

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, DECEMBER 20, 2013, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.

I. CALL TO ORDER

Chairman Albert J. Scott called the meeting to order at 9:40 a.m. on Friday, December 20, 2013.

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II. INVOCATION

Chairman Scott said, I'm going to ask at this time if you would be seated, please. It is with a great deal of pleasure that we have with us this morning for our devotional leader, Pastor Mark W. Piotrowski. He is the pastor of Savannah First Seventh Day Adventist Church that is located out in Pooler, and I'm delighted that he's agreed to lead us in a devotion. I asked that you be seated and at such time when the pastor finishes remarks and so indicate to stand, if you would stand at that time and remain standing as our Commission Pro Tem, Helen Stone, lead us in the Pledge of Allegiance. At this time, pastor, the floor is yours.

Pastor Mark W. Piotrowski said, good morning.

Members of the Commission collectively said, good morning.

Pastor Piotrowski said, it is a delight for me on behalf of my church family and may I just say I'm so sorry for the frog in my throat this morning, but, it is a privilege for me as a pastor of the Savannah First Seventh Day Adventist Church, also the pastor of our church school which serves our community, Savannah Adventist Christian School, to be here this morning, and I'd like to wish you from our church family a very Merry and God's richest blessings in this beautiful Christmas season, and thank you for this privilege that I have. For our contemplation this morning, I would like to take you to a little text -- a short, little verse of scripture that the Apostle Paul mentions here kind of in passing in the book of Galatians. Galatians the 4th Chapter and it is verse four. And it says the following: but when the fullness of the time had come, God sent forth his son, born of a woman, born under the law to redeem those who are under the law that we might receive the adoption as sons.

Pastor Piotrowski said, I'm always impressed as I study the word of God, as I have the privilege of teaching from this word to see how precise dear Commissioners and dear Mr. Chairman God's timing is. As the word tells us, in the beginning God created the Heavens and the earth. At a specific time when we fell unfortunately into sin, God then put into motion a plan of redemption which are mentioned right back in the time of the Garden of Eden when he would call the Messiah, the Redeemer to come and save us from this terrible mess. And then as we go forward into history, we see that Jesus Christ, our Lord and Savior, came exactly at the right time. The world was ready for that time and people were desirous to see God's intervention even though the Romans were ruling the world at that time through the Pax Romana. As you know it was a force of peace that put across the world at that time. They were a -- there was a spiritual awakening. People were ready to receive the Lord Jesus Christ. And then we find as go forward into history, as you know, the Bible mentions just nine times -- tells us about the first coming of the Lord Jesus Christ, while 318 times does the Bible say that Jesus is coming again. And to us, by the way, as Seventh Day Adventist Christians, the advent or the second coming of Christ is obviously a very important part of our message, hence it is in our church's name. But to you, Mr. Chairman and Commissioners and ladies and gentlemen, I'd like to put the challenge to us all here today in this Christmas season that we be a people who understand the times. May God guide us and lead us and we in the churches and if there's anyone in this community that really needs it, is an understanding of how to respond adequately to the many, many, varied needs, the crises, the situations, in our communities and the lives of our people, our families, and society as a whole. So I pray that during this Christmas time, as you take the time to be with your families and your loved one, as you meet today in this executive session, that the Holy Spirit will guide and lead you in decisions that will mark just for this time. Thank you once again, and I want to just invite everyone to stand as we pray.

Pastor Piotrowski gave the invocation as follows:

Our dear Lord, we would like to say first of all thank you for the gift of eternal life in Jesus Christ your son whom you sent dear Lord to redeem us. God, that through him we have before us a glorious hope you have not left us alone, dear Lord, in the situation which came upon this planet. And Father, your word has revealed to us that you have a plan. Your plan is precise. Your plan is whole and is always for our good. And so today I want to say thank you for Jesus. I want to say thank you dear God for instituting this beautiful Commission in this community, Lord. I pray that everyone of us in our unique spheres of influence will do our utmost best to represent your right, to work in harmony with your will and your plan, and that the -- dear God, the business that will

be conducted here today as we wrap up 2013 will honor and glorify your name and be something that will move our beautiful county forward in this great State of -- of Georgia. We want to uplift to you dear God this -- not only this Commission but our state leaders. We want to pray also this morning for our President, our Congress, all our leaders, dear God, as they are grappling with some of the most incredibly challenging of times in this world's history. But for this place today specifically, we pray that you will guide and lead. Bless our Chairman and all the other Commissioners and the supporting staff and everyone inside of this room, Lord. May we just know, Father, that you are with us, that you have promised to supply our every need and carry us through this beautiful Christmas time when we can remember you who are -- who is the reason for the season. And to that, dear God, and with that hope, we commit ourselves to you. This is my pray. In the name of Jesus, our dear, dear friend and our dear, dear Savior. Amen.

Board of Commissioners and Audience collectively said, amen.

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III. PLEDGE OF ALLEGIANCE

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

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

Chairman Scott said, the Clerk will call the roll.

The Clerk called the roll.

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

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

Not present: Tony Center, District Three

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CERTIFICATE OF APPRECIATION

Chairman Scott said, at this time I want to present Pastor Piotrowski with a Certificate of Appreciation. For leading us in devotion this morning. Pastor, this is just something to acknowledge and to remember your time here with us here this morning, and we really appreciate you being here, and thank you so much.

Pastor Piotrowski said, thank you, sir.

Chairman Scott said, on behalf of the entire Commission.

Pastor Piotrowski said, thank you so much. We deeply appreciate it. God bless you.

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CHATHAM COUNTY YOUTH COMMISSION

Chairman Scott said, and at this time I will recognize the Vice Chair for the purpose of introducing the Youth Commissioner who are present today.

Commissioner Thomas said, thank you, Mr. Chairman, members of the Commission, ladies and gentlemen. We have serving with us today, Jesse Green, attending Beach High School; Malena Hall, Beach High School; and Monica Green, attending Johnson High School. Welcome. We're delighted to have you today.

Youth Commissioner Jesse Green said, good morning.

Youth Commissioner Malena Hall said, good morning.

Youth Commissioner Monica Green said, good morning.

Chairman Scott said, good morning and thank you for being here.

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ORDER OF THE AGENDA

Chairman Scott said, at this time I'll recognize Commissioner Farrell.

Commissioner Farrell said, and I'd like to make a motion to excuse the Commissioner from the 3rd District.

Commissioner Stone said, second.

Chairman Scott said, there's a motion made that we excuse the absence of Commissioner Center from the 3rd District. Hearing the motion, all in -- any discussion? Hearing none, all in favor indicate by voting yes, opposed no. The motion carries.

ACTION OF THE BOARD:

Commissioner Farrell moved to excuse Commissioner Center from the Commission meeting. Commissioner Stone seconded the motion and it carried unanimously.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

- 1. PRESENTATION BY JIM PEHRSON, PRESIDENT OF THE GEORGIA GOVERNMENT FINANCE OFFICERS' ASSOCIATION, OF THE GEORGIA GOVERNMENT FINANCE OFFICERS' ASSOCIATION'S CERTIFICATE OF ACHIEVEMENT FOR FINANCIAL REPORTING AWARD FOR THE FISCAL YEAR 2012 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR).**

Chairman Scott said, at this time I would recognize the County Manager, Mr. Russ Abolt, for the purpose of introducing a presentation here this morning.

County Manager Russ Abolt said, Mr. Chairman, Ladies and Gentlemen, this is an honor that we never take for granted. This is an occasion that we celebrate. This is an occasion of -- of great exercise of our -- our -- your and previous County Commission's responsibility to be accountable to the tax payers of Chatham County. For 29 years -- I'll say it again, for 29 years, this municipal corporation, Chatham County, has been recognized by the nationally acclaimed Government Finance Officers' Association for quality in the preparation of the Comprehensive Annual Financial Report, which is also known as an audit. Our fiscal year ends the 30th of June. The previous year's audit is the one that's being recognized. You'll be having the disposition of the audit for this current year coming on into your next part of the agenda, but this is celebrating what you've done in the past, what staff has done in the past, in partnership with an external auditor, the firm of Karp -- Karp, Ronning and Tindol. This has truly been a exercise of success. I'm going to introduce Ms. Cramer, who used to be the finance director. She is now in -- in the superstar position as my assistant, but -- and Ms. Davis, who is the current finance director had to be out of town. She will introduce Mr. Pehrson, who is representing the Georgia Governmental Finance Officers' Association to make the presentation, and then the plaque will go on that wall to your right, to my left. This is a great celebration of fiscal accountability and what you do each day to make sure the taxpayers of Chatham County know that their dollars are being well spent. Ms. Cramer.

Assistant County Manager Linda Cramer said, good morning. It's always a pleasure and a relief when you're the finance director and you get the packet from the GFOA that says you got the award, so. However, it takes a little bit longer to receive our plaque, so here we are in December, and we're -- we're being recognized for the June 2012 CAFR right now, so. I do have some members here from the finance department that I'd like to introduce, and then I'm going to introduce our presenter. Alisa Fish, our new assistant finance director is here. Read DeHaven, our budget officer; and let's see who else we have. We have Vida Hill, our senior accountant, Gloria Saugh, was a budget analyst at the time we -- we had this CAFR put together. She is now working with the District Attorney, and we have our new budget analyst in the audience, Mark Bucalo, if you want to stand,

Mark. You'll be working with him on the upcoming budget. I also would like to recognize Derrick Cowart and his firm for helping us with the audit. He was not able to come today, but he'll be here for the January meeting, when we talk about the next year, and I also would like to thank Lesha Lanier, who was my assistant director when we put this report together, and Lesha retired last Friday, so, we'll miss her going forward, but she gave a lot of years and experience and efforts to the Chatham County Finance Department.

Assistant County Manager Cramer said, Jim Pehrson is here. Jim with Cobb County, Georgia. He has broken away from the Braves stadium deal that he's been working on. He is the President of the Georgia GFOA, and we do appreciate him coming down to present this award to us.

Mr. Jim Pehrson said, thank you Linda, Mr. Chairman, Commissioners, Mr. County Manager. I am the CFO for Cobb County, and we did have our Board meeting last night, and -- so I'm pleased to be here this morning. Just a few things about this award. Mr. County Manager, you took many of the things that I was going to say this morning. I actually counted the plaques on the wall, did some high level math and came up with the number of -- this is the 30th year that y'all have received this award. As the case is with Cobb County, it's now expected. This is the highest level of recognition that a local government can receive for financial reporting. Why is that important? It's important for the public trust, that -- that your finances, your funds are being managed fiscally responsibly. They're being reported on in a way that is clear to the public, so that they can have the -- there's transparency involved with -- with this government is providing as far as services go in the financial management.

Mr. Pehrson said, I've had the privilege of knowing Linda for many, many years. As also -- also Amy Davis. I've worked with her up in Cobb County when she was with Marietta and Powder Springs. You have some very excellent people within Chatham County. Linda, of course, as you well know -- well aware, is on the National Board for the GFOA and is truly a leader on the -- at the national level, and to bring that back to a local community is -- is certainly a benefit for -- for the local government here and for the citizens. So on behalf of the GGFOA, of which I have the pleasure of being the president this year, I'd like to present this award to you, Mr. Chairman, County Manager, the finance department, and congratulate you on your 30th year of receiving this award. As Linda's well aware, this is an award that takes efforts from the staff. The staff does 99 percent of the work, so congratulations to them on their efforts. It's truly a team -- team effort from the top to -- to all levels. So congratulations.

Chairman Scott said, thank you. I don't think they're going to give you future plaques.

Assistant County Manager Cramer said, no -- yeah -- they changed it and now we'll get a little circle every year and we'll just throw it across the room and hope it stands up -- the award.

County Manager Abolt said, we'll -- we'll place it in the slots designated. So, Mr. Chairman if you give that to Ms. Cramer.

Chairman Scott said, yeah. Let me -- let me say just on behalf of the Commission, congratulations to Ms. Cramer and everybody in finance for their excellent work over the years. We appreciate you, and we would really want you to know that on behalf of the entire Commission. [Applause.]

Assistant County Manager Cramer said, thank you very much.

Chairman Scott said, and also, give our best to the County Manager of Cobb County. I think that he and Mr. Russ Abolt may be the two longest serving County Managers in the state, one with 20 years and the other one with about 26 years.

Commissioner Thomas said, all right.

AGENDA ITEM: V-1
AGENDA DATE: December 20, 2013

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Amy Davis, Finance Director

ISSUE:

Presentation by Jim Pehrson, President of the Georgia Government Finance Officers' Association, of the Government Finance Officers' Association's Certificate of Achievement for Financial Reporting Award for the fiscal year 2012 Comprehensive Annual Financial Report (CAFR).

BACKGROUND:

The Finance Department participates in the GFOA's award program with the annual submissions of its Comprehensive Annual Financial Report (CAFR) and Adopted Annual Budget to the GFOA.

FACTS AND FINDINGS:

1. The county has received the Certificate of Achievement for Financial Reporting Award for its CAFR for the last 20 years consecutively. This award recognized the exceptional quality of the CAFR for compliance with all standards set by the Governmental Accounting Standards Board as well as General Accepted Accounting Principles.
2. The County anticipates submitting the fiscal year 2013 CAFR for review, which will be the 30th year in which we have submitted it to GFOA.

FUNDING:

No funding required.

POLICY ANALYSIS:

It is the policy of Chatham County to submit our CAFR annually to GFOA for review for the Certificate of Achievement for Financial Reporting.

ALTERNATIVES:

For information only.

RECOMMENDATION:

For information only.

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PERSONAL PRIVILEGE

Chairman Scott said, while we're talking about presentations, I want to just thank Commissioner Brady and our Vice Chair Commissioner Thomas for representing the County Commission at the Goodwill celebration on yesterday, and they were kind enough to bring me back a Goodwill pom pom, and someone was asking if I was cheerleading up here. I think they were cheerleading on behalf of the Commission yesterday, and they were kind enough to -- to share with me their -- their pom pom. Anyway. Thank you so much for representing us on yesterday.

