

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, OCTOBER 25, 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 9:34 a.m. on Friday, October 25, 2013.

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II. INVOCATION

Chairman Scott said, good morning. I would ask at this time if you would just be seated, but I would ask that you stand once Dr. Lee has provided his devotional message, and when it's time for prayer if he would so indicate, and if you would stand at that time and remain standing through the Pledge of Allegiance. Commissioner Holmes from the Second District will lead us in the Pledge of Allegiance. At this time it's my pleasure to introduce to you Dr. George P. Lee who is pastor of the St. John Baptist Church, better known as the Mighty Fortress. I don't think he needs any further introduction. I noticed that he had some of his members here and -- and especially a man of music and song, Mr. Eli McDuffie, a radio disc jockey, and I asked if they were going to break out in song. So, Pastor Lee, the -- the floor is yours and thank you so much for being here.

Dr. George P. Lee, III, said, thank you. I ask the men of the Mighty Fortress will join me. As we come and share in our invocational message to Chairman Al Scott, to all of our District Commissioners. We are so grateful to be here this morning, and we share with you. We are the men of St. John Baptist Church, the Mighty Fortress, and we have come to share on this morning, to allow the city and the county to realize and understand that there are still good and awesome men in our community who are standing up for what is right and who are positive examples. These are men that are working, as well as those that are retired that support our city, as well as our county. And we're not here to ask for anything, but we're simply here in support and solidarity for our great county. Our invocational message is going to be shared together in unison, and it is a mantra that we share at St. John Baptist Church, the Mighty Fortress. Our invocational message to our Commissioners, as well as to the county is the Fellowship of the Unashamed.

Dr. Lee said, are you ready, gentlemen?

Congregation members collectively said, yes. We're ready. Man up.

Dr. Lee and his congregation members read as follows: I am part of the fellowship of the unashamed. The dye has been cast. The decision has been made. I have stepped over the line. I will not look back, let up, slow down, back away or be still. My past is redeemed. My presence makes sense, and my future is in God's hands. I am finished and done with low living, side walking, small planning, the bare minimum, smooth knees, colorless dreams, tame visions, mundane talking, frivolous living, selfish giving, and dwarf goals. I no longer need pre-eminence, prosperity, position, promotions, applause or popularity. I don't have to be right, first, the best, recognized, praised, regarded or rewarded. I now live by faith. I lean on Christ's presence. I love with patience, live by prayer, and labor with the power of God's grace. My face is set. My gate is fast. My goal is heaven. My road is narrow. My way is rough. My companions are few. My guide is reliable, and my mission is clear. I cannot be bought, compromised, detoured, lured away, turned back, deluded or delayed. I will not flinch in the face of sacrifice, hesitate in the presence of adversity, negotiate at the table of the enemy, ponder at the pool of popularity, or meander on the maze of mediocrity. I won't give up, shut up, let up, or slow up until I have stayed up, stored up, prayed up, paid up and spoken up for the cause of Christ. I am a disciple of Jesus. I must go till he comes, give until I drop, speak out until all know, and work until he stops me. And when he returns for his own, he will have no difficulty in recognizing me. My banner is clear. I am part of the fellowship of the unashamed.

Dr. Lee said, may we all stand. Man up.

Congregation members said, man up.

Dr. Lee and his congregation members sang Amazing Grace.

Dr. Lee gave the invocation as follows:

As we bow our heads, we're grateful for this day to our Supreme God and our Being. We thank You for allowing us to be in this great state, this great city, and this great county. Thank you for allowing that our will should be our supreme delight for You, that the love You've given us should be our ultimate motivation, that Your words You place in our hearts will be our foremost authority. That the work You give this Commissioners will be the greatest and urgent business. That the glory that esteems from this place will be our highest aim. That the power You give each one of us should be our desired strength, and that Your presence should be our calmest assurance. We ask now that you give each District peace that will be their greatest consolation, that You'll give them grace that will be their greatest blessing, that You'll give them mercy that will be their earnest desire, but most importantly You will give them joy that will be their utmost satisfaction. Now as we go forth with the business of the day, that we ask that You give us wisdom to be our loftiest ideal, that You give us patience to be our golden example, and that You give us fellowship for our daily consideration. Bless us and strengthen us and keep us both now and forevermore. Let us all say amen.

Members of the congregation and audience said, amen.

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III. PLEDGE OF ALLEGIANCE

Commissioner Holmes said, will you join me in the Pledge of Allegiance.

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

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PERSONAL PRIVILEGE

Chairman Scott said, I might also just say thank you Pastor Lee for agreeing to host a forum on SPLOST this coming Sunday at 4:00 o'clock. Thank you so much.

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

Chairman Scott said, at this time 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 Bocoock, County Clerk

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CHATHAM COUNTY YOUTH COMMISSION

Chairman Scott said, at this time I will recognize the vice Chair of the Commission, Dr. Priscilla Thomas, for the purpose of introducing the members of the Youth Commission who are present here today.

Commissioner Thomas said, thank you, Mr. Chairman, members of the Commission, ladies and gentlemen. It is my pleasure to introduce to you serving on the Youth Commission this morning, Brenna Bazemore, and if I'm not pronouncing that correctly, please forgive me.

Youth Commissioner Brenna Bazemore said, that's right.

Commissioner Thomas said, she is a sophomore at Bible Baptist; Ariel Bland, a sophomore at New Hampstead; and Justice Bosco, a senior at Windsor Forest attending today.

Chairman Scott said, and on behalf of the Commission thank you so much for being here.

Youth Commissioner Bazemore said, you're welcome.

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PERSONAL PRIVILEGE

Commissioner Shabazz said, I'd like to say something.

Chairman Scott said, Commissioner Shabazz has asked to be recognized.

Commissioner Shabazz said, good morning.

Members of the Audience said, good morning.

County Manager Abolt said, good morning.

Commissioner Shabazz said, to the St. John Baptist Church and Pastor Lee, I really enjoyed the invocation this morning and -- along with your men that you have here. I feel enriched by that. I just had to say that. Thank you.

Pastor Lee said, thank you.

Chairman Scott said, any further comments before we get started? Okay. And, I would also like to at this time before we get started on the regular agenda, I would ask that for those in the audience, as well as members of the Commission please silence or turn off your cell phones, and I would also at this time would like to present Dr. Lee a -- a Certificate of Appreciation for coming here today. Ms. Bazemore, did you --

Youth Commissioner Bazemore said, hello. My name is Brenna Bazemore, and I would like to thank the St. John's Baptist Church for the message that they gave, and I would just like to congratulate you.

Pastor Lee said, thank you very much.

Youth Commissioner Bazemore said, you're welcome.

Chairman Scott said, any members of the Commission who would like to join me in this presentation, please do so. On behalf of the entire County Commission I present this Certificate of Appreciation. It's obvious the entire Commission appreciates you being here and your invocation. They've all joined me here to present you with this Certificate of Appreciation. (Inaudible.) Thank you so much for being here.

Pastor Lee said, thank you. We greatly appreciate it. We support all that you do from St. John, the Mighty Fortress. We look forward to share the SPLOST information. We are not attempting to sway but just to put the

information out there for citizens so they can make right decisions. And St. John's stands ready and willing to help Chairman Scott and the entire Commission in whatever you do.

[NOTE: Photographs were taken.]

Pastor Lee said, man up.

Congregation members said, man up.

Chairman Scott said, thank you all.

Pastor Lee said, thank you so much.

Chairman Scott said, Commissioner Center from the Third District.

Commissioner Center said, I -- I'm just looking at the names of the Youth Commission that I met as we walked in. Welcome, and I'm glad that Brenna told us her name, but I look, as a lawyer, I love to see the name Justice over there, Ms. Bosco, and Ms. Bland, Ariel in Hebrew means lion. That's my father's Hebrew name, and -- and my daughter's Hebrew name named after him.

Chairman Scott said, thank you.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. MIKE TOMA WITH M2ECONOMICS WILL MAKE A PRESENTATION ON THE SPLOST IMPACT STUDY.

Chairman Scott said, at this time we would move to Item V on our agenda, and we have Dr. Toma. Is he? Is he -- is he here?

Assistant County Manager said, he's here.

Chairman Scott said, and this too is part of the educational process to better inform everyone on SPLOST, and we engaged Dr. Toma to help us understand the impact of SPLOST, and when I read this, I had a bunch of questions, but he wasn't at the house, so I couldn't ask him, but doctor, it's nice that you're here, and perhaps I can get some of those questions answered today.

Dr. Michael Toma said, thank you, Mr. Chairman, Commissioners, it's a pleasure to be here to present, excuse me, the findings of this research to the Commission and also to take questions and help as best I can understand what we did here. So, it's a brief overview of the economic impact associated with the expenditures of SPLOST funds from 2008 to 2013. As you're aware, since 1985 the -- that SPLOST revenue that's been generated by the tax is about \$1.4 billion. What we did was we analyzed \$373 million of spending that took place in -- over this five-year period from 2008 to 2013. So we looked at the actual expenditures that took place, not the revenue that was coming -- that came in during this period of time, but the expenditure on approximately 750 different projects that were funded over that period of time in full or in part. So the process, the methodology includes use of an input/output model that's customized for the Chatham County economy that tracks flows of expenditures and so effectively what we do is we push these 373 million -- \$377 excuse me, million worth of expenditures through this model, the model tracks the -- the flow of funds and allows us to estimate what the economic ripple of this funding would be. So it's more than just \$373 million.

Dr. Toma said, it is important to understand the difference between the net effect and the gross effect. We need to consider the business activity that would have been displaced by a reduction in the household disposable income as a result of the tax being paid by households in the county.

Chairman Scott said, doctor, when -- when -- when you did that with -- did you attempt to do any analysis if we had -- if we had bonded that same amount of money? And I -- I know you did some in here, but if you'd bonded that same amount of money, and if you had increased the digest to service those bonds on an annual basis, which you would have to and somehow reduce or pay the interest and principal --

Dr. Toma said, we did --

Chairman Scott said, would that not -- would that not also take away money from households? Which -- but, and -- and then when I -- when I looked at it and thought about it, and I think to -- to -- if I recall, there is 60 some percent of Chatham Countians who own homes. I don't remember if it was 68 percent or something, but I've -- I've -- I've looked at that number before, and then the others are, I would assume, are rentals, but if you own rental property, and you have a tax increase, you usually pass it through to your renters, so you would have to assume that everybody participates somehow in the servicing of those bonds.

Dr. Toma said, this is correct. The -- that -- that component did not appear in the report. It's clearly true that if these funds were bonded rather than being generated on a pay as you go basis, there would be an estimate of 20, your costs of barring would be about -- I have that as -- as a result later on, about \$180 million of debt service cost, in addition to the principal on that \$377 million. Clearly that would be in the long run passed on to property owners in the county in the form of higher property taxes. That in part -- that is true, that's not part of this analysis. So --

Chairman Scott said, yeah, and -- and I sort of backed into it and -- and I was somewhat alarmed, but I sort of backed into it and I put that 180 that you were in reference to, along with the principal, and then I did it over a 20-year period, and then looked at how much money we would have to raise on an annual basis to service it, and if you consider the tax digest roughly -- if you use 12 million or 12.5 million or whatever you want to use for that and -- and then think of it for a mill, and then you have to back into how many mills you would have to raise. To me it was -- it was astonishing. I almost call it property tax avoidance, even if it's not a rollback.

Dr. Toma said, it's clear that the -- the funds and the debt service costs that were raised through the SPLOST tax otherwise, if they were financed through borrowings those cost of borrowings and debt service would be passed on presumably to property owners with -- in the form of higher tax millage rates, that's correct.

Chairman Scott said, that's what I wanted to ask you last night when I was reading it.

Dr. Toma, I was not at your house last night. I'm sorry. So, no, that's correct. That -- that analysis is correct. With respect to the work that was done, if you push \$377 million through the local economy, it would generate on the order of about \$601 million of economic activity for businesses in the area. That basically would translate into increased revenue for these businesses. Three -- obviously the \$377 million would be let out in the form of contracts and work to be done. As those dollars recycle through the economy, that's where the economic impact or ripple effect would play out of the \$601 million on a gross basis. As indicated before, if this revenue is being obtained from households in the form the - the retail sales tax, it's going to displace some household spending activity. So that was estimated to be about \$211 million, and the net impact is approximately \$390 million from the expenditures on the contracts. If the displacement is not on a one for one basis with the tax revenue that was created -- that was obtained \$377 million, significant portion of that is explained by the fact -- by the assumption about 38 percent of these tax revenues come from folks from outside of the county in the form of tourists to our area or folks who commute over the county line from somewhere else and expend some of their income here in the county itself. So there's also some of that disposable income that would have presumably stayed in the hands of house -- of -- of county residents. Some portion of that would have been saved and therefore not expended, and there is another adjustment for that disposable income in the form of 35 percent of those expenditures would have leaked out of the economy of Chatham County anyways.

Dr. Toma said, so if you think about how that works, that would be for example consider purchase of an automobile or purchase of say a refrigerator, some major appliance. We don't produce automobiles in Chatham County, nor do we produce refrigerators and those sorts of things, so when you go to say Home Depot or Lowe's and buy a refrigerator, most of the money associated with that transaction is going to leak out of the county anyways. It doesn't mean that we spend 1/3 of our income outside, that we travel outside of the county it's that we spend 1/3 of our income outside of the county, but our expenditures, some of which take place in Chatham County leak out.

Dr. Toma said, the combined -- the combined net impact over 2005 to 2008, as you see it's highlighted in the -- the yellow figures there. I would focus on the business revenue and the labor income pieces at this point generating about \$390 million worth of business revenue for firms in Chatham County, generating about \$178 million worth of labor income for workers in Chatham County. That averages out to about \$40,000 a year plus benefits for individuals in the county. Moving on to the next table, this table was -- originally appeared in the report, there were some typos in this table. This has been subsequently revised, Table 3 in the report. Apologize for that oversight. These corrections here are associated with one year position, the listing of the one year positions. This is I think perhaps the best way to intuitively think about what the SPLOST spending does.

On an annual basis it supports about 607 jobs per year in the county. Now because these are primarily construction projects, once those -- flow of construction funds ends, the impact ends, so these are temporary positions that were supported in the county over this five to six-year period, about 607 jobs per year supported by the funding within the county on a net basis after the -- the -- the displacement of in -- of activity has taken place.

Dr. Toma said, there are other associated affects with the SPLOST expenditures. As mentioned before there's an avoidance of just the interest carrying costs and the fees on the presumable 20-year debt that might have been issued to support the funding, about \$184 million. There is some direct leveraging of this fund -- these funds that come in the form of reimbursement from the Georgia Department of Transportation in the amount of \$16 million roughly over that period of time. Clearly with the drainage projects that would reduce the -- the threat of flooding and the potential risk of -- of property damage associated with that. A significant portion of the funds are transportation, highway and bridge infrastructure improvements, those things tend to reduce congestion, save individuals time, reduce fuel consumption costs and transportation costs of materials and goods in the area.

Dr. Toma said, some of the funds are set aside to -- not set aside, some of the funds were expended on securing property for green spaces or parks, things of that sort and other projects. That's a very small effect on the economy. The real estate volume in the market over the last five to six years, just if you look at residential real -- residential sales, it was about \$600 million per year in -- in home sales. We're talking about maybe \$2 million a year, 1.5, \$2 million a year in terms of funding that was SPLOST funding that -- that flowed into the real estate market, so there's a trivial affect there, not much to consider. One of the longer lasting effects of the project is the expansion the detention center will create in the long run an additional 107 jobs, net gain in jobs that pay about \$4 million a year in payroll. So these are some of the -- the other impacts associated with the -- the SPLOST funding. Clearly there are many, many more than we can list on one or two slides, but in general what we're looking at I think for a summary screen this shot right here, is that we're looking at about 607 jobs per year that are supported by SPLOST funding. These are temporary positions, and over the period of analysis, 300 million -- \$390 million in economic activity or business revenue supported in our county and about \$180 million of payroll that's supported by that.

Dr. Toma said, if the Commission has questions, I'd be happy to address them as best I can.

Chairman Scott said, anybody have any questions? One of our Youth Commissioners, Ariel -- Ms. Bland.

Youth Commissioner Ariel Bland said, what exactly is SPLOST? What exactly is SPLOST and what --

Chairman Scott said, Ms. Bland, would you use the mike, please?

Youth Commissioner Bland said, I'm sorry. Like, what is the acronym of SPLOST?

Dr. Toma said, Special Purpose Local Option Sales Tax.

Commissioner Center said, Mr. Chairman?

Commissioner Shabazz said, I have one after that too.

Commissioner Center said, Dr. Toma, I -- would you tell the -- because we have a TV audience also, tell us your credentials so the people will know who is presenting these figures to us.

Dr. Toma said, thank you. I'm a -- I'm the Fuller E. Callaway Professor of Economics at Armstrong Atlantic State University. I hold a PhD in economics from George Mason University in Virginia.

Commissioner Center said, thank you.

Chairman Scott said, Commissioner Shabazz of the Fifth District.

Commissioner Shabazz said, and -- and where did you get your -- what is your information based on, and where did you -- how did you come about with these figures?

Dr. Toma said, the data generally was provided by Chatham County in terms of the -- the expenditures on projects by year. We also -- there was the information available from Carl Vinson Institute of Government. The financial reports for all the counties end up on the -- are presented on that website, so there's information about

the -- the flow of expenditures on what sorts of projects that was available in that -- in that sense. That effectively is the input part of the input/output analysis. So we take the funding for those 750 projects, we code it depending on what type of project that it was, whether it was a -- a drainage project or a construction project, whether it was funds set aside for open space and things of that sort. So that's the input piece. The software that we use to generate the output, the numbers that we see up on the screen is -- is -- is the usual and conventional standard methodology software that's used across the country by -- by governments and universities and -- and analysts who understand and track the flow of economic activity through counties. So primarily we set up inputs. We use the software that's customized for our county, and then we get outputs from that that you see reflected here.

Commissioner Shabazz said, thank you.

Chairman Scott said, Commissioner Brady of the Sixth District.

Commissioner Brady said, good morning. It's a very good report, and I appreciate all this information. It's very in-depth, but bottom line this. This report shows that in fact SPLOST has been beneficial to this community. In your professional opinion that's what you're saying.

Dr. Toma said, there is a favorable impact on the county from the -- these expenditures, yes. Yes.

Commissioner Brady said, thank you.

Chairman Scott said, any further questions? Doctor, the -- the only thing that -- that I was thinking in terms of we've been in a period of a slump in building and the economy and everything else, and it was even reflected in the-- in the bid on that project. In the absence of this -- in the absence of SPLOST I sort of extrapolate that the unemployment rate would have been higher. Now I -- I -- I could be wrong about that, but that's -- I -- I also concluded that in my thinking about what you had done here. Although you didn't address unemployment rates.

Dr. Toma said, that's correct, it's -- it is clear that the -- there is -- there are sectors that benefit from the funding stream, for these projects primarily the construction sector in our local economy benefits the most. If -- of those 607 jobs roughly 580 were in the construction sector. That sector has been mercilessly hammered over the last five to six years through the recession. We've gone from about 10,000 workers in the construction industry in our three-county Metropolitan area to about 5500 workers. So if you think about what that means, these 500 or so jobs in that construction sector, effectively supported 10 percent of that industry over the last several years. As that sector, construction sector, has declined precipitously in employment as the housing bubble burst, this funding for the SPLOST projects helped support employment in that sector. So they're clearly about 10 percent more employment jobs in that sector that can be attributed to the SPLOST funding that went through that sector. So the unemployment, particularly among those in the construction industry would be higher.

Chairman Scott said, Commissioner Center.

Commissioner Center said, Mr. Chairman, is this report available on line or elsewhere for people who want to delve -- delve into it?

Chairman Scott said, not if you read the small print. But I'll let the doctor speak to that.

Dr. Toma said, I -- it's -- it's at the Commission's discretion. I would like to have an opportunity to take your question. If I need to make any adjustments to the report, final editing if there's -- as I mentioned before, there is -- there is Table 3 that needs to be adjusted with the data. You've seen the correct data here. I would provide that back to the Commission, the county staff for distribution at the --

Chairman Scott said, and --

Dr. Toma said, -- at the Commission's discretion.

Chairman Scott said, and I think it's possible for the slides that was presented here today that we could possibly put those on our website --

Commissioner Center said, thank you.

Chairman Scott said, if there wouldn't be any objections to that. And the other thing that -- that -- that I looked at when -- when we did this and we sort of backed into the 38 percent which is an established number that's

been used over years of the percent that's being paid of the Local Option Sales Tax by persons outside of Chatham County be there commuters, visitors, tourists or -- or what have you, and -- and I see -- I sort of compare that to -- to -- if you compare it to a savings plan, a 401K, you -- you would all be talking somebody in matching for every \$6.00 that you put in, somebody was matching it with \$4.00. That's a pretty good return.

Dr. Toma said, sometimes it's said that the -- the best tax is a tax that somebody else pays.

Chairman Scott said, oh, that's always the case.

Dr. Toma said, this is -- this is -- this is part -- this is -- this is an example very much of that in which this -- this sales tax, a significant portion of these sales tax revenues are generated by folks who visit our -- our tourism -- take advantage of our tourism opportunities here and visitors to our county. So that's -- that's a very significant component, \$2 billion a year in our regional economy in terms of the overall measurement of this tourism industry. So those folks are -- are paying these taxes and supporting our infrastructure projects in our county.

Chairman Scott said, Commissioner Shabazz, but I would also say if members of the Commission reads this report and they have some additional questions or -- or things that they would like Dr. Toma to look at, if they would get them to our Assistant County Manager, Linda Cramer, and she is the point person with Dr. Toma, and she will make sure that they are getting incorporated into the report. Commissioner Shabazz.

Commissioner Shabazz said, is there any way to estimate the amount of money that those individuals that visit the city or outside of Chatham County, is there any way to gauge not exactly but estimate on how much they actually leave in Chatham County? Those who don't live here? Is there any formula for that?

Dr. Toma said, the -- the -- the Visit Savannah organization, our tourism and --

Commissioner Shabazz said, okay.

Dr. Toma said, -- promotion bureau commissions a report I believe on an annual basis.

Chairman Scott said, I don't know if Joe [Marinelli] is still here?

Dr. Toma said, on an annual basis? Mr. Marinelli is here. I believe this most recent report suggested that it was \$2 billion. 2.1 billion?

Mr. Joe Marinelli said, 2.1.

Dr. Toma said, \$2.1 billion of -- of revenue flows into our economy as a result of tourism in -- in our area.

Commissioner Shabazz said, okay.

Dr. Toma said, that's a significant portion of our overall economic activity for -- in the county.

Commissioner Shabazz said, okay.

Chairman Scott said, all right. Doctor, thank you, and we appreciate it. My -- the whole purpose of what this Commission was trying to accomplish with this is to provide the public as much information as possible in advance of the November 5th vote on SPLOST to extend it. And -- and I think what you have done here would be very helpful because I wished it was done earlier because early voting has already started, but for the November 5th election, I hope this information will be helpful to voters who are trying to make up their minds, and we're not making a recommendation to them, but we are -- we are telling them the facts here in this particular presentation.

Dr. Toma said, thank you.

Chairman Scott said, thank you so much.

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VI. CHAIRMAN'S ITEMS

Chairman Scott said, I don't have any personal items.

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VII. COMMISSIONER'S ITEMS

Chairman Scott said, and we have no Commissioner items on the agenda.

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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>

Chairman Scott said, and we have nothing that's been tabled or nothing for reconsideration at this time.

