the canal are necessary to protect the county from additional flooding by improving conveyances at highway and railway crossings.

Benton Boulevard is a road that traverses the unincorporated county and in the municipal limits of Pooler and Savannah. Improvements to Benton Boulevard are necessary to provide a direct connection to State

Route 30. A dramatic population increase in the last 12 years occurred and such increased growth is expected to continue. Improvements to this road will help alleviate traffic flow issues in the affected area.

Tax revenues were collected which would be sufficient to fund the improvements necessary for these two projects in Special Purpose Local Option Sales Tax (SPLOST) funds that total \$16.5 million. Should the voters elect to repurpose SPLOST funds in the November 5, 2013 election, then the funds allocated to capital improvements for a pump station on Pipemakers Canal and an extension of Dean Forest Road could be used to fund the improvements to Pipemakers Canal and Benton Boulevard. An additional \$4.1 million would be available to retire debt and thereby reduce ad valorem taxes.

FACTS AND FINDINGS:

1. The improvements to Pipemakers Canal and Benton Boulevard are necessary capital outlay improvements needed within the County.
2. The tax revenues collected in the SPLOST imposed pursuant to vote in 2003 total \$16.5 million dollars and those funds should be partially used to fund these two projects in an amount to exceed \$12.4 million.

ALTERNATIVES:

1. Adoption of an amendment to the County's current Capital Improvement Plan to include necessary improvements along Pipemakers Canal and an extension of Benton Boulevard.
2. To not adopt the amendment to the Capital Improvement Plan.

FUNDING:

No authorization of funds is required to approve the amendment to the Capital Improvement Plan.

POLICY ANALYSIS:

The tax can be imposed when the county Board of Commissioners calls a local referendum in conformance with O.C.G.A. §48-8-111 has been collected for projects deemed infeasible pursuant to O.C.G.A. 48-8-123. Should the referendum proposed for November 5, 2013 be ratified by the voters, the funds repurposed can be used to fund the CIP as outlined herein. Additional funds totaling \$4.1 million can be used to retire debt.

RECOMMENDATION:

That the Board approve Alternative #1.
All Districts.

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5. CNT MONTHLY REPORT GIVEN VERBALLY BY DIRECTOR RAGAN.

Chairman Scott said, all right, we are -- we are now on page six, Section X, the Action Calendar.

County Manager Abolt said, Mr. Chairman, first I -- I don't want to miss our commander of -- Director of CNT.

Chairman Scott said, oh, I'm sorry. We were supposed to hear from the CNT Director, but he's not in any hurry.

CNT Director D. Everett Ragan said, good morning Mr. Chairman. Good morning Commission.

Commissioner Stone said, good morning.

Chairman Scott said, good morning.

Director Ragan said, our monthly report for July 2013, CNT initiated 86 cases for the month. We've closed out 44. In other agency assists, we (inaudible) with Metro. So far for the year we have recovered 1.2 -- a little over 1.2 million in drugs so far. Six firearms recovered this time in our investigation; 32 total felony arrests. We adopted cases from -- three from Metro, one for Thunderbolt. You each have your -- your weekly reports, what we did in each one of your Districts. Again, you see our hours expended in the -- in the precincts. You see West Chatham and Central pretty much neck and neck on the hours spent in the precincts working, and then the municipalities, you see that with the number of hours that we spend in the -- still in the City of Savannah as compared to the other municipalities. I do want to talk about the -- the significant event. You had several

photographs on those, and the reason I'd like to talk about this one a little bit is the individual who we refer to as Chonga approached one of our sources of information in reference to distributing Mexican crystal methamphetamine. Crystal meth is not what we normally see in the one pot method that are -- that is made locally. This is a very pure, very highly addictive methamphetamine that's trying to make its move into Savannah. The source of information approached us. We were able to do an undercover operation. Chonga himself had been -- he's in -- he was in the United States illegally, had been deported two years ago for a drug distribution charge out of South Carolina and made his way back across the border, started residing in Thunderbolt, and again he -- he put out feelers that he wanted to start distributing crystal meth. We began an undercover operation and able to identify his source of supply that was in a -- lived actually in Blackshear, Georgia, and this source of supply would make trips -- periodic trips to California and bring back the crystal meth. Started the investigation, realized we were dealing with two of the illegal immigrants. We notified ICE, Homeland Security. They began the investigation with us. We were able to purchase the methamphetamine, the crystal ice that you see here from his source of supply. All videoed and recorded. The -- we then brought ATF in. We were able to purchase weapons from the same individual. He brought us guns and drugs. So fortunately these individuals and -- and that person -- his source of supply had actually been escorted back across the border four different times and had come back in the United States.

Chairman Scott asked, on four different occasions?

Director Ragan said, four different occasions, yes, sir, and he was back, and like I say, taking up residence in Blackshear, Georgia, and now they'll be looking at around 40 years in our federal penitentiary, so they won't get a chance to cross the border for a period of time. The federal government's prosecuting. Follow-up to that, with the search warrant executed in Blackshear, recovered additional several ounces of crystal meth, cash and a number of weapons out of the trailer. So we're looking at indicting at least four people for this conspiracy, and it all started with him wanting to set up an operation in Thunderbolt to distribute crystal meth. So, that's where we're at, and any questions?

Commissioner Thomas said, good job.

Chairman Scott asked, questions?

Director Ragan said, thank you.

Commissioner Shabazz said, this -- this -- I have a question.

Chairman Scott said, yeah. Commissioner Shabazz.

Commissioner Shabazz said, this person -- this person you said his name is Shonga?

Director Ragan said, Chonga. That -- that's what his street name was.

Commissioner Shabazz said, Chonga.

Director Ragan said, yeah.

Commissioner Shabazz asked, Chonga is from where?

Director Ragan said, Chonga is from Mexico.

Commissioner Shabazz said, he's from Mexico. So you just got him?

Director Ragan said, we got Chonga; we got his source of supply, which was out of Blackshear -- gentleman in Blackshear who had been -- sent back across the border four times. He would make trips to California, pick up the crystal meth from California. We got him, we got a female who drove them to the meeting where we bought drugs from him. We got another male who drove him on a second time to the location and -- where we purchased the drugs, so we've got all four of those that we will indict.

Commissioner Shabazz asked, are there more arrests pending?

Director Ragan said, we're looking at maybe two more. It's still an ongoing sort of thing.

Commissioner Shabazz asked, any in the Savannah area?

Director Ragan said, no, sir. These are -- the -- the one individual that was in Thunderbolt, he's arrested, the others were out of the -- out of West Georgia.

Commissioner Shabazz said, thank you.

Director Ragan said, but they were impacting our -- our drugs here.

Commissioner Shabazz said, thank you.

Chairman Scott said, thank you.

Commissioner Center said, Mr. Chairman, may I ask --

Chairman Scott said, yeah.

Commissioner Center said, I got a question for you. Are we not getting also reports from the police department on other criminal activities and police activities. I mean I haven't seen the Savannah-Chatham County Police Department here in a while.

Chairman Scott said, yes, we are supposed to be getting quarterly reports from them.

Commissioner Center said, okay.

Chairman Scott said, Mr. Manager, can you make certain they are at our next meeting?

County Manager Abolt said, if that's your wish, sir.

Commissioner Center said, thank you.

Chairman Scott said, you're welcome.

ACTION OF THE BOARD:

For information only.

AGENDA ITEM: IX-4

AGENDA DATE: August 23, 2013

**Chatham~Savannah
Counter Narcotics Team
July, 2013**

NARCOTICS INVESTIGATIONS	
Investigations Initiated During the month	86
Total Number of Investigations Cleared (Arrest, E.C., Unfounded)	44

AGENCY ASSISTS		
Date	Agency	Hours
7/11/13	Assisted SCMPD with found components of a Meth lab	8

DRUGS SEIZED			
Drug Type	Value	Approx. Weight	Approx. Total Value
Powder Cocaine	\$100 per gram*	143.7 Grams	\$14,370.00
Crack Cocaine	\$100 per gram*	1 Grams	\$100.00
Methamphetamine	\$100 per gram**	215.4 Grams	\$21,540.00
Marijuana	\$140 per ounce*	254.4 Ounces	\$35,616.00
Heroin	\$250 per gram*	6.3 Grams	\$1,575.00

Ecstasy	\$25 Dosage Unit	12 D/U	\$300.00
Misc. Pills	\$30 Dosage Unit	73 D/U	\$2,190.00
Hallucinogens	\$10.00 per gram *	3.2 Grams	\$32.00
Synthetic (Steroids)	\$10.00 per ml *	0 ml	\$0.00
Synthetic Marijuana	\$25.00 per gram*	0 Grams	\$0.00

1999*Source: Office National Drug Control Policy

** Source: Established regional average price

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

DRUGS SEIZED—YEAR TO DATE		
Drug Type	Approx. Weight	Approx. Total Value
Powder Cocaine	1,352.1 Grams	\$135,210.00
Crack Cocaine	1,277.4 Grams	\$127,740.00
Methamphetamine	1,081.6 Grams	\$108,160.00
Marijuana	3,658.59 Ounces	\$512,260.00
Heroin	1,063 Grams	\$265,750.00
Ecstasy	1,041 D/U	\$26,025.00
Misc. Pills	1,103 D/U	\$33,090.00
Hallucinogens	3.2 Grams	\$32.00
Synthetic Marijuana	15 Grams	\$375.00
Total Value		\$1,208,642.00

DRUGS PURCHASED			
Drug Type	Value	Approx. Weight	Approx. Total Value
Powder Cocaine	\$100 per gram*	8.5 Grams	\$850.00
Crack Cocaine	\$100 per gram*	78.90 Grams	\$7,890.00
Methamphetamine	\$100 per gram**	1.10 Grams	\$110.00
Marijuana	\$140 per ounce*	1 Ounces	\$140.00
Heroin	\$250 per gram*	0 Grams	\$0.00
Ecstasy	\$25 Dosage Unit	0 D/U	\$0.00
Misc. Pills	\$30 Dosage Unit	18 D/U	\$540.00
Synthetic Marijuana	\$25 per gram	0 Grams	\$0.00

Source: Office National Drug Control Policy

** Source: Established regional average price

WEAPONS SEIZED	
Firearms (including hand guns and long guns)	6
Year To Date Totals	42

PERSONS ARRESTED	
Felony*	5
Felony Sales/Trafficking	22
Misdemeanor	3
Felony Non-Drug**	2
Total Arrests	32
Year To Date Totals	255

*Felony includes Manufacturing Methamphetamine or Marijuana

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

ADOPTION CASES FROM OTHER AGENCIES		
DATE	AGENCY	OFFENSE
7/6/13	SCMPD	OBTAINING CONTROL SUBST BY THEFT
7/10/13	SCMPD	POSSESSION MARIJUANA
7/13/13	THUNDERBOLT PD	TRAFFICKING COCAINE
7/29/13	SCMPD	MANUFACTURING MARIJUANA

DRUG COMPLAINTS INVESTIGATED		
Drug Complaints	Received	Assigned
Project Log/Official Complaints	1	1
Hot Line / Call-In Complaints	13	13
Police Intel/ Outside Agencies	4	4
Crime Stopper Complaints	17	16
DRUG COMPLAINTS—YEAR TO DATE	267	259

Weekly Activity of Search Warrants, Arrests, Drug Complaint Noted by City and County Districts