Chairman Scott said, Mr. Green.

Youth Commissioner Jesse Green asked, how do you -- how does the County earn all those awards? Like what are the credentials that makes y'all get those awards every year?

County Manager Abolt said, if I may, Mr. Chairman, because the County Commission in years past and this one puts a premium on quality work and managing tax dollars. It really does. You'll see up there in addition to the rectangle awards, there's some squares, and that is from the same organization, but it recognizes this Commission and previous Commissions on quality of budgeting. That wall is amazing.

Chairman Scott said, it means you're the best of the best in your class -- in your field.

Youth Commissioner Jesse Green said, yes, sir.

Chairman Scott said, it's probably equivalent to a 4.0.

Commissioner Farrell said, state champion.

Chairman Scott said, okay.

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VI. CHAIRMAN'S ITEMS

Chairman Scott said, we don't have any items as far as the Chairman is concerned except for my pom pom that I just introduced you to.

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VII. COMMISSIONER'S ITEMS

Chairman Scott said, and we don't have anything from the Commission.

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VIII. TABLED/RECONSIDERED ITEMS

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

1. **REQUEST BOARD APPROVAL OF CONTRACT FOR SERVICES WITH STEP UP SAVANNAH FOR PARENT UNIVERSITY AND TO REQUEST BOARD APPROVAL OF A NEW POSITION FOR THE PROGRAM'S ADMINISTRATION, CONTINGENT UPON OTHER COMMUNITY FUNDING. *ITEM WAS TABLED AT MEETING OF NOVEMBER 22, 2013.***

Chairman Scott said, so we'll move on to page four. We have a -- a couple of tabled items.

Commissioner Kicklighter said, Mr. Chairman.

Chairman Scott said, and the -- the first is a contract that we had talked about for services with Step Up, and this would create a position for Parent University and to request Board approval of a new position and program administrator contingency upon the community funding. And as -- as I shared with some of you all, we had a meeting with Dr. Lockamy and -- and Dr. Buck to discuss this position, and they have made some requests of Parent University, and until such time that those requests are met, I'm going to at this time introduce -- or at least recognize Commissioner Brady for the purpose of a motion.

Commissioner Brady said, thank you, Mr. Chair. I make a motion that in fact that we -- we work with Savannah Chatham Public School System and that we wait for the position --

Commissioner Kicklighter said, point of order, if I could. I think we need to remove it from the table, first.

Commissioner Brady said, oh. I'm sorry.

Chairman Scott said, yes.

Commissioner Brady said, I move that we move -- remove it from the table.

Chairman Scott said, yes.

Commissioner Stone said, second.

Chairman Scott said, it's been properly moved that we remove this from the table. Hearing the motion, any discussion? Hearing none, all in favor indicate by voting yes. It's now off the table and ready for further action.

Commissioner Brady said, thank you, Mr. Chairman. I move that we -- after we've discussed this, that -- that we delay again and wait for the school district to set up the position and set up audits for their financials and again delay it.

Commissioner Stone said, second the motion.

Chairman Scott said, okay. Let's -- let's restate the motion for clarification, and -- and that is to postpone any further consideration of this matter until such time that we've had an opportunity to work with Savannah-Chatham School Board to make certain that they have a strategic plan and they've undergone a financial audit. That's -- that's the motion in which we're working on.

Commissioner Brady said, thank you, Mr. Chairman.

Chairman Scott said, it's been properly moved and second. Is there any discussion? Hearing none, all in favor of the motion indicate by voting yes, opposed no. Okay. It's off the table and back with staff until such time the items that we've outlined is met. Okay.

ACTION OF THE BOARD:

- a. Commissioner Brady moved to remove the item, request Board approval of a contract for services with Step Up Savannah for Parent University and to Request Board approval of a new position for the program's administration, contingent upon other community funding, from the table. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present.]
- b. Commissioner Brady moved to postpone any further consideration of this matter until such time that the county has had an opportunity to work with Savannah-Chatham School Board to make certain that Parent University has a strategic plan and they've undergone a financial audit. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present; Commissioner Thomas did not vote.]

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2. PURCHASING ITEM 3 WAS TABLED AT MEETING OF DECEMBER 6, 2013.

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
E. Concept plan for Memorial Stadium	Public Works and Park Services	Gunn Meyerhoff Shay with 360 Architecture	\$35,000 \$43,000	CIP - Memorial Stadium

Chairman Scott said, item two.

Commissioner Kicklighter said, motion to remove from the table, Mr. Chairman.

Commissioner Stone said, second.

Commissioner Brady said, second.

Chairman Scott said, it's been properly moved and second we remove item 2 from the table. Hearing the motion, any discussion? Hearing none, all in favor of the motion indicate by voting yes, opposed no. The motion's -- the item is now off the table and ready for further consideration. Is there any further motions?

Commissioner Kicklighter said, yes, sir, at this time--

Chairman Scott said, I recognize Commissioner Kicklighter from the 7th District.

Commissioner Kicklighter said, in an effort to make sure we select the right company. At this time I will make a motion to send this item back to staff for further review.

Commissioner Stone said, second.

Chairman Scott said, properly moved and second that this item be referred back to staff for further consideration and review. Hearing the motion, any discussion? Hearing none, all in favor of the motion indicate by voting yes, opposed no. Mr. Manager, you have it back.

County Manager Abolt said, thank you, sir.

ACTION OF THE BOARD:

- a. Commissioner Kicklighter moved to remove the item, concept plan for Memorial Stadium, off the table. Commissioners Stone and Brady seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present.]
- b. Commissioner Kicklighter moved to refer the item back to staff for further consideration and review. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present.]

AGENDA ITEM: VIII-2

AGENDA DATE: December 20, 2013

INTEROFFICE MEMORANDUM

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Amy Davis, Finance Director

SUBJECT: Questions regarding Memorial Stadium Concept Contract

This memo is in response to Commissioner Brady's question concerning the scoring of the bids from last Friday's Commission meeting. The problem was a result of a clerical error by the Purchasing staff. It was discovered after the agenda was completed that staff assigned three of the fee proposal numbers to incorrect consultants.

Request for proposals are evaluated by a selection committee. In this case, the committee consisted of Robert Drewry, Public Works and Park Services Director; Leon Davenport, Assistant County Engineer; Lorenzo Bryant, Recreation Manager; and Victoria Godlock, Procurement Specialist. Technical proposals are evaluated initially. The technical score were as follows:

Gunn, Meyerhoff and Shay	63
CHA Consulting	58.25
Rosser International	56.5
HKS, Inc.	55.25
HC Beck, Ltd.	46.75

The technical scores did not change because of the error. Only the fee proposal scores were affected.

Fee points are calculated by Purchasing based on the formula "lowest fee proposal X possible number of points/fee proposal you are considering." When we were notified of the error with the fee proposals, we recalculated the fee proposal score based on the revised numbers. The score of HKS and HC Beck were not affected because their fee proposals were calculated correctly.

The scores for Gunn, Meyerhoff and Shay, Rosser International and CHA Consulting were correct based on the fee proposals but incorrect because they were paired with the wrong consultant. Please see the chart (which is attached to the original memo in the Clerk of Commission's meeting file) which shows the scores with and without the errors. The highlighted rows show the revised scores. As you can see Gunn, Meyerhoff and Shay still had the highest score.

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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 MULTIPLE GRANT FUND INCREASE REVENUES AND EXPENDITURES \$10,298 TO RECOGNIZE A GRANT AWARD FROM THE GEORGIA EMERGENCY MANAGEMENT AGENCY - HOMELAND SECURITY (GEMA-HS) AND, 2) IN THE SALES TAX V FUND TRANSFER FUNDS AMONG PROJECTS AS OUTLINED IN THE ATTACHED MEMORANDA (attached to the original staff report in the Clerk of Commission's meeting file).**

Chairman Scott said, please join me on page 5. We are now ready for Items for Individual Action. The first item is to request approval of the following budget amendment and transfers: in the Multiple Grant Fund increase revenues and expenditures by \$10,298 to recognize a grant award from the Georgia Emergency Management Agency - Homeland Security and 2) in the Sales Tax V Fund transfer fund among projects as outlined in the attached memorandum. At this time I would entertain a motion.

Commissioner Stone said, so moved, Mr. Chairman.

Commissioner Holmes said, second.

Commissioner Thomas said, second.

Chairman Scott said, it's been properly moved and second that we approve the request. Hearing the motion is there any further discussion? Hearing none, all in favor indicate by voting yes, opposed no. Item 1 for Individual Action is passed.

ACTION OF THE BOARD:

Commissioner Stone moved for approval of the following budget amendments and transfers: 1) in the Multiple Grant Fund increase revenues and expenditures \$10,298 to recognize a grant award from the Georgia Emergency Management Agency - Homeland Security and 2) in the Sales Tax V Fund transfer funds among projects as outlined. Commissioners Holmes and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present.]

AGENDA ITEM: IX-2
AGENDA DATE: December 20, 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: 1) in the General Fund M&O increase revenues and expenditures \$10,298 to recognize a grant award from the Georgia Emergency Management Agency - Homeland Security (GEMA-HS) and 2) in the Sales Tax V Fund transfer funds among projects as outlined in the attached memoranda (attached to the original staff report in the Clerk of Commission's meeting file).

FACTS AND FINDINGS:

1. The Chatham Emergency Management Agency (CEMA) received a \$10,298 grant award from the Georgia Emergency Management Agency-Homeland Security (GEMA-HS). The Board of Commissioners approved the application at its meeting held October 25, 2013. Correspondence and a resolution to amend the Multiple Grant Fund are attached (to the original staff report in the Clerk of Commission's meeting file).
2. The Assistant County Engineer has requested project modifications in the Sales Tax V Fund. Detail is provided in the attached memoranda.

FUNDING:

The budget amendment will establish funding in the Multiple Grant Fund. Funds are available in the Sales Tax V Fund.

ALTERNATIVES:

1. That the Board approve the following:

MULTIPLE GRANT FUND

Increase revenues and expenditures \$10,298 grant award from the Georgia Emergency Management Agency-Homeland Security (GEMA-HS).

Transfer funds among projects as outlined in the attached memoranda (attached to the original staff report in the Clerk of Commission's meeting file) dated December 12, 2013.

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. PRESENTATION OF SUMMARIZED AUDIT RESULTS OF THE FISCAL YEAR 2013 AND REQUEST FOR AUTHORIZATION TO SUBMIT THE 2013 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFRO AND RELATED DOCUMENTS TO THE STATE OF GEORGIA AND THE GOVERNMENTAL FINANCE OFFICERS' ASSOCIATION BY THE END OF THE CALENDAR YEAR.

Chairman Scott said, 2, presentation of a summary audit results of the fiscal year 2013 and request for authorization to submit the 2013 Comprehensive Annual Financial Report and related documents to the State of Georgia and the Governmental Finance Officers' Association by the end of the calendar year.

County Manager Abolt said, Mr. Chairman as Ms. Cramer mentioned, and Ladies and Gentlemen, because of the delay relative to certain information, the document is being finalized. We have a deadline of the 31st of December to get it to the Department of Audits in Atlanta. We want your permission to submit it once it is complete, and then at your next meeting, which will be the first meeting of January, we'll have a full presentation by the external auditor, as well as having the document in front of you. It's important though to meet the deadline with the State with the understanding you'll be fully advised and given everything that the audit contains in January.

Commissioner Stone said, Mr. Chairman? Mr. Chairman? I have a question.

Chairman Scott said, our Pro Tem has a question. Commissioner Stone.

Commissioner Stone said, thank you, Mr. Chairman. Mr. Manager, is this audit being held up by the Chatham Area Transit audit?

County Manager Abolt said, the Chatham -- well the answer to your question is it has been.

Commissioner Stone said, okay.

County Manager Abolt said, it is no longer, but because of the few days we have left in the calendar year, we have to take this special step to make sure Atlanta knows we've got an audit, and then we'll come back to you your first your -- your next meeting to in effect explain

Commissioner Stone said, okay. I just wanted to make sure that --

Chairman Scott said, yeah, we -- we now all have all the information we need from CAT.

Commissioner Stone said, okay.

County Manager said, it's a production issue.

Commissioner Stone said, and Mr. Chairman if -- if you can indulge me one quick question.

Chairman Scott said, yes.

Commissioner Stone said, at some point, I would very much like an update of where we are with this line of credit with Chatham Area Transit. That has not been presented to this Commission at this time that I'm aware of, and I would like to know what the status of that line of credit is.

County Manager Abolt said, Ms. Cramer can. We can make it part of the presentation in January.

Commissioner Stone said, thank you.

Chairman Scott said, and -- and if so, we can also hear from CAT, but it -- it -- it was a two-year line of credit, and -- and so we'll -- we'll hear from them.

Commissioner Stone said, thank you.

Chairman Scott said, mm-hmm. Okay. At --

County Manager Abolt said, sir, we need a motion.

Chairman Scott said, yeah, I -- I was --

Commissioner Stone said, I'll make the motion.

Chairman Scott said, -- about to say that any -- any further questions? If not, I'll entertain a motion at this time.

Commissioner Stone said, so moved.

Commissioner Brady said, second.

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

ACTION OF THE BOARD:

Commissioner Stone moved for approval to submit the 2013 Comprehensive Annual Financial Report and related documents to the State of Georgia and the Governmental Finance Officers' Association by the end of the calendar year. Commissioner Brady seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present.]

AGENDA ITEM: IX-2

AGENDA DATE: December 20, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Amy Davis, Finance Director

ISSUE:

Presentation of summarized audit results for fiscal year 2013 and request for authorization to submit to the 2013 Comprehensive Annual Financial Report (CAFR) and related documents to the State of Georgia and the Government Finance Officers' Association by the end of the calendar year.