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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 \$11,000 WITHIN THE BOARD OF ASSESSOR'S BUDGET TO SALARIES AND WAGES TO FUND A SALARY ADJUSTMENT, b) TRANSFER \$10,527 FROM THE SHERIFF'S DEPARTMENT AND \$44,500 FROM THE DETENTION CENTER TO TRANSFER OUT TO THE CAPITAL IMPROVEMENT (CIP) FUND, AND c) APPROPRIATE \$7,495 FUND BALANCE COMMITTED FOR EMERGENCY MANAGEMENT TO THE EMERGENCY MANAGEMENT DEPARTMENT, 2) APPROPRIATE \$34,000 IN THE CONFISCATED REVENUE FUND TO CNT FOR A VEHICLE, 3) IN THE SALES TAX V FUND TRANSFER FUNDS AMONG PROJECTS, AMEND PROJECT BUDGETS AND ESTABLISH THE CHATSWORTH CUL-DE-SAC PROJECT AS OUTLINED IN THE ATTACHED MEMORANDA, AND 4) IN THE CIP FUND: a) INCREASE REVENUES \$55,027 TRANSFERS IN, AND b) INCREASE EXPENDITURES \$55,027 FOR EVIDENCE TRACKING SOFTWARE FOR THE SHERIFF'S DEPARTMENT AND THE DETENTION CENTER.**

Chairman Scott said, and with that, we will move to Items for Individual Action. Items for Individual Action, and number one is to request approval of the following budget amendments and transfers. In the General Fund in M&O transfer \$11,000 within the Board of Assessor's budget to salary and wages to fund salary adjustments and b) transfer \$10,527 from the Sheriff Department and \$44,500 from the Detention Center to transfer out to the Capital Improvement (CIP) Fund, and c) appropriate 700 -- \$7,495 fund balance committed for Emergency Management to the Emergency Management Department appropriation -- Department, and appropriate \$34,000 in the Confiscated Revenue Fund to the CNT for a vehicle, and in Sales Tax V Fund transfer funds among projects, amend projects budgets and establish the Chatsworth cul-de-sac project as outlined in the attached memorandum, and 4) in the CIP Fund increase revenues by \$55,027 Transfer In, and b) increase expenditures by \$55,027 for evidence tracking software for the Sheriff's Department and the detention center. Any questions about item one on the Individual --

Commissioner Stone said, so moved, Mr. Chairman.

Chairman Scott said, -- Action Calendar?

Commissioner Holmes said, second.

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

ACTION OF THE BOARD:

Commissioner Stone moved to request approval of the following budget amendments and transfers. In the in the General Fund M&O: a) transfer \$11,000 within the Board of Assessor's budget to salaries and wages to fund a salary adjustment, b) transfer \$10,527 from the Sheriff's Department and \$44,500 from the Detention Center to transfer out to the Capital Improvement (CIP) Fund, and c) appropriate \$7,495 fund balance committed for Emergency Management to the Emergency Management Department, 2) appropriate \$34,000 in the Confiscated Revenue Fund to CNT for a vehicle, 3) in the Sales Tax V Fund transfer funds among projects, amend project budgets and establish the Chatsworth cul-de-sac project as outlined in the attached memoranda, and 4) in the CIP Fund: a) increase revenues \$55,027 Transfers In, and b) increase expenditures \$55,027 for evidence tracking software for the Sheriff's Department and the detention center. Commissioner Holmes seconded the motion and it carried unanimously.

AGENDA ITEM: IX-1

AGENDA DATE: October 25, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Amy Davis, Finance Director

ISSUE:

To request approval of the following budget amendments and transfers. In the in the General Fund M&O: a) transfer \$11,000 within the Board of Assessor's budget to salaries and wages to fund a salary adjustment, b) transfer \$10,527 from the Sheriff's Department and \$44,500 from the Detention Center to transfer out to the Capital Improvement (CIP) Fund, and c) appropriate \$7,495 fund balance committed for Emergency Management to the Emergency Management Department, 2) appropriate \$34,000 in the Confiscated Revenue Fund to CNT for a vehicle, 3) in the Sales Tax V Fund transfer funds among projects, amend project budgets and establish the Chatsworth cul-de-sac project as outlined in the attached memoranda, and 4) in the CIP Fund: a) increase revenues \$55,027 Transfers In, and b) increase expenditures \$55,027 for evidence tracking software for the Sheriff's Department and the detention center.

FACTS AND FINDINGS:

1. The Board of Assessors has voted to adjust the salary of the Chief Appraiser. A transfer within the department budget to salaries and benefits is necessary to provide funding. Correspondence is attached (to the original staff report in the Clerk of Commission's meeting file).
2. The Sheriff is purchasing evidence tracking software. A transfer of funds from the Sheriff's Department and the Detention Center General Fund M&O budget to the CIP Fund will provide funding. Correspondence and a resolution to amend the CIP Fund are attached (to the original staff report in the Clerk of Commission's meeting file).
3. The CEMA Director has requested an appropriation of \$7,495 for a grant match. The grant application appears elsewhere on the agenda. Appropriating the grant match at time of application follows policy and procedures for grant processing. Correspondence and a resolution are attached (to the original staff report in the Clerk of Commission's meeting file).
4. The Counter Narcotics Team Director is requesting a \$34,000 appropriation of Confiscated Funds to purchase a clandestine lab response vehicle. A staff report is attached (to the

original staff report in the Clerk of Commission's meeting file).

5. The Assistant County Engineer has requested project modifications in the Sales Tax V Fund. Detail is provided in the attached memoranda (to the original staff report in the Clerk of Commission's meeting file).

FUNDING:

Funds are available in the General Fund M&O and Confiscated Revenue Fund for the transfers. The budget amendment will establish funding in the General Fund M&O and the CIP Funds.

ALTERNATIVES:

1. That the Board approve the following:

GENERAL FUND M&O

- a) Transfer \$11,000 within the Board of Assessor's budget to salaries and wages to fund a salary adjustment.
- b) Transfer \$10,527 from the Sheriff's Department and \$44,500 from the Detention Center to Transfer Out to the Capital Improvement (CIP) Fund.
- c) Increase revenues and expenditures \$7,495 fund balance committed for Emergency Management.

CONFISCATED REVENUE FUND

Transfer \$34,000 from CNT contingency to purchase a clandestine lab response vehicle.

SALES TAX V FUND

Transfer funds among projects as outlined in the attached memoranda dated October 15, 2013.

CAPITAL IMPROVEMENT FUND

Increase revenues \$55,027 Transfer In from General Fund M&O and increase expenditures \$55,027 for evidence tracking software.

2. Amend or deny the request.

POLICY ANALYSIS:

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

RECOMMENDATION:

That the Board approve Alternative 1.

Prepared by: Estelle Brown

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**2. BOARD CONSIDERATION OF REQUEST FOR A REPLACEMENT WATER WELL PERMIT VARIANCE FOR 8944 FERGUSON AVENUE.
[DISTRICT 1.]**

Chairman Scott said, Item 2. This is a request for the Board consideration for the replacement of a well permit variance for 8944 Ferguson Avenue, District 1.

Mr. Gregori Anderson said, Mr. Chairman, Members of the Board, what's before you this morning is a request for a variance -- variance from the county well ordinance. The current ordinance requires that any property that abuts a right of way that contains a government-owned water system or within 200 feet of the property line of that property tie into that governmental water system. The ordinance also does provide a -- an opportunity for a variance. In this particular case, if the well is rendered unusable either through contamination or other means than the applicant has the opportunity to come before you and make a request. The Board has the authority to grant a variance based on that provision, and I believe that the applicant is here this morning to -- to make that plea to you, as well as answer any particular questions you may have.

Chairman Scott said, is -- who -- who is here to -- to speak on it?

Mr. John Pannell said, good morning, Mr. Chairman. My name is John Pannell. My wife and I actually own the subject property, 8944 Ferguson Avenue.

Chairman Scott said, okay.

Mr. Pannell said, we bought the property two years ago and at the time we bought the subject property there was actually a deep well on the property that we intended on using for our home. We spent unfortunately several thousand dollars to install a new pump on that existing well, but when it was installed the well collapsed, and I was told by the -- the well company that that is something that's common along the Georgia coast, especially because of the I guess limestorm -- limestone formations of -- of our area, and it was an older well. Because it collapsed, we're here before you today requesting a -- a new well permit to replace that well. The existing well has been declared a -- abandoned. It's been concreted, and that has been certified to the county department. I do understand there is water along Ferguson Avenue, but I guess to put this in perspective for some of you that are not familiar with this area, Ferguson Avenue, we are along the area between Sandfly and Bethesda, and like many of the lots on the -- along that area, on the creek side, we have about 3 acres, but it's only about 130 feet wide. So it's about a 1200 foot run from Ferguson Avenue all the way back to the marsh. It's just a long, skinny piece of property like a lot of the -- the -- the pieces of property along Ferguson Avenue. I think it would be very unreasonable, and I guess, financially burdensome for us to have to run a water line over 1100 feet from Ferguson Avenue back to the home site --

Chairman Scott said, Mr. Pannell, but you would -- you're not suggesting you would run a water line from the street to the -- to the marsh.

Mr. Pannell said, yes, sir, I am. The -- the home site actually is up on the -- the marsh side of the property, so it's over 1100 feet --

Chairman Scott said, yeah, but you got --

Mr. Pannell said, -- from Ferguson Avenue back to the home.

Chairman Scott said, how much of a setback -- you're planning on building a new house, is that correct?

Mr. Pannell said, it's actually a replacement house. There was a house -- existing house there that was in disrepair that we were going to try to renovate but unfortunately just could not, and so we're --

Chairman Scott said, so you're building a new house.

Mr. Pannell said, it is a house that will be in the same footprint of the existing house that we have torn down.

Chairman Scott said, but it's a --

Mr. Pannell, it -- it will comply with all the DNR setbacks and marsh setbacks, yes, sir. It's been surveyed, and actually the -- the home that was there that we are replacing was within those setbacks and is, you know, in -- within those guidelines.

Chairman Scott said, okay.

Mr. Pannell said, one other comment is I -- I have not confirmed this but it is my understanding the county water line that does come down Ferguson Avenue is actually on the other side of the road, and so it is true that our property line abuts the right of way, but in order to service our home site, the line would have to come under Ferguson Avenue and then run through about 1,000 feet of -- of woods, and then another about 150 feet before you got to the home site. So again, I've not had anyone do any cost estimates, but I would think it would be a considerable cost to me to be able to have to bring in the county water line, and that's the reason for my request is -- is a replacement well for the well that collapsed on us.

Chairman Scott said, Commissioner Stone, Commissioner Center, Commissioner Shabazz in that order.

Commissioner Stone said, thank you, Mr. Chairman. I guess I would then -- this question might be directed if it's all right to the County Attorney is what the difference is from this request and what makes it if anything unique from the request from the residents at Isle of Hope who had an existing functioning well that they wanted to tie into for their new dwelling, and they were told that the use of that well was restricted to the dock and the swimming pool? So I want to understand this very clearly.

County Attorney R. Jonathan Hart said, at the time the water system at Isle of Hope was put in, it was put -- there was some question as to whether it would be economically viable, and one of the conditions of putting it in was that everybody would tie in, and while Isle of Hope is probably one of our oldest places in the county where we have residential housing, it's sort of like a village or it's a subdivision, so you're -- you're run distances from the main line are typically what you would see in your typical subdivision. This is a situation in which you don't have -- you have water running down Ferguson Avenue, but you've got a lot that you've got considerable distance to run a single line to support a single house. So it's not the situation in which you could -- if you ran the line, that line could be shared with others. So, you know, it's a situation in which this Commission has the power to grant the variance. It is really a -- a matter of decision. The county staff has not recommended it simply because if you read our ordinance it -- it says -- it says whether it abuts the right of way you got -- you got to plug into it, so. If it was written that way, we enforce it that way, but there is a mechanism for a variance should you desire to do so.

Commissioner Stone said, but I guess my question is, there's nothing unique other than the distance here, is that the -- the real question that makes it different from the property at Isle of Hope?

County Attorney Hart said, essentially.

Commissioner Stone said, okay. Thank you.

Chairman Scott said, we had -- Commissioner Center.

Commissioner Center said, thank you, Mr. Chairman. Good morning, Mr. Pannell.

Mr. Pannell said, good morning.

Commissioner Center said, you -- you --

Chairman Scott said, Commissioner Farrell and then Commissioner Brady, in that order.

Commissioner Center said, okay. My -- my first --

Chairman Scott said, I'm sorry.

Commissioner Center said, I'm sorry.

Chairman Scott said, Commissioner Shabazz, Commissioner Farrell and then Commissioner Brady, in that order.

Commissioner Center said, see if they can remember that. My question was, you said you don't have the answers, so let me word it a different way. I want to know the cost. You spent several thousand dollars already on the well. You don't know what it would cost to run a line, and before I make up my mind, I'd like to know the cost to you on -- on both alternatives. Is there a crucial time limit for you to have this variance?

Mr. Pannell said, yes, sir. We're trying to start construction on the replacement home immediately, and this is kind of one of the missing pieces is having water service in order to pour concrete and actually start construction. The existing well, I spent about \$4500 on having serviced and a new pump installed. That's when it collapsed. I've had a cost estimate from a well driller for a new well of \$5800. So I'm prepared to spend \$5800 on a new well. I have not, you know, had anyone run any cost estimates on what, you know, over 1100 feet of water line would run. I do know it's going to probably have to come under Ferguson Avenue and go through a wooded area, which I assume is -- is pretty costly, but I -- I do not have a figure for you, Commissioner, on -- on what that would cost.

Commissioner Center said, it could end up being less expensive. You don't know.

Mr. Pannell said, possibly.

Commissioner Center said, all right. And maybe the county staff I have to ask this. Do we -- do you have to dig up Ferguson Avenue to -- if you ran the line? Do you know?

Mr. Pannell said, I -- I don't know the answer to that.

County Attorney Hart said, they either cut and cover, dig it up and cover it back up, put the road back down, or you can jack and bore it and go in under the road, and I -- I -- the jack and bore is more expensive sometimes. It's -- it's the easier way to go, especially if you've got other utilities that you're worried about. I -- I really don't know how you would figure the cost, and maybe engineering could -- could do that, but I -- I -- it's beyond my scope of expertise.

Commissioner Center said, and -- and would there be a disruption to the community while that was being done and using that avenue?

County Attorney Hart said, well Ferguson Avenue is a fairly busy road. It's a narrow two-lane road, and it runs a considerable distance with a lot of people entering and existing.

Commissioner Center said, so that is yes, there would be a disruption for that period of time?

County Attorney Hart said, yes. Oh yes. Yes. You'd -- you'd want to --

Chairman Scott said, have we -- have we really established the fact which side of the road the line's on?

County Attorney Hart said, I'm just accepting that as information. I really don't know.

Mr. Pannell said, Mr. Chairman, the -- the -- across Ferguson Avenue are several subdivisions, Remington Subdivision is what's directly across from me, so I'm -- I'm -- I'm pretty confident the water line is over there to service those areas. It's not on, I guess, my side of -- of the -- Ferguson Avenue,

Chairman Scott said, Commissioner Shabazz.

Commissioner Shabazz said, yes. Good morning.

Mr. Pannell said, good morning.

Commissioner Shabazz said, I wanted to know, when you say replacement home, have you demolished the existing home there?

Mr. Pannell said, we have, yes, sir. Several months ago we did.

Commissioner Shabazz said, what's there? What's there now? Just -- just land?

Mr. Pannell said, it's actually -- yeah, it's site ready for new construction. It's just dirt.

Commissioner Shabazz said, are you building on the same foundation?

Mr. Pannell said, not the same foundation, but the same footprint, yes.

Commissioner Shabazz said, okay, but I'm saying -- okay.

Mr. Pannell said, I -- I -- I guess the -- the answer to your question is we've destroy -- we've torn up the existing foundation of that home -- of the old home, so, but it is in the same location, yes, sir.

Commissioner Shabazz said, yeah, so -- you're going back with a concrete foundation or what foundation?

Mr. Pannell said, right. It will be concrete pilings because the house will be built, you know, three or four feet above the ground.

Commissioner Shabazz said, okay, so that's a new home?

Mr. Pannell said, correct.

Commissioner Shabazz said, okay. I want to know now what is the recommendation of county staff?

County Manager Russ Abolt said, the county staff in effect has said you've got an ordinance we should be allowed to require the ordinance to -- to play -- play forward, namely the -- as Mr. Drewry said, this is not a good deal for the utility, but a variance is allowed based on testimony received by Mr. Pannell. But as an operator

of utilities, we feel it is in the best interest to have all potential users part of the utility, but in this case, if you feel the argument is compelling, you can make a choice to vary it. Absent that obviously the staff would say there's only one choice, and that is in effect to tie in to the county system.

Commissioner Shabazz said, what's the last -- what's the last part?

County Manager Abolt said, the -- the only choice you have in the county staff's mind is to tie into the existing system. If you feel there is mitigating circumstances, then you afford the applicant, in this case Mr. Pannell to make his case. This is his day in court.

Commissioner Shabazz said, okay.

County Manager Abolt said, so you as -- you as judges --

Commissioner Shabazz said, right. Right.

County Manager Abolt said, -- have to make a decision --

Commissioner Shabazz said, right.

County Manager Abolt said, -- as to the merits of the argument.

Commissioner Shabazz said, okay. Have you estimated -- have you gotten some figures on what it would cost if you tied into the existing?

Mr. Pannell said, no, no, sir, I haven't because to be honest with you, I -- I didn't know that this was going to be an issue since there was an existing well that we had planned on using but then it collapsed. I -- I didn't realize it was a problem to have a new well drilled until I -- I guess -- I've gotten through this process the last couple of weeks.

Commissioner Shabazz said, right, and what's the cost of the new well that you?

Mr. Pannell said, the estimate that I've been given is \$5800 to drill a new well, and that includes, you know, installation, the pump, I mean everything. It -- that would be everything to tie it into the house.

Commissioner Shabazz said, okay. And then that's sewer -- that's septic tanks out there?

Mr. Pannell said, septic -- it will have a septic tank, yes, sir.

Commissioner Shabazz said, okay.

Mr. Pannell said, I -- I have pulled, just for what it's worth the development standards for dwellings, the county ordinance, and I meet all of the requirements for dwellings served under own individual water supply and own waste system.

Commissioner Shabazz said, yes, sir.

Mr. Pannell said, and so there -- there are no -- there will be no variances or anything needed from the MPC or this body, you know, related to a well or a septic tank.

Commissioner Shabazz said, you -- you've handled this real well, man.

Mr. Pannell said, well, thank you. I'm -- I'm -- I'm trying to help the tax base. I'm -- I'm replacing an existing house that was worth about \$10,000 on the tax roll with a brand new home. So I'm -- I'm trying to be a good citizen.

Commissioner Shabazz said, yes, sir. Thank you.

Chairman Scott said, Commissioner Farrell.

Commissioner Farrell said, thank you. Good morning, John.

Mr. Pannell said, good morning.

Commissioner Farrell said, Mr. Hart, you -- back to the Isle of Hope scenario we talked about a few moments ago, when it was decided to put in a -- a utility to provide water there, was that not bought into ahead of time by the affected property owners?

County Attorney Hart said, yes, sir. At that time the majority of the property owners supported it. There were those that did not. They were allowed to keep the well with the understanding that when the well, you know, gave out or whatever, they'd -- they'd tie in, and we eliminated drilling additional wells. But, yes, there was community involvement there.

Commissioner Farrell said, okay. So there was community input in the Isle of Hope, and there was a deal struck from a neighborhood-type situation. Would you consider this -- that stretch that he described on Ferguson as a neighborhood or more of a rural area where there's just individual plots of property that are not really connected except with a -- a line, a very long line?

County Attorney Hart said, there is not an area of Chatham County that is anymore cut up and more different configuration of lots than along Ferguson Avenue. The reason I know that is we got involved in an MPC litigation case at one time where there was a contention that there was a development plan for Ferguson Avenue, and I can assure you that that's not the case. That is just an old section of the county, and, you know, it was very rural, and people gave piece of lot here, piece of lot there, and so, you -- you don't have that now. On the other side of the road -- on the other side across from Mr. Pannell over the years, there's been some people who have been able to assemble some of those various side lots and then they put what I call in a straight in cul-de-sac subdivisions over there, and -- and -- but that's sort of a different animal. There's not any type of subdivision other than Berry -- there's a very nice -- nice subdivision on -- on the same side.

Commissioner Farrell said, so it would be more characterized by individual property owners rather than --

County Attorney Hart said, correct.

Commissioner Farrell said, and also, I would just -- I'm just trying to compare and contrast the -- the -- what we're looking at today and our most recent example of -- of a well, and I -- I think there's some differences that the -- by and large the community bought in at Isle of Hope to the idea of having a utility, where the properties along Ferguson Avenue, you know, that road was built in the early 1900s to serve as a part of the race track in the -- in the international race in 1908, and it's still in existence today, they just paved it. So, I think there's a little bit of difference between the buy-in, and apparently, you know, from what I'm hearing, this particular property owner didn't -- didn't -- is not buying into the idea that what's in the utilities' best interest but more the what's in his -- in his family's best interest for his water supply for his home, so, I think there are some differences. And -- and I'd also like to point out that the variance -- the -- the -- the law was written with -- with guidelines, but it also empowers this Board to -- for -- to a variance. So, the law's -- can be -- can go at the discretion of the Board, so, although in the best interest in the utility, it may be -- may be that, you know, we strictly enforce the letter, but with the variance, you know, there is the opportunity for this Board to -- to take another -- another pick.

Commissioner Farrell said, there are quite a few wells in that area that are up in age and built with material in the casings that will corrode and deteriorate and will have to be replaced, so this will probably not be the -- the first or the last petition in front of us, but, you know, seeing how's the property owner feels like it's in his best interest to have a -- a -- a well to replace the one he had, and he's not part of a neighborhood association that -- that, you know, asked for utility provided services, it just happened to be coming by his property, I'd be more inclined to -- to -- to grant the -- the -- the variance that he's asking for today. I asked earlier in the pre-meeting if there was any particular harm done to the county if this variance were permitted, and -- and I believe my answer was that, you know, except for financial impact of not having a customer for the length of the occupation of the residence, that there was probably none. So. Thank you.

Chairman Scott said, Commissioner Brady is next.

Commissioner Kicklighter said, okay.

Chairman Scott said, and then Commissioner Kicklighter.

Commissioner Brady said, thank you, Mr. Chairman. First I'd like to say that I always try to follow ordinances, but I appreciate the fact that in policies, I appreciate the fact that it allows a citizen to come before us and ask

for a variance. I want to make that crystal clear, but from a real estate perspective, certain mortgage criteria requires when you sell that house that whoever buys it has to hook up to the water and sewer -- or the water if it's at the street, and I want to put that on the table because that's part of a -- of a mortgage requirement in the event you sell that property. Now, I don't know what type of financing or if you're financing it or not, but you might want to confirm that there's not going to be a requirement that you hook up to a public water system if it's available at the street.

Mr. Pannell said, sure. I am financing the property. That has not been brought up by the bank, and I've gotten the financing in place. I don't in -- ever intend to move to be honest with you. I mean, this is a piece of property that we found two years ago. We bought. This is hopefully going to be the last place we ever live, and, so, I don't envision that being an issue, at least for me because I plan -- I plan on living there for another 40 or 50 years.

Commissioner Brady said, well, and -- and the county will appreciate you living there for another 40 or 50 years.

Mr. Pannell said, well, thank you.

Commissioner Brady said, but, I -- I just want, you know, the public to understand because I think Commissioner Farrell made a very valid point that we have older structures all along Ferguson Avenue, and if those wells start going down --

Mr. Pannell said, sure.

Commissioner Brady said, -- then, you know, this community needs to understand that there are mortgage guidelines when you sell a property that require that you hook up to the -- to -- to the water if it's at the street, and -- and I just want the county attorney to confirm that that is an accurate statement.

County Attorney Hart said, yes, ma'am. As I -- I told you in -- in pre-meeting. It's an underwriting issue, and some banks require it and some banks don't. Government insured loans are more inclined to make that a requirement. That doesn't necessarily mean all of them do, but, yes, ma'am, you've pointed out a point that -- that needs to be -- anybody considering buying there needs to consider financing.