CNT COMPSTAT REPORT JUN30 - JULY 06 2013						
Search Warrant / Consented Search						County District
Adoption(A) / Agency Assist(AA)						
Arrest						
Area	Date	Fel /Misd	Location	Name	Charge	
Pct 4	3-Jul-13	FEL	3 GRAY FOX CT	GUNN, JASON ROBERT	SALE C/S (OXY) (FENTANYL)	5
Pct 5	5-Jul-13	FEL	4700 WATERS AVE	MCMILLIAN, GRETCHEN	OBT C/S BY FORGERY	2
Drug Complaints						
Date Rec	Assigned		Location	Assigned To	Type	
3-Jul-13	3-Jul-13		S ROBINHOOD	SLATE	CALL-IN	3
3-Jul-13	5-Jul-13		36TH ST	PENDING(Need Address Clarification)	CRIMESTOPPERS	2
4-Jul-13	5-Jul-13		DEAN FOREST RD	HARRIS	CRIMESTOPPERS	8
5-Jul-13	8-Jul-13		W 35TH ST (BLOCK OF)	SCMPD	CRIMESTOPPERS	2

2012 YTD	2012		Weekly Total	Year to Date
139	434	TOTAL DRUG ARREST	2	210
20	32	TOTAL NON-DRUG ARREST	0	15
200 / 160	487/432	DRUG COMPLAINT/ASSIGN	4 / 3	222 / 192
176	361	PHARMACY COMPLAINTS	6	148
20	46	FIREARMS RECOVERED	0	33
14	50	SEARCH WARRANTS	0	14

CNT COMPSTAT REPORT 07JUL - 13JUL 2013						
Adoption(A) / Agency Assist(AA)						County District
Type	Date	Area	Location	Type/Quantity Drugs	# Arrest/Type	
AA	10-Jul-13		Veterans Pkwy / Chatham Pkwy	marijuana / 3g		5
A	13-Jul-13		Hwy 80 / Johnny Mercer Blvd	cocaine / 139.8g marijuana/ 29.1	1 adult	4
Arrest						
Area	Date	Fel /Misd	Location	Name	Charge	
Pct 4	8-Jul-13		9319 DUNWOODY DR	DETTMER, WILLIAM EMIL	POSS OF MARIJUANA LESS 1OZ	1
Pct 1	9-Jul-13		3825 OGEECHEE RD	WINGSTER, DAWN	FEL PROBATION	5
Pct 1	10-Jul-13		74 BEARING CIRCLE	WILSON, DAVID	SALE OF C/S (COCAINE)	8
Pct 2	10-Jul-13		1600 W. BAY ST	WILLIAMS, ROBERT	CRIMINAL ATTEMPT TO	8
Pct 1	11-Jul-13		HWY 17 RICHMOND HILL	DANIELS, CALVIN	SALE OF C/S (CRACK)	
Pct 5	12-Jul-13		1919 E. PRESIDENT ST	BROWN, WILLIE JR	SALE OF C/S (CRACK)	3
Pct 1	12-Jul-13		107 N. CIRCLE DR	ROBERTS, WESLEY SR	POSS OF DRUG RELATED OBJECT	5
Pct 1	12-Jul-13		107 N. CIRCLE DR	ROBERTS, WESLEY JR	POSS OF MARIJUANA LESS 1OZ	5
Pct 5	13-Jul-13		HWY 80 / JOHNNY MERCER	WRIGHT, JERMAINE	TRAFFICKING COCAINE	4
Pct 5	13-Jul-13		HWY 80 / JOHNNY MERCER	JONES, SAMUEL	TRAFFICKING COCAINE	4
Drug Complaints						
Date Rec	Assigned		Location	Assigned To	Type	
8-Jul-13	8-Jul-13		CAPTAIN JOHNS DR	KROUSE	CALL-IN	4
10-Jul-13	10-Jul-13		W 39TH ST / MLK	SCMPD	CALL-IN	2
10-Jul-13	11-Jul-13		SHARONDALE RD	PENDING	CALL-IN	6
10-Jul-13	11-Jul-13		DEAN FOREST RD #C3	PENTECOST	CRIMESTOPPERS	8
10-Jul-13	11-Jul-13		DEERFIELD RD	EFFINGHAM	CRIMESTOPPERS	
10-Jul-13	11-Jul-13		DEERFIELD RD	EFFINGHAM	CRIMESTOPPERS	
10-Jul-13	11-Jul-13		BASIN RD	BLASHFORD	CRIMESTOPPERS	6
12-Jul-13	15-Jul-13		LYN AVENUE	BERGER	PROJECT LOG	1

2012		Weekly Total	Year to Date
434	TOTAL DRUG ARREST	9	219
32	TOTAL NON-DRUG ARREST	1	16
487/432	DRUG COMPLAINT/ASSIGN	8 / 8	238 / 208

361	PHARMACY COMPLAINTS	4	152
46	FIREARMS RECOVERED	0	33
50	SEARCH WARRANTS	0	14

CNT COMPSTAT REPORT 14JUL - 20JUL 2013						
Search Warrant / Consented Search						County District
Type	Date	Area	Location	Type/Quantity Drugs Involved	# Arrest/Type	
S.W.	19-Jul-13		14 REID CT	MDMA/ 10.8GR:MARIJ/ 25.2GR:2 GUNS	2 ADULT	2
Adoption(A) / Agency Assist(AA)						
Arrest						
Area	Date	Fel /Misd	Location	Name	Charge	
PCT 4	15-Jul-13	FEL	9665 WHITEFIELD AVE LOT 4	THOMAS, EDWARD	SALE OF C/S (OXYCODONE)	1
G.C.	15-Jul-13	FEL	1138 DEAN FORREST RD	BASHLOR, DEWEY	TRAFFICKING METH	8
PCT 1	16-Jul-13	FEL	239 BEAUFORT RD	BOYLES, ROBERT DALE	TRAFFICKING METH	6
PCT 2	17-Jul-13	FEL	14 REID CT	SLOAN, BRODRICK	SALE OF MARIJUANA	2
PCT 2	17-Jul-13	FEL	14 REID CT	ELLISON, SHAUN	SALE OF MARIJUANA	2
PCT 1	18-Jul-13	FEL	HWY 17	LINDSEY, HEATHER	WARRANT SERVICE	
Drug Complaints						
Date Rec	Assigned		Location	Assigned To	Type	
15-Jul-13	15-Jul-13		OGEECHEE RD		CRIMESTOPPERS	6
17-Jul-13	18-Jul-13		WATERS AVE #1G	COGSWELL	CALL-IN	1
18-Jul-13	18-Jul-13		PAMPAS DR	ABLE	CALL-IN	8
18-Jul-13	18-Jul-13		E ANDERSON ST	CLIFTON	CALL-IN	2
18-Jul-13	18-Jul-13		MOHAWK ST #4F	R. SMITH	CALL-IN	6

2012		Weekly Total	Year to Date
434	TOTAL DRUG ARREST	5	223
32	TOTAL NON-DRUG ARREST	1	16
487/432	DRUG COMPLAINT/ASSIGN	5 / 5	243 / 213
361	PHARMACY COMPLAINTS	4	152
46	FIREARMS RECOVERED	2	33
50	SEARCH WARRANTS	1	14

CNT COMPSTAT REPORT 21JUL - 27JUL 2013						
Search Warrant / Consented Search						County District
Type	Date	Area	Location	Type/Quantity Drugs	# Arrest/Type	
S.W.	26-Jul-13	PCT 2	1009 LOVE ST	1G/COCAINE, .5G/MAR, 4/RX PILL	1 ADULT	8
S.W.	26-Jul-13	GC	1486 DEAN FOREST RD (GC)	1G/METH, 3G/MAR, 13/RX PILL	2 ADULT	8
S.W.	26-Jul-13	PCT 2	1210 ROGERS ST	3G/COCAINE, 2FIREARMS	2 ADULT	8
Arrest						
Area	Date		Location	Name	Charge	
PCT 3	22-Jul-13		ROYAL OAKS	LINERO, KEVIN	TAMPERING WITH EVIDENCE	1
POOLE R	23-Jul-13		105 SAN DR	RAMOS, JORGE	TRAFFICKING METH	7
POOLE R	23-Jul-13		105 SAN DR	GARCIA-ARANA, ERIC	TRAFFICKING METH	7
GC	24-Jul-13		37 VILLAGE DR	WARNER, TONY	POSS W/INTENT (HEROIN)	8
GC	24-Jul-13		2 MAIN ST Gate 5	REED, MICHAEL JR	POSS MARIJUANA	3
PCT 2	26-Jul-13		1210 ROGERS ST	FORD, MELVIN JR.	SALE CRACK	8
PCT 2	26-Jul-13		1210 ROGERS ST	FORD, MELVIN SR.	SALE OF CRACK	8
PCT 1	26-Jul-13		8001 CHATHAM CENTER	SPURLOCK, ASHLEY	TRAFFIC (HEROIN)	8
PCT 1	26-Jul-13		8001 CHATHAM CENTER	WALKER, WILLIE J	TRAFFIC (HEROIN)	8
GC	26-Jul-13		1486 DEAN FOREST RD	HIGGINBOTHAM, T	SALE (METH)	8
GC	26-Jul-13		1486 DEAN FOREST RD	HARRELL, JENNIFER	SALE (METH)	8
Drug Complaints						
Date Rec	Assigned		Location	Assigned To	Type	
24-Jul-13	24-Jul-13		SEILER AVE	NOT ASSIGNED	CALL-IN	2
24-Jul-13	24-Jul-13		SEILER AVE	NOT ASSIGNED	CALL-IN	2
24-Jul-13	24-Jul-13		MAGNOLIA AVE	JOHNSON	CRIMESTOPPERS	5
24-Jul-13	24-Jul-13		WARREN DR	KROUSE	CRIMESTOPPERS	8
24-Jul-13	24-Jul-13		UNK	KROUSE	CRIMESTOPPERS	
24-Jul-13	24-Jul-13		UNK	KROUSE	CRIMESTOPPERS	
25-Jul-13	25-Jul-13		SILVERSTONE CIR	SLATE	CRIMESTOPPERS	3

13					
25-Jul-13	25-Jul-13	CHATHAM ST	NOT ASSIGNED	CRIMESTOPPERS	1

201		Weekly Total	Year to Date
2			
434	TOTAL DRUG ARREST	11	234
32	TOTAL NON-DRUG ARREST	0	16
487/4	DRUG COMPLAINT/ASSIG	8 / 5	251 / 219
361	PHARMACY COMPLAINTS	8	160
46	FIREARMS RECOVERED	2	35
50	SEARCH WARRANTS	3	17

DRUG INVESTIGATIONS HOURS WORKED BY ZONE

SCMPD – All Precincts	1,788
Municipalities	1,379
(Unincorporated Chatham County—204 hours)	
TOTAL	3,167

Administrative Hours	640
Case Administration	431
Pharmaceutical Diversions	480
Central Intelligence	480
Out of County (Task Force Operations, etc.)	67
Training	247
Agency Assist	8
Court Hours	42
TOTAL	2,395

Total Hours Worked 5,562

SIGNIFICANT EVENTS

On July 23, 2013, CNT agents concluded a 5 month long, joint investigation with Homeland Security involving the sale of Crystal Methamphetamine and weapons. During the investigation, agents discovered that in 2010, the main suspect had been deported from the United States to Mexico for unknown criminal charges but had returned to the U.S. The main supplier of the Crystal Meth is believed to be part of the Mexican gang Zetas.