BACKGROUND:

The 2013 CAFR reports the County's financial position as of June 30, 2013. The published report has not been submitted to the printer for printing and binding. Finance is seeking authorization to submit the

CAFR and related reports to the State of Georgia and the Government Finance Officers' Association's award program via electronic format by the December 31, 2013 deadline.

FACTS AND FINDINGS:

1. The CAFR represents the audited financial report of Chatham County prepared in accordance with generally accepted accounting principles. The CAFR presents the recorded financial transactions and activities of Chatham County for the period July 1, 2012 to June 30, 2013. It includes activities of three component units: Chatham Area Transit, Live Oak Public Libraries, and the Chatham County Health Department. Due to delays in receiving component unit information, the published document is not yet available for Board review. However, summarized audit results are being provided to the Board. A full printed report will be available by the January 17, 2014 meeting.
2. At June 30, 2013 the two major operating funds, the General Fund and the Special Service District, both had net decreases in fund balance as compared to the prior fiscal year. In the General Fund, fund balance decreased \$1,271,754 for an ending balance of \$34,134,959, of which \$5,546,028 is unassigned and \$27,275,919 is committed as the County's fund balance reserve. In the SSD fund, fund balance decreased \$1,302,791 for an ending balance of \$6,882,940, of which \$375,139 is assigned for purposes of the fund and \$4,883,873 is committed as the fund balance reserve.
3. Fund balance in both the General Fund and SSD fund presented as Committed represent the amount of fund balance needed to equal two months of operating expenditures in compliance with the fund balance policy.
4. Encumbrances, which represent purchase orders issued but not yet paid, are included in the unassigned fund balance amounts of each fund. At June 30, 2013, encumbrances in the General Fund were \$2,250,247 and in the SSD fund they were \$108,344.
5. The audit report also includes the County's government-wide financial statement which present all activities of Chatham County on the accrual basis of accounting, including capital assets and long-term debt. Overall, the county's net position as shown on the government-wide statements totaled \$1.6 billion, an increase of \$5.1 million over the prior year. Most of the increase is due to revenues received in advance of capital project spending.

FUNDING:

No funding required.

POLICY ANALYSIS:

It is the policy of Chatham County to comply with all required filing requirements in a timely manner. Further, it is the policy of Chatham County to submit our CAFR annually to GFOA for review for the Certificate of Achievement for Financial Reporting. The County has received this award every year for the last 29 years.

ALTERNATIVES:

1. That the Board authorize the Finance Department to submit the CAFR and related documents to the State of Georgia and to the Government Finance Officers' Association electronically by December 31, 2013, or
2. Provide other direction to staff.

RECOMMENDATION:

Approval of alternative 1.

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3. PRESENTATION BY SUPERIOR COURT CLERK DAN MASSEY ON THE ISSUE OF COMPENSATION

Chairman Scott said, at this time we have the Honorable Dan Massey who's here, and he would like to address the Commission. At this time, I recognize the Clerk of Superior Court, Mr. Dan Massey. I recognize the Clerk of Superior Court, Mr. Dan Massey.

Mr. Steven Scheer said, I have been asked by Mr. Massey --

Chairman Scott said, if Mr. Massey wants to -- Mr. Massey have to introduce you and tell us why you are here.

Mr. Scheer said, well, I --

Chairman Scott said, we -- Mr. Massey's on the agenda.

Mr. Dan Massey, Clerk of Superior Court said, Mr. Chairman.

Chairman Scott said, yes,

Mr. Massey said, Members of the Commission, thank you so much for welcoming us this morning. It's my honor to introduce Mr. Steve Scheer, who is representing me in the issue that's before the Commission this morning.

Mr. Scheer said, with permission of the Chairman. Thank you Mr. Chairman and County Commissioners. There has arisen a dispute between the -- first of all I was asked by the Clerk of Superior Court to review the applicable state laws and county ordinances with regard to compensation of -- of his office, which is one of the four constitutional officers. After extensive meetings, negotiations with the County Attorney, it has become apparent that the pursuant -- that the County Attorney, who is actually the lawyer for Mr. Massey generally, has a conflict of interest. Georgia law provides that where such a conflict of interest occurs, that the one -- the constitutional officer has the right under O.C.G.A. 45 -- Official Code of Georgia Annotated, 45-9-21 to seek the services of an independent counsel. Prior to seeking the services of an independent counsel, he is required to request in writing to the county, which was done to Mr. Hart, I believe, on October 21st, that the County allow him to employ independent counsel, and that is why we are here today. Mr. Massey is requesting that I be hired pursuant to that statute, paid pursuant to that statute to represent him in this matter, which, since Mr. Hart does -- and Ms. Burns do actually represent both entities, you can only -- you can only represent one, and, therefore, Mr. Massey is entitled to independent counsel.

Chairman Scott said, okay. Thank you Mr. Scheer.

Mr. Scheer said, yes, sir. I'll stand by to answer any questions if you need any at no charge.

Chairman Scott said, all right. Attorney Hart, at -- the request have come to you, and Mr. Scheer states that his purpose of being here today is to request approval of that request.

County Attorney R. Jonathan Hart said, yeah.

Chairman Scott said, Is that your understanding?

County Attorney Hart said, yes, sir. Well, there's -- there's really two issues here as I understand it. One, Mr. Scheer is correct that the County Attorney's office has a different view of what the law states than the attorney for the Clerk of Superior Court, and that puts, obviously, the County Attorney's office in a conflict position, and our first duties and allegiance under the Enabling Act is to the Board of Commissioners, and Mr. Scheer is also correct that there's a statute that permits the Clerk of Superior Court to retain an attorney and bring an action to discern whether he is right within the concept of the law. The attorney can earn no more than whatever the hourly rate is of the County Attorney at the time it -- it occurs, and the law also requires the Commission to pay for that attorney. So it sort of puts the Commission in an unusual position of paying for both attorneys. The second issue that is -- and I don't disagree with what Mr. Scheer says.

County Attorney Hart said, the second issue is consideration of whether the -- the Board of Commissioners wishes to adjust the salary as per the request of the Clerk of Superior Court, and I believe our office has rendered an opinion that there was a miscalculation in the method of pay that dealt with longevity pay, but it was offset by the amount of COLAs to about 2,000 and some change in his favor. The Clerk believes that he is entitled to also the longevity pay and COLAs.

Chairman Scott said, I -- I -- I -- I appreciate your opinion, counsel, but I don't want you to speak for the Clerk while he's in the room.

County Attorney Hart said, okay.

Mr. Scheer said, thank you, Mr. Chairman.

Chairman Scott said, but -- but I do have a further question for you. Is it -- is it not true that the Clerk has not come before this Commission to ask for this increase?

County Attorney Hart said, it was my understanding that he was going to come before the Commission and -- and request that the Commission view the law as he views it and adjust his salary.

Chairman Scott said, okay.

County Attorney Hart said, and -- and that will be the issue that will be litigated, you know, if he chooses to challenge it beyond this Board.

Chairman Scott said, so I -- I'm a bit confused based on what's been presented what the Clerk is asking for. He's asking -- I'm clear on the fact that he's asking the right to retain outside counsel.

County Attorney Hart said, and I don't think that there's a dispute about that.

Chairman Scott said, yeah, and -- but I am not clear that he's addressed the Commission on adjusting his pay. At least I haven't heard that part of it from -- from the Clerk.

County Attorney Hart said, correct.

Chairman Scott said, and -- so the Commission is taking no action on whether or not his pay ought to be adjusted, and so if the Commission is taking no action, what would be the purpose of granting the right to hire counsel, when there's nothing to litigate?

County Attorney Hart said, well, that would certainly be a -- a position that the Commission could take. If the Commission is asked to adjust his salary, then the Commission could consider that and either say yes or no. Okay? Or take it under advisement and give an answer in some reasonable period of time. At -- at the present time, you know, I understand from discussions out of the record, but I do not understand -- at this point I believe you are correct, Mr. Chairman, that there has not been a request for an adjustment in pay.

Chairman Scott said, and so I -- I personally think an argument has to be put forth before this Commission as to why the Commission should address -- adjust the Clerk's salary prior to the Commission granting the Clerk the right to litigate this issue.

Mr. Scheer asked, if I may, Mr. Chairman? May I respond?

Chairman Scott said, you or the Clerk may. If the Clerk --

Mr. Scheer said, Mr. Chairman, this is not an adjustment. It's not a question of fact or whether or not the Clerk is asking for any type of increase, it is purely a matter of interpretation of statute. There is -- either the Clerk's position is correct and the County Attorney's position which is opposed to that is correct. We're not seeking an adjustment, we are asking that the County Commission follow the state statutes and constitutional requirements of funding the office of -- or the salary of the Clerk of Superior Court. It becomes a pure matter of interpretation of statute.

Chairman Scott said, and if -- thank you. If the Commission would look at all the documentation that's been provided by staff, and yet there's been no argument presented to this Commission to make any adjustment in the pay. I -- based on -- on my looking at the information last evening, it would suggest to you that it would increase the Clerk's salary by 33 percent over what he is currently being paid. It would increase it by 33 percent. Now, it may be justification based on the arguments but we haven't heard the arguments. And -- and so until we hear the arguments for why the Clerk think that his salary should be adjusted by 33 percent, I don't see why we need to grant right to hire outside counsel.

Mr. Scheer asked, may -- may I respond for one second?

Chairman Scott said, I'm -- that's not a question to you. I'm addressing the members of the Commission.

Commissioner Kicklighter said, Mr. Chairman --

Mr. Scheer said, mm-hmm.

Commissioner Kicklighter said, if I may?

Chairman Scott said, yes.

Commissioner Kicklighter said, I -- I agree with you. If -- if -- to just put it right on out there in easier terms maybe, you don't go hiring an ambulance chasing attorney before you have the wreck. So we --

Chairman Scott said, I hope -- I hope you're not referring to --

Commissioner Kicklighter said, no, not at all.

Chairman Scott said, 'cause he happens to be a friend of mine.

Commissioner Kicklighter said, he's a good guy.

Chairman Scott said, and also the City Attorney of Pooler.

Commissioner Kicklighter said, he is a good guy. I know who Steve is.

Mr. Scheer said, on that -- on that -- on that statement I take the Fifth.

Commissioner Kicklighter said, yeah, no, Steve knew I wasn't talking -- I hope he knew that, but -- but, no, you know, if you get in a wreck, you have the right to call, you know, one of those commercial attorneys or whatever, but in this case there's been no wreck, so I see no need for an attorney. I think we need to wait -- wait, and if there is a wreck, then fund the attorney as state law suggests. But no, Mr. Scheer, I know, is a wonderful man, and does a fine job. And I've never seen him singing on a commercial either, so that's --

County Attorney Hart said, Mr. Chairman, one thing I would like to say, just for the purpose of the record. We prepared a chart on page 4(a) of our report, and we've got three lines, one's per the law, and I use the term, per the law, as interpreted by the County Attorney's office, and by the longevity pay that he's entitled -- that there's no argument that he's entitled to under the law and by the State COLAs, he would have received a 15.89 percent increase from 2005 to -- through '13, and the -- the position of Mr. Massey as calculated is basically he'd receive all the COLAs which would give him a 33.39, but they're spread between what we think -- the County Attorney's office thinks he's due versus what the Clerk's position is, is a 15 point -- 15 and a half percent spread. Just for purposes of clarification.

Mr. Scheer said, and for purposes of the record, has the Commission seen my August 15th letter to the Commission with all the attachments and the back up data establishing the -- and citing the specific code sections, specific ordinances, etcetera? I -- as I felt I should, I sent it to the County Attorney's office. We sent a letter on August 15th, 2013 with numerous exhibits.

County Attorney Hart said, it's not a part of your agenda package.

Commissioner Brady said, Mr. Chairman?

County Attorney Hart said, I believe it was sent out to the Commission. If it was not, I'll get it out today. I'll just have to check the office.

Chairman Scott said, Commissioner Brady of the 6th District.

Commissioner Brady said, we still have, Mr. Scheer, the attorney, here talking on behalf of -- of the Clerk of Superior Court, and if I heard you correctly, our position basically is is that Dan Massey has not stood in front of this Commission and asked for a raise.

Chairman Scott said, he -- he has not asked that his pay be adjusted, no.

Mr. Scheer said, he's not asking for a raise. He's asking that the --

Chairman Scott said, he's asking that his pay be adjusted.

Mr. Scheer said, he's -- correct.

Commissioner Brady said, I'm -- I'm sorry. I used the wrong term.

Mr. Scheer said, correct, pursuant to the applicable statutes.

County Attorney Hart said, as -- as I understand, he's asking that the local COLAs that have been given from 2005, 2006 be included in his salary calculation. Is that --

Mr. Scheer said, the -- we had to go through extensive, and I can give you a time line which I provided already to the County Attorney, and I had assumed that y'all had reviewed the documentation that I had sent to you which had a copy of each statute, a copy of the Association of County Commissioners' calculation of how you should calculate the Clerk's salary, and -- and the state statutes. I had cited the local ordinances. I believe, in January of '06, which is not part of my original presentation, but we have provided, Mr. Chairman, our position in writing with numerous exhibits attached thereto. We have attached the local laws. We have given it to you to review, and lawyers disagree on the interpretation of the statute. Mr. Massey has a duty to protect the constitutional office of Clerk of Superior Court. We have given you basically our entire position. We have received a response from the County Attorney's office citing -- giving us exhibits, and in my opinion, the -- and I certainly have the utmost respect for both Mr. Hart and Ms. -- Ms. Burns, but they have given us their legal opinion. We have stated to you and attached to you everything that we have since August of why we believe that there -- your -- your interpretation -- or the County's interpretation of the statutes that are incorrect. It's not a request for a pay raise. It is a request that the Commission follow the law period.

Commissioner Brady said, Mr. Chairman?