Commissioner Brady said, well, and -- and to -- in response to that, the government loans on their exhibits, it says -- it indicates on there as an item if there is water and sewer at the street, who is going to pay to have it taken to the street level.

Mr. Pannell said, sure.

Commissioner Brady said, so.

Mr. Pannell said, again, I think this is a very distinguishable instance compared to what I think's been discussed with Isle of Hope property and what's across the street Ferguson Avenue. This is not subdivided property. It's not intended to ever be subdivided property just by virtue of the geography out there, it's a long way from Ferguson Avenue, and again, I -- I would not be here if the existing well had not collapsed on me. I wish I was not 'cause it's no -- now going to cost me more money, and so again, the reason I'm requesting for the variance is to replace what I already had which unfortunately collapsed.

Commissioner Brady said, thank you, Mr. Pannell.

Mr. Pannell said, thank you.

Chairman Scott said, Commissioner Kicklighter and Commissioner Holmes.

Commissioner Kicklighter said, thank you. So the well actually collapsed while you were under construction?

Mr. Pannell said, no, sir. We fortunately had work done prior to construction. Now we're actually have not started construction waiting to get this well water situation resolved.

Commissioner Kicklighter said, okay. I guess sometimes people like to hear the truth, sometimes they just want to hear what they want to hear. All right. Unfortunately in government, when infrastructure is extended out in areas, water lines, sewer lines, whatever, in order to be able to recoup some of the monies invested in the area because it is an investment in -- in the people that are already there but also an investment in the future of

development, government has to require that people tap in. If not, there would be no growth, there would be no increase in the tax base, and we would be in major trouble. I feel for you because your home is further back than -- than one would desire. I do feel a little bit better after hearing the Chairman tell me how much it cost for a piece of pipe that's like 10 feet long, so maybe -- hopefully, it won't be quite as bad as it sounds if you have to run the, you know, pipe back that far, but listening to yours, it would be easy to vote yes because it just right off the top makes a lot of sense to vote it, but when you keep in mind that we as a government body, we -- we -- we should treat everyone the same. It sets a precedence that -- that could potentially be really bad in the future. So I just want you to know I feel for you. I don't blame you for asking. I -- I, you know, as a person that's not sitting here, I would probably ask the same thing that you've asked, and feel good about asking it, but I -- I won't be able to support the request because of -- of, you know, what it would do as far as people coming up to us in the future. And I'm -- and I'm sorry, but I just wanted to kind of explain my vote before I just voted. Okay?

Mr. Pannell said, sure. I -- Commissioner, I understand water and sewer systems very well by the nature of my business, and so I understand the county's position of wanting as many people on that system as -- as possible. Honestly, if I was up -- building this house up by the road within a couple hundred feet, I would probably not even be considering a well. I mean, I would tap directly into the county because it would be easy to do.

Commissioner Kicklighter said, right.

Mr. Pannell said, again, I think that's the reason for this variance process is I think there are extenuating circumstances here. It's over 1100 feet to the home site. I know pipe is probably cheap, but, running a trench, running it around trees, to the frontage of this property I know is going to be extremely expensive, and I'm -- I'm happy to go get an estimate and bring it back to you if -- if that would somehow sway the Commission's decision on this.

Commissioner Kicklighter said, if I can ask you a question. Do you have -- I would assume you have a driveway running back towards the property?

Mr. Pannell said, there is a driveway, yes, sir.

Commissioner Kicklighter said, from the road?

Mr. Pannell said, yes, sir.

Commissioner Kicklighter said, all right. I -- I would recommend you rent a Ditch Witch and just dig right along that cleared path, and that should give you a straight shot and shouldn't -- shouldn't run into too many trees.

Mr. Pannell said, it sounds that easy but the -- the driveway does kind of meander. I'm -- again, if -- if it comes down to this Board denying this variance, but if it would be helpful for me to bring back to your next meeting a cost estimate of what it would cost to run the water line back where that can be compared to the \$5900 estimate -- or excuse me, \$5800 plus, I guess, the several thousand I've already spent, I'm -- I'm happy to do so. I -- again, though, I would really like, you know --

Commissioner Kicklighter said, that would help me. I wish you had it today.

Mr. Pannell said, sure. Well, again, this has really all occurred in the last couple of weeks. I didn't realize that I was going to need a variance to replace the existing well. So.

Chairman Scott said, Commissioner Holmes.

Commissioner Holmes said, the question I ask, why -- why did you find that place? How did --

Mr. Pannell said, if I knew I would have all these problems, I may have rethought it.

Commissioner Holmes said, let me --

Mr. Pannell said, this is one of many infrastructure issues I've had.

Commissioner Holmes said, yes. I don't want to put you on the spot, Mr. Robert Drewry, but can you come up for a second. Are you familiar with this?

Mr. Robert Drewry said, I've got some knowledge of it, yes, sir.

Commissioner Holmes said, okay. Is there any other way we can make this happen for this gentleman without digging up Ferguson Avenue?

Mr. Drewry said, as Mr. Hart indicated, jack and bore is probably the preferred alternative to get underneath Ferguson Avenue. It is also probably the most expensive, but in -- in considering all the utilities up and down Ferguson Avenue, and the amount of traffic, I probably would prefer him to jack and bore underneath Ferguson Avenue.

Commissioner Holmes said, go underneath. Okay. Okay. Now --

Chairman Scott said, Mr. Drewry, you've confirmed that the line is on the other side of the road from where he is?

Mr. Drewry said, I believe it is. I don't have direct knowledge of that, but all the development is on the other side of Ferguson Avenue.

Chairman Scott said, but you don't know that the line's there?

Mr. Drewry said, not right off the top of my head. No, sir.

Commissioner Holmes said, exactly.

Chairman Scott said, okay.

Commissioner Holmes said, have we did a study to find out?

Chairman Scott said, no.

Mr. Drewry said, I just don't know the detail on that.

Chairman Scott said, not yet.

Mr. Drewry said, my staff will know. I just haven't talked to them about it.

County Attorney Hart said, we can get engineering to look at it.

Commissioner Holmes said, okay. Okay. Okay. All right. Where -- what -- what I'm looking at is this is a bad deal for utility, and utility provides service, and when you look at this Board here, we're about providing the best service we can with the situation that faces us. So I guess you kind of know where I'm going at with it. One that's not going to give good service, not only to one citizen, but the entire, whole citizen. The other thing that I would like for you to suggest is what Commissioner Dean -- Dean just mentioned to you just now. Can you bring back that estimate that he requested?

Mr. Pannell said, I mean I'm certainly -- I'm sure I can have a plumber quote the estimate.

Commissioner Holmes said, mm-hmm.

Mr. Pannell said, I guess one question for the county would I also be responsible for the cost of boring under Ferguson Avenue or -- or whatever has to be done with the road? I mean is that a part of my cost?

Chairman Scott said, staff in the background that you can't see --

Mr. Pannell said, yes, sir.

Chairman Scott said, -- are shaking their head in the affirmative.

Mr. Pannell said, shaking their head yes.

Commissioner Holmes said, yeah? Okay.

Mr. Pannell said, Yeah. This -- this is getting very expensive.

Commissioner Holmes said, it is.

Mr. Pannell said, I may have a piece of property for sale in Ferguson Avenue before this is all over.

Commissioner Holmes said, I see that. Thank you, sir.

Chairman Scott said, is there -- I understand that, but I want to know if there's any member of the Commission that have not spoken before I go back to follow ups --

Commissioner Thomas said, I'd like to --

Chairman Scott said, -- on it, and --

Commissioner Thomas said, I'd like to ask a question. I mean not --

Chairman Scott said, the vice Chair had a question.

Commissioner Thomas said, thank you, Mr. Chairman. From what I have heard here this morning, it seems to me that the information that we would need to really make a good decision on is if you can get that information for us, and I would not be ready to vote today but just to, you know, delay --

Mr. Pannell said, continue. Sure.

Commissioner Thomas said, -- yeah, and come back before the Commission, and then I would be ready to make a decision. That is my point of view, rather than just to say right out, you know, no.

Mr. Pannell said, thank you.

Chairman Scott said, okay. Now, we have repeat questions in this order. Commissioner Stone, Commissioner Center, Commissioner Farrell, Commissioner Kicklighter.

Commissioner Stone said, thank you, Mr. Chairman. I just need a little clarification. What you're asking for today you say is a permit, but even -- and -- and I need clarification, even if there was a functioning well here right now, because of this ordinance, would he be able to tie -- to use that and not tie in to the county water?

County Attorney Hart said, I don't remember whether we allow them to continue to use the well till it has to be replaced or what.

Commissioner Stone said, 'cause -- because --

Mr. Anderson said, if the -- if the well was still functioning --

Commissioner Stone said, okay.

Mr. Anderson said, and the --

Commissioner Stone said, this is key because the well was functioning at Isle of Hope. They were doing the same thing, new construction, but they had a functioning well, and they were told they could not use that functioning well for their house. So this is why I'm trying to understand exactly what we're requesting here because if we turned down, and I understand the difference of the subdivision, but again, these were new homeowners so they didn't -- they weren't there when everybody tied in. They had a functioning well. They were told they could not use it except for their swimming pool and their dock. So I want to -- I want to remain fair here, and -- and what we did for one person and what we did for the other. I do understand the distance issue, but if he's saying what he needs is a permit --

County Attorney Hart said, what's he's really asking for is a variance from our ordinance so that he does not have to tie in --

Chairman Scott said, he's asking us to waive --

County Attorney Hart said, and he's --

Chairman Scott said, to waive the rules and the laws that we've established.

County Attorney Hart said, yeah -- and he still will require a well permit --

Commissioner Stone said, okay, so, it's two --

County Attorney Hart said, yeah.

Commissioner Stone said, okay.

County Attorney Hart said, well, he knows he's going -- he knows he's go have to have a well permit if -- if we allow him not to tie in, and all that means is he has to have the well inspected and do it the way it's supposed to be under the code, and he -- he's got somebody that will do that.

Commissioner Stone said, the -- the --

County Attorney Hart said, so really from y'all's standpoint the only real decision you have is whether you're going to force him to tie in or not tie in.

Commissioner Stone said, the -- the only reason I brought that up is because Mr. Pannell said here today that he was here to request a permit. That's what he was here to request, and I wanted to make sure that I understood the difference of --of what actually occurred at Isle of Hope where there was a functioning well, and they were turned down. So even if you had the permit, I think you would still be here as an issue of whether you can use that well for all of your household needs. Is -- is my understanding. Am I correct?

County Manager Abolt said, yes.

Commissioner Stone said, okay.

County Manager Abolt said, and I think he's already acknowledged in the last paragraph of the letter to Mr. Sebek dated the 7th of October.

Commissioner Stone said, thank you.

Chairman Scott said, Commissioner Center.

Commissioner Center said, yes, and listening to my fellow Commissioners' questions, you know, one, I'm very much concerned about the impact on Ferguson Avenue if we had to dig that up, what that would do to the people traveling. I'm now concerned about the domino theory. If -- if we grant this variance, how many more households along Ferguson Avenue would fall in this situation that may ask us for a variance. Does anyone know?

County Attorney Hart said, no. That would require counting them up.

Mr. Pannell said, Commissioner I -- I know the majority of my neighbors out there, and I think all of them have wells. I -- I guess that could be an issue if -- if they have problems with their wells, sure. I mean I'll accept that, but again, if it wasn't the distance issue and the financial burden I wouldn't be here. I would be glad to tie in to the county water.

Commissioner Center said, I understand, and as I heard from my friend who was around when Teddy Roosevelt was president, those wells were built in 1908 so they might go bad.

Chairman Scott said, Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. I think we may possibly have a little flaw in our ordinance here. After hearing that he would have to actually bare the cost to bore under the road, that's a little different than -- than we did it when I was in Garden City. If we had the line on their side of the road, then they had to tap in when we expanded. But, Russ, this policy --

County Manager Abolt said, I don't -- not just -- if -- if I may, sir. For a moment, for the sake of answering the question, let -- let's make the assumption this is not the county being the utility.

Commissioner Kicklighter said, not what?

County Manager Abolt said, if it's a -- if it's the City of Savannah or whatever -- a private -- not private, but another government utility, I know of no variation. The jack and bore or the tie into the line, is -- there's kind of a parallel with what we had last week, or last -- two meetings ago on the sewer line. I mean the homeowner is responsible to tie in to the point of service. In the case of a sewer line, it's the connection on the house lateral.

Chairman Scott said, and they were on the other side of the street.

County Manager Abolt said, yeah, in the -- in the case of a water line, you still have the homeowner the responsibility to get to the point of service. In one case you're accepting water, in the other case you're disposing of water, but --

Commissioner Kicklighter said, but, Russ, it seems like to me, even if we had to increase the cost of our tap in fees or whatever, we would do so on that type of situation where at least -- the very least we could control the -- the application itself where we're not having citizens mess up roads, like --

County Manager Abolt said, well, no, that's the --

Commissioner Kicklighter said, -- digging through or --

County Manager Abolt said, you -- you have control over that, sir. That's what Mr. Drewry was talking about.

Commissioner Kicklighter said, so, Robert -- Robert patches whatever back?

County Manager Abolt said, no, No. No. Mr. Drewry, when he gives the encroachment permit makes the decision as to what in the public interest is best served. He's already told you it would be jack and bore.

Commissioner Kicklighter said, okay, but, who -- who paves it if -- if someone said cut it?

County Manager Abolt said, if it's cut, whatever, the -- the applicant pays the full expense for whatever is done to disrupt the right of way and protect the public interest. Pure and simple.

Commissioner Kicklighter said, and then they bring in a private -- whoever they want to --

County Attorney Hart said, they can bring in a private person.

Commissioner Kicklighter said, -- pour some asphalt?

County Attorney Hart said, we inspect the connections and then once that's done, they -- they cover, and then once it's settled it's paved, and then we inspect and make sure that it's in compliance.

County Manager Abolt said, I believe also there's a warranty period for a number of months to ensure there's no settling. But I mean that -- that's the mechanics of what Mr. Drewry does regularly. That's -- as you know, this is not the issue in front -- in front of you today. You've got an ordinance that is defensible from the standpoint of what other utilities do, and it does recognize, as I mentioned a moment ago that the -- the beneficiary, the property owner has the responsibility to tie into where the service is.

Chairman Scott said, okay. Well, we've got -- we've got a couple things here. If -- one we're -- we're being asked really to waive the rule to allow the well to be drilled, and in my opinion, we -- we haven't established what side of the road the line's on for one. Secondly, there's been no demonstration of hardship here. Now if the line is on the other side of the road, then I think this Commission will have to take into consideration the additional cost associated with it, as well as the disruption to the entire community, and that in itself may be the hardship. But in the absence of confirming what side of the road the line is on and making the determination -- the extent of the cost to tie in, and I have one additional question of Mr. Pannell, considering the -- the new rules and regs concerning septic tanks, drain fields and wells, you need to make certain you've got the appropriate permits from the health department that that septic tank and drain field you have will be adequate to serve the home you want to build. And, in the absence of the information that we don't have that I just described, I'm going to now recognize Commissioner Farrell for the purpose of making a motion.

Commissioner Stone said, well I was -- okay. I was going to do that.

Commissioner Farrell said, I -- I'd like to make a motion to approve the variance with the understanding that if someone wanted to table it, that I would be amenable to tabling it till the next meeting to get further information.

Chairman Scott said, what I'd like to do --

Commissioner Stone said, I wanted to table it.

Chairman Scott said, instead of tabling it, I would like to postpone it until the next meeting.

Commissioner Stone said, yes, sir.

Chairman Scott said, if we could get a motion.

Commissioner Stone said, I would make that motion.

Commissioner Farrell said, yeah. I'll make that motion to postpone for two weeks.

Commissioner Center said, I'll second it.

Chairman Scott said, okay. It's been moved and second by Commissioner Stone and Center that we postpone this for two weeks, and now, hearing the motion, any discussion?

Commissioner Brady said, yes, sir, Mr. -- yes, sir, Mr. Chairman. I just want to make it crystal clear I -- I'm going to vote to support this, but Mr. Pannell, you will need to bring back in two weeks, you know, the cost and -- and -- and other additional information as indicated by the Chairman so that we can use that information to make a decision, and, of course, the county needs to have an opportunity to -- to analyze those types of -- of bids and that kind of stuff.

Mr. Pannell said, sure. I -- I assume I can work with the county department on that, especially on the road tie in portion, and then I will need I guess a plumber or someone to run the estimate of the pipe. Is that? I guess I'm asking that of staff.

County Manager Abolt said, if I may continue the question Commissioner Brady, even though I -- I have the utmost respect Mr. Pannell, we want to make sure Mr. Drewry corroborates the expense.

Chairman Scott said, yeah.

Commissioner Brady said, exactly. That's what I was indicating.

Commissioner Center said, and don't wait two weeks, if you can.

Mr. Pannell said, I'm going to try to get this done immediately, sure.

Chairman Scott said, Commissioner Shabazz.

Commissioner Shabazz said, he -- Commissioner Farrell was in the process of making a motion to approve it?

Chairman Scott said, no. He --

Commissioner Thomas said, no.

Chairman Scott said, to table it.

Commissioner Farrell said, well, for the purpose to table it.

Chairman Scott said, and I -- I asked that it --

Commissioner Farrell said, you have to have a motion on the table for Robert's Rules to have something to table. So.

Chairman Scott said, -- it not be tabled. I asked that it not be tabled but postponed.

Commissioner Farrell said, but I just wanted to indicate that I was willing to table it for -- for two weeks, so, you know, whichever parliamentary procedure we use to --

Commissioner Shabazz said, all right.

Commissioner Farrell said, -- postpone it is acceptable.

County Attorney Hart said, postpone -- the motion was to postpone which is fine.

Chairman Scott said, yes.

Commissioner Shabazz said, all right.

Commissioner Stone said, yes.

Commissioner Farrell said, that's fine.

Chairman Scott said, technically the only difference in those motions --

Commissioner Shabazz said, and that's the motion?

Chairman Scott said, yeah. Technically the only difference in those motions, if you put it on the table it takes a vote to take it off the table, then a vote on it. If you postpone it, it doesn't take a vote to take it off the table, just simply it's on the calendar.

Commissioner Stone said, okay.

Chairman Scott said, if the information is provided.

Commissioner Farrell said, yeah. That's fine.

Commissioner Shabazz said, so we will deal with this on next meeting?

Commissioner Stone said, yes.

Chairman Scott said, yes. Two weeks from today.

Commissioner Shabazz said, okay.

Commissioner Center said, if you vote yes.

Chairman Scott said, any further discussion? There's a motion on the floor that we postpone this till our next regular scheduled meeting. All in favor of the motion indicate by voting yes, opposed no. Motion carries.

ACTION OF THE BOARD:

Commissioner Stone made a motion to postpone the issue of replacement of a water well permit variance for 8944 Ferguson Avenue until the next regular Commission meeting. Commissioner Center seconded the motion and it carried unanimously.

AGENDA ITEM: IX-2

AGENDA DATE: October 25, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Gregori S. Anderson, Director, Building Safety & Regulatory Services

ISSUE:

Replacement water well permit variance for 8944 Ferguson Avenue.

BACKGROUND:

Section 15-612(4) of the county well ordinance allows for a variance for the issuance of a permit to replace an contaminated or abandoned existing well. The Board of Commissioners have full authority to grant a variance to enable the drilling of a replacement well and eliminate the requirement to tie into the government-owned water system.

FACTS AND FINDINGS:

1. The existing well was installed circa 1960 and has been rendered unusable due to contamination and abandonment.
2. A government-owned public water system is located within the right-of-way abutting the property.
3. Section 15-616 of the county well ordinance requires connection to a government-owned public or community water system when such connection is available within two hundred (200) feet of a residence or available in the right-of-way abutting the property regardless of distance.
4. In July, a variance was requested for an existing well from a demolished dwelling to be tied into even though a government-owned public water system was available in the abutting right-of-way. The applicant decided not to pursue the variance and tied into the government-owned water system.
5. The subject property abuts a right-of-way with an available government-owned public water system, the public works director recommends that the variance be denied and the system be tied into.
6. Section 15-612(4)(f) the county well ordinance allows the Board of Commissioners to grant a variance to enable the permitting of a replacement water well.
7. The applicant has been notified of the meeting and encouraged to attend to answer any questions.

FUNDING:

Not applicable.

ALTERNATIVES:

1. Grant requested variance.
2. Deny variance.

POLICY ANALYSIS:

Replacement water wells rendered unuseable due to contamination located on property that has availability to a government-owned public or community water system may be issued a permit, subject to a variance granted by the Board of Commissioners.

RECOMMENDATION:

Board consideration.

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3. **REQUEST BOARD APPROVE A CHANGE IN FIRE SERVICE DISTRICTS FOR THE HAMPTON PLACE AND BERWICK LAKES SUBDIVISIONS FROM SOUTHSIDE FIRE DEPARTMENT TO CITY OF POOLER FIRE DEPARTMENT. [DISTRICT 7.]**

Chairman Scott said, all right. Now ready for more fun. Item 3 on -- on -- Item 3 for the Individual Action, and this is a request the Board approval to change in the Fire Service District for Hampton Place and Berwick Lakes subdivision from the Southside Fire Department to City of Pooler Fire Department and all this is in District 7.

County Manager Abolt said, if I may, Mr. Chairman, I will -- I can introduce it if you like.

Chairman Scott said, please.

County Manager Abolt said, okay.

Chairman Scott said, 'cause I -- I will also say that the County Manager has a pretty thick file on this. This has been going on and being talked about for at least a -- a year or more.

County Manager Abolt said, coming on the anniversary.

Chairman Scott said, yes. Mr. -- Mr. Manager.

County Manager Abolt said, okay. Ladies and -- ladies and gentlemen, this is not -- not similar to Mr. Pannell's situation, but there is discretion in the provision of another vital service namely fire service. A number of years ago, shortly after I became your Manager, we had a hodge podge, a very crazy -- crazy quilt of fire districts that provided service with no rhyme or reason. At that time the Metropolitan Planning Commission did a massive study involved at that time all the providers and there were service areas defined for which each provider of service, fire departments were given their responsibility. So what you have here is a continuation in your ability to not change without justification but with justification. As Commissioner Kicklighter can tell you, in this particular situation and as the Chairman referenced you have been contacted -- we have been contacted about almost a year ago in November of last year from citizens wishing to change a provision of service rather than Southside Fire Department it would be the City of Pooler, and that was a very legitimate request that's been under analysis now for some time. The staff report from Mr. Thomson is -- is very forthright. It does in effect explain all that in much briefer words than I, and it says that given all -- all that we knew about the situation there would be nothing wrong with making a change in the districts. The only new information came in yesterday, was in your packet, and that's from Southside Fire Department who are saying that there is a more recent development explaining what they're concerned about as to the burden on those property owners by way of insurance rating degradation if Southside Fire Department is not allowed to provide the service. The county is not a party to that. We do have a request for consideration and some late -- late breaking information, but Mr. Kicklighter -- Commissioner Kicklighter had led the way with -- with the people in the area affected. You've got a petition of several pages saying they want to make the change, but I only wanted to bring to your attention the late -- late development that we had as of yesterday from Chief Meadows and Chief Futrell.

Chairman Scott said, okay. I will recognize Commissioner Kicklighter at this time.

Commissioner Kicklighter said, thank you, Mr. Chairman.

Chairman Scott said, Seventh District.