The investigation concluded with the arrest of 2 suspects and the seizure of 14 ounces of Crystal Meth and 3 hand guns. The suspects are charged federally.

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X. ACTION CALENDAR

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

Chairman Scott said, now we are onto the Action Calendar. Has everybody had a chance to look at the Action Calendar? We didn't have any requests at the pre-meeting to -- to pull anything. Is everybody okay with the Action Calendar?

Commissioner Holmes said, so move for adoption.

Commissioner Thomas said, second.

Commissioner Center said, second.

Chairman Scott said, yeah. It's been properly moved and second that we adopt the action calendar. Any discussion? Hearing none, all in favor of the motion indicate by voting yes, opposed no. The motion carries.

ACTION OF THE BOARD:

Commissioner Holmes made a motion to approve the Action Calendar, Items 1 through 13 and under Item 13, Items A through N. Commissioners Thomas and Center seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Brady were not present for the vote.]

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

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1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF AUGUST 9, 2013, AS MAILED.

ACTION OF THE BOARD:

Commissioner Holmes made a motion to approve the minutes of the regular meeting of August 9, 2013, as mailed. Commissioners Thomas and Center seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Brady were not present for the vote.]

=====

2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD AUGUST 1, 2013 THROUGH AUGUST 14, 2013.

ACTION OF THE BOARD:

Commissioner Holmes made a motion authorize the Finance Director to pay the claims against the County for the period August 1, 2013 through August 14, 2013, in the amount of \$3,080,929. Commissioners Thomas and Center seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Brady were not present for the vote.]

=====

3. REQUEST BOARD APPROVAL FOR THE CHAIRMAN TO SIGN AN ACKNOWLEDGMENT OF CONTRIBUTION FORM FOR A \$2,500 CONTRIBUTION FROM STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY IN SUPPORT OF THE 2013 CHATHAM COUNTY YOUTH COMMISSION'S "THE REAL DEAL BEHIND THE WHEEL" TEEN DRIVER SAFETY PROGRAM.

ACTION OF THE BOARD:

Commissioner Holmes made a motion for approval for the Chairman to sign an acknowledgment of contribution form for a \$2,500 contribution from State Farm Mutual Automobile Insurance Company in support of the 2013 Chatham County Youth Commission's "The Real Deal Behind the Wheel" Teen Driver Safety Program. Commissioners Thomas and Center seconded the motion and it carried unanimously. [NOTE: Commissioners

Farrell and Brady were not present for the vote.]

AGENDA ITEM: X-3

AGENDA DATE: August 23, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Van R. Johnson, II, Assistant Human Resources & Services Director/Youth Commission Director

ISSUE:

To acknowledge a two thousand five hundred dollar (\$2,500) contribution from State Farm Mutual Automobile Insurance Company in support of the 2013 Chatham County Youth Commission's "The Real Deal Behind the Wheel" Teen Driver Safety Program.

BACKGROUND:

The Chatham County Youth Commission, as the official youth arm of Chatham County government, has sponsored a variety of events over the last 20 years to address contemporary issues facing youth. On August 4, 2011, the Chatham County Youth Commission sponsored the "Real Deal Behind the Wheel" Teen Driver Safety Program. Open and free to all teens fourteen (14) years and older, this all-day expo included guest speakers from Memorial Health and the Savannah Metropolitan Police Department, interactive displays from the "drunk goggles" demonstration, "roll over" simulator, and a "Jaws of Life" demonstration. Lunch was provided at no cost. Over two hundred and fifty (250) Chatham County students attended.

FACTS AND FINDINGS:

1. The Youth Commission sought and received a two thousand five hundred dollar (\$2,500) contribution from State Farm Mutual Automotive Insurance Company in support of the 2013 event.
2. The contribution to the Chatham County Youth Commission is a charitable gift from State Farm and no portion of this contribution is a direct, tangible benefit back to State Farm.
3. The Acknowledgement of Contribution form is attached (to the original staff report in the Clerk of Commission's meeting file).

FUNDING:

No additional funding is required at this time.

ALTERNATIVES:

1. Acknowledge the two thousand five hundred dollar (\$2,500) contribution from State Farm Mutual Automobile Insurance Company in support of the 2013 Chatham County Youth Commission's "The Real Deal Behind the Wheel" Teen Driver Safety Program.
2. Do not acknowledge the two thousand five hundred dollar (\$2,500) contribution from State Farm Mutual Automobile Insurance Company in support of the 2013 Chatham County Youth Commission's "The Real Deal Behind the Wheel" Teen Driver Safety Program.
3. Provide other direction.

POLICY ANALYSIS:

As the Chatham County Youth Commission has become a national model as well as a source of pride and goodwill for the Chatham County Commission, activities such as this provide valuable insight, knowledge and information for local students and their families and can reduce fatal and harmful events related to driving.

RECOMMENDATION:

For Information Only.

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4. **REQUEST BOARD APPROVAL OF AMENDMENT NO.2 TO THE COOPERATIVE AGREEMENT SCHEDULE SUBMITTED BY THE U.S. ARMY CORPS OF ENGINEERS WHICH ALLOWS THE CORPS OF ENGINEERS TO OBLIGATE FUNDS AND MAKE THEM AVAILABLE FOR DISBURSAL TO CHATHAM COUNTY THROUGH SPECIFIC FEDERAL ACCOUNTS. THIS AMENDMENT WILL OBLIGATE \$145,000 FOR MOSQUITO CONTROL OPERATIONS NECESSITATED BY HARBOR MAINTENANCE ACTIVITIES.**

ACTION OF THE BOARD:

Commissioner Holmes made a motion to Request Board Approval of Amendment No. 2 to the Cooperative Agreement Schedule Submitted by the U.S. Army Corps of Engineers which allows the Corps of Engineers to obligate funds and make them available for disbursement to Chatham County through specific federal accounts. Commissioners Thomas and Center seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Brady were not present for the vote.]

AGENDA ITEM: X-4**AGENDA DATE: August 23, 2013****TO:** Board of Commissioners**THRU:** R. E. Abolt, County Manager**FROM:** Henry B. Lewandowski, Mosquito Control Director**ISSUE:**

Request Board approval to amend the existing Cooperative Agreement Schedule (W912HN-12-2-0001) with the U.S. Army Corps of Engineers (USACE).

BACKGROUND:

Chatham County is reimbursed by USACE for mosquito control operations necessitated by harbor maintenance activities along the Savannah River. Administrative procedures at USACE require the existing contract to be amended. This amendment does not impact the reimbursement Annual Fee Schedule or the annual amount of anticipated revenue.

FACTS AND FINDINGS:

1. Chatham County is reimbursed by USACE for mosquito control operations necessitated by harbor maintenance activities along the Savannah River. The current annual reimbursement cap established by USACE is \$300,000. The existing Cooperative Agreement Schedule is submitted as Attachment 1 (and is attached to the original staff report in the Clerk of Commission's meeting file). Attachment C of this agreement details the Annual Fee Schedule (and is attached to the original staff report in the Clerk of Commission's meeting file).
2. USACE has submitted Amendment No. 02 to the Cooperative Agreement Schedule (Attachment 2) for the purpose of obligating funds and making them available for disbursement through specific federal accounts.
3. The amendment does not change the existing Annual Fee Schedule, nor does it change the anticipated revenue of \$300,000 for FY 2012-2013.
4. The Chatham County Attorney's Office has reviewed Amendment No. 02 to the Cooperative Agreement Schedule and found it to be acceptable in legal form.
5. USACE may submit additional amendments in the future to add additional funds to their appropriate accounts. This amendment brings the reimbursement account total to \$300,000

for FY 2012-2013.

ALTERNATIVES:

1. Approve USACE's Amendment No. 02 to the Cooperative Agreement W912HN-12-2-0001.
2. Provide staff with other direction.

FUNDING:

Revenue producing.

POLICY ANALYSIS:

It is consistent with Board policy to promote safe, cost effective and environmentally responsible operations.

RECOMMENDATION:

Approve Alternative 1.

AMENDMENT NO. 02
TO
COOPERATIVE AGREEMENT #W912HN-12-2-0001
BETWEEN THE DEPARTMENT OF THE ARMY,
US ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT
AND CHATHAM COUNTY BOARD OF COMMISSIONERS
FOR THE MOSQUITO CONTROL AT SAVANNAH HARBOR DREDGED
MATERIAL CONTAINMENT AREAS

This Amendment No. 2 to the Cooperative Agreement dated June 12, 2012 between Department of the Army and the Chatham County Board of Commissioners (hereinafter collectively referred to as the "Parties") is made this **August** _____, **2013**.

WHEREAS, the Parties entered into a Cooperative Agreement (W912-HN-12-2-0001) on June 12, 2012, which provided for a mosquito control on Dredged Material Containment Areas (also known as Confined Disposal Facilities) at Savannah Harbor used by the U.S. Army Corps of Engineers, Savannah District (hereinafter referred to as "Cooperative Agreement");

WHEREAS, the Parties have determined that it is necessary to continue to use Chatham County Mosquito Control's existing program to suppress and control mosquito breeding on Dredged Material Containment Areas;

NOW, THEREFORE, THE PARTIES DO HEREBY AGREE AS FOLLOWS:

The following revisions are hereby made to the Agreement:

- A. Article 8 is amended to read as follows:

"Funds in the amount of \$145,000.00 (remaining FY 13 funding) are now obligated as of the date of the Amendment 2. The total amount obligated so far is \$300,000.00. The Government financial obligation shall not exceed \$1,500,000.00."

WHEREAS, all other terms of the Cooperative Agreement including all Amendments remain unchanged and remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this amendment two on the day and year indicated below:

FOR CHATHAM COUNTY BOARD OF COMMISSIONERS (Recipient)

By: _____
Albert J. Scott, Chairman
Chatham County Board of Commissioners

Date: _____

FOR THE DEPARTMENT OF THE ARMY

 Philip M. Mauldin
 Grants Officer
 U.S. Army Engineer District
 Jacksonville, Florida

Date: _____

=====

- 5. REQUEST FROM SUNDIAL LAND SURVEYING, INC., SURVEYOR FOR THE DEVELOPER, WELLS FARGO BANK, N.A., THAT THE COUNTY APPROVE THE FINAL PLAT FOR RECORDING AND WAIVE THE REQUIREMENT FOR A STREETLIGHT ASSESSMENT DISTRICT FOR THE ENCLAVE, PHASE 3-B. [DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Holmes made a motion to approve the final plat for recording and waive the requirement for a streetlight assessment district for The Enclave, Phase 3-B. Commissioners Thomas and Center seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Brady were not present for the vote.]

AGENDA ITEM: X-5
AGENDA DATE: August 23, 2013

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

ISSUE:

To record the subdivision plat for The Enclave, Phase 3-B, and waive the requirement for a streetlighting assessment district.

BACKGROUND:

The surveyor, Sundial Land Surveying, Inc., requests for the developer, Wells Fargo Bank, N.A., that the County approve the final plat for recording and waive the requirement for a streetlight assessment district.