Chairman Scott said, it -- it is a request that the pay be adjusted, and I -- I want to make that crystal, crystal clear, and we have not heard from the Honorable Dan Massey, the Clerk of Court, to ask that his pay be adjusted in his interpretation of the law, and what -- what you are asking, and I understand what you're saying clearly, but the Commission has the fiscal responsibility for all budgets, including those of constitutional officers, and if you asked us in mid year to adjust his pay out of contingency by 15 percent or 33 percent, which is what I calculated, then I think that has to come from the constitutional officer himself and this Board should consider it carefully and make a decision, and then if they deny it, then the next question is for Mr. Massey to be able to hire counsel of his choice to represent him in any proceeding going forth, and all I'm saying to you that I don't think we have denied his pay adjustment. We have not done any of those things because we haven't heard the argument for it.

Mr. Scheer said, Mr. Chairman, if you haven't read my --

Chairman Scott said, I'm going to recognize --

Mr. Scheer said, -- letter --

Chairman Scott said, I'm going to recognize Commissioner Brady.

Mr. Scheer said, oh, I'm sorry.

Commissioner Brady said, thank you, Mr. Chairman. I'd like to make a motion that we delay this for any further consideration on this matter for at least 30 days or until our next meeting.

Commissioner Stone said, I'll second that, but I also have a question.

Commissioner Shabazz said, and I have a question.

Chairman Scott said, it's been properly moved and second. Any discussion? I recognize our Pro Tem, Commissioner Stone, from the 1st and then Commissioner Shabazz from the 5th.

Commissioner Stone said, thank you, Mr. Chairman. You know the information that we received in our packet is from the -- from the County Attorney, and, of course, he's stating per the law, and he goes down and gives his reasons, and obviously I haven't received yours, but my concern is something that the Chairman has already identified, and that is what other budgets is this going to effect, and especially if we're -- we're talking out of our contingency. I mean this could have a huge effect, and we need to be very careful that the precedent that we're going to set here is correct. And I understand that this is basically an interpretation of the law, but I think we need to be very, very careful. This could have a ripple effect throughout all budgets and something that could have a huge impact on the County's budget. Thank you, Mr. Chairman.

Chairman Scott said, we got Commissioner Shabazz and Commissioner Kicklighter.

Commissioner Shabazz said, right. The motion was made to table? To postpone?

Chairman Scott said, no.

Commissioner Brady said, no.

Commissioner Shabazz said, to postpone?

Commissioner Brady said, it was --

Chairman Scott said, the motion was to postpone further consideration.

Commissioner Brady said, 30 days.

Commissioner Shabazz said, right. The motion was to postpone -- postpone to further consideration, but at that time when -- if this is approved, the postponing, when we -- will we ever hear from Mr. Massey?

Mr. Scheer said, may I respond, Mr. Chairman? May I -- may I respond, Mr. Chairman? The answer is I will -- you have -- I believe you've had his request and backup documentation for approximately 100 days, 120 days.

Chairman Scott said, okay.

Commissioner Shabazz said, well, this is my first time even seeing him up in here.

Chairman Scott said, well this is -- I think if -- if we pass Commissioner's [sic] Brady's motion, anybody who have not had a chance to review the documentation from attorney Scheer would have a chance to do it over the next 30 days.

Commissioner Kicklighter said, Mr. Chairman?

Chairman Scott said, Commissioner Kicklighter has a question.

Commissioner Kicklighter said, thank you, Mr. Chairman. I'll -- I'll state this. Prior to this Commission coming on Board, the County Commission opted to give itself a raise. In doing so, we publicly had to sit out here, take questions, comments, and make a public vote to do so. Understanding that constitutional officers has the right to sue the Chatham County Commission should they deem their funds inadequate, it would seem that an elected official on the same level, capacity as this Board owes that same thing to not the Commission but the public to stand there and justify why he or she deems the adjusted, although adjustment is an increase, to be necessary. Without me -- I know that it's probably in my book, but without me digging through it, could you please tell me the current salary of Mr. Massey.

Mr. Scheer said, it's attached to -- attached to it -- I think there was a COLA that -- that went into effect contemporaneously or right around the time my August 15th letter went out, but I -- I must beg to differ with the Commission --

Commissioner Kicklighter said, well I need to know if I may --

Mr. Scheer said, well, Mr. Kicklighter, that's not why we're here.

Commissioner Kicklighter said, I need an answer to that question. You know I respect you.

Chairman Scott said, the -- the question from Commissioner Kicklighter was do you know his current salary?

Mr. Scheer said, I -- I don't know it. I know --

Chairman Scott said, we'll have staff answer -- we'll have staff answer the question.

Commissioner Brady said, I think it's \$130,522.

Commissioner Kicklighter said, currently 130,522. Can you now tell me if this request were approved, what would Mr. Massey's salary be then?

Mr. Scheer said, well, after doing a lot of research, depending on the interpretation of the statute, we had -- we have provided that, and there is a -- we have attempted to find out where the County Commission took action on raising or lowering the -- the -- what they call a supplement, which --

Commissioner Kicklighter said, Mr. Chairman.

Mr. Scheer said, -- is probably a misnomer -- nomer.

Commissioner Kicklighter said, Mr. Chairman.

Mr. Scheer said, and I do not know that Mr. Kicklighter because depending on whatever document -- from the documentation -- well we -- we -- I have in my letter of --

Chairman Scott said, counselor would you -- would you --

Mr. Scheer said, -- August 15th --

Chairman Scott said, would you please suspend long enough for Commissioner Kicklighter to have a follow-up question.

Commissioner Kicklighter said, could you tell me how much the salary would be after the requested adjustment?

County Attorney Hart said, if -- if our calculation is correct, based on your attached Exhibit A on page 4 it would be \$143,630.

Commissioner Kicklighter said, \$143,640?

County Attorney Hart said, \$630.

Commissioner Kicklighter said, okay. 35 -- 45. Roughly this is \$120,000 more than County Commissioners make, and we had to justify to the public why we felt the raise was necessary. So I -- I -- I do not -- I have not passed judgment on whether or not this position is worthy of this type of pay, but I do feel that it would be very good for our tax payers to hear some type of justification for this salary, just as we had to do for \$120,000 less per year. It would -- it would be very good to happen, and that -- that's it, and we -- we should table and move on and -- and -- and -- until we hear something.

Chairman Scott said, I think the issue that we all wrestle with is that if you run for office, you pay a qualifying fee based on the salary, the salary is published in the newspapers so everybody who wishes to qualify for that office knows what it pays. That's just up front. And then, if you're going to adjust the salary, then any adjustment to the salary really shouldn't go into effect until that individual stands for election again, and because then that's what I call truth in -- in representation because if you run at a salary and now you ask tax payers to pay you more, but you're not willing to ask them personally to pay you more, you're not willing to justify it publicly, but -- but you want the Commission to do it out of contingency, and there's only very few funding sources for the Commission and one of them is LOST and the other one is property taxes. So we're sort of between a rock and a hard place, and we have a motion and a second, and we're in the discussion phase. Is there any further discussion?

Commissioner Kicklighter said, I just don't want to misrepresent. I just pulled out a calculator. The difference is actually \$118,640 --

Mr. Scheer said, well -- Mr. Chairman --

Commissioner Kicklighter said, -- more than we make, so I did not want to misrepresent that.

Mr. Scheer said, okay. Mr. -- Mr. Chairman, we can have a political debate anytime you want to, but this is not a political debate, it's a matter of law, and any lawyer that tells you that he's going to win a case is, you know, probably puffing, but in this particular matter, the -- it's not a question of asking for a quote raise, it's asking that you follow the law. If you are incorrect on the law, then you will -- taxpayers' money will be expended for attorney's fees and for the court costs. We tried to work it out. We have given you everything that we -- we know. We can't work it out.

Chairman Scott said, thank you, counselor. We haven't -- we haven't tried to work anything out because we haven't heard from the person affected.

County Attorney Hart said, one -- one thing I would like to correct in the record. If we're referring to the letter of August 15th, that letter was not written to the County Attorney. It was written to you, and that -- and I assume the addresses are correct. You would have received it. We were carbon copied on it and responded to it.

Chairman Scott said, yeah.

Mr. Scheer said, we sent it to the -- since it was coming from me, I knew that you were represented by an attorney, I sent it to the -- as I'm required to do under the ethics of the bar go through the County Attorney's office.

Chairman Scott said, well, the motion is to postpone any further consideration of this matter for 30 days or until our next meeting, so we will reconsider this matter once the Commissioners have had a chance to study all the supporting documentation. At that time we will take a vote.

Commissioner Kicklighter said, and Mr. Chairman, for clarification, I do want to just state that I think Mr. Massey has done an excellent job, and that my opinion at this point is no reflection on the job he's done. It's just simply the opinion that a request and justification for the funding would be very nice before any consideration and that's it.

Chairman Scott said, the motion -- the motion before us is that we delay any further action or consideration for 30 days or until our next meeting in January 17th. Hearing the motion is there any further discussion? Before we vote, I will once again see if the Honorable Dan Massey has any comments before we vote or would he reserve them until we consider this matter 30 days from now.

Mr. Scheer said, on behalf of Mr. Massey, it's obvious that anything he says will not be considered.

Commissioner Thomas said, oh, man.

Chairman Scott said, counselor, please, I didn't ask for any further comments, and I think you are totally incorrect on that statement. Hearing the motion, all in favor indicate by voting yes, opposed no.

Mr. Scheer said, thank you, Mr. Chairman. May I have a point of personal privilege not related to the motion about my profession because I resent very deeply the comments made by Mr. Kicklighter about ambulance chasers.

Chairman Scott said, well --

Mr. Scheer said, the practice of law is a profession. It's a noble profession, and to use the term ambulance chasers to -- to -- for some type of political advertisement is not worthy of this Commission. It has nothing to do with Mr. Massey, but I have to defend my profession -- a profession that has -- I am very proud to be a part of.

Commissioner Kicklighter said, Mr. Chairman point of personal privilege.

Chairman Scott said, well, I -- I would -- I would say that I know two of the best attorneys in the city, and they're both sitting in this room.

Mr. Scheer said, Ms. Burns and Mr. Hart.

Chairman Scott said, and that's --that's Counselor Scheer and Counselor Hart.

Commissioner Kicklighter said, and Mr. Chairman, please. I apologize if it came off as a reflection on you, Mr. Scheer. I -- I think the world of you and the work that you do, but, no, sir, I don't think all attorneys are wonderful people. I -- I do -- I do think some attorneys are part of the downfall of society, but I wouldn't put you in that category. So I apologize to you. I think it's like anything in life, there's good and bad, and you're one of the good, and I appreciate you.

Mr. Scheer said, it's not about me, Mr. Chairman. It's about my profession.

Chairman Scott said, the -- the only thing that could improve your profession if you had to go before the voters every four years to continue to practice. That's the only thing I know that could possibly improve it. Outside of that, I don't know how it gets any better than you, counselor.

Mr. Scheer said, I appreciate that, but -- but Mr. Chairman, the practice of law is a profession -- it is something that there are -- I can assure you that people have the same opinion of certain elected officials, i.e. Congress. A lot -- well, for one of the first times in history, I think lawyers have a higher approval rating than the United States Congress.

Chairman Scott said, thank you, counselor.

Commissioner Kicklighter said, well put. That's a very good point.

Chairman Scott said, I -- I appreciate the Commission stance on this. I'm of the opinion that -- that we ought to protect contingency funds. When we start funding things out of contingency that you have to acknowledge that you have the potential of building in a tax increase, and it's not the intent of the Chair, and I'm sure that it's not the intent of this Commission for any immediate or future property taxes increase in this county. Mr. Green.

Youth Commissioner Jesse Green said, elected officials have to come here to -- to -- to petition an increase in their salary?

Chairman Scott said, it -- it can be mandated by state law, and at some times we refer to that as unfunded mandates by the state legislature, but the County Commission has the responsibility for the budget of all constitutional officers who represent this County or this District, as well as all county departments and agencies.

Youth Commissioner Green said, thank you.

Chairman Scott said, okay.

ACTION OF THE BOARD:

Commissioner Brady moved to postpone this item for 30 day or to the Commission's next meeting. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present.]

AGENDA ITEM: IX-3

AGENDA DATE: December 20, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: R. Jonathan Hart, County Attorney

ISSUE:

Board consideration of the Clerk of Superior Court's request for pay adjustment to grant additional compensation which he believes is statutorily required.

BACKGROUND:

The Board of Commissioners in 2007, by resolution as opposed to local legislation, approved an actual salary increase to \$110,000 per year for the Clerk of Superior Court, which is in fact more than the minimum salary (\$91,682.66) provided for by the State general legislation. However, because the local legislation itself provides for a minimum salary that is less than that set forth in the State general legislation, it is the County Attorney's opinion that the longevity pay increase set forth in O.C.G.A. §15-6-90 is applicable. Therefore, the Clerk should have been paid pursuant to the State statutory scheme and not pursuant to local legislation. The Clerk would be entitled to longevity pay adjusted as provided under the general law.

The provision of law governing county COLAs is found only in local legislation. Since the local legislation would be trumped by the general statute, the Clerk would not be entitled to local COLAs as provided in the local legislation.

The County acknowledges that its method of calculating the Clerk's salary omitted two longevity adjustments. (See Exhibit A attached to the original staff report in the Clerk of Commission's meeting file). Simultaneously, the County incorrectly miscalculated the Clerk's salary to include a 17.5% (total County COLAs) increase. The result of including the County COLAs created a salary of \$130,522, which is greater than the amount the Clerk would have received if only the State COLAs and appropriate longevity were applied. The net difference is a \$2,099 overpayment to the Clerk.

It is the Clerk of Court's calculation that over time he is entitled to more than \$50,000.00. See Chart (attached to the original staff report in the Clerk of Commission's meeting file).