Commissioner Kicklighter said, thank you, sir. The County Manager I believe did a good job describing, but I just want to elaborate. I want to start out by thanking Southside Fire Chief Meadows, the Assistant Chief Futrell. I want to thank them for all the good they've done in the past, what they continue to do today. My actions here today is not a reflection on anything to do with the service. I believe they're a top notch facility. They provide a great service, and, you know, they -- they've been protecting properties and saving lives in Chatham County now for a while, and I respect what they do, appreciate what they do. However, I'm going to give you a little background, little bit more on what the Manager said there. In November 2012, the residents of Hampton Place and Berwick Lakes subdivisions submitted a petition to Chatham County and to the City of Pooler. The petition requested a fire service district change from Southside to the City of Pooler. The reason they requested this is because Southside Fire Department's building, the location is over five miles away from those subdivisions, and they anticipated at that point a huge insurance rate increase for -- for the homeowners there, and basically they were right. What wound up happening is the ISO rating went from I believe it was a three to a ten, and many of the homeowners' insurance rates, if not all of their insurance rates just skyrocketed. Now at the time in November 2012 when the residents submitted their request, to quote fire chief Wesley Meadows, in a letter received by the county yesterday, quote it was not feasible for Southside Fire to provide a fire station within five miles of these subdivisions. So when the residents cried out for help, it was not feasible for Southside to help them. And I'm talking yearly increases of \$500 or potentially much more per homeowner.

Commissioner Kicklighter said, so out of the kindness of their hearts, the City of Pooler responded. They did the right thing. They agreed in concept that they would help this situation. They had just built a fire station that's virtually sitting next door to these subdivisions rather than in excess of five miles away which is the current -- current situation with the people that's protecting them for fire. The City of Pooler then charged and asked their

very capable and great fire chief, Chief Simmons, to work with Chatham County in order to assure a smooth transition so Chief Simmons began working with the MPC in an effort to help these unincorporated area residents with their excessive insurance fees and to provide a safer environment with a -- a station next door rather than five miles away. Before I continue, I want to thank the City of Pooler. I sincerely appreciate you. I appreciate Chief Simmons. I appreciate his department for as I stated earlier saving lives from Southside, Pooler too saves lives, saves properties every day. I thank them for this, but I thank them for, especially Chief Simmons, after being tasked with this for enthusiastically working towards providing the residents of Hampton Place and Berwick Lakes subdivisions with a safer environment with less expenses. Thank you. Thank you Pooler for volunteering to go in and help the unincorporated area residents. This is something that is actually a great thing for Chatham County. We talk about working better with cities back and forth. The City of Pooler stepped up to the plate and helped the unincorporated area with their willingness to provide the fire services there.

Commissioner Kicklighter said, now I'm proud to state that the City of Pooler, Pooler Fire Department and the Metropolitan Planning Commission, their several -- several months of their hard work has paid off, and I'm pleased to present a plan to you that will one, drastically enhance safety for all the homeowners by allowing them to utilize the services of the fire station sitting next door to their home rather than one that's over five miles away. Two, this will save most if not all the residents a lot of money on their homeowners insurance because Pooler's fire department has an ISO rating of a six, I believe at the moment, versus a ten, which is what Southside's is when we're referring to these two subdivisions. So the homeowners will save money.

Commissioner Kicklighter said, now I ask you when deciding to vote on this to please keep this in mind. Approximately one year ago two subdivisions asked for help. Southside Fire said they couldn't afford to help. Pooler and the MPC began working together on it, and they worked for months and months and months with no opposition. There -- there may even be a quote in the paper were there was no opposition in -- in recent times. Fast forward to now. We put it on the agenda to approve the hard work and help the residents and for whatever reason, last minute, and again, I respect you guys. I respect the job you do, and I promise you that, but last minute here comes Southside to save the day. They -- telling us in a letter yesterday that they can build a station, have it up and running within two months, but that their ISO rating will be less. It will save the residents even more than they're going to save by going to Pooler, but I've been talking with the residents of this area. I've been in communication with them. I'm on a website with the group. I've posted questions on my Facebook asking for their opinions, and to be quite honest, the general consensus is that -- from the groups, there's not a lot of hope and trust that fire station will be up and running in two months, and they believe, which I agree, they're thankful for the City of Pooler offering to help. I believe anything other than a yes vote is a slap in the face of the City of Pooler, who graciously stepped in to help our citizens, and I ask you to vote to approve this change today. And in the future, I have nothing against Southside Fire, I'll tell you this, if they have a station up and running, the City of Pooler, I have a text from the Manager, it's no skin off their back, they -- they really could care less if -- how this goes either way. They -- they -- they're -- they're not going to -- it's not a get rich scheme or anything. This is them offering to help, so if they put it in and they can save them money in the future, I have no problems switching back. Whatever it may be. It's not a us against them. It's me wanting to stand up and do what's right for those residents, and right now the time has switch it to Pooler. So at the time you will allow a motion, Mr. Chairman, I will gladly make one.

Chairman Scott said, okay. I had Commissioner Center down.

Commissioner Center said, I had questions. I can do it before or after a motion. Thank you, Mr. Chairman, and let me start from the outset, I don't know how I'd vote, but I don't think it would be a slap in the face if I -- if I disagreed.

Commissioner Kicklighter said, strike that.

Commissioner Center said, I -- I -- 'cause I have great respect for Commissioner Kicklighter. I mean, he's been on this Commission for a while, he knows -- like Priscilla Thomas -- Commissioner Thomas, those two impress me. They know their residents well, they've been here for a while. They have a great interaction with them, and when I need help in that area, I go to them first because they know what's going on, and I defer a lot to their opinion as I do to my other Commissioners, particularly in their Districts. I started reading this in detail. We -- we get a package on Tuesday, and we see what's on the agenda, and we have great detail and read into it, and one of the first things I noticed is that these residents came to the previous Commission in November 2012. Four of us came on the Commission in January 2013, so this was a carry over from last year that I am really hearing about in detail now on Tuesday night, and it was not a transition that was explained to me, this might come up, and I understand staff can't tell me everything that's -- that's on the table, they can't remember, but

it's been there for a year, and I'm hearing it on Tuesday night in detail. So it gives me a lot less time to catch up and understand to make an intelligent vote.

Commissioner Center said, two, I -- I -- I read the -- the petition, and I -- I counted, there were 92 people who signed and said that they wanted Pooler to be their -- I'm going to call it their fire service -- fire protection service provider, but when I was asking questions, over 500 plus residents out there, so that's like 18 percent have signed the petition, and that didn't move me a lot because --

Chairman Scott said, they're -- they're predicting less than 15 percent will participate in the SPLOST vote on November 5th.

Commissioner Center said, okay. And, I understand, but then I also asked more questions about subscribe. As I understand that not all people have to subscribe to a fire service, and -- and that's why I needed more education and more time. I mean, basically, as I understand it, and whether the County Manager or the Chair can -- can help me understand this, there is a fire department in existence to protect people, and I'm going to say from their homes burning down, and maybe in some municipalities and some governments impose a tax as part of their property tax to maintain that. As I live in a municipality, and I pay a tax to maintain a fire department, I hope I never have to use it. But I understand I'm being taxed every single month, every single year to keep it in existence so I have to use it, it's there. We don't have to start from scratch or as in the old days, round up the neighbors and -- and run the pumping truck down the street. But if they don't have to use it, I mean, I -- I -- I think that's something more that we have to look at too, that not everybody out there subscribes to it. Many people are treating it the -- the way we do other insurance, we -- we just will never pay it and when our house catches on fire somebody will pick up the cost, and you can send them a bill, but they probably won't be able to pay it, so I -- I really don't understand the system and would like more explanation on that before I vote on this.

Commissioner Center said, and thirdly, my question is, and I asked Mr. Hart earlier, I don't think he knew the answer, he said he'd look into it, why can't we just make this open territory. Why does it have to be one or the other? Just say all right, Pooler, if you want to do it, Southside, if you want to do it, you can do it, and let the neighbors pick and choose who they want to pay.

Chairman Scott said, that's what we had before.

County Manager Abolt said, yeah. Please don't do that.

Commissioner Center said, the -- they -- they -- I would like an answer to that.

County Manager Abolt said, let me answer --

Commissioner Center said, thank you.

County Manager Abolt said, I lived -- I lived through it.

Chairman Scott said, he answered it earlier.

County Manager Abolt said, I lived through it, it was horrible. It was -- it was -- if you remember in your history Ben Franklin and the City of Philadelphia, they had fire marks on the side of the houses because people could pick and choose their fire company. That -- that was Chatham County in 1988, and you literally had people on one side of the street getting service from one department and one from another and departments were funded by bar-b-ques every year. There was no rhyme or reason to it. It was a disaster waiting to happen. The challenge is, and my wife and I went through this when you come -- move from another part of the country, you assume just what you said, that fire service is provided to all and you pay for it through your taxes. Not the case in Chatham County. When you in effect are in the unincorporated area, hopefully your lending institution when you go through your mortgage process will say you better sign up with this. Absent that you don't have fire service. That was the very fragile, difficult situation 25 years ago. We want to avoid that. You have a situation where yes it is subscription, and the service provided by Southside is extremely reliable and it benefits everybody. But you don't want to get into is pick and choose, but it is incumbent upon residents of -- future residents of Chatham County in the unincorporated area particularly to realize that they got to fess up and they annually have got to pay a subscription fee for fire service. It's not a part of their property tax.

Commissioner Center said, we have not by ordinance required that but we could?

County Attorney Hart said, yeah. In the -- in the interest of full disclosure I have represented Southside Fire Department before, so I'm not going to give any legal advice in this. I will make an observation. We had an ambulance situation like that about 10, 15 years ago. Dr. Thomas can -- can remember it. And it was, you know, it was open season on who was going to get the person, and it literally was a situation where they would show up and they would get into a fight, and --

Commissioner Kicklighter said, they got their faster, didn't they?

County Attorney Hart said, well, they may have gotten there faster -- they may have got there faster, but you would have people trying to take other people off stretchers. So I -- I don't know whether that was well-served or not. So that's -- that's the only thing is -- is -- it -- it eliminates confusion in service if it's either or.

Commissioner Center said, thank you, Mr. Chairman.

County Attorney Hart said, but -- but you don't have to.

Chairman Scott said, Commissioner Brady.

Commissioner Brady said, thank you, Mr. Chairman. And -- and let me say this, most folks do not realize my profession -- my current profession is I'm a real estate professional, but I'm also a licensed property and casualty insurance agent and have written fire policies back ten years ago. Still maintain an insurance license, so I understand the ISO ratings. I have talked to an insurance company. I have done my research on this, and -- and I do have a little heartburn about what's happened here, and I'm going to explain why. Haven't quite decided how I'm going to vote yet. Commissioner Kicklighter is completely accurate in reference to the insurance premiums. I talked to an insurance company, they said it would be about a \$500 difference a year depending on the value of the property versus a ten versus a -- a three rating. So I have -- I have confirmed that. I think where the problem is, and I could be completely wrong, is -- is that insurance companies are cracking down these days, and that's where all this -- this -- all the sudden jacking this ISO rating up to a ten. Residents, and I'm certainly not indicating that it's Hampton Place or Berwick residents, but residents all over Chatham County have not been providing if you will accurate information to their insurance companies, and then the insurance company finds out, they're cracking down. There's some insurance companies that will not even insure you if you are not a subscriber to the fire department.

Commissioner Thomas said, that's right.

Commissioner Brady said, I've been told by Southside Fire, and I've had it confirmed by several insurance companies it is estimated that out of -- let's just say I've been told 515 roofs in these two subdivisions that only half of these -- these residents are actually subscribers, which that in itself is a problem. I'll tell you something else that -- that throws a red flag up to me, and -- and I've spoken to Commissioner Kicklighter about this. I travel Quacco Road a lot. I have a Pooler in off -- or office in Pooler and I work there a lot, and -- and I kept thinking to myself well why -- why would Pooler fire -- or Pooler itself charge \$150 when these two subdivisions are in the Pooler city limits? Okay. I see you shaking your head. I see you shaking your head, but I'm going to tell you why I thought that y'all were in the Pooler city limits, and then I'm going to ask why you're not, is when you go down Quacco Road, and you go over that bridge that goes over 95, which is way before Berwick Lakes and way before Hampton Place, it says Pooler City Limits, which leads me to my issue about it being still in unincorporated area because I thought to myself well shoot, somebody's double dipping here. They're going to charge to put -- they're in Pooler city limits, they're going to charge them \$150. Well, y'all are not in Pooler city limits. So my question to the County Manager and anybody who can give me a short answer is -- is why do I see a sign that says Pooler City Limits but yet this is an unincorporated county and not in the Pooler city limits?

County Manager Abolt said, I would -- I wouldn't know. The -- the sign --

Commissioner Brady said, has -- has Pooler ever asked to annex that area?

County Manager Abolt said, I -- I don't --

Chairman Scott said, no. They -- they would not ask us to annex it. They would have to ask the property owners and the legislature.

County Manager Abolt said, that's right on. If I may, Mr. Chairman, to corroborate what you said. The annexation process is very well defined in law. There's 100 percent method which just requires what the

Chairman says and from time to time we'll receive notification, and in effect the county's not involved, but we'll receive notification, the City of Pooler or City of Garden City or Tybee wishes to annex so much property and they just notify us and then they annex it.

Commissioner Brady said, well then can someone answer why there is a sign at that bridge that says it's Pooler city limits.

Commissioner Kicklighter said, I can possibly.

Chairman Scott said, you -- you --

Commissioner Brady said, I want somebody who --

Commissioner Farrell said, they're on that road, why don't they tell us?

Commissioner Brady said, somebody needs to tell me.

Commissioner Kicklighter said, Chief Simmons.

Chairman Scott said, you've got the Chief of the Fire Department from the City of Pooler who will come up and see if he can attempt to answer your question.

Chief Wade Simmons said, thank you Mr. Commissioner. Wade Simmons, fire chief, City of Pooler. I -- I'll try to help you on that. The city limits, when you cross the bridge from I-95, both sides of the roadway, all the property actually is within the City of Pooler up till you get to Berwick Lakes and Hampton Place. Mr. Perkins from MPC may have a map for you, but those two subdivisions, and there's a -- a dog lake basically that cuts across a piece of I-95 and ties back in, kind of behind the Willow Lakes subdivision, that was left as unincorporated county. I -- I don't know where that happened, when it was developed, whatever it was, but all the property on both sides of Hampton Place and Berwick Lakes, on that side of the road are within the City of Pooler. The -- all the property across Quacco Road, including Quacco Road, are all within the City of Pooler all the way to I-95, that's why that sign is placed there. It -- it's very odd, and if you look at it on the map, it's --

Commissioner Brady said, it's --

Chief Simmons said, -- I -- I don't understand how it happened.

Commissioner Brady said, it's very misleading.

Chief Simmons said, yes, ma'am. I understand. I understand the frustration of everybody. I don't know how that -- that took place, that was many years ago that -- that all of that fell in place.

Chairman Scott said, but now --

Chief Simmons said, but Mr. Perkins may be able to show you a map that can help you.

Chairman Scott said, yeah, you don't -- you don't have to -- you don't have to imagine very much, is that when the developer of those two subdivisions didn't want to be in the City of Pooler. If they did, they would have petitioned the City of Pooler --

Commissioner Thomas said, that's correct.

Chairman Scott said, -- to incorporate those.

Commissioner Brady said, that's my point.

Chairman Scott said, and so that was not done. Okay? Now it's not up to the County Commission, if it was, then Pooler would probably not exist, nor would Garden City or any of them. We'd just have one big county government, but it's not up to us.

Commissioner Brady said, well, and -- and that's part of my point is that -- that there was a conscious decision made somewhere that they did not want to be in the City of Pooler. Of course --

County Attorney Hart said, typ -- typically --

Chairman Scott said, they didn't -- they probably didn't make that decision. The developer decided when he was putting in that subdivision, he did not petition Pooler to be part of it.

County Attorney Hart said, the Chairman is -- is -- is right on. Typical at the time those developments were done --

Commissioner Kicklighter said, oh, yeah.

Chairman Scott said, the homeowners haven't taken any action since then.

County Attorney Hart said, -- the City of Savannah would not extend water and sewer to anybody that was not in the City of Savannah, and if you're going to build that subdivision, you have to have water and sewer. Now since then Pooler has negotiated an agreement with the City of Savannah to sell them water so that occurrence probably wouldn't occur again.

Commissioner Brady said, well, and I'm -- I'm going to get off that -- that boat then. I do want to -- I do want to say this. Currently, and I don't know if most folks know this, but fire departments are rated -- fire departments are actually rated in part of the rating system in ISO, and Pooler currently is -- is a -- is a class six, but in Pooler Fire Department's defense, and -- and I don't live in Pooler, obviously, you know that, you actually are in the process of being rated as a four, would that be accurate?

Chief Simmons said, our rating is -- we are in the process of being rated. We're hoping to have it back by the end of November. Our -- our -- our planning and hopes are -- is that it is going to a four. We will find out -- they changed the rating system. We were one of the first departments in the State of Georgia to get rated under it, so it's a little cloudy, but we feel confident that we will be back to a four.

Commissioner Brady said, okay. So essentially, this is just for the purpose of people's thought process. Okay, these folks leave and go to Pooler Fire Department if we leave and make this decision today, then they're going to go from a ten, which most of them are being rated as a ten now because of the proximity of Southside. They're going to go from a ten to a -- to a six and then ultimately to a four. That's accurate?

Chief Simmons said, yes, ma'am.

Commissioner Brady said, okay. The other thing that I'd like to point out just for the thought process is -- is that if Southside builds a fire department within five miles of that -- those subdivisions, then in fact, Southside's rating will be a three. Would that be accurate to say?

Chief Simmons said, that would be correct.

Commissioner Brady said, so with Pooler you're ultimately going to be a four, with Southside you're ultimately going to be a three, bottom line.

Chief Simmons, yes, ma'am.

Commissioner Brady said, okay. That's all I got.

Chairman Scott said, okay. Anybody else?

Commissioner Kicklighter said, Mr. Chairman?

Chairman Scott said, I -- I recognize you Commissioner, but you've already spoken. I got to see if there's any other member of the Commission. Commissioner Farrell.

Commissioner Farrell said, thank you. I -- I was listening to -- to Commissioner Kicklighter, and one of his statements was that we should change today because it will drastically improve safety. Could I have some response either from staff or Southside or -- or Pooler or maybe all three of y'all and tell me exactly how the safety part is going to improve. I mean.

Commissioner Kicklighter said, can I answer that since that was directed at me, Mr. Chairman? May I respond?

Commissioner Farrell said, I didn't ask you the question. I asked them to answer a question for me.

Commissioner Kicklighter said, oh, I'm sorry. You -- you quoted my comment.

Commissioner Farrell said, right.

Commissioner Kicklighter said, oh. Yeah. I thought --

Chairman Scott said, and you might -- I will --

Commissioner Farrell said, so I would -- I would -- I know what your information is that it would drastically improve safety. I already know how you -- you -- you already stated -- made a statement. I would like to know Mr. Futrell could you tell me --

Chairman Scott said, no. No. No. No. You ask the questions. I'm going to recognize whomever I need to answer your questions.

Commissioner Farrell said, okay. Good enough.

Chairman Scott said, okay. I'm going to start with the fire chief for the City of Pooler and then a representative from Southside Fire Department, and if there's anybody with the county staff, and we also have --

Mr. Noel Perkins said, I'm with the MPC, sir.

Chairman Scott said, I know, we also have the MPC here who was going to make comments initially about it before I recognized the Manager.

Chief Simmons said, as far as addressing safety, it's -- it's both -- as Commissioner Brady has -- has brought, it's the distance and response times is the big issue that's going to affect safety. If you can arrive sooner, the fire can be smaller, you can extinguish it -- it faster. With us being less than a mile away, versus where they're over five miles away currently, it is -- is a quicker response time. Both of our stations are staffed 24 hours a day, so they're in route immediately, but the distance traveled is shorter from -- from our station to where their station is currently. That is going to be your biggest safety issue that you're going to see.

Commissioner Farrell said, so you could arrive more quickly than Southside, and therefore, that would make it --

Chief Simmons said, yes, sir, the way it is currently is.

Commissioner Farrell said, -- drastically more safe for any person that got a fire in that area that we're talking about.

Chief Simmons said, yes, sir.

Commissioner Farrell said, okay.

Chairman Scott said, now Southside would you like to respond.

Assistant Chief Hugh Futrell said, certainly. Speed is certainly a -- a good point and Chief Simmons brings that up. I'm Assistant Chief Futrell by the way of Southside Fire. But the main factor in any fire is the alert notification of the fire, and, you know that as well, that if we don't know about the fire, it doesn't matter if it takes you two minutes or ten minutes to get there, it's going to burn down, somebody's going to get hurt. All right? That's why fire departments across this country have constantly stressed smoke alarms, alarm systems, and a variety of other things like that. That's the big safety envelope. All right? Is quick notification. Okay? So I would just encourage those folks out there, especially those that don't subscribe for fire protection, which might affect, Pooler, when they get there, if they get there, to actually do this financially, that they need to subscribe for fire protection, and they need to have alarm systems, smoke detector systems. So. Anything else?

Chairman Scott said, now --

Commissioner Farrell said, so, you're saying the safety of what -- does that answer my question that, you know, by switching fire protectors, it was stated that that would drastically improve safety. So --

Assistant Chief Futrell said, our average response time in that area is under five minutes.

Chairman Scott said, okay.

Assistant Chief Futrell said, all right? Just so you know.

Chairman Scott said, okay.

Commissioner Farrell said, thank you.

Chairman Scott said, thank you.

Commissioner Farrell said, all right. I have another question.

Chairman Scott said, thank you, gentlemen.

Commissioner Farrell said, what's the -- it was stated that money would be saved because currently Pooler's a six and Southside's a ten.

Chairman Scott said, that wasn't -- that wasn't rating the fire departments, that was talking about the -- the insurance rate.

Commissioner Farrell said, that's what I'm referring to. So since then, I've heard that --

Chairman Scott said, but those are not fire department ratings that you just quoted, insurance --

Commissioner Farrell said, ISO -- the ISO ratings would save money for the residents.

Chairman Scott said, yeah.

Commissioner Farrell said, so since then I've heard that Pooler could go from a six to a four which is admirable and desirable, and I've also heard within 60 days Southside -- and I'd like Southside to confirm this because I didn't hear it from Southside, but I heard it from somewhere that if you put up a department --

Chairman Scott said, you heard it from Commissioner Brady.

Commissioner Farrell said, from Commissioner Brady, she stated that they would go from a ten to a three, could -- is that -- can somebody from Southside confirm to me what your plan is for the area to improve the ISO rating because obviously we're all very concerned about the price of a -- fire protection as it -- you know, insurance cost on a property is a annual, renewable cost to every family that's affected in this area, so -- so where do y'all stand? Are y'all a ten right now? And do you plan to go to a three in 60 days? I mean, explain that a little bit to me.

Assistant Chief Futrell said, yes, let me -- it's like the Chairman was saying --

Chairman Scott said, I -- I think the two are confusing.

Assistant Chief Futrell said, yeah, they are.

Chairman Scott said, the ten is the insurance rating placed on the houses, not the fire --

Assistant Chief Futrell said, that's right.

Chairman Scott said, -- their rating is a three.

Assistant Chief Futrell said, we're rated as a three.

Chairman Scott said, but the reason the rating is a ten on the houses is the distance from the fire department, and -- and that's -- so --

Commissioner Farrell said, well, that -- that's what I'm trying to get some information --

Chairman Scott said, -- that's what I was trying to say to you. Yeah.

Commissioner Farrell said, -- as to how is it going to go from those houses having a ten now?

Chairman Scott said, because of -- because of the distance of the fire station that's located on Quacco Road that's owned by the City of Pooler. That's -- that's the reason.

Assistant Chief Futrell said, with -- with their -- with their fire station, it would currently -- with the City of Pooler's fire station, it would go to a six instantly, and --

Chairman Scott said, and a four in 30 days.

Assistant Chief Futrell said, -- has the -- has the potential of going to a four.

Chairman Scott said, yeah.