FACTS AND FINDINGS:

1. The Enclave is a private single-family subdivision located within the Berwick Plantation development on Highway 17. Phase 3-B of The Enclave consists of 176 lots of 6.74 acres. Paving and drainage improvements will be maintained by the Enclave Homeowners' Association. Water and sewer will be maintained by Consolidated Utilities, Inc.
2. Staff approved construction plans and issued a permit. Construction of the improvements is now complete.
3. The developer requests that the Board waive the requirement for a streetlight assessment district, and have the Homeowners' Association maintain the streetlights. The Board previously approved waiving the streetlight assessment for The Enclave, Phases 1, 2, 3-A and 3-C.

4. An Environmental Site Assessment was previously conducted on the subdivision in accordance with the Subdivision Ordinance. No environmentally unsafe conditions were found on the site.

POLICY ANALYSIS:

This action is consistent with the subdivision regulation regarding the creation of lots through plat recording.

RECOMMENDATION:

That the Board adopt Alternative No. 1.
District 7

Prepared by: Chris Rains

=====

6. **REQUEST BOARD APPROVE A CONTRACT FOR ACQUISITION OF RIGHT OF WAY, STATE-AID OR FEDERAL AID PROJECT, NON-REIMBURSEABLE BETWEEN THE GEORGIA DEPARTMENT OF TRANSPORTATION AND CHATHAM COUNTY FOR THE TRUMAN LINEAR TRAIL, PHASE 2 PROJECT, CSHPP-0007-00 (631).
[DISTRICTS 1 and 2.]**

ACTION OF THE BOARD:

Commissioner Holmes made a motion to approve a contract for acquisition of right of way, state-aid or federal aid project, non-reimbursable between the Georgia Department of Transportation and Chatham County for the Truman Linear Trail, Phase 2 Project, CSHPP-0007-00 (631). Commissioners Thomas and Center seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Brady were not present for the vote.]

AGENDA ITEM: X-6

AGENDA DATE: August 23, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE:

To approve a Contract for Acquisition of Right of Way, State-Aid or Federal Aid Project, Non-Reimbursable between the Georgia Department of Transportation (GDOT) and Chatham County for the Truman Linear Trail, Phase 2 project, CSHPP-0007-00(631).

BACKGROUND:

The project will construct an 8-ft. wide, approximately 4.8 mile long trail to connect Lake Mayer with Daffin Park. Construction costs will be paid with Federal (by reimbursement not to exceed \$1,558,081) and local SPLOST funds (local match \$389,521).

FACTS AND FINDINGS:

1. Development of the ROW plans is underway by Thomas & Hutton. The Environmental Document (Programmatic Categorical Exclusion) was approved by FHWA on May 2, 2013.
2. The County is responsible for acquiring and funding the right of way (ROW) for the project. This ROW contract will expire at the end of Fiscal Year 2014. ROW acquisitions will begin as soon as the ROW plans are complete and approved by GDOT. If the ROW plans are not approved by November 2, 2013, an environmental re-evaluation will be required prior to beginning acquisitions.
3. Staff requested written confirmation from the City of Savannah that they will accept the

improvements for ownership and maintenance when construction is complete. Staff will not begin ROW acquisition for the project until this is received.

ALTERNATIVES:

1. To approve a Contract for Acquisition of Right of Way, State-Aid or Federal Aid Project, Non-Reimbursable between the Georgia Department of Transportation (GDOT) and Chatham County for the Truman Linear Trail, Phase 2 Project, CSHPP-0007-00(631).
2. To not approve the amended contract and place the project on hold.

FUNDING:

No funding is required to approve this contract.

POLICY ANALYSIS:

The Board must approve intergovernmental agreements.

RECOMMENDATION:

To approve Alternative 1.
District 1, 2

=====

7. **REQUEST BOARD APPROVE A NON-EXCLUSIVE EASEMENT AGREEMENT WITH THE STATE PROPERTIES COMMISSION FOR THE ROADWAY PORTION OF TRUMAN PARKWAY, PHASE V (NHS-0002-00 (912)) THAT CROSSES THE VERNON RIVER AND THE SALT MARSH MITIGATION AREAS ON PARCELS 54, 54A, 55, 56, 56A-W, 56W-1 AND 56W-2 (STATE OF GEORGIA). [DISTRICTS 1 and 6.]**

ACTION OF THE BOARD:

Commissioner Holmes made a motion to approve a non-exclusive easement agreement with the State Properties Commission for the roadway portion of Truman Parkway, Phase V (NHS-0002-00 (912)) that crosses the Vernon River and the salt marsh mitigation areas on parcels 54, 54A, 55, 56, 56A-W, 56W-1 and 56W-2 (State of Georgia). Commissioners Thomas and Center seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Brady were not present for the vote.]

AGENDA ITEM: X-7

AGENDA DATE: August 23, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE:

To approve a Non-Exclusive Easement Agreement ("Easement") with the State Properties Commission (SPC) for the roadway portion of Truman Parkway, Phase V (NHS-0002-00(921) that crosses the Vernon River and the salt marsh mitigation areas on Parcels 54, 54A, 55, 56, 56A-2, 56W-1 and 56W-2 (State of Georgia).

BACKGROUND:

The State owns properties along the Vernon River impacted by the project. In 2008 the Board and SPC executed a Revocable License Agreement (RLA) authorizing the use of the properties (i.e. the State granted right of entry) to construct the Truman Parkway over the Vernon River and to do the salt marsh mitigation.

FACTS AND FINDINGS:

1. The "Easement" gives the County permanent authority to construct, maintain and operate the Truman Parkway over and across State-owned land and perform the permit requirements for salt marsh mitigation. In 2010 General Assembly granted the permanent non-exclusive easement for the roadway and mitigation.
2. The acquisitions on the listed parcels are being used to construct the roadway and the bridge over the Vernon River and to perform the mitigation. There is no cost to the County associated with this transaction with the State.
3. Upon execution of the Easement by the Chairman, it will be forwarded to the SPC for signing by the Governor as Chairman of the State Properties Commission.

ALTERNATIVES:

1. That the Board approve the Non-Exclusive Easement Agreement ("Easement") with the State Properties Commission (SPC) for the roadway portion of Truman Parkway, Phase V (NHS-0002-00(921) that crosses the Vernon River and the salt marsh mitigation areas on Parcels 54, 54A, 55, 56, 56A-2, 56W-1 and 56W-2 (State of Georgia).
2. That the Board not approve executing the Easement.

FUNDING:

No funding is required for this agreement.

POLICY ANALYSIS:

The Board must authorize intergovernmental agreements.

RECOMMENDATION:

That the Board approve Alternative No. 1.
District 1 and 6.

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8. **REQUEST BOARD APPROVE A RESOLUTION TO TRANSFER TO THE CITY OF SAVANNAH THE RIGHT OF WAY ACQUIRED BY CHATHAM COUNTY FOR CONSTRUCTION OF BENTON BOULEVARD WITHIN THE CITY LIMITS OF THE CITY OF SAVANNAH.
[DISTRICT 8.]**

ACTION OF THE BOARD:

Commissioner Holmes made a motion to approve a Resolution to transfer to the City of Savannah the right of way acquired by Chatham County for construction of Benton Boulevard within the city limits of the City of Savannah. Commissioners Thomas and Center seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Brady were not present for the vote.]

AGENDA ITEM: X-8

AGENDA DATE: August 23, 2013

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

ISSUE:

To approve a resolution to transfer to the City of Savannah the right of way acquired by Chatham County for construction of Benton Boulevard within the city limits of the City of Savannah.

BACKGROUND:

To construct road capital improvement projects, the County acquired right of way for Benton Boulevard, Phases 2 and 3. These projects are complete. The right of way needs to be transferred to the City of Savannah since the maintenance for such roads are the long-term responsibility of the City.

FACTS AND FINDINGS:

1. The County acquired right of way to construct Benton Boulevard, Phases 2 and 3, which are now complete. Phase 2 began near the intersection of Godley Way. Phase 3 ends approximately 2.1 miles north near Highlands Drive.
2. Attached is a Resolution with Exhibit A describing the right of way and parcels acquired for the project. After Board approval, the Resolution will be forwarded to the City of Savannah for approval by the City Council.
3. Due to the deterioration of a section of pavement since the completion of the original construction project, the City declined to accept a portion of the right of way in 2008. That section of pavement was resurfaced and another section restriped as requested by City of Savannah.

ALTERNATIVES:

1. That the Board approve the Resolution transferring the right of way for Benton Boulevard, Phases 2 and 3, to the City of Savannah.
2. That the Board not approve the Resolution and retain the right of way and maintenance responsibility.

POLICY ANALYSIS:

That Board must approve the transfer of rights of way for projects to the appropriate municipal jurisdiction.

RECOMMENDATION:

That the Commissioners approve Alternative No. 1.

District: 8

Prepared by: Pamela Bernard

COUNTY OF CHATHAM

RESOLUTION

WHEREAS, Chatham County improved and/or widened certain rights-of-way for the purpose of streets and roads within the City limits of the City of Savannah and,

WHEREAS, Chatham County acquired the appropriate right-of-way for the widening of said streets or roads or the creation of new streets and roads within the City limits of the City of Savannah and,

WHEREAS, Chatham County desires to transfer to the City of Savannah the rights-of-way and such improvements to the City of Savannah and,

WHEREAS, the City of Savannah wishes to accept the rights-of-way for said streets or roads that are within the City limits of the City of Savannah.

NOW, THEREFORE, BE IT HEREBY RESOLVED that Chatham County does hereby grant, convey and transfer to the City of Savannah **all those certain parcels of land within the required rights-of-way limits of those streets and road improvements described on Exhibit A attached hereto and made a part hereof.**

This the _____ day of _____, 2013.

BOARD OF COMMISSIONERS

BY _____

Witness

Chairman

Attest _____
Clerk

APPROVED AND ACCEPTED this _____ day of _____, 2013.

THE MAYOR AND ALDERMAN OF
THE CITY OF SAVANNAH, GEORGIA

BY _____
Mayor

Attest _____
Clerk of Council

EXHIBIT A

DESCRIPTION OF PARCELS OF LAND WITHIN THE REQUIRED RIGHTS OF WAY FOR CERTAIN STREET AND ROAD IMPROVEMENTS MADE BY COUNTY OF CHATHAM, WITHIN THE CITY LIMITS OF THE CITY OF SAVANNAH, STATE OF GEORGIA, SAID ROAD PROJECTS AND A MORE PARTICULAR DESCRIPTION FOR SAID PARCELS BEING SHOWN ON THE OFFICIAL RIGHTS OF WAY MAPS PREPARED BY CHATHAM COUNTY, FOR THE PROJECTS SHOWN HEREINBELOW WHICH MAPS ARE MADE A PART OF HEREOF BY REFERENCE.

Benton Boulevard, Phases 2 and 3: All those certain parcels of land acquired by Chatham County within the required right of way for Benton Boulevard, Phases 2 and 3, including rights of access to said Boulevard which the City of Savannah agrees to enforce and maintain in the manner and location in which said access rights were acquired and in accordance with and as specified by the final right of way plans for said Project, beginning at or near the intersection of Benton Boulevard and Godley Way, and ending approximately 2.1 miles north to the end of Benton Boulevard.