Should the Commission decline to accept the calculation as made by the Clerk of Superior Court as being that which is statutorily required, the Clerk may institute an action for interpretation in Superior Court.

The County Attorneys Office, having a conflict as between the Board of Commissioners and the Clerk would result in the Clerk obtaining outside counsel, the cost of which is paid by the County.

FACTS AND FINDINGS:

1. The Clerk of Superior Court was granted three County COLAs to which he was not entitled. Those COLAs total a 17.5% increase in salary.
2. The Clerk of Superior Court was not granted two State COLAs and longevity pay he was entitled to receive. Should he have received those adjustments, his salary would have been increased by 15.89%.
3. The difference in the COLAs paid and the COLAs and longevity not paid is \$2,099 in the Clerk's favor.

POLICY ANALYSIS:

The Clerk of Court should receive the compensation allowed by law.

FUNDING:

Maintenance and Operations Budget.

ALTERNATIVES:

Alternative 1:

Adjust the salary of the Clerk of Superior Court to include State COLAs for an additional increase in salary of 15.89%;

Alternative 2:

Do not Adjust the salary of the Clerk of Superior Court in any way;

Alternative 3:

Adjust the salary of the Clerk of Superior Court to grant State COLAs and longevity pay while recouping the overpayment in compensation for incorrectly applied County COLAs.

RECOMMENDATION:

For Board consideration.

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4. BOARD CONSIDERATION OF THE DISTRICT ATTORNEY'S REQUEST TO ADD AND PROVIDE FUNDING FOR AN ASSISTANT DISTRICT ATTORNEY I POSITION.

Chairman Scott said, now we'll hear Board consideration of the District Attorney request to add and provide funding for an Assistant District Attorney 1 position, and at this time --

Commissioner Kicklighter said, if I may Mr. Chairman. I'll make a motion.

Chairman Scott said, yeah. At this time I'm going to recognize our DA, the Honorable Meg Heap to make a presentation to the Commission.

District Attorney Meg Heap said, good morning, Mr. Chairman, Members of the Commission. Thank you for allowing me to come today. I -- I wanted to go back a little bit in time. Last February when y'all had a retreat, I came before the County Commission to tell you that there was a law up in the legislature, it was the Juvenile Justice Reform Bill, and if that Bill passed, it was going to require more -- they were taking duties from juvenile probation officers and giving it to our probation -- my prosecutors. The law passed July 1st, 2013 and will go into effect January 1st, 2014, and what it is doing, it is taking duties or tasks from the probation officers. There's 20 probation officers, and it is giving it to my three prosecutors. They are now tasked with drafting documents. The charge -- they're called petitions in Juvenile Court. It's the charging document. It would be an Indictment or an Accusation in Superior or State Court, and these are very serious. It says that if -- if a juvenile is arrested and has to -- comes before the Court and the Court decides to keep them, within 48 hours my prosecutor has to obtain all the police reports, has to obtain the criminal justice -- the criminal histories and speak to witnesses and draft the document which will be the charging document, the petition, against the juvenile. Last year there was over -- at least 1700 petitions that 20 probation officers were drafting. Now it's coming on to three of my prosecutors. And please keep in mind, and the reason I'm coming to you, is because my prosecutors have a full case load. They do detention hearings; they do trials; they do pleas; they interview witnesses; they have appellate duties; they write briefs, and what we're realizing is they just don't have the time. I had a prosecutor got out at 8:00 o'clock on Tuesday night. She had a full day. This would add what I believe a job that we need another prosecutor for.

District Attorney Heap said, Diane McLeod is here. She is my chief of Juvenile Court. Diane, can you stand up for me. She really doesn't want to come up here, and she can answer any questions, 'cause what -- she and I sat down. This comes into effect. This was a law that was passed by the legislature, and as of January 1st these duties are now ours. So where before you had 20 probation officers doing it, I've got three prosecutors who now -- now have to do it, and they have full case loads. So I'm coming to you to request a position. It's an entry level position, and that's what one means, it would be the lowest of the low in terms of money that I could offer a prosecutor. That's why I'm here, and I'm -- I welcome any questions that the Board may have.

Chairman Scott said, okay. Commissioner Stone.

District Attorney Heap said, yes, ma'am.

Commissioner Stone said, thank you, Mr. Chairman. Certainly I understand the dilemma that you're in, and the frustration to me as a Commissioner is this is just in the stream of unfunded and underfunded mandates that are constantly pushed down to us from this level because we don't have anywhere to push it from here.

District Attorney Heap said, right.

Commissioner Stone said, and I understand that you need to fulfill that. I -- I think it was brought up in the pre-meeting and articulated very clearly by our Chairman, is that if we start going into contingencies now to fund positions, it -- it will in fact create a tax increase. So that is my concern at this point, and I believe that the staff recommendation was to look at this further and see how we can fund this position going forward. Is -- is that -- am I correct on that, Mr. Manager?

County Manager Abolt said, Mr. Chairman, Ladies and Gentlemen, Commissioner Stone, the -- the -- that's the answer. I -- I believe the urgency of the request is one that would have to be satisfied prior to the employment of the retained management consultant. So today, and again, I'm -- I'm only listening as you did to discussions in pre-meeting. If -- if you are agreeing with the need, which I'm not disagreeing with, all that remained is the funding source, and so, in effect, if you wish to entertain a motion to add the position and give direction to staff, to me, to use the services of a management consultant to identify fund sources, not to include contingencies, that would be understandable.

Chairman Scott said, yeah.

Commissioner Stone said, Mr. Chairman, if -- if -- if at this time you would entertain a motion, I would make that motion.

Chairman Scott said, I -- I think Commissioner Kicklighter had his hand up for the purpose of making a motion --

Commissioner Stone said, okay.

Chairman Scott said, -- and I had ignored him because --

Commissioner Stone said, I'm sorry.

Chairman Scott said, -- there were questions out, and at this time I'd recognize Commissioner Kicklighter for the purpose of making a motion.

Commissioner Kicklighter said, thank you, Mr. Chairman. Because of this state unfunded mandate and in an attempt to protect tax payers by not drawing down savings for operating expenses, at this time I'd like to make a motion to approve the DA's request to add an -- an Assistant District Attorney I position and to instruct staff to fund the position without using contingency funds.

Commissioner Stone said, second.

Chairman Scott said, Mr. Manager.

County Manager Abolt asked, just for clarification, do I have your -- your blessing then to seek the services of our retained management consultant to do that work?

Chairman Scott said, you -- can you restate that motion to include that?

Commissioner Kicklighter said, I will amend my motion to include --

County Manager Abolt said, thank you. Thank you.

Commissioner Kicklighter said, -- what he just said.

County Manager Abolt said, thank you.

Commissioner Stone said, and I accept that as the second.

County Manager Abolt said, thank you.

Chairman Scott said, okay.

Commissioner Shabazz said, what do you -- what do --

Chairman Scott said, let's -- let's -- we have a motion and a second that we approve an additional position of Assistant District Attorney I position for the DA's office, and we're instructing staff to find a funding source other than contingency, including using the necessary audits or consultants to look at other departments for other possible funding sources. Now is there any further discussion? I recognize Commissioner Shabazz from the 5th District.

Commissioner Shabazz said, yes. Why is it -- why is it necessary for a consultant?

County Manager Abolt said, if I may, Mr. Chairman. What the Board in the past has recognized that there are some cases, particularly when you deal with elected officials, constitutional officers, or you want a corroboration of objectivity, and your predecessor was the one that asked and the Board did set aside funds for this service. It is meant to be a way of going into the Departments, in this case, two elected departments, the Juvenile Court and also the District Attorney, and -- and looking at their work load, looking at fund sources, so you will have a -- a full vetting of your options. Very similar to what the Chairman has asked and is underway right now, near completion relative to the operation of the Sheriff and Detention Center.

Commissioner Shabazz said, all right. Okay.

Chairman Scott said, okay.

Commissioner Shabazz said, thank you.

Chairman Scott said, any further discussion? Hearing none, everybody's clear on the motion? Indicate by voting yes, opposed no. The motion carry. Madam DA, the -- we've created the position, and now we'll look at some means of funding it.

District Attorney Heap said, thank you very much. I appreciate that.

ACTION OF THE BOARD:

Commissioner Kicklighter moved approve the District Attorney's request to add an Assistant District Attorney I position and to instruct staff to fund the position using sources other than contingency funds and to engage the services of the county's retained management consultant to locate those funding sources. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present.]

AGENDA ITEM: IX-4

AGENDA DATE: December 20, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Linda B. Cramer, Assistant County Manager

ISSUE:

Board consideration of the District Attorney's request to add and provide funding for an Assistant District Attorney I position.

BACKGROUND:

In January 2013 the Georgia Legislature passed the Juvenile Justice Reform Bill. Under the new legislation, some functions previously handled by Juvenile Court in regard to the preparation of Juvenile court petitions have been moved to the District Attorney's office.

FACTS AND FINDINGS:

1. Effective January 1, 2014 the filing of Juvenile court petitions becomes the responsibility of the District Attorney's office. These responsibilities had previously been assumed by the probation officers at Juvenile Court.
2. To manage the shift in responsibilities, the District Attorney is requesting a new staff position. The position would be an entry level assistant district attorney position. Annual salary and benefit costs for the new position are \$74,000. The request from the District Attorney is attached (to the original staff report in the Clerk of Commission's meeting file).
3. Juvenile Court was asked whether the new law would provide savings in their budget that could be shifted over to the District Attorney's office. Juvenile Court does not agree that

savings will be provided (see response attached to the original staff report in the Clerk of Commission's meeting file). This is because the drafting of petitions is now spread across the Court's many probation officers instead of centralized to one or two employees. Also Juvenile Court believes that the new law will expand their probation officer's responsibilities in other areas.

4. The County has retained a management consultant firm that could be used to provide an objective review of the needs of both the Juvenile Court and the District Attorney in relation to implementing these State law changes. Should the Board wish to ask the management consultant for their input, staff would work with the consultant to develop a budget and time line for the project. However, this work would not be completed before the effective date of the new law.

FUNDING:

Funding is not available for the new position. Funds would need to be drawn from the General Fund M&O Contingency account. The annual cost of the position is \$74,000. Since the County is halfway through its fiscal year, the cost for this position for the remainder of 2014 is \$37,000.

POLICY ANALYSIS:

The Board of Commissioners' approval is required to authorize new County positions and amend departmental budgets.

ALTERNATIVES:

1. Authorize a new Assistant District Attorney I position and approve a related budget transfer from General Fund M&O Contingency to the District Attorney's office of \$37,000 for the position's salary and benefits, or
2. Direct staff to ask the management consultant for an objective review of the needs of both Juvenile Court and the District Attorney's office in relation to implementing these State law changes, or
3. Provide staff with other direction.

RECOMMENDATION:

For Board Consideration.

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5. **BOARD CONSIDERATION OF THE DISTRICT ATTORNEY'S REQUEST FOR APPROVAL OF A REVISED PAY PLAN AND SALARY SCHEDULE FOR ASSISTANT DISTRICT ATTORNEYS AND RELATED STAFF PAY INCREASES, AND APPROVAL TO TIE FUTURE COMPENSATION INCREASES FOR THE ASSISTANT DISTRICT ATTORNEYS TO THE PAY PLAN AND TO GENERAL COUNTY PAY ADJUSTMENTS. STAFF RECOMMENDS THE DISTRICT ATTORNEY'S REQUEST BE REVIEWED BY THE BOARD DURING THE FY2015 BUDGET PROCESS.**

Chairman Scott said, item 5, and this is the Board consideration of the District Attorney's request for approval of a revised pay plan and salary schedule for Assistant District Attorneys and related staff pay increases, and approval to tie future compensation increases for the Assistant District Attorneys to the pay plan and to general county pay adjustments. Staff recommends that the District Attorney's request be reviewed by the Board during the 2015 budget process which will take place sometime early next year. In full disclosure, I've had a meeting with the District Attorney, and she's presented her arguments to me that she will present to you shortly. Her predecessor, not her predecessor but her predecessor's predecessor, who would be District Attorney Spencer Lawton, made the decision some years ago to opt out of the County system and to treat these folk as State employees, and the DA does have some state-funded attorney's positions, as well as county-funded attorney's positions, and I said to her that I would be willing to consider -- I'd be willing to consider a decision to -- for those employees to opt back in to the County system and be entitled to any pay raises that the Commission grant County employees and that we couldn't make it retroactive to July 1st, but I would consider if we could find funds for it making it retroactive to January 2014, and staff has said, we would like to have an opportunity to consider the impact of this on not just the current budget, but budgets going forward, and -- and that's where we're at. And -- and now, I will hear from the District Attorney, and then members of the Commission who may have questions or motions.

District Attorney Heap said, thank you. If -- if I may just give a little history, and further to explain what Mr. Scott had said -- or Mr. Chairman. Years ago -- we have by statute in Superior Court ADAs because you have a Superior Court Judge, you then have a state-paid attorney. We also have county-paid attorneys. Years ago Mr. Lawton asked, because there's a -- I'll give you an example, when I first got out of law school, I was a county-paid employee in another circuit, and my pay was \$15,000 less than the state-paid employee, and I was

just kind of waiting till the state-paid -- he left, and I got a huge jump, and Spencer Lawton saw that -- that that was occurring here, so he came to y'all years ago and said, hey, I want to -- I want to make sure there's parity, and so he asked that it go on to state-paid, and I told Mr. -- Mr. Chairman that I'd be willing to bring it back to the county plan, and -- and let me tell you where I'm coming from. When I took office, we had some openings, and I hired a young attorney right out of law school, three months of experience. His pay was \$47,000. I have an attorney with six years experience getting the same pay, and unbeknownst to me he had -- he had spoken with the media and went to the media. He left my office. He left my office to go into the private sector to -- because he couldn't afford it. He had a family. He has law school loans.