Assistant Chief Futrell said, all right? If everything passes and goes through for them. Okay? Which I hope it does. All right? With us, if we set a fire station in place, it would drop from a ten to a three, all right? As soon as we call ISO and let them know, these home owners could start having lower rates. Now there's one other point that should be made too. All right? With this. Back in -- as Commissioner Kicklighter pointed out, back in 2012 when this first came to our attention, we did send a letter in saying it's financially unfeasible at that time because we were in the process of building the new fire station and the new headquarters complex, and we knew it would be several months after that before we could actually build something that help these people. All right?

Assistant Chief Futrell said, so in order to solve that situation, we actually -- I actually talked to Chief Simmons the week of December the 20th, less than a month after we'd found out about this about the possibility of an automatic aid agreement. Now, so -- so you understand, there's two types of aid agreements that fire departments have. One is mutual aid, that's where you go to a call, you arrive on the scene, you say, hey, I need more help than what I've got on scene and I don't have any more available right now, can you send something? That's called mutual aid. If you dispatch it when the call is made, and you have an agreement between fire departments, and this is then -- done all over the state and across the United States, all right, that is called automatic aid. Okay? Automatic aid is recognized by ISO as qualifying for the lower insurance rating. So in December 2012, on the 20th, after talking with -- with Chief Simmons, I asked him should I send him possibly a draft agreement for automatic aid? He said, sure, send me one. So Chief Meadows and I got together, wrote one up, had one compiled. We emailed it to him. I have a copy of that email here and the draft agreement that we sent. That's -- that is holiday time. It's a time when you -- people are very busy, especially fire departments, at Christmas and the New Year's, and running a lot of calls, so we figured we'd give him a couple of weeks to look at it. After the first of the year I called him back and talked with him, and he said, yeah, they're still looking at it, and they would let us know.

Assistant Chief Futrell said, if they had signed the automatic aid agreement, this insurance problem would have gone away like that.

Commissioner Kicklighter said, yeah, but they wasn't opened, Chief.

Assistant Chief Futrell said, once they opened it. Once they opened the station.

Chairman Scott said, but when you asked them to sign it, they didn't have the station though.

Assistant Chief Futrell said, I understand that.

Chairman Scott said, okay.

Assistant Chief Futrell said, but it could have occurred later.

Chairman Scott said, well, just don't try to mislead us. That's all I'm saying.

Assistant Chief Futrell said, I'm not. I'm -- I'm --

Chairman Scott said, so it wouldn't have gone away instantly.

Assistant Chief Futrell said, it would once the station was opened, yes. All right?

Chairman Scott said, that's -- that's two different things.

Assistant Chief Futrell said, sorry. Sorry. I should have clarified that for you so you understood it.

Chairman Scott said, okay. Anything else? I think you've answered our question sufficiently.

Assistant Chief Futrell said, well, yes. I mean my --

Chairman Scott said, that's --

Assistant Chief Futrell said, -- simple point is it's not going to -- people seem to be saying all kinds of things on Facebook, but it's not going to affect our financial situation that much. We just want to help lower the insurance rates for these folks.

Chairman Scott said, we understand that. Thank you.

Assistant Chief Futrell said, all right? And we're going to put a fire station at Quacco and 17 whether this happens or not. Just thought I'd let you know so they will have an insurance lowering capability of they wish it.

Chairman Scott said, okay. Thank you.

Assistant Chief Futrell said, all right? Thank you.

Chairman Scott said, I -- I want to hear from MPC, from staff before we entertain more questions because I've got Commissioner Kicklighter, who's already asked a question; Commissioner Center, who's already asked a question who wants to be recognized; and I've got Commissioner Stone, who have not asked a question and wants to be recognized; and Commissioner Stone will be recognized first. But let's hear from the MPC since they are here.

Mr. Perkins said, yes, sir. Noel Perkins. I'm the SAGIS director with the MPC. I mean it's essentially I mean what the Manager had to say. I mean the petition came in, and we started the process, and we were not aware of the agreement for the request for automatic aid. We proceeded under -- from that point of once the station was built and opened, that it would come before y'all. And, I mean, not being a fire fighter, I mean, you know, you get into ISOs and that, and I have to defer to the fire departments on that. Same with the insurance. I mean our facts are about maintaining that layer, and -- because it all ties into the 9-1-1, and it gets into what Mr. Abolt was saying about, you know, you don't want that hodge podge and that running around.

Chairman Scott said, okay. All right. Commissioner Stone, what was the purpose of your asking to be recognized?

Commissioner Stone said, I just wanted to ask a question of the Pooler Fire Department and their rates. I -- I had a real question that --

Chairman Scott said, I'm -- I'm -- I'm going to speak to that.

Commissioner Stone said, okay.

Chairman Scott said, I'm going to speak to the rates in just a minute. Now -- now, let me tell you the dilemma that we're in. Now the homeowners in these two subdivision petitioned the previous Commission, and recently they appeared in October, earlier, at a City Council meeting of the City of Pooler, and the City of Pooler, a governmental entity, Southside Fire Department is not a governmental entity, they are a contract agency, the City of Pooler heard from their -- from the constituents, and based on a letter that they had received from the Southside Fire Department a year ago or 11 months ago that they could not afford to build a station in that location. Okay? The City of Pooler voted to provide the service for \$150 per household. The entire Council voted, and it was adopted. The Resolution was signed by Mayor Lamb. Now on -- on -- on Wednesday, I get a call from the Assistant Chief of the Southside Fire Department suggesting that we pull this off the agenda. I asked him why? He says, well, yes, we -- we said to the City of Pooler that we had no intentions of putting a fire station there, but we've changed our mind. My question to him, had you called Mayor Lamb to tell him that you've changed your mind? The answer was no. I suggested that he call Mayor Lamb and have a discussion

with Mayor Lamb and the City Manager in Pooler and let them decide whether or not they wanted us to go forth with this. There was no discussion, 'cause I called the City Manager to see if he had heard from him. There's been no contact. The Mayor has not been contacted.

Chairman Scott said, we have a duly elected city government who entertained citizens who voted to provide this services at -- at cost rate of \$150 a household, and now what Southside is suggesting, that we disregard that City Council's action and that Mayor's action without any discussion with the Mayor, without any discussion with the Council. And to me, I don't think that would be fair to the citizens out there, many of them whom are in the audience. This is not a permanent change we are making, and that since they went to the City of Pooler, the City of Pooler adopted a Resolution granting that they would do this for them, and they said to them at the time what it would cost, and that's the basis of the Resolution. So I -- I think we're at the position, and -- and for those who -- who have an abundance of respect for the Southside Fire Department, that's -- that's good. They are a contract agency for us for ambulance services, and they provide services to many homes in the unincorporated, but this was not handled in a professional manner, and I prefer to do -- if I'm going to do deference to somebody, it's going to be the City of Pooler and their constituents who live out there who asked to be part of the City of Pooler.

Chairman Scott said, now, that's just it in a nutshell, and -- and we can talk about it till we're blue in the face, but that's really what happened now, and it -- and it went through a process. It went through MPC. It was studied. The entire file was compiled. I looked at it. I -- I read the Resolution that was adopted by the City Council. In the absence of the Resolution I may have a different position on it, but there's been a lot of work, and I don't think it's -- it -- it should behoove us to ignore the City. And then, and I will say this to the Assistant Chief of the Southside department, which I resent it, when you made the comment to me, you mean you're taking the City of Pooler's side over Southside Fire Department? The answer to that is, yes.

Assistant Chief Futrell said, that is not what I said, sir.

Chairman Scott said, that's exactly what you said.

Assistant Chief Futrell said, no, sir. I said -- I said (inaudible) --

Chairman Scott said, I -- you're not recognized for comments. All right? Yes. So I'm just saying that's -- that's the situation we're in in terms of this particular issue. And Commissioner Stone, I hope the \$150 answers your question.

Commissioner Stone said, well, mine was where they came up with that figure because it's my understanding that -- because I have to pay for fire insurance -- I mean fire protection through my insurance company is that it's based on your -- the property value of your house, so I'm just concerned that if you charge a flat fee --

Chairman Scott said, I -- I -- I know all about it, and when I saw the flat fee I raised that question because I just --

Commissioner Stone said, okay. So that was my -- my concern is that I don't --

Chairman Scott said, you know, when I recently moved from the Landings, I was paying some tremendous amount of money to the Southside Fire Department.

Commissioner Stone said, right. And so I was concerned that where they would come up with a flat fee like that, is that fair to all residents, and is that truly an accurate fee? That was my concern.

Chairman Scott said, the fire chief from the City of Pooler, do you want to comment on -- on the fee?

Chief Simmons said, yes.

Chairman Scott said, now, what I went by was what was proposed at that Council meeting, and the Resolution that you all adopted, and that included \$150 a household fee in it.

Chief Simmons said, that's correct. Yes, sir. Basically what we did we looked at both what the -- the people in the neighborhood were being charged and we also looked at home. It is a sliding scale is what Southside uses for theirs. What we looked at is those homes -- there's only about five or six that are actually in excess of 2,000. Up to about 2,000 square feet home-wise, as far as we're concerned our fire fighting tactics are the same and what we provide is the same for that.

Commissioner Stone said, but the -- but --

Chief Simmons said, so, we looked at all of the houses as basically being equal. We looked at the money. Basically what does it cost us for -- for a fire call; what does it cost us to use our piece of fire apparatus; how often are we going to go there? We looked at about 15 to maybe 20 percent of the homes actually will see a minor increase of what they're currently paying if they're subscribing to get to that 150, but the rest of those will actually come down. The \$150 was -- it was a round number. We could have made it \$153. We could have made it \$156.

Commissioner Stone said, my question was just is that accurate because homes are different to charge a flat fee -- fee for everyone. That was just my concern.

Chief Simmons said, yes, ma'am. Yeah. We -- we looked at that, and based on the size of the homes that -- the size that most of them were under 2,000 square feet, it basically makes them a similar home, a similar construction, so that's why we chose to -- to do just a flat fee.

Chairman Scott said, they -- they -- they are smaller houses, Commissioner Stone. That's an estate where you are at there.

Commissioner Stone said, what I was trying to say was that -- was that Southside bases theirs, it's my understanding on your property tax bill, and that's what --

Chairman Scott said, yeah.

Commissioner Stone said, -- to me, I was trying to figure out where they came up and -- and how they could guarantee a -- a flat fee for everyone because people's property values differ. That was my question.

Chairman Scott said, for instance, I'm -- I'm in the City of Pooler, and I don't pay a fee because it's included in the taxes.

Commissioner Stone said, correct. I -- I was just curious.

Chairman Scott said, okay. Commissioner Kicklighter, Commissioner Center, and Commissioner Farrell.

Commissioner Kicklighter said, I'll -- I'll wait till --

Chairman Scott said, okay.

Commissioner Kicklighter said, I'll have a comment before you call for this motion.

Chairman Scott said, okay. Commissioner Center, Commissioner Farrell.

Commissioner Center said, my questions were answered listening to your comments and -- and the other comments. Thank you.

Chairman Scott said, Commissioner Farrell.

Commissioner Farrell said, we -- we heard what the subscription price will be in the future if Pooler were to provide the fee. Could we get some average since the price of -- according to the Pooler police chief, the houses are all about the same. Is there an approximate average subscription currently being charged to the residents of these areas 'cause -- and what is that? I know the sliding scale 'cause I -- I -- I see it on my bill, but I don't remember it.

Assistant Chief Futrell said, yes. And -- and -- and some homes -- some homes are slightly less than this, and some of them are more obviously, just like the sliding scale implies. The average is around \$146, okay?

Commissioner Farrell said, okay.

Assistant Chief Futrell said, some are going to be more. Some are going to be less.

Commissioner Farrell said, okay.

Assistant Chief Futrell said, okay?

Commissioner Farrell said, okay. So the price of subscription is relatively equal. Would that be a fair statement?

Assistant Chief Futrell said, it is.

Commissioner Farrell said, okay.

Chairman Scott said, okay. All right. Now, the other thing. We've got a number of homeowners out there. How many people who are in the audience who live in that area? And is there a homeowners association out there?

Audience Members said, yes.

Chairman Scott said, is -- is the president of the homeowners association present?

Audience Members said, no.

Chairman Scott said, is there a spokesperson for the group? I can't recognize all of you.

Apostle Mike Taylor said, I can probably speak for the group.

Chairman Scott said, okay. If there's a spokesperson for the group, please let the Commission know your wishes in this matter.

Commissioner Kicklighter said, come forward.

Chairman Scott said, I didn't -- I didn't want y'all to come to the meeting and not have an opportunity to at least say something if there's --

Mr. Taylor said, good morning Mr. Chairman.

Chairman Scott said, good morning.

Mr. Taylor said, ladies and gentlemen. My name is Apostle Mike Taylor, and I'm a residence -- resident rather of Berwick Lakes subdivision. My wife and I purchased our home over ten years ago in Berwick Lakes, and to give you a little bit more information about who I am, I'm also a retired fire Captain for the Savannah Fire Department. I spent 25 years fighting fires and saving lives. The key thing that I want to share with you is that the ISO ratings doesn't save lives, fire fighters do, and I have first hand information about the number of casualties, the number of home lost that we have encountered over the years of my 25 years of fire fighting, and I have first hand information that while we were in our home about three years perhaps, Southside was providing fire service for our community. The house right across the street caught on fire. It took them several minutes first of all to respond. They responded with one truck and one person to that fire, and the lady across the street home almost literally burned down.

Chairman Scott said, now, I --

Mr. Taylor said, so --

Chairman Scott said, I don't want to be disrespectful to you and -- but at -- at some point I wanted you to speak to why y'all want to be in Pooler.

Mr. Taylor said, okay.

Chairman Scott said, and speak to the decision that's before us here today.

Mr. Taylor said, well -- yes, sir. From my opinion, I think the rest of the homeowners, Pooler fire station is approximately three to five minutes away or less time -- response time. They will also provide us with enough fire fighters to actually go into service and put water on a home. That to me is important being a fire fighter, former fire fighter and a resident, and a senior. My family, my son and daughter-in-law and granddaughter lives out there. I have a cousin in the audience live out there, and the quicker response to get to our home and put water on the fire is important to us. And I don't know if that answered your question, Mr. Scott, or not, but to me

it makes more sense when a -- a station is very close manned by -- with fire fighters to immediately put water on my home and -- so I don't know if that answered your question or not.

Chairman Scott said, yeah. But now -- now -- since you're the spokesman for the group, now, members of this Commission may have a question for you, but you've -- you've answered my questions. Any member of the Commission have a question of him? Commissioner Center.

Commissioner Center said, are you a subscriber that -- that pays?

Mr. Taylor said, yes.

Commissioner Center said, and what do you pay now?

Mr. Taylor said, 160 I'm paying Southside right now.

Commissioner Center said, yours -- yours would go down \$10.

Mr. Taylor said, yes, it will.

Commissioner Center said, okay. Thank you. Did you also sign the petition?

Mr. Taylor said, I think my wife had signed it.

Commissioner Center said, okay. Thank you.

Mr. Taylor said, signed the petition, yes.

Chairman Scott said, Commissioner Shabazz.

Commissioner Shabazz said, good morning, sir.

Mr. Taylor said, good morning, sir.

Commissioner Shabazz said, the response time is one of the only things that you have a problem with the Southside Fire Department?

Mr. Taylor said, not only --

Commissioner Shabazz said, and they're number of trucks or what?

Mr. Taylor said, yes, the response time is important, and the number of men that man the apparatus, along with putting water actually on a fire is concern for me. With their station being very close, within a matter of a few minutes, the response time is less. The number of people on the fire apparatus is obviously more important than having one person come. The -- the house that was down the street, if I may, across the street from me, there's a fire -- there's a hydrant maybe 75, 100 yards from where I live, then there's another hydrant right across the street. That apparatus, when they respond to my neighbor's house, caught the hydrant 100 feet away and stood there waiting for help when there was another fire hydrant right next door across the street. And the person just stood there waiting for help and support.

Chairman Scott said, see what I was trying to avoid. I don't -- I don't want -- I don't want you before the Commission indicting anyone.

Mr. Taylor said, I'm not indicting anyone. I'm just stating a fact.

Chairman Scott said, okay.

Mr. Taylor said, the fact is that's what happened. I was there to witness it.

Chairman Scott said, okay.

Commissioner Shabazz said, so other than that, you don't have any other problems with Southside Fire?

Mr. Taylor said, I don't want to answer that question.

Commissioner Shabazz said, okay. Okay. All right.

Chairman Scott said, Commissioner Farrell.

Commissioner Farrell said, thank you. Were -- were you an active fire fighter when you bought your home?

Mr. Taylor said, yes, I was.

Commissioner Farrell said, and how long ago would that have been since you bought that particular house in this fire district we're discussing?

Mr. Taylor said, we purchased our home in 2002 or 2003, just before I retired in 2004.

Commissioner Farrell said, okay. So being a very experienced fire fighter, you would of all people known before you bought your house that you were going to join like a -- be in the fire district that -- that was equate -- you know, dependent on volunteers to provide some of the service.

Mr. Taylor said, I didn't know that. We -- we were in the -- the Pooler area, right off of Quacco Road, and my assumption was that we were going to get fire protection -- Pooler fire protection at the time. Later on we discovered that Southside was providing because they started sending us the bill.

Commissioner Farrell said, so you bought your house, but you didn't -- you didn't know who was going to protect it --

Mr. Taylor said, no, sir.

Commissioner Farrell said, -- with fire. Okay.

Mr. Taylor said, being a resident of Savannah, we had ordinarily gotten fire protection.

Chairman Scott said, okay.

Commissioner Kicklighter said, Chairman? I want to ask him a question.

Chairman Scott said, Commissioner Kicklighter has a question.

Commissioner Kicklighter said, thank you, Mr. Chairman. Okay. So I just want to ask you, would you say that it is -- is it safe to say that the difference from back when you originally purchased your home until now would be that at the time of purchase the fire -- the insurance companies did not penalize you this huge amount?

Mr. Taylor said, is that the question you're asking me?

Commissioner Kicklighter said, that's the question.

Mr. Taylor said, yeah. They didn't charge us that huge amount, no.

Commissioner Kicklighter said, okay. And now recently, is it -- is it your statement, or do -- or are you -- are you -- will you tell me, are they now charging more?

Mr. Taylor said, yes. We are --they are charging us more now.

Commissioner Kicklighter said, and -- and is it your belief that it's because the fire department is now being recognized at being over five miles away from your residence where previously they did not -- did not acknowledge that fact when billing you on your insurance? Is that your understanding on that too?

Mr. Taylor said, yes. Yes, sir. I would --

Commissioner Kicklighter said, thank you, sir.

Mr. Taylor said, yeah. I would --

Commissioner Kicklighter said, appreciate all of you for being here.

Chairman Scott said, thank you so much.

Mr. Taylor said, thank you, sir.

Chairman Scott said, all right. Now, Commissioner Kicklighter, this is to recognize you for the purpose of a motion.

Commissioner Kicklighter said, thank you, Mr. Chairman. I appreciate that very much.

Chairman Scott said, the purpose of a motion now.

Commissioner Kicklighter said, okay. I -- I -- with your permission, I would -- I would like to state one quick -- I promise you I wrote it down so I would not elaborate.

Chairman Scott said, let's make a motion so -- before we get to the discussion.

Commissioner Kicklighter said, okay. At this point I'll make a motion to approve alternative 1 as recommended by the MPC. Alternative 1 reads, the Board must approve -- that the Board approve the change in fire service district boundaries effective immediately.

Commissioner Shabazz said, second.

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

Commissioner Kicklighter said, one, please, sir.

Chairman Scott said, I recognize Commissioner Kicklighter for further discussion.

Commissioner Kicklighter said, Mr. Chairman, at this point I -- I would just like to give a small analogy of why I believe that this drastically increases public safety. If Chief Simmons were sitting right next to me with a fire blanket, and Chief Fut -- Futrell was sitting under that clock with a fire blanket, should someone throw gas on me and light me on fire, I believe Chief Simmons would get to me faster. That's it. I believe you and your organization to be a very good organization, fighting fires and public safety, as well as I believe the same thing about Pooler. My decision and push is no reflection on the services you have ever provided, it's simply about distance. With that, I'll --

Chairman Scott said, Commissioner Kicklighter, you're not trying to put ideas in Commissioner Brady's head, are you?

Commissioner Kicklighter said, I figured somebody out there probably would like to throw gas on me by this time.

Chairman Scott said, is there any further discussion? Commissioner Farrell.

Commissioner Farrell said, yeah. My -- my -- my interest is -- is -- is in the -- the best service delivery system for the citizens of Chatham County. So, you know, I'm somewhat undecided that -- it -- even to this moment. The cost factor for the subscription is equal, so that's not a big decision maker in my mind. You know the subscription price is relatively close enough to be -- to be equal. The -- the question of -- of drastically improved safety is a little hard to -- to grasp, and, therefore, I will defer judgment to the ISO ratings which are the professional analysis of, you know, these big organizations are protecting their investment when they're insuring something, and, therefore, they're -- they probably put a lot more thought into it than -- then I ever could bring to the subject. So -- so we're at right now, we're at a ten, which makes Southside, you know, not competitive from the subscribers standpoint. Now I hear promises from both sides, one says you'll go immediately to a six, which is a -- a big improvement, but within 30 days, we could go up to a four, which is even a bigger improvement, and then there's another side of the equation that says if you give up 60 days, once we get this thing on line, we'll go from a ten to a three. So, you know, that gives a slight edge to, in my way of thinking, you know, 60 days in the grand scheme of things is a -- is a very short period of time, so to me, that gives Southside a slight edge, and -- and in addition, you know, I also give some -- some credibility to the Southside, which from my limited knowledge of the history, when the unincorporated area was the wild west of fire fighting as I think our County Manager may agree, as a non-profit, volunteer-driven service organization, they stepped forward and came out with -- starting from nothing to start to cover all these rural, unincorporated areas, and slowly, over

the years, became more organized, more professional, more expert at what they're doing, until, you know, today, they are a very polished, non-profit service organization that provides great value to the unincorporated area for which I represent quite a bit of it.

Commissioner Farrell said, so I'm a little reluctant to very quickly, you know, 'cause I've shared -- I share Commissioner -- Commissioner from the Third District's thing, yeah, it's been out there, it's kind of been in the -- in the background, but really, we got serious about it Tuesday from a Commissioner's point of view in making a -- a -- a decision. I mean, once you set up a fire district, it's -- it's not a quick and easy thing to -- to dismantle it. So I, you know, I would like to come back in 60 days and give this thing a little bit of rest. See where Pooler lines up for -- if they get their four. See if -- if the Southside comes through with this other fire department, because I think the competition is wonderful for the people in that area. Now you got two competing fire departments that are obviously interested in serving this community, and I think competition brings out the best, and whoever brings up the best -- the best business plan for the residents in 60 days, you know, with the ISO rating, subscription, and unless there's some other mitigating factors, you know, that would -- that would to me be the -- the long-term thing to do. I mean we can make a quick decision right now, and maybe it's the right one and maybe it's not, and then have to maybe undue it in the future, or just live with something that's not quite as good. We -- I believe Commissioner Kicklighter's familiar with the quick decision that was made about our police department, and we found it very difficult to make any changes and any, you know, improvements on that. So, you know, to me, waiting 60 days to see if -- to see if the four comes in, which would be a -- a great thing, and I certainly hope that Pooler gets that, and -- and if -- Southside stated here very clear, they were building this thing one way or the other, if they're good with what they said, and they're at of three, I think it changes the math on, you know, what would be in the best interest.

Chairman Scott said, okay.