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- 9. REQUEST FROM MEMORIAL HEALTH FOUNDATION, A NON-PROFIT ORGANIZATION, THROUGH APPLICANT ELIZABETH CROVATT BETHUNE, FOR APPROVAL OF A PERMIT TO DISPENSE ALCOHOLIC BEVERAGES FOR A SPECIAL EVENT (FALL FESTIVAL TO RAISE MONEY FOR THE CHILDREN'S HOSPITAL AT MEMORIAL) TO BE HELD AT THE VILLA MARIE CENTER, 6 DOLAN DRIVE, 31406, ON SUNDAY, OCTOBER 13, 2013. [DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Holmes made a motion to approve a permit to dispense alcoholic beverages for a Special Event, Fall Festival to raise money for the Children's Hospital at Memorial, to be held at the Villa Marie Center, 6 Dolan Drive, 31406, on Sunday, October 13, 2013. Commissioners Thomas and Center seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Brady were not present for the vote.]

AGENDA ITEM: X-9
AGENDA DATE: August 23, 2013

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

ISSUE:

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

FACTS AND FINDINGS:

1. **Memorial Health Foundation**, a non-profit organization, through applicant **Elizabeth Crovatt Bethune** has filed a Special Event Application at the Villa Marie Center (6 Dolan Drive) for a fundraiser to benefit The Children's Hospital. The applicant has the intent to dispense alcoholic beverages (beer and wine) at the event.
2. Section 16-134(4) of the Chatham County Business/Occupational Tax ordinance requires approval of the County Commissioners to issue a temporary permit to dispense alcoholic beverages in conjunction with a special event.
3. The ordinance grants the Board of Commissioners discretion to allow the consumption of alcoholic beverages in conjunction with a special event.

ALTERNATIVES:

1. Grant permit to allow the dispensing and consumption of alcoholic beverages in conjunction with the requested special event at the Villa Marie Center.
2. Deny Permit.
3. Provide direction to staff.

POLICY ANALYSIS:

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

RECOMMENDATION:

Approve Alternative No# 1.

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**10. REQUEST FOR TRANSFER OF BEER AND WINE RETAIL LICENSE FOR 2013.
 PETITIONER: ASHANTE MAYS, D/B/A PUBLIX SUPER MARKETS, INC., #456,
 LOCATED AT 155 JOHNNY MERCER BOULEVARD, 31410.
 [DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Holmes made a motion to approve transfer of beer and wine retail license for 2013. Petitioner: Ashante Mays, d/b/a Publix Super Markets, Inc., #456, located at 155 Johnny Mercer Boulevard, 31410. Commissioners Thomas and Center seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Brady were not present for the vote.]

AGENDA ITEM: X-10

AGENDA DATE: August 23, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE:

Request for transfer of beer and wine retail license for 2013. Petitioner: **Ashante Mays d/b/a Publix Super Markets, Inc. #456** located at **155 Johnny Mercer Blvd, Savannah, GA 31410.**

BACKGROUND:

Ashante Mays requests approval for transfer of beer and wine retail license in connection with the existing grocery store. The business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance.

FACTS AND FINDINGS:

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

RECOMMENDATION:

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

District 4

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

Gregori S. Anderson, CBO

Chief Willie Lovett

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- 11. REQUEST FOR TRANSFER OF BEER AND WINE RETAIL LICENSE FOR 2013.
PETITIONER: PAULETTE L. WATTS, D/B/A PUBLIX SUPER MARKETS, INC.,
#521, LOCATED AT 4717 US HIGHWAY 80 EAST, 31410.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Holmes made a motion to approve transfer of beer and wine retail license for 2013. Petitioner: Paulette L. Watts, d/b/a Publix Super Markets, Inc., #521, located at 4717 US Highway 80 East, 31410. Commissioners Thomas and Center seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Brady were not present for the vote.]

AGENDA ITEM: X-11
AGENDA DATE: August 23, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE:

Request for transfer of beer and wine retail license for 2013. Petitioner: **Paulette L. Watts d/b/a Publix Super Markets, Inc. #521** located at **4717 US HWY 80 East, Savannah, GA 31410.**

BACKGROUND:

Paulette L. Watts requests approval for transfer of beer and wine retail license in connection with the existing grocery store. The business at this location meets the requirements of the Chatham County

Alcoholic Beverage Ordinance.

FACTS AND FINDINGS:

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

RECOMMENDATION:

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

District 4

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

Gregori S. Anderson, CBO

Chief Willie Lovett

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- 12. REQUEST FOR TRANSFER OF BEER, WINE AND LIQUOR POURING LICENSE AND SUNDAY SALES FOR 2013. PETITIONER: BOBBY JOE CROFT, JR., D/B/A CORNER BAR AND GRILL, LOCATED AT 2805 FORT ARGYLE ROAD, BLOOMINGDALE, GA 31302.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Holmes made a motion to approve transfer of beer, wine and liquor pouring license and Sunday sales for 2013. Petitioner: Bobby Joe Croft, Jr., d/b/a Corner Bar and Grill, located at 2805 Fort Argyle Road, Bloomingdale, GA 31302. Commissioners Thomas and Center seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell and Brady were not present for the vote.]

AGENDA ITEM: X-12
AGENDA DATE: August 23, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE:

Request for transfer of beer, wine and liquor pouring license and Sunday sales for 2013. Petitioner: **Bobby Joe Croft, Jr., d/b/a Corner Bar and Grill, located at 2805 Fort Argyle Road, Bloomingdale, GA 31302.**

BACKGROUND:

Bobby Joe Croft, Jr. requests approval for transfer of beer, wine and liquor pouring license and Sunday sales in connection with the existing restaurant. The business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance.

FACTS AND FINDINGS:

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

RECOMMENDATION:

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

District 4

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

Gregori S. Anderson, CBO

Chief Willie Lovett

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

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. Annual contracts with renewal options for four (4) additional one (1) year terms to provide Investment Broker Services	Finance	•Raymond James & Associates Saint Petersburg, FL •Great Pacific Securities Costa Mesa, CA •Rice Financial Products Company New York, NY •BB&T Capital Markets Richmond, VA •Wells Fargo Securities Atlanta, GA	N/A	N/A (Commissions are included with each Investment or Financial Transaction)
B. Amendment No. 2 to the existing Cooperative Agreement Schedule related to harbor maintenance	Mosquito Control	U.S. Army Corps of Engineers (USACE)	N/A	Revenue producing

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
C. Annual emergency service and preventive maintenance contract on four (4) UPS systems	I.C.S.	Nationwide Power Solutions	\$15,110	General Fund/M&O - I.C.S.
D. Professional engineering services contract to complete construction plans for the final phase of widening on U.S. 307 / Dean Forest Road	Engineering	Thomas & Hutton	\$49,200	SPLOST (2008-2014) - S.R. 307 Widening
E. Amendment to the existing contract with Witt Group Holdings, LLC, of Washington, DC, to acknowledge a name change	CEMA	Witt O'Brien's, LLC	N/A	N/A
F. Change Order No. 2 for the Sheriff's Department and Detention Center Radio Maintenance Service Agreement	•Sheriff's Department •Detention Center	Savannah Communications and Electronics	\$31,482	•General Fund/ M&O - Detention Center •General Fund/M &O - Sheriff's
G. Change Order No. 1 to the annual contract to provide service uniforms, shirts and trousers for the Chatham County Sheriff's Department	•Sheriff's Department •Detention Center	Patrick Uniform's	Various	•General Fund/M&O - Sheriff's Department •General Fund/M&O - Detention Center
H. Annual service contract renewable up to three (3) years to provide potable water testing and related services	Public Works and Park Services	Georgia Environmental Protection Division (GA. EPD)	\$17,300	Water and Sewer Enterprise Fund
I. Change Order No. 1 to the construction contract for construction of the Ridgewood, Beechwood and Elmhurst Paving project	Engineering	Eastern Excavating, Inc.	\$17,198	SPLOST (1998-2003) - Elmhurst

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
J. Extension of the lease agreement for storage and office space at 1335 Lynah Avenue, Unit 107	Fleet	JSR Properties, LLC	\$19,904	General Fund/M&O - Fleet Operations
K. Annual contract with renewal options for four (4) additional one (1) year terms for professional engineering services to provide landfill monitoring	Public Works and Park Services	Advanced Environmental Management, Inc.	\$71,865	Solid Waste Fund
L. Professional services contract for a performance and financial efficiency review of the Chatham County Sheriff's Office, including both the Detention Center and other functions of the office	Internal Audit	TATC Consulting	\$125,000	General Fund/M&O - County Commissioners
M. Annual maintenance agreement on the Emergency Backup Generators and UPS units at the Detention Center	Detention Center	Cummins Power South	\$10,292	General Fund/Detention Center
N. Change Order No. 3 to the construction contract for the CNT Building Addition	CNT	RL Construction Group, Inc.	\$3,900	CNT Confiscated Funds

AGENDA ITEM: X-13 A thru N

AGENDA DATE: August 23, 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 approval to award annual contracts with renewal options for four (4) additional one (1) year terms, to Raymond James & Associates, Saint Petersburg, FL; Great Pacific Securities, Costa Mesa, CA; Rice Financial Products Company, New York, NY; BB&T Capital Markets, Richmond,

VA; and Wells Fargo Securities, Atlanta, GA, to provide Investment Broker Services to the Finance Department on an “on going”, “as needed”, and “per transaction” basis.

BACKGROUND: The services of a qualified Investment Broker is required to provide “as needed” written quotations on all financial and investment transactions and to comply with all trade, dollar threshold, and Chatham County Investment Policy requirements.

FACTS AND FINDINGS:

1. A Request for Proposals (RFP) for Investment Brokerage Services was issued and publicly advertised. Proposals were received on June 14, 2013.
2. The intent of the solicitation was to establish a list of firms interested in providing investment brokerage services to the County on an “on going” and “as needed” basis. Each financial and investment transaction, over the term of the contract, will be awarded to the firm that offers the lowest written quotation and is deemed to be in the best interest of the County.
3. Nine (9) firms responded to the RFP. The technical proposals were distributed to and scored by an evaluation committee. The evaluation committee did not deem it necessary to conduct firm interviews. Proposal results are as follows:

<u>Vendor</u>	<u>Points</u>
Raymond James & Associates Saint Petersburg, FL	89.69
Rice Financial Products Company Atlanta, GA	86.35
Wells Fargo Securities Atlanta, GA	82.35
Great Pacific Securities Costa Mesa, CA	82
BB&T Capital Markets Richmond, VA	81.01
RBC Wealth Management Minneapolis, MN	78.35
Multi Bank Services Southfield, MI	72.34
FTN Financial Memphis, TN	62.69
Castle Oak Securities New York, NY	40.02

4. The RFP stated that the County’s intent was to award “primary” contracts up to seven (7) highest ranked firms and that all other firms would be placed on a list of “alternate” service providers. Staff has recommended award as “primary” to the top five (5) highest ranked service providers.

FUNDING: N/A (Commissions are included with each Investment or Financial Transaction)

ALTERNATIVES:

1. Request Board approval to award annual contracts, with renewal options for four (4) additional one (1) year terms, to Raymond James & Associates, Saint Petersburg, FL; Great Pacific Securities, Costa Mesa, CA; Rice Financial Products Company, New York, NY; BB&T Capital Markets, Richmond, VA; and Wells Fargo Securities, Atlanta, GA, to provide Investment Broker Services to the Finance Department on an “on going”, “as

needed”, and “per transaction” basis.