District Attorney Heap said, you know, when people come to the DA's office, most prosecutors, they know you're not there for the big bucks. We readily admit it. They go there because there's a passion. I've got two prosecutors right now slugging it out and working hard because at the end of the day, I need experienced prosecutors when it's, you know, your daughter who's been murdered and I want the experience. I want them to have the training. And so what I have seen in looking at this, and this is why I'm coming mid-budget. I cannot have anybody else leave. I need that experience, and -- and looking at it, I have people who have got six, seven years of experience are making the same pay as someone coming in. Now there -- we -- what I am asking for you to do is to put them where they should be. There is a pay plan in place -- in place, and I'm not asking to give -- I want you just to make them even. Put them where they should be on the pay plan. Now there is also a -- a new pay plan that we want to put forth, but we can talk to HR about that, and that can go into the next budget, but what I would really, and I'm -- I'm coming before you, and I'm coming not for me, it's because I'm pushing my people over at the DA's office. This is about public safety. I'm pushing them, and I'm saying, you need to do your job. So I've got to come here and fight for them. I need to -- you -- they don't make the big bucks, that's the private sector, but they should be compensated for what they do. They do work long hours. They work the weekends. You know, the police bring us the cases, and it's our duty, and I think that I'm duty-bound to come here and stand before y'all and to ask that -- to make them compensated for their -- for their work. And -- and the total amount that I am asking -- I believe everybody's been submitted -- every -- everybody received a copy, Mr. Chairman?

Chairman Scott said, yeah. We -- we know what the total amount, what we were in -- in reference to --

District Attorney Heap said, yes, sir.

Chairman Scott said, when you start talking about a pay [sic] plan and the impact on that on the budget going forward, what would that look like? And so what we were talking about in pre-meeting, not a denial of this, but the Vice Chair has suggested that we have a motion to -- to delay this until our next meeting to give staff an opportunity to look at the financial impact --

District Attorney Heap said, yes, sir.

Chairman Scott said, -- and to talk to you about what your step -- since you've got it all rolled into one here today.

District Attorney Heap said, yes, sir.

Chairman Scott said, to talk about what this will look like, and then to -- I hope that the Commission would consider passing at least the portion of this that will adjust your attorney's pay to that -- by two and a half percent effective January 1, 2014, but that will be up to the Commission.

District Attorney Heap said, right.

Chairman Scott said, but that's -- that's what we talked about in the green room. You were not there, but -- but that's where we stand on it.

District Attorney Heap said, and -- and I'd welcome any questions.

Chairman Scott said, any questions?

District Attorney Heap said, yes, sir.

Chairman Scott said, we've got Commissioner Holmes from the 2nd District, Commissioner Kicklighter, and then if there are no further questions, I'll recognize the Vice Chair for the purpose of making a motion.

Commissioner Holmes said, Meg, since you took office, you mentioned someone left the office --

District Attorney Heap said, that is correct. Yes, sir.

Commissioner Holmes said, -- a while ago. How many turn over you had since you took over?

District Attorney Heap said, there have been three ought people who left on their own. I have two -- one actually we hired her for the CNT. She came from a very small town. Her husband couldn't get a job, so she went back.

Commissioner Holmes said, three on their own?

District Attorney Heap said, If -- I -- I'd have to go look at my numbers, yes, that left because -- two of them left because of pay and went into the private community.

Commissioner Holmes said, and how many -- how many -- how many total since you took over?

District Attorney Heap said, I'd have to look at my numbers. I did release several people when I first took office.

Commissioner Holmes said, several. Could we get a list of that before we --

District Attorney Heap said, I can give you the number, yes. I -- I don't have it right now, but I can get that list to you.

Commissioner Holmes said, okay.

Commissioner Thomas said, I would agree with that.

Commissioner Holmes said, thanks.

Chairman Scott said, Commissioner Kicklighter of the 7th and Commissioner Brady of the 6th.

Commissioner Kicklighter said, thank you, Mr. Chairman. So, Ms. Heap, did -- basically what you just presented, did you state that you have a way that we wouldn't have to necessarily roll them into the county plan that -- that could increase?

District Attorney Heap said, there is a county plan currently --

Commissioner Kicklighter said, I'm saying as county employees. I guess I -- yeah, I didn't say that.

District Attorney Heap said, they are county employees and they are paid by the county, but we adopted -- years ago Mr. Lawton adopted a state-paid plan that when the state got an increase as did the county. Does -- am -- am I explaining that correctly? Or do you understand?

Commissioner Kicklighter said, yeah, I do know.

Commissioner Brady said, in other words, they're not getting paid --

Chairman Scott said, in other words, they -- they opted --

Commissioner Kicklighter said, oh wow.

Chairman Scott said, -- they opted to participate in pay increases at the state level and not at the county level, and the State --

Commissioner Kicklighter said, but they --

Chairman Scott said, -- has not provided any increases in quite some time.

Commissioner Kicklighter said, but they still are --

Commissioner Brady said, county employees.

Chairman Scott said, they're still county employees.

Commissioner Kicklighter said, county employees. Wow.

District Attorney Heap said, and the state did -- and I must -- the state did get an increase, and -- but my county attorneys did not. They received an increase this year, but my county attorneys have not.

County Attorney Hart said, the -- what you've got is you got no state COLAs and then you got local county COLAs which creates a, you know, difference in the two classes of people.

Commissioner Kicklighter said, well --

County Attorney Hart said, and then this year the state did give a raise on their side of the equation, which the county didn't give a raise 'cause we gave a COLA, which, you know -- you're constantly doing this.

District Attorney Heap said, but -- but my attorneys did not get the COLA.

County Attorney Hart said, yeah. Correct. So it's constantly. If you got them all in one pot, at least you'd have them all -- all corrected as best you could.

Commissioner Kicklighter said, right. Well --

County Attorney Hart said, eventually.

Commissioner Kicklighter said, -- I tell you, the two and a half percent that you're speaking about, that's basically what they would have gotten had they not --

Chairman Scott said, yeah.

Commissioner Kicklighter said, -- opted out?

Chairman Scott said, this is an opportunity for them to opt back in.

Commissioner Kicklighter said, yeah. I -- I personally just see this as the right thing to do. I mean I -- I know I just spoke about not wanting to -- but, you know, I didn't hear an argument from -- from the other, but I've heard an argument, and to me this is just simply the right thing to do, and if there's a -- ever a use for a little bit of money from a contingency, doing the right thing I can feel pretty good about.

Chairman Scott said, we haven't --

Commissioner Kicklighter said, and --

Chairman Scott said, we haven't heard any serious opposition to it. At least we didn't hear in the green room. We were just talking about --

Commissioner Kicklighter said, right.

Chairman Scott said, but this -- this request requires a lot of other things.

Commissioner Thomas said, right.

Chairman Scott said, and -- and we learn about the financial impact of that on the budget going forward, and all we were saying -- all that the Vice Chair was saying was delay it until the next meeting before you a -- approve it so we can understand the impact going forward -- sort of the financial impact of the budget going forward. I don't think anybody is -- is trying to say -- at least I haven't heard any opposition to the two and a half percent.

Commissioner Thomas said, no. We're not against it.

Commissioner Kicklighter said, no, sir.

Chairman Scott said, effective January. And -- and we -- we can pretty much -- we know what that costs. It's the other stuff in here that we don't know what it's going to cost.

Commissioner Kicklighter said, well --

Chairman Scott said, and let me -- Commissioner Brady had a question.

Commissioner Kicklighter said, the --

Commissioner Brady said, I just have a comment.

Chairman Scott said, okay.

Commissioner Brady said, Ms. Heap, I think that your request is -- is very admirable on behalf of your -- your employees in the District Attorney's Office. I think it's deserving. I am supportive of it. I do think that we need to know -- you should never really pay people out of contingency.

Commissioner Thomas said, that's right.

Commissioner Brady said, that becomes a problem because it's an ongoing payment because it's a salary, and I think the delay will act -- actually give us more information about the future impact, but it is admirable, and I think it causes strife in your office and other people's offices that are in the same situation in the private sector when salaries are different for people like yours are. And again, I'm supportive of it, but I -- I do support the fact that we can look at it further until the next meeting and then my -- if the information comes back the way I think it should come back or hope it comes back on your behalf, I -- I don't have any problem supporting this at all.

District Attorney Heap said, thank you.

Chairman Scott said, at this time I'll recognize our Vice Chair, Commissioner Thomas for a motion.

Commissioner Thomas said, thank you Mr. Chair -- Chairman. Let me preface my motion by saying that every county in Georgia is struggling with this financial question. It's not just germane to Chatham County. Having said that, I would like to move to refer this back to staff for financial impact study and report back to the Commission at the January 17th meeting.

Commissioner Shabazz said, second.

Commissioner Stone said, second.

Commissioner Thomas said, that's my motion.

Chairman Scott said, properly moved and second by both Shabazz and Commissioner Stone, and -- so we have a motion on the floor. Is there any further discussion? I recognize -- does anybody else want to speak? If not I'll recognize Commissioner Kicklighter and then one of our Youth Commission has a question, Youth Commissioner Hall.

Commissioner Kicklighter said, thank you. Contrary to what I stated earlier in the day here, I have the -- nothing but the highest respect for district attorneys.

District Attorney Heap said, well, I was hoping I wasn't included in that comment.

Commissioner Kicklighter said, I just want to let you know that even if the study comes back showing some type of negative impact that I will support your request simply because it's the right thing to do and should a financial crisis be created, I'm willing to look at non-essential services that this Board funds and cut them first. It's my opinion always fine as long as you know you're doing the right thing and giving people in your office the same amount -- equal pay, that's simply the right thing to do.

District Attorney Heap said, I appreciate that.

Commissioner Kicklighter said, so hopefully it will all work out.

District Attorney Heap said, thank you.

Chairman Scott said, okay. Any further discussion on the motion? Ms. Hall did you?

Youth Commissioner Malena Hall asked, I have a question. What is the salary for a District Attorney?

Chairman Scott said, I -- I'll let the DA speak to that, but it -- it varies and it depends on what level you're hired at.

District Attorney Heap said, starting out -- yes. Yes.

Chairman Scott said, based on experience.

District Attorney Heap said, when you start out it's \$47,000 right out of law school, and keep in mind most of these people coming out of law school have, you know 50,000, \$100,000 in loans, school loans, so it is huge. But they go into the field because it's their passion not because they were going to get paid the big bucks.

Commissioner Kicklighter said, right.

Chairman Scott said, Commissioner Green I see it's peaked your interest now.

District Attorney Heap said, come talk to me afterward.

Youth Commissioner Monica Green said, I have a question, as well. Someone mentioned a COLA. I would like to know what is a COLA and what is it used for?

Commissioner Shabazz said, good question.

Commissioner Thomas said, good question.

Chairman Scott said, okay.

County Manager Abolt said, it's a cost of living adjustment. It's one of three things used in the pay plan. A COLA is only one leg on a three-legged stool. You also have market adjustments and reclassifications, but COLAs in and of themselves do not adequately fund compensation.

Youth Commissioner Monica Green said, so it's a --

Commissioner Brady said, COLA -- COLA is an acronym.

County Manager Abolt said, cost of living adjustment.

Youth Commissioner Monica Green said, oh. Okay.

Commissioner Brady said, cost of living adjustment.

Youth Commissioner Green said, thank you.

County Manager Abolt said, yes. Thank you.

Commissioner Thomas said, good question.

Commissioner Kicklighter said, he lost me on the three-legged stool. I saw your face, so.

Youth Commissioner Monica Green said, I know. I was like okay.

Chairman Scott said, any further discussion before we vote?

Commissioner Shabazz said, yeah. I want to say something.

Chairman Scott said, go ahead. Commissioner Shabazz.

Commissioner Shabazz said, you say the salary of a district attorney is \$47,000?

District Attorney Heap said, it starts out there, yes, sir.

Commissioner Shabazz said, okay. What's -- what's yours?

District Attorney Heap said, it's 130 something. I -- I apologize. I don't know the exact amount.

Commissioner Shabazz said, 130 something?

District Attorney Heap said, yes. And -- and you reach that point as -- as you go on. I've been practicing law over 20 years.

Commissioner Shabazz said, right. Okay.

Chairman Scott said, yeah. Okay. No further discussion, all in favor of the motion that we delay this until our January 17th meeting for staff to provide a financial impact study and further information concerning the proposal. All in favor of the motion indicate by voting yes, opposed no. The motion carries.

District Attorney Heap said, thank you again. May be -- maybe we -- may we be excused at this time?

Commissioner Kicklighter said, Merry Christmas.

Chairman Scott said, go prosecute somebody.

District Attorney Heap said, yes, sir. I will.

ACTION OF THE BOARD:

Commissioner Thomas moved the Board to refer this back to staff for financial impact study and report back to the Commission at the January 17th meeting. Commissioners Shabazz and Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present.]

AGENDA ITEM: IX-5

AGENDA DATE: December 20, 2013

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Linda B. Cramer, Assistant County Manager

ISSUE:

Board consideration of the District Attorney's request for approval of a revised pay plan and salary schedule for assistant district attorneys and related staff pay increases, and approval to tie future compensation increases for the assistant district attorneys to the pay plan and to general County pay adjustments.

BACKGROUND:

In previous years the District Attorney had decided to exclude their employees from the County's Personnel Ordinance. Consequently, these employees have not received pay adjustments in step with

other county employees. Instead, the County has followed the State of Georgia's lead in granting salary increases. Assistant District Attorneys (ADAs) in the District Attorney's

Office, the Child Support Enforcement Office and the Victim Witness Assistance Program are impacted by this policy. In June 2013 the State adjusted the step pay plan for State paid ADAs.