Commissioner Farrell said, you know, plus it would give a opportunity, you know, that was a small percentage of the 500 households that -- that provided information for this petition. If 17 or 18 percent petition to do something, and the other 82 percent didn't petition, then that sort of tells me indirectly that 82 percent are okay with what's going on. You know, that -- that could be totally wrong, but I would bet with the attention that this is getting right now through the media, that we would hear a lot of information from the residents in that 60 period time, and then we could make a really good decision, and could put this thing to bed once and for all and draw the line. Thank you for the --

Chairman Scott said, and there's -- there's -- there's nothing that we do that cannot be undone. There's only one thing in life that's permanent. At this time the question before us is to approve the change in the fire district for Hampton Place and Berwick Lakes subdivision from Southside department to the City of Pooler. All in favor of that motion indicate by voting yes, opposed, no. The motion carries which means that --

Commissioner Center said, Mr. Chairman?

Chairman Scott said, Berwick Lakes and Hampton Place is now in -- can have fire service by the City of Pooler.
[Applause.]

Commissioner Kicklighter said, thank y'all.

Chairman Scott said, for the citizens who are here representing those areas, thank you for your participations and patience. I recognize the Commissioner from the Third District.

Commissioner Center said, thank you --

Chairman Scott said, Commissioner Center.

Commissioner Center said, thank you, Mr. Chairman, and again, I want to use this opportunity to ask our Commission to consider in the future requiring all homeowners to subscribe to some kind of fire service. I think it would lower the \$150 rate for those using someone else's service, and I think it's better protection for everybody in the community that everyone have to subscribe, and I hope we can consider that in the future.

Assistant Chief Futrell said, thank you Commissioners. Not you.

ACTION OF THE BOARD:

Commissioner Kicklighter made a motion that the Board approve the change in fire service district boundaries

from Southside Fire Department to City of Pooler Fire Department effective immediately. Commissioner Shabazz seconded the motion and it carried in a 7-2 vote with Chairman Scott and Commissioners Holmes, Center, Shabazz, Brady, Kicklighter and Thomas voting yes and Commissioners Stone and Farrell voting no.

AGENDA ITEM: IX-3

AGENDA DATE: October 25, 2013

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Thomas L. Thomson, Executive Director MPC

ISSUE:

The Board approve a change in Fire Service District for the Hampton Place and Berwick Lakes subdivisions from Southside Fire Department to City of Pooler Fire Department.

BACKGROUND:

In November 2012 the residents of Hampton Place and Berwick Lakes subdivision submitted a petition to Chatham County and to the City of Pooler requesting a Fire Service District change from Southside Fire Department to the City of Pooler due to a potential insurance rate increases in homeowners, as a result of the residents being more than five (5) miles from the nearest Southside Fire Department fire station. As a result of this distance the residences of these two subdivisions have an ISO rating of "10". In August of 2013 the City of Pooler opened their fire station located at 1750 Quacco Rd, near the entrance to both subdivisions. On October 7, 2013 the City of Pooler adopted a resolution (attached to the original staff report in the Clerk of Commission's meeting file) to provide fire service to the Hampton Place and Berwick Lakes subdivisions.

FACTS AND FINDINGS:

Southside Fire Department does not currently, nor has it ever, had a fire station within five (5) miles of these residents. The City of Pooler has erected a fire station located at 1750 Quacco Road, which is within a five (5) mile radius. On October 7, 2013 the City of Pooler, through a resolution (attached to the original staff report in the Clerk of Commission's meeting file) approved to provide the residents fire protection service at the cost of \$150.00 per residence per year.

ALTERNATIVES:

1. That the Board approve the change in Fire Service District boundaries effective immediately.
2. The Board do nothing.

FUNDING:

No funding is needed.

POLICY ANALYSIS:

The Board must approve all changes in Fire Service Districts.

RECOMMENDATION:

That the Board approve Alternative No. 1.
 District: District 7

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4. REQUEST BOARD APPROVAL OF CONTRACTUAL AGREEMENTS BETWEEN GEORGIA POWER AND CHATHAM COUNTY TO FACILITATE UTILITY REAL TIME PRICING AT CHATHAM COUNTY DETENTION CENTER.

Chairman Scott said, all right. Now that we lose everybody, Item 4 on Items for Individual Action. It's to request the Board approval for contractual agreement between Georgia Power and Chatham County to facilitate utility

real time pricing at the Chatham County Detention Center.

County Manager Abolt said, Mr. Chairman, with your permission -- you still have a quorum. Mr. Chairman, with your permission, I would like to give credit to Assistant Manager Cramer and allow her to come forward and explain it. This is -- this is something that's very innovative. It has the potential to save several thousands of dollars, possibly 300,000 in -- in energy -- energy service to our detention center. I appreciate the interest of the Sheriff and the questions he's posed. Georgia Power has a deadline of the 7th of November. We're bringing it to you now because we think it's worth the opportunity to try it. But again, I do want to recognize Ms. Cramer's innovation and have her introduce the subject with more specificity. Linda.

Assistant County Manager Linda Cramer said, good morning. What we have before us today is an opportunity for the county to participate in a different rate structure with Georgia Power than what we traditionally have. Georgia Power approached us first of this year, and we've been talking with them since February about taking the incremental utility usage at the expanded detention center and putting it on what they call a real time pricing model, and this should afford us some savings. We are -- we are subject more to the market conditions of the energy market with this proposal. However, looking at the data that we have on the potential usage, prior rates for RTP moving forward, we think we'll see considerable savings. Their cost estimate is over \$300,000 a year for that. So it -- it's hard to pass that up. What we're proposing to do is put this in place for a year and evaluate it, and see if we want to continue with the program after that period.

Commissioner Stone said, Mr. Chairman, based on that, I would make a motion for approval.

Commissioner Center said, I'll second it.

Chairman Scott said, second. Discussion? What -- what this will do is afford us an opportunity to actually save money, and -- and if it doesn't work, we'll do something different. Also, we have a motion and second as far as discussion. We've got the Sheriff in the audience, and --

Sheriff Al St. Lawrence said, we don't - we don't -- we don't have a problem with it. The only problem we had in the beginning when we first started discussing this matter, Georgia Power, we were told, would have the right to cut our power to save money, and that's been cleared up, and we're in favor of it.

Chairman Scott said, okay.

Sheriff St. Lawrence said, it saves money for the county.

Chairman Scott said, all right. Thank you, Sheriff.

Commissioner Center said, question.

Chairman Scott said, Commissioner Center.

Commissioner Center said, yeah. Have we -- have we looked into solar panels and other ways to save energy at the Detention Center?

Assistant County Manager Cramer said, not to my knowledge.

Chairman Scott said, okay.

Commissioner Center said, okay.

Commissioner Stone said, can we do that?

Chairman Scott said, all right. We have a motion before us. Any further discussion? All in favor of approval indicate by voting yes, opposed, no. The motion carries.

ACTION OF THE BOARD:

Commissioner Stone made a motion to approve contractual agreements between Georgia Power and Chatham County to facilitate utility real time pricing at Chatham County Detention Center. Commissioner Center seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell, Brady and Thomas were not present for the vote.]

AGENDA ITEM: IX-4**AGENDA DATE: October 25, 2013**

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Linda B. Cramer, Assistant County Manager

ISSUE:

Request Board approval of contractual agreements between Georgia Power and Chatham County to facilitate utility Real Time Pricing at the Chatham County Detention Center.

BACKGROUND:

For some time utility usage at the Detention Center has exceeded 250 kW each month. As a result of this high load and the recent facility expansion, Georgia Power has proposed real time pricing (RTP) as an alternative to their current pricing model (PLL). This model should provide savings as utility consumption increases at the facility. Georgia Power is obligated to extend this offer under the rules and regulations for electric service on file with the Georgia Public Service Commission.

FACTS AND FINDINGS:

1. Staff has been meeting with Georgia Power over the past several months to review proposals for real time pricing (RTP) at the expanded detention facility. As required by the Georgia Public Service Commission, Georgia Power is extending this offer to the County due to utility usage patterns that place the facility in a high use category exceeding 250 kW each month.
2. As part of the analysis, Georgia Power has measured historical utility usage or load at the Sheriff's Complex during 2012. Based on this history, Georgia Power has established a customer baseline load or "CBL". Three current Georgia Power accounts were considered in developing the offer and CBL: Sheriff's Complex 65480-07018, Unit 5 74174-6400 and Housing & Medical 00664-17052.
3. Georgia Power has proposed a hybrid pricing model which provides estimated savings of over \$300,000 per year. The first part of the model retains the conventional tariff which is called the PLL or Firm Rate. The PLL rate is applied against the customer baseline load or CBL. Since this portion of the pricing model mirrors current usage and pricing, savings from this part of the pricing model are minimal. The second part of the pricing model bills incremental usage above the CBL at a real time pricing rate.
4. The RTP is a marginal cost rate based on hourly prices times the incremental load per hour (over the baseline). As such the RTP is subject to more variability and risk. Hourly prices will fluctuate due to market commodity pricing and demand. In hours of peak consumption, the rate will be higher. Credits are earned when usage falls below baseline levels, especially during peak consumption periods. In addition the RTP rate excludes standard capital and maintenance components that are part of the Firm Rate. This provides savings. It is anticipated that Building A through L will be charged at the RTP rate while the other facilities will remain under the PLL or Firm Rate.
5. There are opportunities for additional savings if some tasks can be moved to off-peak times; however, any such adjustment would be at the Sheriff's discretion. The current cost savings analysis assumed no such adjustments.
6. Georgia Power is also providing savings through the totalization of existing meters. The two meters and three transformers now at the Sheriff's Complex would be combined via cellphone technology to generate one bill. This provides more efficiency and cost reductions.
7. In addition to the RTP rate, components of the utility pricing as proposed also include:
 - a. an excess facilities charge of \$105,562.28 paid in monthly installments of \$3,546.51 over a three-year period. This charge is for equipment installed to service the expanded facility and also includes totalization of two transformers. At the end of the three-year period, the charge is paid off.
 - b. Monthly fees of \$1,002.14 related to the pricing model. This includes a monthly administrative fee of \$155 and a monthly O&M fee of \$847.17.
8. The County Attorney has reviewed the contracts provided by Georgia Power and his suggestions were included in the final documents found herein.

9. Georgia Power has set a deadline of November 7, 2013 for the County's acceptance of their proposal.

FUNDING:

Utility costs for the Sheriff's Complex are charged to the Detention Center operating budget 100 3326 53.12901.

POLICY ANALYSIS:

Georgia Power is the major provider of utility service in this area.

ALTERNATIVES:

1. Approve contracts related to a real time pricing agreement with Georgia Power which include: a) Contract for Electric Service, b) Initial Customer Baseline Load (CBL) Agreement, c) Excess Facilities Charge Agreement Standard Offer, d) Meter Totalization Terms and Conditions, and 3) Real Time Pricing Terms and Conditions.
2. Provide staff other direction.

RECOMMENDATION:

Approve Alternative #1.

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5. LATEST ON TURNER'S CREEK PERMIT AND RECOMMENDED COURSE OF ACTION THAT WILL ALLOW BIDDING AND AWARD OF A CONTRACT WITHOUT THE EPD'S PERMIT.

Chairman Scott said, the latest on Turner Creek.

County Manager Abolt said, Mr. Chairman, we're bringing this back to you at your request. It has to do with a letter sent out under your direction by the County Attorney to state folks, and we, as you can see unfortunately, we've heard nothing from them, and I want to refer to Jon -- Attorney Hart in a minute, but I also want to direct your attention to Fact and Finding Number 4 of the staff report where we feel, and that is we as defines myself, the County Attorney and the County Engineer that you have a legitimate action to take in -- in -- in the meantime that will allow the project to proceed by going forward to bid. But I do want to allow Jon every opportunity to explain our mutual frustration with the non-response from the State of Georgia.

County Attorney Hart said, sure. I -- I don't know why they haven't granted the permit. They haven't said anything. At the suggestion -- at the suggestion of the Chairman, I contacted a member of the DNR board who was very interested in -- in being of assistance to us, and I have scheduled a meeting with him next week and have forwarded him a copy of the letter, and he seemed to be very familiar with the situation in regards to the regulatory process concerning marsh lands. This is really going to boil down to the power of administrative bodies to create different standards than are set forth in the statute. The statute requires measure from where something is wrested, and they've created something called jurisdictional, that -- it would have great impact on the county because it would mean that every time we wanted to do something in our right of way and it was near a marsh, you'd measure it, and the length of the right of way would be subject to a permitting process, plus mitigation. The statute doesn't provide for mitigation, but they have created that as a mitigating factor and have determined that if -- if it's more than 5,000 square feet, a number that as best we can tell was also made by rule as opposed to being in the statute.

County Attorney Hart said, what we have suggested is -- first of all, my first suggestion is I'd like to meet and continue to pursue it, especially with the help of the DNR representative that we have here locally who is a very thoughtful individual, with the body to see if we can come to a conclusion on it without doing anything else. If we can't get resolution of that within a week or two weeks, whatever y'all prefer, then my recommendation would be to go forward with bidding the project. This project -- we've been trying to do this now for well over a year. If we bid the project, it would have to be with the understanding that the bidders need to know that we may end up having EPD take an action. At this point, quite honestly, it really doesn't bother us too much if they did take action, at least we'd know where we stand. It would give us a notice and a right of hearing, and -- and that would require EPD to have to explain how they arrived at their decision-making process. So I think it will move the ball forward. I've talked to the County Attorney down in Brunswick that has not currently got issues, but has concern -- same concerns we have. So if -- if -- with y'all's permission, I would either like to have two weeks to try to work

with the DNR representative to try to work this out. If it can't be worked out, we'd like to move forward with the bid process. Now if we start on the project and get a stop order, we -- we could incur, you know, demobilization costs or remobilization costs, but my intention is at this point you've got your --

Chairman Scott said, we -- we had that discussion with the Manager, and we're going to build something into the contract language.

County Manager Abolt said, yes -- yes, sir.

County Attorney Hart said, okay. And I just figured -- and what we're doing, it's going to take us four or five weeks to get the bids out and go through the process, and -- and it just gives us a four or five week head start for lack of a better term.

Chairman Scott said, okay. Now, I'm going to recognize Commissioner Farrell for the purpose of making a motion, and then we'll -- if we get a motion and a second, we'll entertain further discussion.

Commissioner Farrell said, I'd -- I'd like to make a motion for Board consideration that we follow the suggestion of the County Attorney in that we give him two weeks to work out this situation with the DNR board member, and see if we can have some final resolution. Short of a final resolution that we proceed with the bidding process, you know, with -- with the some language in there that protects us from demobilization costs, 'cause we know that that may be forthcoming, so that we don't jeopardize tax payer money. So.

Chairman Scott do we have a second?

Commissioner Shabazz said, second. Second.

Chairman Scott said, properly moved and second.

Commissioner Center said, question.

Chairman Scott said, discussion? Commissioner Center.

Commissioner Center said, is the motion to postpone for two weeks or is the motion to grant the right to -- to issue the -- go forward with the bidding subject to these conditions.

County Attorney Hart said, go forward with the --

Chairman Scott said, go forward with the bidding subject to the conditions.

Commissioner Center said, okay. Thank you.

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

ACTION OF THE BOARD:

Commissioner Farrell made a motion to move forward with the project with the conditions that the County Attorney have two weeks to work out the situation with the DNR board member. If the situation does not get resolved, proceed with the bidding process. Commissioner Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: IX-5

AGENDA DATE: October 25, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: R. Jonathan Hart, County Attorney
Al Bungard, County Engineer

ISSUE:

Whether or not to proceed with previously approved project to improve the Turner's Creek Boat Ramp despite the fact that the Environmental Protection Division (EPD) of the Department of Natural Resources (DNR) has not issued the sole remaining permit necessary to complete the project.

BACKGROUND:

The County previously approved both the funding and scope of improvement needed at the Turner's Creek boat ramp. After approval from the Board, the Department of Engineering began the process of planning and design of the project. Integral to that construction process was the County's application for all necessary permits needed to comply with local, state and federal law.

In March of 2012, the County sought a marsh buffer variance with the EPD of DNR. Georgia EPD rules require written response to application within 60 days. EPD contacted the County's consultant, Alton Brown, by phone May 7, 2012 to advise that application was incomplete. Request for written correspondence was denied.

The County presented a revised application to include a variance to marsh buffer based on marshline delineation, not point of wrested vegetation, over objection, on June 12, 2013. Despite the lapse of more than 60 days, there has been no written correspondence or recommendation to approve variance nor has the variance been received.

On October 4, 2013, the County Attorney's Office sent a letter to the EPD outlining the County's position regarding the permit and the authority to regulate the marsh buffer. In that letter, the County cited the 60-day rule for granting of a permit and demanded the permit no later than October 16, 2013. As of the date of this staff report, there has been no communication from the EPD with any representative of the County to include the County Engineer, the County Attorney or our environmental consultant.

FACTS AND FINDINGS:

1. All other permits necessary to construct Turner's Creek boat ramp have either been received or will be received, save and except the requested permit from EPD of the DNR.
2. The last federal permit necessary for the project was delayed by the shutdown of the federal government.
3. The Department of Engineering and the County Attorney's Office have both made efforts to reach out to the DNR in an attempt to resolve the permit question at hand.
4. Both the County Attorney's Office and the Department of Engineering opine that the application presented in 2012 was complete and the additional requirements now being demanded by the EPD are contrary to law.

FUNDING:

Funding has been previously approved and is not an issue in the permitting process.

POLICY ANALYSIS:

The county, as a local issuing authority, have complied with all requirements of the statutes that regulate his activity.

ALTERNATIVES:

1. Go forward with bidding and award of a contract without the EPD's permit;
2. Wait until such time and EPD responds to County's application for a marsh buffer variance.

RECOMMENDATION:

Alternative 1.

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6. CNT MONTHLY REPORT GIVEN VERBALLY BY DIRECTOR RAGAN.

Chairman Scott said, next we will have our monthly report from our very able director of the CNT, Director Ragan.

Director D. Everett Ragan said, thank you, sir. Good morning, Mr. Chairman. Good morning, Board.

Commissioner Center said, good morning.

Director Ragan said, month of September was a -- was a good month for -- for CNT. We started 92 investigations in the month, we've already closed out 42 of them. We had one agency assist, and it was a 12-hour assist on a meth lab that we had to render safe. So far to date, we have seized over 1.8 million in drugs, and so far this month we've got several more thousand. So we're really going to push to get to -- to 2 million drugs seized for -- for this past year. Took 10 fire arms -- fire arms off the street; 25 arrests. Handled our drug complaints, and you can see again, most of our drug complaints come from CrimeStoppers, and last Saturday I did the CrimeStopper radio show with Demery Bishop, so we're getting our message out. You each have your -- our -- our com stat reports that we provide to the -- to Metro police department, and shows the arrests in your -- in your District. Again, you see the number of hours worked in each precinct and in the municipalities, and in the unincorporated area. And the -- the one thing with the City -- the City of Savannah, please keep in mind, when -- when you see that many and it's something I probably should have brought out before hand, when we do our administrative hours, which is our hours that we're writing reports, that kind of stuff, we are in the City limits of Savannah, so -- so there is administrative time that is spent that we show on this -- on this graph also. So.

Director Ragan said, a couple of significant events we had. Again, was one of the -- was one back at 95 and 204 again, a -- an adoption from Metro was a methamphetamine, marijuana, and oxycodone. When we -- during the week of September the 16th, we sent more agents to be meth certified. Most of our agents are now meth certified. It's an intensive 72-hour course that's actually put on for free in Meridian, Mississippi. We have to pay costs to travel over there and back, however, it's something that has to be done, so we have our agents who are qualified to go in and render a lab -- meth lab safe. The Board approved earlier the purchase of a \$34,000 vehicle. It is to be used as a meth lab vehicle that we can store our equipment in and can respond to the areas. Right now each agent has to have their individual stuff, and -- back pack in -- in the trunk of their cars. One of the issues we run into in a meth lab is the state pays for the transport of the hazardous waste, and we can render it safe, but we have to sit there and watch it until the response team from Valdosta, Georgia, comes and picks it up and takes it away. With this vehicle, we're able -- we'll be able to render it safe. We have a storage facility. We can store it. So we won't be sitting out there for another six hours waiting on people from Valdosta to come get it, and we can -- we can maintain it safely until they can come the next day so we're not sitting out there in the middle of the woods to do it. It doesn't cost us anything for them to transport it and dispose of it, except for man hours sitting out there waiting for -- for a phone call to be made to the -- the crew in Valdosta. They come pick it up, and -- and then we can leave. So that will really help with us.

Director Ragan said, we also -- I had mentioned before the -- an organization we -- we're working on. Came out with 28 indictments on it so far. We did an additional search warrant in September where we recovered more marijuana, over two pounds of marijuana and cash in that one, so, and like I said, over a kilo of cocaine in that operation. So. Any questions?

Commissioner Stone said, no.

Chairman Scott said, any questions?

Director Ragan said, thank you very much.

Chairman Scott said, thank you so much.

ACTION OF THE BOARD:

For information only.

AGENDA ITEM: IX-6

AGENDA DATE: October 25, 2013

ADD REPORT

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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, next we're on our Action Calendar, and at this time, if there's -- there was no indication of wanting to pull anything off, I would entertain a motion for approval of the Action Calendar.

Commissioner Brady said, Mr. Chairman, I make a motion we approve the Action Calendar.

Commissioner Stone said, second.

Commissioner Shabazz said, second.

Chairman Scott said, it's been properly moved and second. Moved by Commissioner Brady, seconded by Commissioner Shabazz that we approve it. All in favor of the Action Calendar would indicate by voting yes, opposed no. The Action Calendar is adopted.

ACTION OF THE BOARD:

Commissioner Brady made a motion to approve the Action Calendar, Items 1 through 14 and under Item 14, Items A through K. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

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

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1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF OCTOBER 11, 2013, AS MAILED.

ACTION OF THE BOARD:

Commissioner Brady made a motion to approve the minutes of the regular meeting of October 11, 2013, as mailed. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

=====

2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD OCTOBER 3, 2013 THROUGH OCTOBER 20, 2013.

ACTION OF THE BOARD:

Commissioner Brady made a motion authorize the Finance Director to pay the claims against the County for the period October 3, 2013 through October 20, 2013, in the amount of \$7,4331,089. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

=====

3. RATIFICATION OF LOST CERTIFICATE OF DISTRIBUTION.

ACTION OF THE BOARD:

Commissioner Brady made a motion to ratify the LOST Certificate of Distribution. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-3

AGENDA DATE: October 25, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: R. Jonathan Hart, County Attorney

ISSUE:

To re-ratify and reaffirm the final Certificate of Distribution Local Option Sales Tax (LOST) proceeds.

BACKGROUND:

In 2012, the County and all of the qualified municipalities within the county entered into "baseball arbitration" pursuant to O.C.G.A. 48-8-89. Subsequent to a proceeding beginning in Superior court, the County negotiated a settlement which is reflected in the attached Certificate of Distribution. On October 7, 2013, the Georgia Supreme Court ruled that the "baseball arbitration" proceeding was unconstitutional and struck down that portion of the law. Thereafter, the Department of Revenue notified Chatham County that will would need to execute a new certificate in light of the procedural history of the case.

FACTS AND FINDINGS:

1. The attached Certificate reflects the distribution percentages agreed to by all political subdivision in March of 2013.
2. The Department of Revenue has been forwarded a copy of the attached certificate and letter of explanation.
3. All of the qualified municipalities in Chatham County have also reaffirmed the Certificate of Distribution.

POLICY ANALYSIS:

The County and all of the political subdivisions therein rely upon LOST revenues for general operating expenses. Implementation and collection of the tax are in the best interest of all of the citizens of Chatham County.

FUNDING:

LOST revenues were included in the FY2013 budget.

RECOMMENDATION:

Re-ratify and reaffirm the Certificate of Distribution for LOST tax proceeds in accordance with the decision made in March as reflected in attached Certificate.