2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide Investment Broker Services as deemed to be in the best interest of the County and to comply with all trade, dollar threshold, and Chatham County Investment Policy requirements.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM B

ISSUE: Request Board approval of Amendment No. 2 to the existing Cooperative Agreement Schedule (W912HN-12-2-0001) related to harbor maintenance with the U.S. Army Corps of Engineers (USACE).

BACKGROUND: Chatham County is reimbursed by USACE for mosquito control operations necessitated by harbor maintenance activities along the Savannah River. Administrative procedures at USACE require the existing contract to be amended. This amendment does not impact the reimbursement annual fee schedule or the annual amount of anticipated revenue.

FACTS AND FINDINGS:

1. Chatham County is reimbursed by USACE for mosquito control operations necessitated by harbor maintenance activities along the Savannah River. The current annual reimbursement cap established by USACE is \$300,000. The existing Cooperative Agreement Schedule is submitted as Attachment 1. Attachment C of this agreement details the Annual Fee Schedule.
2. USACE has submitted Amendment No. 2 to the Cooperative Agreement Schedule (Attachment 2.) for the purpose of obligating funds and making them available for disbursement through specific federal accounts.
3. The amendment does not change the existing annual fee schedule, nor does it change the anticipated revenue of \$300,000 for FY 2012-2013.
4. The Chatham County Attorney’s Office has reviewed Amendment No. 2 to the Cooperative Agreement Schedule and found it to be acceptable in legal form.
5. USACE may submit additional amendments in the future to add additional funds to their appropriate accounts. This amendment brings the reimbursement account total to \$300,000 for FY 2012-2013.

ALTERNATIVES:

1. Board approve Amendment No. 2 to the existing Cooperative Agreement Schedule (W912HN-12-2-0001) with the U.S. Army Corps of Engineers (USACE).
2. Provide staff with other direction.

FUNDING: Revenue producing

POLICY ANALYSIS: It is consistent with Board policy to promote safe, cost effective and environmentally responsible operations.

RECOMMENDATION: Staff recommend approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM C

ISSUE: Request Board approval of a \$15,110 annual emergency service and preventive maintenance contract on four (4) UPS systems from Nationwide Power Solutions of Henderson, Nevada, for the I.C.S. Department.

BACKGROUND: This emergency service and preventive maintenance contract replaces an expired maintenance contract for the UPS at the police annex 911 center, the Tag Office on Eisenhower Drive and Building Safety and Regulatory Services at the Citizen Service Center.

FACTS AND FINDINGS:

1. Nationwide Power Solutions was the original vendor from whom the County purchased the UPS systems.
2. I.C.S. recommends preventive maintenance contracts to prevent damage to County equipment and provide temporary power during power failures.
3. This support agreement provides 24 hour emergency support with (4) four hour response time and an extensive inventory of factory parts for this critical power equipment. It includes (3) three preventative maintenance checks on these systems during the period of 08-17-13 through 11-16-14. This extension in time allows maintenance contracts to renew on the same schedule.
4. Staff believes the total cost of \$15,110 to be fair and reasonable.

FUNDING: General Fund/M&O - I.C.S.
(1001535 - 52.22001)

ALTERNATIVES:

1. Board approval of a \$15,110 annual emergency service and preventive maintenance contract on four (4) UPS systems from Nationwide Power Solutions of Henderson, Nevada, for the I.C.S. Department.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of preventive maintenance contracts.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
NICK BATEY

BUDGET APPROVAL _____
READ DEHAVEN

ITEM D

ISSUE: Request Board approval of a \$49,200 sole source professional engineering services contract with Thomas & Hutton to complete construction plans for the final phase of widening on U.S. 307/ Dean Forest Road.

BACKGROUND: Board approved a design contract with Thomas & Hutton to widen Dean Forest Road between US 17 and I-16 on November 7, 2008. Permits and required right of way were acquired for the project. Board approved a construction contract with McLendon Enterprises to construct the widening from 0.5 miles north of U.S. 17 to I-16 in February 2012.

FACTS AND FINDINGS:

1. The remaining half mile section of Dean Forest Road to U.S. 17 was not included in the current project due to salt marsh impacts permitting and mitigation issues. Those issues were resolved earlier this year. A change order was approved by the Board February 8, 2013, to add the earthwork to fill in the marsh to the current contract with McLendon Enterprises. The final phase cannot begin until the earthen surcharge has been in place for six months.

2. A separate project will be bid in January 2014, to pave the remaining half mile section of road to four lanes.
3. The original plans developed by Thomas & Hutton must be revised to include the construction that is currently underway on Dean Forest Road and reformatted for the new project scope.

FUNDING: SPLOST (2008-2014) - S.R. 307 Widening
(3244220 - 52.12003 - 32451143)

ALTERNATIVES:

1. Board approval of a \$49,200 sole source professional engineering services contract with Thomas & Hutton to complete construction plans for the final phase of widening on U.S. 307 / Dean Forest Road.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM E

ISSUE: Request Board approval of an amendment to the existing contract with Witt Group Holdings, LLC, of Washington, DC, to acknowledge a name change to Witt O'Brien's, LLC.

BACKGROUND: On November 29, 2011, the Board approved a five (5) year contract with Witt Group Holdings, LLC, to provide emergency management program augmentation for the Chatham County Emergency Management Agency (CEMA).

FACTS AND FINDINGS:

1. Staff was notified by Witt O'Brien's, of the name change on July 15, 2013.
2. There will be no changes to the terms and conditions of this contract.

FUNDING: N/A

ALTERNATIVES:

1. Board approval of an amendment to the existing contract with Witt Group Holdings, LLC, of Washington, DC, to acknowledge a name change to Witt O'Brien's, LLC.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to amend contracts that require any changes made to the name, terms, and conditions.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM F

ISSUE: Request Board approval of a \$31,482 Change Order No. 2 to Savannah Communications and Electronics for the Sheriff's Department and Detention Center Radio Maintenance Service Agreement.

BACKGROUND: On August 8, 2008, the Board approved a consolidated service package with Savannah Communications and Electronics to cover the Sheriff's department mobile radios, portable

radios, consoles and repeaters.

FACTS AND FINDINGS:

1. The Sheriff's department has had a consolidated service plan for its communications for several years. The Sheriff's Department maintains one (1) radio console; one (1) repeater; and over 400 radios, both portable and mobile. It is essential that the equipment be maintained to keep it functioning.
2. The cost increase is due to the expiration of the manufacturer's warranty on the Mobile Data Support, Mobile Client Software Support and the Orion Base Software Support. The warranties have expired and require the purchase of extended support and all became part of our service agreement.
3. Contract history:

Original Contract (8-8-08)	\$ 50,287
Change Order No. 1 (9-17-10)	\$ 7,858
Change Order No. 2 (Pending)	<u>\$ 31,482</u>

Revised Contract Amount \$ 89,627

FUNDING: •General Fund/ M&O - Detention Center - \$ 22,037
(1003326 - 52.22001)
•General Fund/M &O - Sheriff's - \$ 9,445
(1003330 - 52.22001)

ALTERNATIVES:

1. Board approval of a \$31,482 Change Order No. 2 to Savannah Communications and Electronics for the Sheriff's Department and Detention Center Radio Maintenance Service Agreement.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve change orders necessary for Public Safety.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM G

ISSUE: Request Board approval to issue Change Order No. 1 to the annual contract with Patrick Uniforms, of Savannah, Georgia, to provide service uniforms, shirts and trousers for the Chatham County Sheriff's Department.

BACKGROUND: On August 26, 2012, the Board approved the award of an annual contract with renewal options for four (4) additional one (1) year terms, to Patrick Uniforms.

FACTS AND FINDINGS:

1. Patrick Uniforms has recently provided notification of a suitable uniform shirt substitute at a substantially reduced cost. As a result the Sheriff's Department has requested to change the uniform shirt provided to the department.
2. In addition, the Sheriff's Department is also adding new short and long sleeve shirts in larger sizes.
3. New prices will be as follows:

Item	Description	Old Price	New Price
8.	Men's short sleeve (standard size) Liberty brand # 767 MTN (s-xl, 14-17 ½)	\$ 47.99	\$29.99
9.	Men's short sleeve (standard size) Liberty brand # 767 MTN (2x, 18-18 ½)	\$ 49.99	\$ 35.99
10.	Men's short sleeve (standard size) Liberty brand # 767 MTN (3x, 19-19 1/2)	\$55.99	\$ 35.99
11.	Men's short sleeve (standard size) Liberty brand # 767 MTN (4x, 20-20 ½)	\$57.99	\$ 55.99
New	Men's short sleeve (standard size) Liberty brand # 767 MTN (6x)	New	\$ 57.99
12.	Ladies Short Sleeve Shirts (Standard size) Liberty brand #767 MTN (32-38)	\$47.99	\$29.99
13.	Ladies Short Sleeve Shirts (Standard size) Liberty brand #767 MTN (40)	\$49.99	\$35.99
14.	Ladies Short Sleeve Shirts (Standard size) Liberty brand #767 MTN (42)	\$ 55.99	\$35.99
15.	Ladies Short Sleeve Shirts (Standard size) Liberty brand #767 MTN (44)	\$ 57.99	\$35.99
16.	Ladies Short Sleeve Shirts (Standard size) Liberty brand #767 MTN (46-50)	\$59.99	\$55.99
17.	Mens Long Sleeve Shirts (Standard size) Liberty brand # 767 (14-17 ½)	\$49.99	\$38.99
18.	Mens Long Sleeve Shirts (Standard size) Liberty brand # 767 (2x, 18-18 ½)	\$55.99	\$44.99
19.	Mens Long Sleeve Shirts (Standard size) Liberty brand # 767 (3x, 19-19 ½)	\$55.99	\$44.99
20.	Mens Long Sleeve Shirts (Standard size) Liberty brand # 767 (4x, 14-17 ½)	\$59.99	\$48.99
New	Mens Long Sleeve Shirts (Standard size) Liberty brand # 767 (6x)	New	\$ 65.99
21.	Ladies Long Sleeve Shirts (Standard size) Liberty brand # 767 (32-38)	\$ 49.99	\$49.99
22.	Ladies Long Sleeve Shirts (Standard size) Liberty brand # 767 (40)	\$ 55.99	\$55.99
23.	Ladies Long Sleeve Shirts (Standard size) Liberty brand # 767 (42)	\$55.99	\$55.99

24.	Ladies Long Sleeve Shirts (Standard size) Liberty brand # 767 (44)	\$59.99	\$59.99
25.	Ladies Long Sleeve Shirts (Standard size) Liberty brand # 767 (46-50)	\$59.99	\$59.99

FUNDING: •General Fund/M&O - Sheriff's Department
(1003300-53.17001)
•General Fund/M&O - Detention Center
(1003326-53.17001)

ALTERNATIVES:

1. Board approval to issue Change Order No. 1 to the annual contract with Patrick Uniforms, of Savannah, Georgia, to provide service uniforms, shirts and trousers for the Chatham County Sheriff's Department.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve change orders for documented material price increases when they are initiated by the manufacturer.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM H

ISSUE: Request Board approval of a \$17,300 annual service contract renewable up to three (3) years to provide potable water testing and related services from Georgia Environmental Protection Division (GA. EPD) for Public Works and Park Services.