FACTS AND FINDINGS:

1. The District Attorney is requesting that the Board approve the following:
 - a. A new salary schedule and pay plan for ADAs who are paid by the County.
 - b. Pay increases related to the revised pay plan with an effective date of January 1, 2014, and
 - c. Restoration of future general county pay adjustments to ADA positions within her department.
2. Chatham County's ADAs are either employed by the State or County. If employed by the State, the employee receive a paycheck from the State, and any salary increases fall under State policies. State paid employees may also receive supplemental pay from the County. If employed by the County, the employee would receive a County paycheck but compensation increases are tied to State salary adjustments. Over time the two pay plans (State and County) have created compensation disparities between State paid and County paid staff.
3. The intent of the revised ADA salary schedule is to bring County paid ADA compensation in line with State paid positions to that individuals working side by side in the department earn a comparable salary. In formulating the pay plan, the District Attorney tried to match County compensation to earnings of State paid employees. The pay plan includes the ADA step increase awarded by the State in June 2013.
4. The annual cost of the pay adjustments is \$162,000. The District Attorney has provided a spreadsheet showing the proposed pay adjustment for each employee (attached to the original staff report in the Clerk of Commission's meeting file.) The District Attorney would like to see the pay plan implemented by January 1, 2014.
5. The District Attorney has elected to tie future compensation increases for the County Paid ADAs to the approved pay plan and general County pay adjustments. Compensation for these employees will no longer be tied to State salary adjustments.
6. Employees who work under the direction of the District Attorney are not covered by the County's Personnel Ordinance. The District Attorney would like to continue this practice.
7. Human Resources staff and the County's compensation consultant have not had an opportunity to review the proposed pay plan.
8. The County pay adjustment of July 2013 was provided to full-time County employees who fell under the County's Personnel Ordinance. Employees who work under the direction of the District Attorney did not receive the County pay adjustment. Other departments with employees who fall outside of the County's Personnel Ordinance also did not receive the recent County pay adjustment. Many of these employees work for the court system or the library.

FUNDING:

Funding is not available in the District Attorney's departments for the pay increases. Funds would need to be drawn from the General Fund M&O Restricted Contingency account. The annual cost of the pay adjustments is \$162,000. Since the County is halfway through its fiscal year, the cost for the remainder of 2014 is \$81,000.

POLICY ANALYSIS:

The Board of Commissioners' approval is required to amend departmental budgets and salary line items. Under this request, County paid ADAs would receive general pay adjustments as granted by the Board of Commissioners instead of the State of Georgia. However, these employees would not fall under the County's Personnel Ordinance.

ALTERNATIVES:

1. Approve the pay plan and pay adjustments for assistant district attorneys requested by the District Attorney, and approve the District Attorney's request to tie future compensation increases for the County Paid ADAs to the pay plan and to general County pay adjustments, or
2. Review the request as part of the fiscal year 2015 budget process. This would give Human Resources staff sufficient time to review the pay plan and provide input, or
3. Provide staff with other direction.

RECOMMENDATION:

Staff recommends Alternative 2.

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ORDER OF THE AGENDA

Chairman Scott said, now we will hear from our --

County Attorney Hart said, Mr. Chairman?

Chairman Scott said, -- our distinguished director of the CNT for his monthly report and hopefully he will have good news for us.

County Attorney Hart said, Mr. Chairman -- Chairman? Chairman? Excuse me.

County Manager Abolt said, go ahead. I was going to introduce Jon.

County Attorney Hart said, Mr. Chairman before we proceed with that report, I would ask that the Commission add to the agenda an item to re-affirm or re-approve a Resolution authorizing the Chairman, Vice Chairman, and Assistant County Manager Michael Kaigler be able to execute legal documents necessary to conclude the Blue Sky transaction and transfer.

Commissioner Stone said, so moved.

Commissioner Farrell said, second.

Chairman Scott said, properly moved and second that we amend the agenda to add an item to grant the authority for the Assistant County Manager and the Chairman to sign documents. This is needed because we have some documents that need to be re-executed that has the signatures of people who are no longer on the Commission and who's no longer employed with the County.

County Attorney Hart said, thank you.

Chairman Scott said, hearing the motion, any discussion? Hearing none. All in favor indicate by voting yes, opposed no.

Commissioner Kicklighter said, Mr. Chairman, may I say something before Director Ragan starts?

Chairman Scott said, yeah. Let's go ahead and dispose of this. This -- this is now on the agenda.

Commissioner Kicklighter said, yeah. No.

Chairman Scott said, this is now on the agenda and out of an abundance of caution I'd like to -- I'd like to move that we -- we adopt.

Commissioner Stone said, I -- I make a motion to approve it.

Chairman Scott said, yes.

Commissioner Thomas said, second.

Chairman Scott said, it's been properly moved and second. All in favor of the motion indicate by voting yes, opposed no. Okay. It's on the agenda, and it's adopted. All right?

ACTION OF THE BOARD:

- a. Commissioner Stone moved to add to the agenda re-affirmation of a Resolution authorizing the Chairman, Vice Chairman, and Assistant County Manager Michael Kaigler be able to execute legal documents necessary to conclude the Blue Sky transaction and transfer. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present; Commissioner Thomas did not vote.]
- b. Commissioner Stone moved to approve the Resolution authorizing the Chairman, Vice Chairman, and Assistant County Manager Michael Kaigler be able to execute legal documents necessary to conclude the Blue Sky transaction and transfer. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present; Commissioner Farrell was not present for the vote.]

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6. CNT MONTHLY REPORT GIVEN VERBALLY BY DIRECTOR RAGAN.

Chairman Scott said, now I'll recognize Commissioner Kicklighter in advance of Dr. Ragan's comments.

Commissioner Kicklighter said, I just -- thank you. I just want Mr. Ragan to know that the Anchorman would be highly disappointed in him for shaving that mustache off, you know. So, barely recognizable now, so. That was it .

Director D. Everette Ragan said, that -- I can understand Ron Burgundy's position, however, my dermatologist felt that it was -- I could -- she could have a better look at my lip with the mustache gone so.

Chairman Scott said, he -- he approached me in the green room, and I didn't know who he was.

Commissioner Kicklighter said, I didn't either. I didn't either.

Director Ragan said, it was a -- it was a hesitant fist pump -- bump by Mr. -- by the Chairman 'cause he didn't recognize who I was. Ladies and gentlemen, Mr. Chairman and Members of the Board, month of November, again, was a -- was a good -- good month for CNT. We initiated 72 investigations, we've closed out 30 so far, participated in one of the neighborhood meetings in the W.W. Law Community Center town meeting. For the month we recovered and seized \$129,074 worth of drugs. That brought our total so far for the year to \$1,983,448 so far, and I'm happy to report that my January report for the month of December will -- with what we've already recovered will put us over the 2 million mark so far for -- for this year of drugs taken off the streets of Chatham County. Recovered 39 weapons, 39 firearms this month, so it was a -- I was -- good bump, a large recovery for us. Again, that brings us to 97 for the month -- for the -- for the year of recovered weapons. Total arrest were 22 and that brings us to 353 so far. I hope each of you have been able to see the event -- statistics for your individual Districts. Hours expended in precincts, the graph shows that. Again, hours expended in municipalities year to date shows how well we're doing there.

Director Ragan said, a couple of significant events we had, one was the -- the November the 7th arrest and seizure. This took place at a business on Broughton Street. A gentleman was having his marijuana brought into the business, distributing to individuals. A pound or two -- or two pounds at the time of marijuana at which time we executed that search warrant, and 13 pounds of marijuana were recovered, 12 firearms. We recovered the firearms primarily at his residence. He had one residence that he lived out in Berwick, off 17 is where he lived. He had a safe house and -- and drug distribution place on 37th that we also served. And again on November the 8th, we assisted Pooler. They had a major burglary. Guns were shopped -- were swapped for drugs. They came to us. We did an eight-hour operation. A -- a meeting was set up and established probable cause for an -- a search warrant for the residence. We did the search warrant. We got two ounces of powder cocaine, four ounces of marijuana. We also recovered 19 stolen fire arms and a \$20,000 Rolex out of that investigation that -- that was done. So. November good month. 2013 has been a good year, and we look forward to doing even more come 2014. Thank you very much. Any questions?

Chairman Scott said, any questions for Director Ragan?

Commissioner Thomas said, thank you.

Chairman Scott said, thank you, we appreciate it.

ACTION OF THE BOARD:

For information only.

[NOTE: CNT monthly Report filed in Clerk of Commission's meeting file.]

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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, at -- at this time we are -- we're on page 6 with the Action Calendar. There was no indication of anything being pulled off the Action Calendar in the green room. Is that still the case? If so I'll entertain a motion at this time.

Commissioner Farrell said, I move --

Commissioner Stone said, Mr. Chairman -- okay. Go ahead.

Chairman Scott said, recognize Commissioner Farrell for the purpose of a motion.

Commissioner Farrell said, I move that we approve the Action Calendar in its entirety.

Commissioner Stone said, second.

Commissioner Shabazz said, second.

Chairman Scott said, properly moved and second that we approve the Action Calendar as presented by staff in its entirety. Hearing the motion any discussion? Hearing none, all in favor indicate by voting yes, opposed no. The motion carries. Okay.

ACTION OF THE BOARD:

Commissioner Farrell moved to approve the Action Calendar, Items 1 through 10 and under Item 10, Items A through K. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present; Commissioners Brady and Kicklighter were not present for the vote.]

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

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1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF DECEMBER 6, 2013, AS MAILED.

ACTION OF THE BOARD:

Commissioner Farrell moved to approve the minutes of the regular meeting of December 6, 2013, as mailed. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present; Commissioners Brady and Kicklighter were not present for the vote.]

=====

2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD NOVEMBER 27, 2013 THROUGH DECEMBER 11, 2013.

ACTION OF THE BOARD:

Commissioner Farrell moved to authorize the Finance Director to pay the claims against the County for the period November 27, 2013 through December 11, 2013, in the amount of \$2,939,674. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present; Commissioners Brady and Kicklighter were not present for the vote.]

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3. REQUEST BOARD TENTATIVELY SET THE DAYS AND TIMES FOR THE REGULAR COMMISSION MEETINGS FOR 2014. THE BOARD WILL BE ASKED TO CONFIRM ADOPTION OF THE CALENDAR AT THE FIRST MEETING OF 2014.

ACTION OF THE BOARD:

Commissioner Farrell moved for approval to tentatively set the days and times for the regular Commission Meetings for 2014. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present; Commissioners Brady and Kicklighter were not present for the vote.]

AGENDA ITEM: X-3
AGENDA DATE: December 20, 2013

TO: Board of Commissioners
FROM: R.E. Abolt, County Manager

ISSUE:

To tentatively set the days and time for regular Commission meetings for 2014. The Board will be asked to confirm adoption of the calendar at the first meeting of 2014.

BACKGROUND:

The County's Enabling Act requires the action be taken during the first meeting of the Board each year.

FACTS AND FINDINGS:

1. The Enabling Act states:
The Board of Commissioners shall hold two regular meetings each month except as may otherwise be determined by the Board of Commissioners, as the County seat for all matters requiring action of an administrative or policy nature, and for all matters advertised or scheduled for hearing in which the public will be asked to speak for or against the items under consideration, which meetings shall be open to the public. At the first meeting of the Board of Commissioners in January of each year, the Board of Commissioners shall set the days and the time when it will hold its regular meetings. Meeting hours for the public hearings may be changed by action of the Board of Commissioners and may be held at such hour as stated in the public notice of the date and time of such hearing. Special or additional meetings may be held as necessary upon call of the Chairman or any five members of the Board of Commissioners, provided all members of the Board of Commissioners have been notified at least 24 hours in advance of such special or additional meeting, and such notice shall specify the subject matter to be considered.
2. The Commission has met on the second and fourth Fridays of the month in the past except in January, November and December. When possible, the Board holds one meeting during the month of January. The meetings in November and December are held on the first and third Fridays to allow for the holidays. Changing to the first and third Fridays in November and December will allow at least two weeks between meetings.
3. The Chamber will hold Savannah-Chatham Day in Atlanta on January 30, 2014. This will not conflict with the second and fourth Friday schedule.
4. The ACCG Capitol Connection Conference will be February 3-4, 2014. This will not be a conflict.
5. The NACo Legislative Conference will be March 1-5, 2014, in Washington, D.C. This will not conflict with the second and fourth Friday schedule.
6. The ACCG Annual Meeting will be April 12-14, 2014 in Chatham County. This will not be a conflict.
7. In 1998 the Board asked that in future years meetings not be scheduled on Good Friday. In 2014 Good Friday will be on April 18th. This will not conflict with the second and fourth Friday schedule.
8. The NACo Annual Conference will be July 11 - 14, 2014, in New Orleans, Louisiana. This will conflict with the second and fourth Friday schedule, but should not pose a quorum problem.
9. The ACCG Legislative Leadership Conference will be October 9-10, 2014, in Athens. This will be a conflict, but should not pose a quorum problem.
10. Currently the pre-meeting is scheduled for 9:00 a.m. to be followed immediately by the regular meeting, generally at 9:30 a.m.
11. A calendar showing County holidays for 2014 and tentative Commission meeting dates is attached to the original staff report in the Clerk of Commission's meeting file.

ALTERNATIVES:

1. Set meeting time to immediately follow 9:00 a.m. pre-meeting and set dates for January 17th, the second and fourth Fridays in February through October and first and third Fridays in November and December, schedule to be confirmed at first meeting of the year, January 17, 2014.
2. Set meeting time and dates as designated by Commissioners, schedule to be confirmed at first meeting of the year, January 17, 2014.

POLICY ANALYSIS:

Compliance with the Enabling Act.

FUNDING:

Not applicable.

RECOMMENDATION:

Alternative #1.