CERTIFICATE OF DISTRIBUTION

To: State Revenue Commissioner

Pursuant to an Act of the Georgia General Assembly, effective January 1, 1980, relating to Local Sales & Use Taxes, the governing authorities for the qualifying municipalities and the County located within the special district coterminous with the boundaries of Chatham County hereby certify that the proceeds of the combination city/county local sales and use tax generated in such district shall be distributed by the

State Revenue Commissioner as follows:

		<u>April 1, 2013-</u> <u>December 31,</u> <u>2013</u>	<u>January 1, 2014-</u> <u>December 31,</u> <u>2022</u>
City of Bloomingdale	shall receive	1.36%	1.36%
City of Garden City	shall receive	4.30%	4.30%
City of Pooler	shall receive	8.84%	8.84%
City of Port Wentworth	shall receive	2.47%	2.47%
City of Thunderbolt	shall receive	1.23%	1.23%
City of Tybee Island	shall receive	1.73%	1.73%
City of Vernonburg	shall receive	0.07%	0.07%
City of Savannah	shall receive	58.00%	57.00%
County of Chatham	shall receive	22.00%	23.00%

This certificate shall continue in effect until such time as a new certificate has been executed as provided in said Act.

By executing this Certificate, the County and Cities of Savannah, Bloomingdale, Vernonburg, Thunderbolt, Tybee Island, Port Wentworth, Pooler, and Garden City, acting through their respective officers, represent that all municipalities lying wholly or partly in the tax jurisdiction have been given an opportunity to show that they are 'qualified municipalities' as that term is used in the Act, and that all municipalities listed herein as recipients are 'qualified' and so may receive distribution from the proceeds of the tax.

In consideration of this agreement, Chatham County agrees to accept and be responsible for all costs for the incarceration and housing at the Chatham County Detention Center of those persons arrested by officers or officials of Savannah, Bloomingdale, Vernonburg, Thunderbolt, Tybee Island, Port Wentworth, Pooler, and Garden City. Said Cities shall not be responsible for the payment of any per diem fees, booking or other fees for the life of this Certificate.

Executed on behalf of the governing authorities of the qualifying municipalities and the governing authority of this County, this 17th day of October, 2013.

Mayor of the City of Bloomingdale

Mayor of the City of Garden City

Mayor of the City of Pooler

Mayor of the City of Port Wentworth

Mayor of the City of Savannah

Mayor of the Town of Thunderbolt

Mayor of the City of Tybee Island

Mayor of the City of Vernonburg

Chairman of the Board of Commissioners
County of Chatham

=====

4. APPROVE ANNUAL CONTRACT RENEWAL WITH GEORGIA PUBLIC DEFENDER STANDARDS COUNCIL.

ACTION OF THE BOARD:

Commissioner Brady made a motion to approve the annual contract renewal with Georgia Public Defender Standards Council. Commissioners Stone and Shabazz seconded the motion and it carried unanimously.

[NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-4

AGENDA DATE: October 25, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: R. Jonathan Hart, County Attorney

ISSUE:

Request Board approval of annual contract between the County and the Georgia Public Defender Standard Council (GPDSC) for indigent defense representation in felony and juvenile cases.

BACKGROUND:

In 2004, the General Assembly passed the Indigent Defense Act and created the GPDSC which is tasked with the oversight of felony and juvenile indigent defendants. The County has continued to provide financial support to the indigent defense to provide both misdemeanors and additional felony resources. This is a request for renewal of this contract in order to continue to receive some state funding.

FACTS AND FINDINGS

1. By law, each court must have a plan to provide indigent defense to those persons accused of crimes who cannot afford representation.
2. The Indigent Defense Act required the State to pay for conflict representation in felonies. However, that has not happened in practice and there is no funding at the state level to further that goal.
3. The Public Defender's Office is funded through the County and the State. A contract is annually renewed to reflect the funding structure.

FUNDING:

The contract attached (to the original staff report in the Clerk of Commission's meeting file) was provided prior to adoption of the current budgets for both the County and the GPDSC.

POLICY ANALYSIS:

It is consistent with Board policy to approve agreements between the County and GPDSC for indigent defense services.

ALTERNATIVES:

1. Approve Agreement with GPDSC to fund and structure indigent defense services within Chatham County.
2. Do not approve Agreement with GPDSC to fund and structure indigent defense services within Chatham County.

RECOMMENDATION:

Alternative 1.

=====

5. APPROVE CONTRACT WITH GEORGIA PUBLIC DEFENDER'S STANDARDS COUNCIL.

ACTION OF THE BOARD:

Commissioner Brady made a motion to approve the annual contract renewal with Georgia Public Defender Standards Council. Commissioners Stone and Shabazz seconded the motion and it carried unanimously.

[NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-5

AGENDA DATE: October 25, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: R. Jonathan Hart, County Attorney

ISSUE:

Request Board approval of a contract between the County and the Georgia Public Defender Standard Council (GPDSC) for indigent conflict representation in felony cases.

BACKGROUND:

In 2004, the General Assembly passed the Indigent Defense Act and created the GPDSC which is tasked with the oversight of felony and juvenile indigent defendants. The County has continued to provide financial support to the indigent defense to provide both misdemeanors and additional felony resources. This legal service is required to comply with the provisions of the U.S. Constitution. In April of 2013, the Georgia Supreme Court ruled that our local public defender's office cannot represent co-defendants as a general rule. This ruling effects the ability of the local Public Defendant's Office to handle all felony defendants as has been common practice.

Based upon this new ruling, the County Attorney's Office reviewed the structure of indigent defense within the County to determine how to best comply with the new law. Currently both felony conflicts and misdemeanor case are handled by a vouchering system that is both cumbersome and ineffectively utilized.

With the adoption of this contact, the state GPDSC will pay a sum of \$106,000 to the County annually to fund a position for a lawyer to coordinate the lawyers who service Recorder's, State, and Superior Court. In lieu of vouchers, the County will enter into contracts with the local lawyers who provide indigent services so that the County can continue to provide the services it has historically supplied while attempting to minimize the budget impact of the Supreme Court's ruling.

FACTS AND FINDINGS

1. By law, each court must have a plan to provide indigent defense to those persons accused of crimes who cannot afford representation.
2. The Indigent Defense Act required the State to pay for conflict representation in felonies. However, that has not happened in practice and there is no funding at the state level to further that goal.
3. The Public Defender's Office is funded through the County and the State. A contract is annually renewed to reflect the funding structure.
4. This contract would fund a position staffed by an attorney to include the soft cost associated with the staffing as well. This position will oversee contracts for panel attorneys that staff each court.

FUNDING:

The contract attached (to the original staff report in the Clerk of Commission's meeting file) was provided prior to adoption of the current budgets for both the County in the Public Defender, Recorder's Court and panel attorney budget line items as well as the GPDSC. A new budget will need to be established to recognize revenue receive from the GPDSC and to account for the corresponding expenditures.

POLICY ANALYSIS:

It is consistent with Board policy to approve agreements between the County and GPDSC for indigent defense services.

ALTERNATIVES:

1. Approve Agreement with GPDSC to fund and structure conflict indigent defense services within Chatham County.

2. Do not approve Agreement with GPDSC to fund and structure conflict indigent defense services within Chatham County.

RECOMMENDATION:

Alternative 1.

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6. REQUEST BOARD APPROVE A POLICY UNDER WHICH FLOOD INSURANCE WILL BE PURCHASED FOR NEW CONSTRUCTION AND EXISTING STRUCTURES OWNED BY CHATHAM COUNTY.

ACTION OF THE BOARD:

Commissioner Brady made a motion to approve a policy under which flood insurance will be purchased for new construction and existing structures owned by Chatham County. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-6

AGENDA DATE: October 25, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Amy Davis, Finance Director

ISSUE:

To establish a policy under which flood insurance will be purchased for new construction and existing structures owned by Chatham County.

BACKGROUND:

Flood insurance can be purchased through the National Flood Insurance Program (NFIP) in an amount up to \$500,000 per building and \$500,000 for contents.

Any structure that has previously received funding through the Georgia Emergency Management Agency (GEMA) and/or the Federal Emergency Management Agency (FEMA) is required to obtain and/or maintain flood insurance equal to or in excess of the previous amount of funding received.

FACTS AND FINDINGS

1. New construction shall be insured with Builders Risk which shall include a sublimit for flood in the amount of no less than \$1 million with a maximum per occurrence deductible of \$100,000. All new construction or renovations whose completed value is expected to exceed \$100,000 shall have an Elevation Certificate prepared by the construction manager, general contractor or the County.
2. Where a concentration of values is located in the X-Zone (non-flood), but may later be determined that all or a portion of any structure may lie within a Special Flood Hazard Area (SFHA) the location(s) will be evaluated by appropriate County staff with a recommendation for flood coverage [or no flood coverage] shall be submitted to the Board of Commissioners for final determination. 'Concentration of values' is defined as any structures with a combined value of \$5 million that are within 10,000 feet of each other.
3. Property currently covered by NFIP flood insurance shall be reviewed annually and a determination made to continue or discontinue coverage depending upon flood potential and annual premium.
4. In any lease or license agreement whereby County-owned property is subject to flood insurance as determined by its location with a Special Flood Hazard Area (SFHA), the County may purchase flood insurance for the building and/or contents and invoice the

lessee or require the lessee purchase flood insurance with limits acceptable to Chatham County. The lessee shall provide proof of coverage to the Risk Manager annually.

FUNDING:

Annual premium for flood insurance shall be paid from Fund 625; Department 9922; Account Code #52.31021. Flood insurance written through a Builders Risk policy shall be a cost of construction and paid from the appropriate Fund.

ALTERNATIVES:

1. Purchase flood insurance as outlined above.
2. Provide staff other direction.

POLICY ANALYSIS:

Establish a policy to protect property from the results of flooding and comply with FEMA/GEMA eligibility requirements in the event of a Presidential disaster declaration.

RECOMMENDATION:

The Board adopt Alternative #1.

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7. REQUEST BOARD APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE GEORGIA DEPARTMENT OF TRANSPORTATION, CHATHAM COUNTY AND THE CITY OF SAVANNAH FOR REQUIRED WATER AND SEWER RELOCATION ON THE WEST BAY STREET IMPROVEMENT PROJECT. [DISTRICT 8.]

ACTION OF THE BOARD:

Commissioner Brady made a motion to approve a Memorandum of Understanding between the Georgia Department of Transportation, Chatham County and the City of Savannah for required water and sewer relocation on the West Bay Street improvement project. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-7

AGENDA DATE: October 25, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE:

To approve a Memorandum of Understanding (MOU) between the Georgia Department of Transportation (GDOT), Chatham County and the City of Savannah required water and sewer relocation on the West Bay Street Improvement Project.

BACKGROUND:

The project is in the Coastal Region (CORE) Transportation Improvement Plan for construction in Fiscal Year 2016. A design contract was awarded to McGee Partners, Inc. on November 5, 2010. City of Savannah water and sewer utilities must be relocated to construct the project. By Local Government Project Agreement with the GDOT approved on November 13, 2001, the County is responsible for relocating utilities.

FACTS AND FINDINGS

1. The MOU outlines that the County shall pay the cost of the design and relocation of water and sewer facilities required due to conflicts with the project. The City of Savannah shall

pay the cost of any facility upgrades. The GDOT will include the work in the construction contract for the project. The GDOT will also inspect and approve the construction of the relocations.

2. A Contract Item Agreement (CIA) will be prepared once the design is complete and cost estimates for the work established. The CIA will define the scope of the relocation work required and the estimated cost of the proposed relocation.
3. The City executed the MOU on October 1, 2013.

ALTERNATIVES:

1. To approve a Memorandum of Understanding (MOU) between the Georgia Department of Transportation (GDOT), Chatham County and the City of Savannah for required water and sewer relocation on the West Bay Street Improvement Project.
2. To not approve the MOU.

FUNDING:

No County funds are required at this time.

POLICY ANALYSIS:

The Board approves intergovernmental agreements.

RECOMMENDATION:

To approve Alternative #1.
District 8

Prepared by Pamela Bernard

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8. REQUEST BOARD AUTHORIZE THE CHAIRMAN TO EXECUTE A LETTER OF AGREEMENT WITH SWIMMING SAVES LIVES FOUNDATION AND THE CHATHAM COUNTY AQUATIC CENTER TO PROVIDE AN ADULT SWIM LESSON PROGRAM IN THE AMOUNT OF \$3,750.00

ACTION OF THE BOARD:

Commissioner Brady made a motion to authorize the Chairman to execute a letter of agreement with Swimming Saves Lives Foundation and the Chatham County Aquatic Center to provide an adult swim lesson program in the amount of \$3,750.00. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-8

AGENDA DATE: October 25, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE:

Request Board authorize the Chairman to execute a Letter of Agreement with Swimming Saves Lives foundation and the Chatham County Aquatic Center to provide an adult swim lesson program in the amount of \$3,750.

BACKGROUND:

Chatham County has received a grant in the amount of \$3,750 from the Swimming Saves Lives Foundation to provide adult swim lessons at the Aquatic Center. These funds will be used to provide lessons to adults so that they can comfortably swim 50 yards. Additionally the funds can be used to provide a scholarship opportunity to continue swimming in a US Masters Swimming program. Many

Chatham County residents take advantage of the Learn to Swim Program at the Aquatic Center for their children but cannot afford lessons for themselves.

FACTS AND FINDINGS

1. This grant is for the purpose of providing swim lessons to adults who would not otherwise have the resources or access to learn to swim programs. Staff is working to train volunteer swim lesson instructors to assist in this program. However, if there are not enough volunteer instructors, Aquatic Center staff will be used to assist in this program.
2. This is a grant for the Fiscal Year 2013-2014.
3. The program will be for adults who live in Chatham County.

FUNDING:

The funding for this grant is from the Swimming Saves Lives Foundation a division of U.S. Masters Swimming, Inc.

ALTERNATIVES:

1. That the Board authorize the Chairman to execute the Letter of Agreement between the Chatham County Aquatic Center and Swimming Saves Lives Foundation.
2. Provide staff other direction.

POLICY ANALYSIS:

It is consistent with Board policy to allow the Chairman to be a signatory for grants that staff has procured.

RECOMMENDATION:

That the Board approves Alternative 1.

[District 3]

=====

9. REQUEST BOARD AUTHORIZATION FOR CHATHAM EMERGENCY MANAGEMENT AGENCY TO APPLY FOR THE EMERGENCY MANAGEMENT PERFORMANCE GRANT -- RESPONSE AND RECOVERY TO ENHANCE THE LIGHTING SYSTEM FOR THE MOBILE EMERGENCY OPERATIONS CENTER.

ACTION OF THE BOARD:

Commissioner Brady made a motion to authorize Chatham Emergency Management Agency to apply for the Emergency Management Performance Grant -- response and recovery to enhance the lighting system for the Mobile Emergency Operations Center. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-9

AGENDA DATE: October 25, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Clayton S. Scott, Director, Chatham Emergency Management Agency

SUBJECT: Grant for Mobile Emergency Operations Center Supplemental Lighting

ISSUE:

Request authorization for Chatham Emergency Management Agency (CEMA) to apply for the Emergency Management Performance Grant (EMPG) - Response and Recovery (R&R).

BACKGROUND:

Chatham County has been tentatively selected by the Georgia Emergency Management Agency (GEMA) to receive a FEMA grant to enhance the lighting system for the Mobile Emergency Operations Center.

FACTS AND FINDINGS

1. The Will-Burt Night Scan is a roof mounted, fold down light tower that will provide area lighting for the exterior of the Mobile Emergency Operations Center (MEOC).
2. This grant will enable CEMA to:
 - a. Provide light for the MEOC security camera at night.
 - b. Provide light for additional workspace on the exterior of the vehicle.
 - c. Create a safer work environment.
3. The cost of the Will-Burt Night Scan Chief Lighting System is \$10,298.00, which will be paid for by State EMPG funds.

ALTERNATIVES:

1. Approve CEMA to apply for the EMPG - R&R Grant in the amount of \$10,298.00 to purchase the Will-Burt Night Scan lighting system.
2. Do not approve CEMA to apply for the grant.

FUNDING:

If CEMA is approved to apply for the EMPG - R&R Grant, the purchase of this system will be 100% funded through an EMPG Preparedness Grant awarded in August 2013.

POLICY ANALYSIS:

It is the policy of the Board of Commissioners to accept Federal grant funding that is in the interest of the community.

RECOMMENDATION:

That the Board adopt Alternative 1.

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10. REQUEST BOARD APPROVAL FOR CHATHAM EMERGENCY MANAGEMENT AGENCY TO APPLY FOR A FEDERAL EMERGENCY MANAGEMENT AGENCY PRE-DISASTER MITIGATION GRANT PROGRAM AWARD TO FORMALLY UPDATE THE CHATHAM COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN TO MEET THE FEDERAL REQUIREMENTS OF DISASTER MITIGATION ACT OF 2000.

ACTION OF THE BOARD:

Commissioner Brady made a motion for approval for Chatham Emergency Management Agency to apply for a Federal Emergency Management Agency Pre-Disaster Mitigation Grant Program Award to formally update the Chatham County Multi-Jurisdictional Hazard Mitigation Plan to meet the Federal requirements of Disaster Mitigation Act of 2000. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-10

AGENDA DATE: October 25, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Clayton S. Scott, Director, Chatham Emergency Management Agency

SUBJECT: Grant for Hazard Mitigation Planning

ISSUE:

To obtain approval of the Chatham Emergency Management Agency (CEMA) to apply for a Federal Emergency Management Agency (FEMA) Pre-Disaster Mitigation Grant program award to formally update the Chatham County Multi-Jurisdictional Hazard Mitigation Plan to meet the federal requirements of the Disaster Mitigation Act of 2000.

BACKGROUND:

The Georgia Emergency Management Agency (GEMA) applied for and has received FEMA approval for a grant to be used for the five-year federally mandated update of the Chatham County Multi-Jurisdictional Hazard Mitigation Plan. The total approved cost is \$50,000 with a federal share of \$37,500 and a local share of \$12,500.

FACTS AND FINDINGS:

1. Pursuant to Part 44 of the Code of Federal Regulations (44CFR201), Section 206 eq. seq. And meeting the FEMA Minimum Standards of Acceptability, effective November 1, 2003, an approved Hazard Mitigation Plan was required in order for a community [county] to receive Hazard Mitigation Grant Program project grant funds.
2. In order for communities to remain eligible to receive Hazard Mitigation Grant Program funds, their Hazard Mitigation Plans must be updated and approved by GEMA and FEMA every five years.
3. The Chatham County Hazard Mitigation Plan was first approved by state and federal authorities and published in January 2005. An updated Hazard Mitigation Plan was required and approved in January 2010. Another updated Plan is required by January 2015.

ALTERNATIVES:

1. Approve acceptance of the \$37,500 of grant funds to be used to secure a consulting firm to assist the CEMA staff with preparing, submitting, and obtaining state and federal approval of an updated Chatham County Hazard Mitigation Plan.
2. Do not approve acceptance of the \$37,500 of grant funds.

FUNDING:

In kind services will be used to meet the requirements of the local share of \$12,500.

POLICY ANALYSIS:

it is the policy of the Board of Commissioners to accept Federal grant funding that is in the interest of the community.

RECOMMENDATION:

That the Board adopt Alternative #1.

=====

11. REQUEST BOARD AUTHORIZATION FOR CHATHAM EMERGENCY MANAGEMENT AGENCY TO APPLY FOR A FEDERAL PORT SECURITY GRANT OFFERED BY THE DEPARTMENT OF HOMELAND SECURITY.

ACTION OF THE BOARD:

Commissioner Brady made a motion for authorization for Chatham Emergency Management Agency to apply for a Federal Port Security Grant offered by the Department of Homeland Security. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-11

AGENDA DATE: October 25, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Clayton S. Scott, Director, Chatham Emergency Management Agency

SUBJECT: Port Security Grant for Mobile Satellite System Replacement

ISSUE:

Request authorization for Chatham Emergency Management Agency (CEMA) to apply for a Federal Port Security Grant offered by the Department of Homeland Security (DHS).

BACKGROUND:

DHS has opened the application period for port security grants which are applicable to the acquisition of a mobile satellite system for the Emergency Operations Center.

FACTS AND FINDINGS:

1. CEMA's existing mobile satellite system is out of warranty and parts are no longer available as the system has been discontinued. This system would replace the existing inoperable Satellite system.
2. After a hurricane most providers will not have local access to the internet. This replacement satellite system will allow CEMA to replace the outdated system and the EOC to effectively communicate with other local, state and federal partners. This will then allow CEMA internet access when a disaster interrupts local internet reception.
3. The cost of the satellite system is \$29,980.00. If approved, CEMA will be responsible for the 25% match of \$7,495.00.

ALTERNATIVES:

1. Approve CEMA's application for the DHS Port Security grant.
2. Do not approve CEMA's application for the DHS Port Security grant.

FUNDING:

Funds will be available thru CEMA's Fund Balance (10009957).

POLICY ANALYSIS:

Whenever possible, it has been the policy of the Commission to support the County's emergency management and public safety programs.

RECOMMENDATION:

That the Board adopt Alternative #1.

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12. REQUEST FOR NEW LIQUOR RETAIL LICENSE FOR 2013. PETITIONER: MILIN PATEL, D/B/A QUICK STOP LIQUORS, LOCATED AT 2 GATEWAY BOULEVARD EAST, 31419.

ACTION OF THE BOARD:

Commissioner Brady made a motion for new liquor retail license for 2013. Petitioner: Milin Patel, d/b/a Quick Stop Liquors, located at 2 Gateway Boulevard East, 31419. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-12

AGENDA DATE: October 25, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Gregori S. Anderson, Director of Building Safety and Regulatory Services
Juliette Tolbert, Acting Chief of Police

ISSUE:

Request for new liquor retail license for 2013, Petitioner: **Milin Patel d/b/a Quick Stop Liquors** located at **2 Gateway Blvd East, Savannah GA 31419**.

BACKGROUND:

Milin Patel requests approval for a new liquor retail license in connection with a new liquor 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 Marshal inspected the site for compliance and approved the facility.
3. The applicant and business meet the requirements of the Chatham County Alcoholic Beverage Ordinance.
4. The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION:

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

District 5

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

Gregori S. Anderson, CBO

Acting Chief Juliette Tolbert

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- 13. REQUEST TO DISPENSE ALCOHOLIC BEVERAGES (WINE ONLY) FOR A SPECIAL EVENT FUNDRAISER AT BETHESDA ACADEMY, 9520 FERGUSON AVENUE. PETITIONER: MARTHA NESBIT FOR THE TOURISM LEADERSHIP COUNCIL. THE EVENT WILL BE HELD NOVEMBER 11, 2013. [DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Brady moved to approve the request to dispense alcoholic beverages (wine only) for a special event fundraiser at Bethesda Academy, 9520 Ferguson Avenue. Petitioner: Martha Nesbit for the Tourism Leadership Council. The event will be held November 11, 2013. Commissioners Stone and Shabazz seconded the motion and it carried unanimously.