BACKGROUND: The County is responsible for performing a myriad of staggered yearly sampling on its eight (8) EPD permitted drinking water sites. Chatham County has been using EPD as its testing laboratory for the vast majority of its potable water testing needs.

FACTS AND FINDINGS:

1. Chatham County has a requirement to perform a vast array of staggered yearly sampling on its EPD permitted drinking water sites.
2. The sites to be serviced are; Little Neck Plantation, Modena Island, West Chatham County, Glen of Robin Hood, Montgomery Area, Runaway Point, Tom Triplett Park and Islands Expressway.
3. Due to the sheer magnitude of the number of tests required by EPD, as well as the varying schedules for the testing, it has not been cost or time efficient to attempt to out source the protocols. EPD remains the best one-stop testing facility for Chatham County to contract with to meet all the testing and time requirements.

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

ALTERNATIVES:

1. Board approval of a \$17,300 annual service contract renewable up to three (3) years to provide potable water testing and related services from Georgia Environmental Protection Division (GA. EPD) for Public Works and Park Services.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to meet all testing and reporting requirements for permitted drinking water sites and to do so in the most cost and time efficient method available.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM I

ISSUE: Request Board approval of a \$17,198 Change Order No. 1 to the construction contract with Eastern Excavating, Inc., for construction of the Ridgewood, Beechwood and Elmhurst Paving project.

BACKGROUND: The project involves furnishing all labor, equipment and materials to pave 0.4 miles of existing dirt road on Ridgewood Avenue, Beechwood Avenue and Elmhurst Avenue. Construction involves clearing, grading, paving and drainage improvements.

FACTS AND FINDINGS:

1. The requested change order is to address utility conflicts identified during construction. Both AT&T and a Chatham County waterline are in conflict with the proposed storm drain.
2. Work involves lowering and relocating Chatham County's water main in two locations, chlorinating the modified pipes, modifying two storm structures to avoid conflicts with AT&T and modifying another storm structure to provide positive drainage. Staff reviewed the change order and is in agreement with the requested amount.

3. Contract History:

Original Contract (5-11-12)	\$377,765
Change Order No. 1 (pending)	\$ 17,198
Revised Contract Amount	\$394,963

FUNDING: SPLOST (1998-2003) - Elmhurst
(3234220 - 52.12003 - 32356497)

ALTERNATIVES:

1. Board approval of a \$17,198 Change Order No. 1 to the construction contract with Eastern Excavating, Inc., for construction of the Ridgewood, Beechwood and Elmhurst Paving project.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM J

ISSUE: Request Board approval of an extension of the \$19,904 lease agreement with JSR Properties, LLC, for storage and office space at 1335 Lynah Avenue, Unit 107, Garden City, Georgia 31408.

BACKGROUND: Fleet Operations was relocated to 1335 Lynah Avenue, Unit 107, Garden City. Due to an increase in vehicle repair volume and limited space to store vehicles, the temporary office needed to be removed to allow for vehicle storage. Also, equipment not utilized must be stored at this location to be used in the new facility when constructed. The initial lease agreement was approved by the Board on September 21, 2012.

FACTS AND FINDINGS:

1. The location at 1335 Lynah Avenue is one and a half blocks from the old Louisville location. Also, it has ample storage space for the excess equipment.
2. The lease extension will be for one (1) year from September 2013 through August 2014.

FUNDING: General Fund/M&O - Fleet Operations
(1001567 - 52.23101)

ALTERNATIVES:

1. Board approval of the \$19,904 extension of the lease agreement with JSR Properties, LLC, for storage and office space at 1335 Lynah Avenue, Unit 107, Garden City, Georgia 31408.
2. Provide staff with other direction.

POLICY ANALYSIS: It is Board policy to lease space as needed for temporary facilities of valuable equipment.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
MELVA SHARPE

ITEM K

ISSUE: Request Board approval to award a \$71,865 annual contract with renewal options for four (4) additional one (1) year terms with Advanced Environmental Management, Inc., for professional engineering services to provide landfill monitoring for Public Works and Park Services.

BACKGROUND: Chatham County is required by law to provide post closure care of its five (5) landfills for 30 years beyond closure which includes monitoring groundwater, surface water, and methane.

FACTS AND FINDINGS:

1. Staff solicited proposals from engineering firms with four (4) firms submitting proposals. The selected evaluation committee scored the proposals. After the proposals were scored, it was determined to interview the two (2) highest scoring firms. After the interviews were held, it was determined that Advanced Environmental Management, Inc. was the high scoring firm. Staff negotiated final scope of services and fee. (See attached page 18 for the matrix showing detailed scoring.)
2. Over the past five (5) years, Georgia Environmental Protection Division (GA. EPD) has increasingly required improved data collection through advanced sampling techniques.

FUNDING: Solid Waste Fund
(5404501 - 52.39021)

ALTERNATIVES:

1. Board approval to award a \$71,865 annual contract with renewal options for four (4) additional one (1) year terms with Advanced Environmental Management, Inc., for professional engineering services to provide landfill monitoring for Public Works and Park Services.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM L

ISSUE: Request Board approval of the \$125,000 professional services contract with TATC Consulting for a performance and financial efficiency review of the Chatham County Sheriff's Office, including both the Detention Center and other functions of the office.

BACKGROUND: On May 23, 2008, the Board approved an "as needed" contract with TATC Consulting, Inc., for Consulting Services to Evaluate Efficiency of Various County Departments (Management Efficiency). This contract has been renewed annually up to May 23, 2013. As part of this proposal, we request that the Commission approve an extension of the contract with TATC Consulting, Inc., for an additional year to May 23, 2014. Funding for projects approved under this contract has been encumbered forward since the beginning of the contract and amounts to \$248,301 at the beginning of the 2013/2014 fiscal year.

FACTS AND FINDINGS:

1. The contract with TATC is an "as needed" contract. It is the intent of staff to add certain County Departments to be evaluated through the duration of this contract as directed by the Chatham County Commission. Since this contract expired on May 23, 2013, we request that the Commission approve a one year extension to May 23, 2014 in order to conduct this proposed performance review.
2. Chairman Scott has requested the services of Chatham County's retained management consultant to develop and conduct a performance and financial efficiency review of the Sheriff's Office and Detention Center.
3. Staff supplied a request for services and fee proposal to TATC regarding the request from Chairman Scott. TATC has submitted their work plan for the performance and financial efficiency review.
4. The fee for this project is presented at three (3) levels of service, including: \$168,000, \$150,000 and \$125,000. Each level of service includes all travel costs:

<u>Alternative</u>	<u>Estimated Hours</u>	<u>All-Inclusive Fixed Price Budget</u>	<u>Summary</u>
One	800	\$168,000	This alternative includes all of the work activity included in the 7 step activity plan.
Two	695	\$150,000	This alternative includes all of the work activity included in the 7 step activity plan with the exception of Activity 3, Performance Management.
Three	584	\$125,000	This alternative excludes Activity 3, Performance Management and reduces the work steps within each of the remaining activities.

The following shows the hours for each alternative by task.

	<u>Activity Plan Steps</u>	<u>Alternative</u>		
		One	Two	Three
1.	Start up and manage project.	48	48	40
2.	Conduct Interviews, Data Collection, and Field Observation.	200	200	176
3.	Develop and Analyze Efficiency and Effectiveness Performance Measures.	104	0	0
4.	Perform Operational Analyses for both the Corrections and Enforcement Bureaus.	200	200	160
5.	Develop cost model for inmate per diem costs and assess other revenue opportunities.	96	96	76

6.	Draft Issues Report	88	88	84
7.	Prepare Final Report	<u>64</u>	<u>63</u>	<u>48</u>
	TOTAL HOURS	800	695	584

5. According to TATC, "Any of the alternatives will provide the County with an operations analysis of the Sheriff's Office sufficient to consider future operational, policy, and financial issues."

FUNDING: General Fund/M&O - County Commissioners
(1001110 - 52.11001)

ALTERNATIVES:

1. Board approval of the \$125,000 professional services contract with TATC Consulting for a performance and financial efficiency review of the Chatham County Sheriff's Office, including both the Detention Center and other functions of the office.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve additional work to "as needed" professional services contracts.

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM M

ISSUE: Request Board approval for a \$10,292 annual maintenance agreement with Cummins Power South on the Emergency Backup Generators and UPS units at the Detention Center.

BACKGROUND: Cummins Power South has been providing service on our emergency backup generators and UPS (uninterrupted power supply) units for many years. Recent additions in the past 18 months have pushed the annual cost above the purchasing threshold and now requires Board approval. The vendor provides quarterly inspections and tests the operation of each unit. If maintenance is required, the vendor performs the service. This maintenance agreement will be for a term of one year; beginning September 1, 2013 and expiring August 31, 2014.

FACTS AND FINDINGS:

1. The Detention Center has had a consolidated service plan for its generators and UPS units for many years.
2. This agreement presented for your approval is due to the increase in units, causing an increase above the purchasing threshold.

FUNDING: General Fund/Detention Center
(1003326 - 52.22001)

ALTERNATIVES:

1. Board approval for a \$10,292 annual maintenance agreement with Cummins Power South on the Emergency Backup Generators and UPS units at the Detention Center.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board Policy to approve expenditures for the preventive maintenance of emergency equipment which provides for the safety of the detainees and staff at the facility.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____

RUSHEDA ADESHINA

ITEM N

ISSUE: Request Board approval of a \$3,900 Change Order No. 3 to the construction contract with RL Construction Group, Inc., for the CNT Building Addition.

BACKGROUND: The Chatham County Counter Narcotics Team has requested to add 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 replacing the paper towel holders (two each) in both bathrooms with electric hand dryers. The two new hand dryers will be A & J Washroom Accessories model # U1525EA Series. The price of \$2,400 includes electrical requirements and additional blocking for these units. This change order also includes two and half loads (approx. 60 lf X 8' wide) of decorative stone to be attached to the front and sides of the new addition. The cost for the decorative stone and installation is \$1,500. That makes the total of this change order \$3,900. This will be the final change order for this project.

- 2. Contract history:

Original Contract (2-8-13)	\$184,737
Change Order No. 1 (7-12-13)	14,520
Change Order No. 2 (7-26-13)	6,050
Change Order No. 3 (pending)	<u>3,900</u>
Revised Contract Amount	\$209,207

- 3. Staff finds the cost from RL Construction Group to be fair and reasonable and within the project budget.

FUNDING: CNT Confiscated Funds
(2103222 - 54.13011)

ALTERNATIVES:

- 1. Board approval of a \$3,900 Change Order No. 3 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

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. AMENDMENT TO THE ALCOHOLIC BEVERAGE CODE REGARDING DISTANCE FROM LIQUOR OUTLET.

Chairman Scott said, now we have a First Reader which is on page 11, Section XI. An Amendment to the Alcoholic Beverage Code regarding distance from liquor store -- from liquor outlets. Amendment to the Alcohol Beverage Code regarding distance from liquor outlets.

=====

XII. SECOND READINGS

1. ADOPTION OF THE 2013 CHATHAM COUNTY REVENUE ORDINANCE.

Chairman Scott said, we also have a number of items on your -- in your book for informational purposes.

Commissioner Stone said, Second Reading.

Chairman Scott said, and --

Commissioner Stone said, we have a Second Reading.

Commissioner Center said, there's a Number XII.

Commisioner Stone said, Second Reading.

Commissioner Center said, we're doing XI right now.

Commissioner Stone said, okay.

Chairman Scott said, yeah, and we -- and we have First Readers, and now, we don't have anything else.

County Manager Abolt said, you have a Second Reading, sir --

Commissioner Stone said, Second Reading.

County Manager Abolt said, -- on your Revenue Ordinance.

Chairman Scott said, oh, Second Reading, okay.

County Manager Abolt said, which is routine. That's page 12. A simple motion to adopt would be --

Chairman Scott said, yes.

County Manager Abolt said, -- would handle what you've already done.

Chairman Scott said, yeah. Second Reader. On page 12, Section XII, Item 1 is the adoption of the 2013 Chatham County Revenue Ordinance. Note the corrections listed in the memo dated August 15th, entitled Revenue Ordinance changes to Reading August 2013. So at this time we'll entertain a motion.

Commissioner Thomas said, move --

Commissioner Center said, so moved.

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

Commissioner Center said, second.

Chairman Scott said, okay. It's been properly moved and second. Any discussion? Hearing none, all in favor of adoption of the 2013 County Revenue Ordinance indicate by voting yes, opposed no.

Chairman Scott said, I will state that Commissioner Brady had to leave for an emergency. Her mother is having an operation this morning, and she had to -- to go to -- to the hospital.

ACTION OF THE BOARD:

Commissioner Thomas moved to adopt the 2013 Chatham County Revenue Ordinance. Commissioner Center seconded the motion and it carried unanimously. [NOTE: Commissioner Brady was not present for the vote.]

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XIII. INFORMATION ITEMS

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

ACTION OF THE BOARD:

A status report was attached as information.

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

ACTION OF THE BOARD:

A status report was attached as information.

AGENDA ITEM: XIII-2
AGENDA DATE: August 23, 2013

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

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
Engine replacement on unit #718 - law enforcement vehicle	Fleet Operations	Fairway Lincoln-Mercury, Inc.	\$3,089	General Fund/M&O - Fleet Operations
Design and permitting for Willow Lakes drainage improvement project	Engineering	Kern-Coleman & Company, LLC	\$8,500	SPLOST (2008-2014) Willow Lakes Drainage
Engine repair on unit #204 - Public Works roll off truck	Fleet Operations	Yancey Brothers Company, Inc.	\$8,867	General Fund/M&O - Fleet Operations
96 printer toner cartridges	Detention Center	Office Depot, Inc.	\$2,612	General Fund/M&O - Detention Center
20 shotguns	Detention Center	Ed's Public Safety	\$9,700	General Fund/M&O - Detention Center
Annual renewal for data domain hardware maintenance	I.C.S.	Veristor Systems, Inc.	\$4,658	General Fund/M&O - I.C.S.
Annual maintenance on 24 embossing machines, eight (8) numbering machines, 13 time stamps and five (5) typewriters	Superior Court Clerk	Savannah Business Equipment	\$8,214	General Fund/M&O - Superior Court Clerk

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
Employee health clinic surveys	Human Resources and Services	PRM Consulting Group	\$8,575	Wellness Program
5 boxes of tickets for parking garage ticket dispenser	Facilities Maintenance and Operations	Carolina Time Equipment, Inc.	\$3,810	Parking Garage
Software and hardware training sessions	I.C.S.	Knowledgenet	\$2,990	General Fund/M&O - I.C.S.
Pressure wash and paint Tag Office	Facilities Maintenance and Operation	Raymond Jennings Painting Company	\$5,100	General Fund/M & O - Tax Commissioner
Vibration monitoring for Tara Manor drainage improvement project	Engineering	Terracon	\$5,900	SPLOST (2003-2008) Queensbury Drainage
Furniture for Detention Center Expansion Project	Detention Center	Groupe Lacasse LLC.	\$7,396	CIP-Detention Center Expansion SPLOST project
One (1) freezer	Mosquito Control	So-Low Environmental Equipment Company	\$5,945	General Fund/M&O - Mosquito Control
Four (4) chainsaws	Public Works and Park Services	Andy's Lawn Machinery, Inc.	\$2,843	SSD-Public Works
Boundary survey for permitting Wetland Mitigation Bank expansion	Engineering	James M. Anderson & Associates	\$7,200	SPLOST (1993-1998) Jimmy DeLoach Parkway Phase II
Additional field survey and reporting to ecology update for Jimmy DeLoach Parkway Phase II	Engineering	Sligh Environmental Consultants	\$6,000	SPLOST (1993-1998) Jimmy DeLoach Parkway Phase II
Upgrade kit for telephone process switch with license at Judicial Courthouse	I.C.S.	Mitel Business Systems, Inc.	\$2,734	General Fund/M&O - Communications
Hardware/software firewall maintenance agreements	I.C.S.	Insight Sector	\$8,598	General Fund/M&O - I.C.S.

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3. ROADS AND DRAINAGE REPORTS.

ACTION OF THE BOARD:

A status report was attached as information.

AGENDA ITEM: XIII-3 ROADS

AGENDA DATE: August 23, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

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

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

the latest scheduled completion dates.

FACTS AND FINDING:

1. Truman Parkway, Phase 5. Construction underway by GDOT contract. Estimated completion March 2014. Last piles for bridges across the Vernon River were finished in June 2013.
2. Diamond Causeway. Construction ongoing. Estimated open to traffic date is unknown at this time.
3. Whitefield Avenue. Construction underway by GDOT contract. Estimated completion September 2013.
4. Bay Street Widening. Environmental re-evaluation approved February 28, 2013. Notice to Proceed issued by GDOT for right of way acquisition on May 9, 2013.
5. Jimmy Deloach Parkway Phase 2 and Interchange of Jimmy Deloach Parkway at U.S. 80. Design ongoing. PFPR (Preliminary Field Plan Review) for Phase 2 held on February 5, 2013. ROW authorization expected fiscal year 2014.
6. SR 307 Widening from US 17 to I-16. Construction underway. Estimated completion in December 2013. New signal at US 17/SR 307 commenced operations April 16, 2013.
7. Islands Expressway Bridge Replacement. Design is underway on a high level bridge to replace the bascule bridge over the Intercoastal Waterway on Islands Expressway. ROW plans expected by fiscal year 2014.
8. Local Roads.
 - a. Hunt Drive and Faye Road Bridge Replacements. Notice to Proceed with construction issued May 1, 2013. Construction underway on Hunt Drive.
 - b. Paving on Ridgewood Avenue and Beechwood Avenue is complete. Construction continues on Elmhurst Avenue. Estimated completion September 2013.

RECOMMENDATION: For information.

Districts All

AGENDA ITEM: XIII-3 DRAINAGE
AGENDA DATE: August 23, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Leon Davenport, P.E., Assistant County Engineer

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

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

FACTS AND FINDING:

1. Pipemakers Canal. The project includes canal widening, bank stabilization, sluice gates and culverts. Construction of improvements upstream of Dean Forest Road to the west side of the airport is underway with completion scheduled for August 2014.
2. Pipemakers Pump Station. The project was identified in the 2003-2008 SPLOST as a part of capital improvements to the Pipemakers Canal Drainage Basin. Preliminary design work on the pump station determined that a master pump station for the Pipemakers Canal is not warranted. According to

the consultant, smaller pump stations can address localized problems. Staff is continuing discussion with the municipalities of Garden City, Pooler and Bloomingdale regarding future actions.

3. Wilmington Park Canal. The Wilmington Park Canal extends from North Cromwell Road to the Wilmington River (about 1.4 miles). The project includes bank stabilization, culvert replacements and storm sewer upgrades. Construction work to replace four undersized culverts along the canal is substantially complete.

4. Ashley Road Outfall Drainage Improvements. The project will improve a drainage system from the Ashley Road cul-de-sac along Wilmington Island Road to the Wilmington River. Design work and permitting are underway.

5. Gateway-Henderson Drainage Improvements. The project will improve portions of the drainage system in the northeast quadrant of I-95 and SR 204. The project includes construction of maintenance access and drainage improvements. A design work is underway.

6. Norwood Drainage Outfalls. The project will improve drainage capacity and access for maintenance for two drainage outfalls from Norwood Avenue. Construction of improvements is complete at Norwood Place. Design work, permitting, and acquisitions are underway for the outfall near Skidaway Road.

7. Louis Mills/Redgate Canal. The project will correct inadequate drainage capacity and the lack of maintenance access to the canal. Design of improvements along the Marshall Branch Canal is underway and includes construction of maintenance access and culvert replacements.

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

9. LaRoche Culvert. The project will replace a drainage culvert located under LaRoche Avenue north of Lansing Avenue. The culvert replacement is in response to a deteriorating brick arch culvert with several cracks. Bids opened in April 2012 exceeded project budget and all bids were rejected. The design was modified to lower construction costs. The project will be rebid.

10. Queensbury Drainage Improvements. The project will improve drainage and provide maintenance access in the area south of Montgomery Cross Road and west of Ferguson Avenue. Drainage improvements from Tara Manor to Lakeview Subdivision are complete.

11. Ferguson-Winterberry Outfall Drainage Improvements. The project will improve drainage and provide access for maintenance for the Remington Canal from Ferguson Road to the outfall at Moon River. The outfall passes through the Winterberry private development. Design work is underway.

12. Shipyard-Beaulieu Area. The project will improve drainage capacity and access for maintenance. A project to replace three undersized storm drain pipes and reshape the existing ditch is underway. Acquisitions of required easements are complete. Final design work and permitting are underway.

13. Lehigh-Shipyard Lane Area. The project will relieve roadside drainage issues causing nuisance flooding in the Lehigh Avenue and Shipyard Lane area. Shipyard Road is now open to traffic. A portion of Lehigh Avenue remains closed. Staff anticipates the construction to be completed by September 2013.

14. Little Hurst Canal. The project will improve drainage capacity and access for maintenance along the canal. A design scope of work is under development.

15. Hampton Place Drainage Improvements. The project will improve the drainage system within Hampton Place Subdivision on Quacco Road by routing a portion of the stormwater into an existing canal located on the west side of Quacco Road. Acquisition of a required easement and design work is underway.

16. Willow Lakes Drainage Improvements. The project will relieve internal drainage issues within the Willow Lakes subdivision. The project will increase the storage capacity of the pond by lowering the existing water elevation. A design work is underway.

RECOMMENDATION: For information.
Districts: All

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EXECUTIVE SESSION

Chairman Scott said, I think that concludes the agenda. We do have the need for an executive session.

County Manager Abolt said, the purpose is for personnel.

Chairman Scott said, and it -- I don't think there will be any votes in that executive session, but we do have the need for an executive session.

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

Commissioner Stone said, second.

Chairman Scott said, any discussion? Hearing none, all in favor of the motion indicate by voting yes, opposed no. We now declare the Friday, August 23rd, meeting adjourned. We are into executive session.

ACTION OF THE BOARD:

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

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

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ITEMS FROM EXECUTIVE SESSION

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

ACTION OF THE BOARD:

Commissioner Stone moved to authorize the Chairman to execute an Affidavit that the Executive Session was held in compliance with the Open Meetings Act. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Brady and Kicklighter were not present for the vote.]

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ADJOURNMENT

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 11:15 a.m.

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APPROVED: THIS _____ DAY OF SEPTEMBER, 2013.

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

JANICE E. BOCOOK, CLERK OF COMMISSION