AGENDA ITEM: X-13

AGENDA DATE: October 25, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Gregori S. Anderson, Director of Building Safety and Regulatory Services
Juliette Tolbert, Acting Chief of Police

ISSUE:

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

FACTS AND FINDINGS:

1. **The Tourism Leadership Council**, a non-profit organization, through applicant **Martha Nesbit** has filed a Special Event Application for a fundraiser at Bethesda Academy (9520 Ferguson Avenue). The applicant has the intent to dispense alcoholic beverages (wine only) 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 Bethesda Academy.
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

=====

14. 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 Brady 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 Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. Change Order No. 1 to the engineering services contract to design the City of Savannah water and sanitary sewer relocations on the West Bay Street Improvement project	Engineering	McGee Partners, Inc.	\$63,030	SPLOST (1998-2003) - West Bay Street Improvement project
B. Construction contract to perform restriping of various County roads	Public Works and Park Services	Peek Pavement Marking, LLC	\$42,272	SSD - Public Works
C. Rebuild the fishing pier at the Frank Spencer Boat Ramp	Public Works and Park Services	TIC	\$47,774	CIP - Public Works and Park Services

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
D. Resurface and restripe the Lake Mayer parking lot	Public Works and Park Services	Carroll and Carroll, Inc.	\$50,173	SPLOST (2008-2014) - Chatham County Public Works and Park Services
E. Evidence tracking software	•Detention Center •Sheriff's Department	CDW-G	\$55,011	CIP - Sheriff's Department (Pending Board Approval)
F. Printing, inserting, and mailing the 2013 second installment tax bills	Tax Commissioner Office	Diversified Companies, LLC	\$18,702	General Fund/M & O - Tax Commissioner
G. One (1) 2014 Ford Explorer vehicle for the Sheriff's Department	Fleet	J.C. Lewis Ford Motor Company	\$24,415	General Fund/M&O - Detention Center
H. Two (2) 2014 Ford Fusion SE Hybrid vehicles for the Sheriff's Department	Fleet	J.C. Lewis Ford Motor Company	\$50,220	General Fund/M&O - Detention Center
I. Two (2) 2014 Chevrolet Silverado trucks for the Sheriff's Department	Fleet	Auto Nation Chevrolet Northpoint	\$53,990	General Fund/M&O - Detention Center
J. Guardrail repair and installation	Public Works and Park Services	Savannah River Utilities Company	\$17,913	CIP - Public Works and Park Services
K. Confirmation of an emergency contract for Special Inspections Services for the two (2) new libraries	Building and Safety	Terracon	\$32,700	SPLOST (2003-2008) - Library Construction
L. Sponsorship of the Rock N Roll Marathon	Special Projects	Visit Savannah	\$50,000	Special Appropriations

AGENDA ITEM: X-14 A thru K

AGENDA DATE: October 25, 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 of a \$63,030 Change Order No. 1 to the engineering services contract with McGee Partners, Inc., to design the City of Savannah water and sanitary sewer relocations on the West Bay Street Improvement project.

BACKGROUND: The project is in the Coastal Region (CORE) Transportation Improvement Plan for construction in Fiscal Year 2016. A design contract was awarded to McGee Partners, Inc., on November 5, 2010. Right of way acquisition is underway. The Subsurface Utility Exploration (SUE) identified numerous underground utility conflicts.

FACTS AND FINDINGS:

1. The City of Savannah water and sanitary sewer utilities must be relocated to construct the project. By Local Government Project Agreement with the Georgia Department of Transportation (GDOT), approved on November 13, 2001, the County is responsible for design and relocation of utilities.

The scope of services for utility design could not be identified until the SUE and preliminary roadway design was complete and approved by the GDOT.

2. The GDOT will include the relocations in the construction contract for the project. They will also approve the construction plans for the relocations and inspect the construction of the relocated water and sanitary sewer facilities.

3. Contract History:

Original Contract	(11-5-10)	\$858,885
Change Order No. 1	(pending)	<u>\$ 63,030</u>
Revised Contract Amount		\$921,915

FUNDING: SPLOST (1998-2003) - West Bay Street Improvement project
(3224220 - 52.12003 - 32250973)

ALTERNATIVES:

1. Board approval of a \$63,030 Change Order No. 1 to the engineering services contract with McGee Partners, Inc., to design the City of Savannah water and sanitary sewer relocations on the West Bay Street Improvement project.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM B

ISSUE: Request Board approval of a \$42,272 construction contract with Peek Pavement Marking, LLC, to perform restriping of various County roads for Public Works and Park Services.

BACKGROUND: Each year streets and roads are identified for restriping. Since the Department has no commercial striping equipment a solicitation is prepared based on the availability of funding.

FACTS AND FINDINGS:

1. Staff identified nine (9) routes for this year’s solicitation; Islands Expressway from Elba Road to the flyover at Highway 80, Ferguson Avenue from Skidaway Road to Shipyard Road, Johnny Mercer Boulevard, from Highway 80 to Highway 80, Walthour Road from Johnny Mercer Boulevard, to 1st Avenue on Wilmington Island, Old Montgomery Road from Montgomery Cross Road to Spur 204, Quacco Road from Highway 17 to Pooler City Limit, King George Boulevard, from Wild Heron to Highway 204, Bush Road from Little Neck to Highway 204, and Grove Point Road from King George Boulevard to Shore Road.
2. Total estimated length of restriping for this project is 29.9 miles.
3. The project was properly advertised and opened on October 10, 2013. The bid responses are as follows:

Peek Pavement Marking, LLC	\$42,272
Columbus, GA	

FUNDING: SSD - Public Works
(2704100 - 52.39001)

ALTERNATIVES:

1. Board approval of a \$42,272 construction contract with Peek Pavement Marking, LLC, to perform restriping of various County roads for Public Works and Park Services.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommend approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM C

ISSUE: Request Board approval of \$47,774 to, TIC, The Industrial Company, of Savannah, GA, to rebuild the fishing pier at the Frank Spencer Boat Ramp.

BACKGROUND: The maintenance staff was no longer able to keep up with the repairs on the walkway and railing. Due to safety concerns a consultant inspected the pier and plans were prepared to replace various components of the pier.

FACTS AND FINDINGS:

1. Request for Bids were properly advertised and three (3) bids were received. The bidders are listed as follows:

TIC - The Industrial Company Savannah, GA	\$ 47,774
Alpha Construction Company Savannah, GA	\$ 56,700
Expert Marine Construction, Inc. Savannah, GA	\$ 59,000

2. The work to be performed includes demolition of the existing timber pier that includes all decking, handrails and stringer and the installation of the new items.
3. This project site is constrained by wetlands and wooded areas and therefore, special care must be taken not to infringe on these protected areas.

FUNDING: CIP - Chatham County Public Works and Park Services
(3506100 - 52.12009 - 35031390)

ALTERNATIVES:

1. Board approval of \$47,774 to, TIC, The Industrial Company, of Savannah, GA, to rebuild the fishing pier at the Frank Spencer Boat Ramp.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM D

ISSUE: Request Board approval of \$50,173 to Carroll and Carroll Inc., of Savannah, GA, to resurface and restripe the Lake Mayer parking lot.

BACKGROUND: The parking lot at Lake Mayer accommodates many visitors each day. The lot has been showing evidence of deterioration for some time. Until this year the funding wasn't available to resurface and re-stripe.

FACTS AND FINDINGS:

1. Request for Bids were properly advertised and five (5) bids were received. The bidders are listed as follows:

Carroll and Carroll, Inc. Savannah, GA	\$ 50,173
Crossroads Construction, Inc. Bloomingdale, GA	\$ 56,731
Griffin Contracting, Inc. Pooler, GA	\$ 61,120
* E & D Contracting Services, Inc. Savannah, GA	\$ 67,153
Yates Paving Corp. Savannah, GA	\$ 71,907

* WBE

2. There is an estimated 6,854 square yards of parking lot that will receive 1 ½ inch of 9.5mm of asphalt, 133 parking spaces will be restriped. The crosswalks and pavement marking at two locations along the trail will also be restriped.
3. The surface is to mirror the original profile of the parking lot to ensure a smooth and well drained transition. At all times during the resurfacing a entrance and exit must remain open to accommodate visitors and staff.

FUNDING: SPLOST (2008-2014) - Chatham County Public Works and Park Services
(3244981- 52.12003-32470383)

ALTERNATIVES:

1. Board approval of \$50,173 to Carroll and Carroll Inc., of Savannah, GA, to resurface and restripe the Lake Mayer parking lot.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM E

ISSUE: Request Board approval of a \$55,011 purchase of evidence tracking software from CDW-G for the Detention Center and Sheriff's Department.

BACKGROUND: The current issuance software is more than 10 years old and does not have the

capabilities to handle all our needs. The evidence records have been kept via handwritten records. It is time to move both areas to a more comprehensive and efficient means of record keeping.

FACTS AND FINDINGS:

1. Various software programs were reviewed and demonstrations provided. It was determined the software developed by Quetel would best answer the needs of both areas.
2. Bids were properly advertised and opened October 15, 2013. The bid response is as follows:

CDW - Government \$ 55,011
Chicago, IL

Quetel \$ 80,115
Chantilly, VA

3. Staff believes the total cost of \$55,011 to be fair and reasonable.

FUNDING: CIP - Sheriff's Department
(3503300 - 54.25001 - Project number pending)
(Pending Board approval of budget amendment)

POLICY ANALYSIS: It is consistent with Board Policy to approve expenditures for necessary software updates.

ALTERNATIVES:

1. Board approval of a \$55,011 purchase of evidence tracking software from CWD-G for the Detention Center and Sheriff's Department.
2. Provide staff other direction.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
NICK BATEY

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM F

ISSUE: Request Board approval of an \$18,702 sole source purchase for printing, inserting, and mailing the 2013 second installment tax bills with Diversified Companies, LLC, for the Tax Commissioner's Office.

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

FACTS AND FINDINGS:

1. Diversified Companies is capable of this programming, but also receives support from Manatron, the vendor for Chatham County's tax collection software, due to their close physical proximity.
2. Staff believes the total cost of \$18,702 to be fair and reasonable.

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

ALTERNATIVES:

1. Board approval of a \$18,702 sole source purchase for printing, inserting, and mailing the 2013 second installment tax bills with Diversified Companies, LLC, for the Tax Commissioner's Office.

2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM G

ISSUE: Request Board approval of a \$24,415 purchase of one (1) 2014 Ford Explorer sport utility vehicle from J.C. Lewis Ford Motor Company for the Sheriff's Department.

BACKGROUND: On March 22, 2013, the Board approved an annual price agreement with J.C. Lewis Ford Motor Company, to purchase on an "as needed, funds available" basis, various 2013 model year trucks, vans, and sport utility vehicles for Fleet Operations.

FACTS AND FINDINGS:

1. The Sheriff's Department has identified the need and has funding for the additional vehicle for the department's fleet. At the time of budget adoption, funds were put into the departmental budget to purchase the five (5) remaining vehicles in the Jail Expansion needs. This purchase represents one (1) of the five (5) budgeted vehicles.
2. J.C. Lewis Ford Motor Company has agreed in writing to honor the model year 2013 annual price agreement on the 2014 Ford Explorer.

FUNDING: General Fund/M&O - Detention Center
(1003326 - 54.22001)

ALTERNATIVES:

1. Board approval of a \$24,415 purchase of one (1) 2014 Ford Explorer sport utility vehicle from J.C. Lewis Ford Motor Company for the Sheriff's Department.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of vehicles that provide needed services to Chatham County citizens.

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM H

ISSUE: Request Board approval of a \$50,220 purchase of two (2) 2014 Ford Fusion SE Hybrid vehicles from J.C. Lewis Ford Motor Company for the Sheriff's Department.

BACKGROUND: On September 13, 2013, the Board approved an annual price agreement with J.C. Lewis Ford Motor Company, to purchase on an "as needed, funds available" basis, 2014 Fusion SE Hybrid model vehicles for Fleet Operations.

FACTS AND FINDINGS:

1. The Sheriff's Department has identified the need and has funding for two (2) vehicles for administrative support staff. These vehicles are more economical and fuel efficient than the Chevrolet Tahoe.

2. At the time of budget adoption, funds were put into the departmental budget to purchase the five (5) remaining vehicles identified in the Jail Expansion needs. This purchase represents two (2) of the five (5) vehicles.
3. The total cost of the two (2) vehicles utilizing the annual price agreement will be \$50,220.
FUNDING: General Fund/M&O - Detention Center
(1003326 - 54.22001)

ALTERNATIVES:

1. Board approval of a \$50,220 purchase of two (2) 2014 Ford Fusion SE Hybrid vehicles from J.C. Lewis Ford Motor Company for the Sheriff's Department.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of vehicles that provide needed services to Chatham County citizens.

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM I

ISSUE: Request Board approval of a \$53,990 purchase of two (2) 2014 Chevrolet Silverado trucks from Auto Nation Chevrolet Northpoint for the Sheriff's Department.

BACKGROUND: At the time of budget adoption, funds were put into the departmental budget to purchase the five (5) remaining vehicles identified in the Jail Expansion needs. This purchase represents the remaining two (2) of the five (5) budgeted vehicles.

FACTS AND FINDINGS:

1. The Sheriff's Department has requested that Fleet Operations develop specifications for 2014 Chevrolet Silverado trucks to add to the department's fleet for undercover operations. The solicitation specified three (3) trucks, but the department has reduced the quantity to two (2) trucks. At the time of bid, unit pricing was provided.
2. The Invitation to Bid was properly advertised and opened on October 10, 2013. Bid responses are as follows:

Auto Nation Chevrolet Northpoint Alpharetta, GA	\$26,995 per vehicle
Langdale Chevrolet Sylvester, GA	\$26,999 per vehicle
* Dan Vaden Chevrolet Savannah, GA	\$29,895 per vehicle
NeSmith Chevrolet Buick GMC Inc. Savannah, GA	\$32,346 per vehicle

* WBE

3. On March 27, 1998, the Board approved a "local preference" policy which, when a firm from outside Chatham County submits the "lowest bid" the policy allows the lowest local vendor to match the "lowest" bid. If the local firm does match the "lowest" bid, the local firm is awarded the purchase. As indicated above, a non-Chatham County firm offered the "lowest low" bid. Dan Vaden Chevrolet was asked if they would match the outside firm's low bid, but they declined.

FUNDING: General Fund/M&O - Detention Center
(1003326 - 54.22001)

ALTERNATIVES:

1. Board approval of a \$53,990 purchase of two (2) 2014 Chevrolet Silverado trucks from Auto Nation Chevrolet Northpoint for the Sheriff's Department.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of vehicles that provide needed services to Chatham County citizens.

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM J

ISSUE: Request Board approval to "piggy-back" on the City of Savannah's solicitation for a \$17,913 contract to provide guardrail repair and installation with Savannah River Utilities Company for Public Works and Park Services.

BACKGROUND: Public Works and Park Services contracts annually for the repair of guardrail when funds are available. This year there are 12 guardrail sites on Veterans Parkway identified for repair/replacement. Veterans Parkway continues to be the area where the Department spends the most money for guardrail repairs.

FACTS AND FINDINGS:

1. Twelve sites have been identified by the Department on Veterans Parkway for repair of guardrail and posts. There is a total of 475 linear feet of guardrail identified for repair with 22 posts to be replaced.
2. The City of Savannah issued a solicitation for guardrail repair and installation. The low responsive bidder, Savannah River Utilities Company, met all specifications and was awarded an annual contract as the primary contractor.
3. The Purchasing Ordinance and Procedures manual allows the County to purchase from other municipalities' competitive solicitations. Therefore, staff is requesting approval to "piggy-back" on the City of Savannah's solicitation.

FUNDING: CIP - Public Works and Park Services
(3504100 - 54.14011 - 35030797)

ALTERNATIVES:

1. Board approval to "piggy-back" on the City of Savannah's solicitation for a \$17,913 contract to provide guardrail repair and installation with Savannah River Utilities Company for Public Works and Park Services.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommend approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM K

ISSUE: Request Board confirmation of a \$32,700 emergency approval for special inspections services to Terracon for the new Live Oak Westside and Islands Libraries.

BACKGROUND: On August 9, 2013, the Board awarded Rives E. Worrel Company the Construction Management at Risk construction of two (2) new libraries. The special inspections services bid package was not available until October 10, 2013. The inspections are required as a provision of the International Building Code.

FACTS AND FINDINGS:

1. With the start of construction of the new Live Oak Libraries, inspection services are needed to keep up with the construction schedule.
2. The architect provided bid specifications and quotes were obtained. Three (3) local firms were contacted. The quotes were as follows:

Terracon Consultants, Inc. Savannah, GA	\$32,700
Whitaker Laboratory, Inc. Savannah, GA	\$35,410
Constoga-Rovers & Associates, Inc. Savannah, GA	\$48,558

3. Terracon was the low bidder and is qualified to conduct all required special inspections testing.
4. Emergency approval was requested and received from the Chairman on October 11, 2013. (See attached page 12.)

FUNDING: SPLOST (2003 - 2008) - Building
(3234980 - 54.13011 - 32360217)

ALTERNATIVES:

1. Board confirmation of a \$32,700 emergency approval for special inspections services to Terracon for the new Live Oak Westside and Islands Libraries.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to confirm emergency purchases.

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM L

ISSUE: Request Board approval of the \$50,000 year 3 sponsorship of the Rock 'N' Roll Marathon and Half Marathon.

BACKGROUND: With Visit Savannah, City of Savannah and other community sponsors, Chatham County helped to sponsor the inaugural Rock 'N' Roll Marathon and Half-Marathon. The national event attracted more than 24,000 participants plus guests.

FACTS & FINDINGS:

1. The economic impact in 2011 was estimated to include direct spending of approximately \$18 million with over 21,000 hotel room nights. The 2012 event was impacted by Hurricane Sandy but

still had over 16,000 participants with an estimated direct spend of \$12-\$15 million. Indirect impacts and taxes and fees greatly increase the overall economic impact.

- 2. Pre-registration numbers for 2013 indicate the race will have over 20,000 participants. These participants bring on average 2.3 family/ friends with them resulting in a major economic impact to Chatham County.
- 3. The FY 2013 budget includes \$50,000 as sponsorship for year 3.

ALTERNATIVES:

- 1. Board approval of the \$50,000 year 3 sponsorship of the Rock 'N' Roll Marathon and Half Marathon.
- 2. Provide staff other direction.

FUNDING: Special Appropriations
(1009975 - 57.30001)

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

PREPARED BY _____
PURCHASING AGENT

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XI. FIRST READINGS

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

Chairman Scott said, there are no First Readers.

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XII. SECOND READINGS

Chairman Scott said, or Second Readers.

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XIII. INFORMATION ITEMS

Chairman Scott said, we do have some information items attached to the agenda.

- 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: October 25, 2013

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

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
Two (2) desktop computers for Engineering	I.C.S.	Dell Marketing, L.P.	\$2,987	SSD-Engineering
One (1) asphalt compactor	Public Works and Park Services	Sunbelt Rentals	\$2,500	SSD-Public Works
Practice and duty ammunition	Detention Center	Master Cartridge	\$7,410	•General Fund/M&O - Detention Center - \$5,150 •General Fund/M&O - Sheriff's Dept - \$2,260
Four (4) stainless steel work tables	Detention Center	Paper Chemical Supply Company	\$4,340	General Fund/M&O - Detention Center
Annual service agreement on uninterruptible power protection	Sheriff's	Advent Power Protection System	\$4,108	General Fund/M&O - Sheriff's
Replace engine - Unit #2001 - Ford Explorer	Mosquito Control	J.C. Lewis Motor Company	\$6,100	General Fund/M&O - Mosquito Control
Repair one (1) bypass pump	Public Works and Park Services	Thompson Pump & Manufacturing, Inc.	\$3,215	Water and Sewer
68 interior doors for Firing Range modular buildings	Sheriff's	Lowe's Home Centers, Inc.	\$8,688	SPLOST (2008-2014) - Law Enforcement Training Center
Two (2) desktop computers for Engineering	Engineering	Dell Marketing, L.P.	\$2,987	SSD-Engineering
12 desktop computers for various departments	I.C.S.	Dell Marketing, L.P.	\$8,765	Computer Replacement Project
Tax sale advertisements for month of October	Tax Commissioner	Morris Publishing Group	\$8,470	General Fund/M&O - Tax Commissioner
Duct system cleaning	Facilities Maintenance and Operations	Clean Duct LLC	\$2,685	Reimbursable Expenses
Two (2) CPR manikins and supplies	Detention Center	CPR Savers & First Aid Supply LLC	\$2,731	General Fund/M&O - Detention Center
Three (3) desktop computers for Engineering	I.C.S.	Dell Marketing, L.P.	\$4,481	SPLOST (2008-2014) - Admin Exp - Direct Cost
One (1) ice machine	Weightlifting Center	H.W. Hudgins Company, Inc.	\$3,500	General Fund/M&O - Weightlifting Center
Installation of alarms and access control system	CNT	Tyco Integrated Security	\$5,179	Confiscated Funds
Easement/right of way plats and property description to secure access easements for Shipyard/ Lehigh drainage improvement project	Engineering	Hussey, Gay, Bell & DeYoung, Inc.	\$5,250	SPLOST (2003-2008) - Shipyard/Beaulieu

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
Wetlands mitigation bank 2 nd year vegetative and hydrology monitoring and report	Engineering	Sligh Environmental Consultants	\$9,800	SPLOST (1998-2003) - Wetlands Mitigation Bank
Conceptual cost estimates for CCDC work release/special housing unit/K-9/Unit 5 expansion	Detention Center	Thomas & Hutton Engineering Company	\$7,200	CIP - Detention Center Expansion SPLOST project
Software to convert PDF into Sharepoint application	I.C.S.	PDF Share Forms LLC	\$2,655	General Fund/M&O - I.C.S.
Blackberry server maintenance and technical support	I.C.S.	Research In Motion Corporation	\$2,939	General Fund/M&O - Communications
Software to convert PDF into Sharepoint application for Clerk of Superior Court	I.C.S.	PDF Share Forms LLC	\$2,655	Multiple Grant Fund - Clerk of Superior Court
Replaced oil cooler and emission repair - Unit #477 Parks and Recreation truck	Fleet Operations	Roberts Truck Center, Inc.	\$3,318	General Fund/M&O - Fleet Operations
Electronic engine control paneled computer - Unit #81 Public Works excavator	Fleet Operations	ASC Construction Equipment USA, Inc.	\$3,388	Inventory Account

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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: October 25, 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. Whitefield Avenue. Construction underway by GDOT contract. Scheduled completion March 2014. Staff's opinion is that the road will not be open until November 2013.
3. 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.

4. 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.
5. SR 307 Widening from US 17 to I-16. Construction underway. Estimate completion in December 2013. New signal at US 17/SR 307 commenced operations April 16, 2013.
6. 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.
7. 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.

RECOMMENDATION: For information.

Districts All

AGENDA ITEM: XIII-3 DRAINAGE

AGENDA DATE: October 25, 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. Design work on the pump station determined that a master pump station for the Pipemakers Canal is not warranted. The November 5, 2013 referendum includes the question to the citizens to repurpose the funds for other Pipemakers Canal improvements.
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 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 box culvert crossing of the road. 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 portions of the 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. The construction contract was awarded by the Board on September 27, 2013. Work is expected to begin in November and scheduled for completion by August 2014. Laroche Avenue will be closed between Neva Avenue and Lansing Avenue during construction.
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 and Lehigh Avenue are now open to traffic. Construction is substantially complete with project closeout expected in October.
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 and coordination with the City of Pooler are 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, and it will be necessary to have an executive session.

County Manager Abolt said, and Mr. Chairman, the purpose would be for litigation and land disposal.

Chairman Scott said, and --

Commissioner Center said, I move that we go into --

Chairman Scott said, and personnel.

County Manager Abolt said, yes, sir. Then all three of those reasons.

Commissioner Center said, I move that we adjourn to executive session for the purpose of litigation, personnel and land acquisition discussions.

Commissioner Thomas said, second.

County Manager Abolt said, land disposal.

Chairman Scott said, it's been properly moved we move to executive session. All in favor of executive session indicate by voting yes, opposed no. Everyone needs to vote, please. The motion carries.

ACTION OF THE BOARD:

Commissioner Center moved to recess to Executive Session for the purpose of personnel, litigation and land disposal. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

The Board recessed at approximately 12:10 p.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 Center moved to authorize the Chairman to execute an Affidavit that the Executive Session was held in compliance with the Open Meetings Act. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioners Shabazz and Kicklighter were not present.]

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2. **APPOINTMENTS
LIVE OAK PUBLIC LIBRARY**

ACTION OF THE BOARD:

Commissioner Center moved to appoint Sandra McCorkle to the library board with her term set to expire June 30, 2016. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioners Shabazz and Kicklighter were not present.]

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ADJOURNMENT

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 12:45 p.m.

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APPROVED: THIS _____ DAY OF NOVEMBER, 2013.

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

JANICE E. BOCOOK, CLERK OF COMMISSION