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- 4. REQUEST APPROVAL TO AMEND THE CHATHAM COUNTY CAFETERIA PLAN RELATED TO THE FLEXIBLE SPENDING ACCOUNT (FSA) COMPONENT TO PERMIT UP TO \$500 IN AN EMPLOYEE'S HEALTH FSA REMAINING UNUSED AT THE END OF A PLAN YEAR TO BE CARRIED OVER AND USED TO REIMBURSE MEDICAL EXPENSES INCURRED IN THE FOLLOWING YEAR.**

ACTION OF THE BOARD:

Commissioner Farrell moved to amend the Chatham County Cafeteria Plan related to the flexible spending account (FSA) component to permit up to \$500 in an employee's health FSA remaining unused at the end of a plan year to be carried over and used to reimburse medical expenses incurred in the following year. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present; Commissioners Brady and Kicklighter were not present for the vote.]

AGENDA ITEM: X-4

AGENDA DATE: December 20, 2013

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Carolyn A. Smalls, Human Resource Director

ISSUE:

To amend the Chatham County Cafeteria Plan related to the Flexible Spending Account (FSA) Component to permit up to \$500 in an employee's health FSA remaining unused at the end of a plan year to be carried over and used to reimburse medical expenses incurred in the following year.

BACKGROUND:

The Cafeteria Plan allows employees to make pre-tax salary deferral contributions up to \$2,500 per year into a health FSA. Any amounts contributed to the employee's FSA that remain unused at the end of the plan year are forfeited. The IRS permits plans to have a so-called "run-out period" and/or "grace period" under which the time for submitting claims beyond the plan year are extended. Chatham County's FSA Plan contains a "run-out period" under which a participant may submit claims for eligible medical expenses incurred during the plan year for up to three months after the end of the plan year. Chatham County's FSA plan does not contain a "grace period" under which an employee may incur expenses up to two and a half months past the end of the plan year.

FACTS AND FINDINGS:

1. On October 31, 2013, the IRS amended the rules regarding health FSAs to permit employers to amend their cafeteria plans to allow employees to carry over up to \$500 into the next plan year.
2. The \$500 carryover does not count toward the \$2,500 annual limit on salary deferrals. Participants may carryover \$500 from their unused health FSA balance for the current plan year into the next plan year, and may also elect to contribute the full \$2500 limit for the next plan year, for a total of \$3,000 for the plan year.
3. Under the \$500 carryover rule, the health FSA may not use the "grace period" provision, but may use the "run-out period" provision, and Chatham County's Plan in compliance with that rule. Thus, no other provision of Chatham County's health FSA Plan needs to be amended in order to implement the \$500 carryover rule.
4. For the 2012 FSA plan year, for example, employees forfeited approximately six percent of deposits into health FSA due to nonuse. Adoption of the \$500 carryover provision should result in fewer forfeitures of employees deposits.
5. An Amendment to the Chatham County Cafeteria Plan is included as Attachment 1.

FUNDING:

No additional funding is required.

POLICY ANALYSIS:

The Board has authority to amend the FSA Plan based on changes to the IRS regulations.

ALTERNATIVES:

1. Amend the Chatham County Cafeteria Plan related to the health Flexible Spending Account (FSA) Component to permit up to \$500 in an employee's health FSA remaining unused at the end of a plan year to be carried over and used to reimburse medical expenses incurred in the entire following year.
2. Provide staff with other direction.

RECOMMENDATION:

That the Board adopt Alternative 1.

Attachment 1

STATE OF GEORGIA)
COUNTY OF CHATHAM)

CHATHAM COUNTY CAFETERIA PLAN

AN AMENDMENT TO THE CHATHAM COUNTY CAFETERIA PLAN

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

Article VII, Section 7.6, paragraph (a) Use-It-or-Lose-It-Rule, is amended by adding the following language:

Notwithstanding anything in the Plan Document to the contrary, health FSA Participants shall be allowed to rollover up to \$500 of any unused health FSA funds at the end of the 2013 Plan Year as well as the end of any subsequent Plan Year.

Furthermore, notwithstanding anything in the Plan Document to the contrary in the beginning with the 2013 Plan Year, there shall be no Grace Period made available for health FSA Participants.

ADOPTED AND APPROVED this 20th day of December, 2013.

Albert J. Scott, Chairman
Chatham County Commission

Janice E. Bocook, Clerk
Chatham County Commission

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5. REQUEST BOARD APPROVAL OF UPDATED COUNTY FINANCIAL POLICIES.

ACTION OF THE BOARD:

Commissioner Farrell moved to approve updated county financial policies. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present; Commissioners Brady and Kicklighter were not present for the vote.]

AGENDA ITEM: X-5
AGENDA DATE: December 20, 2013

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Amy Davis, Finance Director

ISSUE:

To request Board approval of updated County Financial Policies.

FACTS AND FINDINGS:

Updated financial policies are being recommended that reflect best practices and terminology. Some of the terminology changes result from recent accounting standards issued by the Government Accounting Standards Board (GASB) in regards to fund balance classification. Changes have also been made to the policies to clarify their intent and align the County with recommended best practices for local government financial management. Required authorization for budget amendments have been clarified in the Budgetary Policy. In addition, a new policy regarding the use of SPLOST revenues has been included, which incorporates the Title Ad Valorem Tax (TAVT).

FUNDING:

No funding required.

POLICY ANALYSIS:

Adopted financial policies should be used to frame major policy initiatives. Policies should be reviewed and, if necessary, updated to ensure continued relevance.

ALTERNATIVES:

1. That the Board approve the updated County Financial Policies as recommended by staff.
2. Provide other direction.

RECOMMENDATION:

That the Board approve Alternative 1.

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6. REQUEST BOARD AUTHORIZE THE CHAIRMAN, CLERK OF THE COMMISSION, COUNTY ATTORNEY AND COUNTY ENGINEER TO SIGN ALL REQUIRED DOCUMENTS TO ENABLE CHATHAM COUNTY TO PARTICIPATE IN THE LOCAL MAINTENANCE AND IMPROVEMENT GRANT (LMIG) PROGRAM WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION

ACTION OF THE BOARD:

Commissioner Farrell moved the Board to authorize the Chairman, Clerk of the Commission, County Attorney and County Engineer to sign all required documents to enable Chatham County to participate in the local maintenance and improvement grant program with the Georgia Department of Transportation. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present; Commissioners Brady and Kicklighter were not present for the vote.]

AGENDA ITEM: X-6

AGENDA DATE: December 20, 2013

TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Suzanne Cooler, P.E., Senior Engineer

ISSUE:

That the Board authorize the Chairman, Clerk of the Commission, County Attorney and County Engineer to sign all required documents to enable Chatham County to participate in the Local Maintenance and Improvement Grant (LMIG) Program with the Georgia Department of Transportation (GDOT).

BACKGROUND:

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

FACTS AND FINDINGS:

The application for the LMIG program requires submission of the projects and estimates for construction. All applications must be submitted by January 1, 2014 or funds are lost for this fiscal year.

ALTERNATIVES:

1. That the Board authorize the Chairman, Clerk of the Commission and County Engineer to sign all required documents to enable Chatham County to participate in the LMIG Program with the GDOT.
2. That the Board not approve participating in the LMIG program.

FUNDING:

No funding required to sign the agreement. There will be a 30% local match from SPLOST when projects are awarded.

POLICY ANALYSIS:

The Board must approve intergovernmental agreements.

RECOMMENDATION:

That the Board adopt Alternative 1.

District: All Districts

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7. REQUEST BOARD AUTHORIZE THE CHAIRMAN TO SIGN A RESOLUTION TO APPLY FOR A COASTAL INCENTIVE GRANT AND COMMIT UPON AWARD OF THE GRANT TO ENTER INTO A PROJECT AGREEMENT WITH THE GEORGIA DEPARTMENT OF NATURAL RESOURCES COASTAL RESOURCES DIVISION.

ACTION OF THE BOARD:

Commissioner Farrell moved to authorize the Chairman to sign a Resolution to apply for a Coastal Incentive Grant and commit upon award of the grant to enter into a project agreement with the Georgia Department of Natural Resources Coastal Resources Division. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present; Commissioners Brady and Kicklighter were not present for the vote.]

AGENDA ITEM: X-7

AGENDA DATE: December 6, 2013

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

ISSUE:

To authorize the Chairman to sign a resolution to apply for a Coastal Incentive Grant and commit upon award of the grant to enter into a Project Agreement with the Georgia Department of Natural Resources Coastal Resources Division (CRD).

BACKGROUND:

The Coastal Incentive Grant (Grant) provides grant money to communities with goals consistent with the Georgia Coastal Management Program (Program). Staff can demonstrate Chatham County's open space and conservation efforts are consistent with the Program. The Grant application requires a resolution from the Board of Commissioners to commit to Project Agreement upon award of the Grant. Upon signature by the Chairman, staff will complete the application package and submit to the CRD.

FACTS AND FINDINGS:

1. Chatham County owns over 3,000 acres of open space and/or conservation lands. A goal of the County's Open Space/Conservation Program is to increase recreational opportunities for the public. Greenways are natural pathways and multi-use trails that provide for alternative modes (walking, biking, etc.) and create connections between public interest points. The Grant would provide for development of a Chatham County Greenway Implementation Plan.
2. Chatham County's National Pollutant Discharge Elimination Municipal Separate Storm Sewer System (MS4) Permit requires Chatham County to inventory all green infrastructure and greenways and develop a maintenance plan. The Grant would provide for funding to assist with the inventory collection and development of a maintenance plan as required by the MS4.
3. Chatham County will provide the required matching funds with staff's time.

ALTERNATIVES:

1. To authorize the Chairman to sign a resolution to apply for a Coastal Incentive Grant and commit upon award of the grant to enter into a Project Agreement with the Georgia Department of Natural Resources Coastal Resources Division (CRD).

- 2. Do not approve the request.

POLICY ANALYSIS:

The Board must authorize intergovernmental agreements.

RECOMMENDATION:

That the Commissioners adopt Alternative No 1.

All Districts

PREPARED BY: Suzanne Cooler, P.E.



RESOLUTION OF THE CHATHAM COUNTY BOARD OF COMMISSIONERS TO APPLY FOR A COASTAL INCENTIVE GRANT AND COMMIT UPON AWARD OF THE GRANT TO ENTER INTO A PROJECT AGREEMENT WITH THE GEORGIA DEPARTMENT OF NATURAL RESOURCES COASTAL RESOURCES DIVISION.

WHEREAS, Chatham County has acquired over 3,000 acres within the past five years for open space and/or conservation, and

WHEREAS, a goal of the open space/conservation program is to increase recreational opportunities for the public, and

WHEREAS, greenways are defined as natural pathways and multi-use trails that provide for alternative transportation modes (walking, biking, etc.) and create connections between civic and public interest points, and

WHEREAS, the mission of the Coastal Incentive Grant as part of the Georgia Coastal Management Program is consistent with the goals of Chatham County's open space/conservation program and the desire to create a county-wide greenway plan, and

WHEREAS, Chatham County is desirous of obtaining a Georgia Department of Natural Resources Coastal Incentive Grant for the development of a Chatham County Greenway Implementation Plan.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of Chatham County,

Does hereby authorize staff to apply for a Coastal Incentive Grant through the Georgia Department of Natural Resources Division. Upon award of the grant, the Board of Commissioners shall enter into a Project Agreement between the Board of Commissioners and Georgia Department of Natural Resources Coastal Resources division.

Adopted the _____ day of December, 2013.

BOARD OF COMMISSIONERS
CHATHAM COUNTY

Albert J. Scott, Chairman

Attest: _____
County Clerk

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- 8. **REQUEST BOARD APPROVE A REQUEST FROM MR. KEVIN WITTENDORF FOR THE COUNTY TO DECLARE HALF OF AN UN-OPENED ALLY RIGHT OF WAY LOCATED ADJACENT TO HIS PROPERTY ON BEECHWOOD AVENUE AS SURPLUS AND TO QUITCLAIM THE RIGHT OF WAY. [DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Farrell moved for approval of a request from Mr. Kevin Wittendorf for the County to declare half of an un-opened ally right of way located adjacent to his property on Beechwood Avenue and surplus and to Quitclaim the right of way. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present; Commissioners Brady and Kicklighter were not present for the vote.]

AGENDA ITEM: X-8

AGENDA DATE: December 20, 2013

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

ISSUE:

To present to the Board a request from Mr. Kevin Wittendorf for the County to declare half of an un-opened alley right of way (ROW) located adjacent to his property on Beechwood Avenue as surplus and to quitclaim the ROW.

BACKGROUND:

The petitioner owns the parcel (PIN 1-0377-09-0013) which forms the western boundary of the alley ROW. The ROW remains un-opened and is not maintained by Chatham County.

FACTS AND FINDINGS:

1. The location of the request is shown on the map attached (to the original staff report in the Clerk of Commission's meeting file). Mr. Wittendorf requests quitclaim of half of the 20' wide ROW adjacent to his parcel.
2. Staff evaluated the ROW and determined the right-of-way is not needed for drainage or roadway purposes.
3. The petitioner was notified of the quitclaim consideration and advised as to the date and time of the meeting.
4. If approved, the petitioner must pay the County the fair market value for the ROW to be determined by a professional appraisal, and provide the necessary appraisal, deed, and plat at his expense. The appraiser is selected by the petitioner and must be certified as a professional appraiser by the State of Georgia. Staff will review the submitted appraisal, deed and plat for completeness and reasonableness before the deed is sent to the County Clerk for processing and the fair market value payment check is

ALTERNATIVES:

1. To approve a request from Mr. Kevin Wittendorf for the County to declare half of an un-opened alley right of way (ROW) located adjacent to his property on Beechwood Avenue as surplus and to quitclaim the ROW.
2. Do not approve the request.

POLICY ANALYSIS:

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

RECOMMENDATION:

That the Commissioners adopt Alternative No 1.

District 1

PREPARED BY: Suzanne Cooler, P.E.

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- 9. REQUEST BOARD ACCEPT THE DONATION FROM MR. ROBERT BELL OF 1.55 ACRES OF LAND LOCATED AT 194 BATTERY CIRCLE ON WHITEMARSH ISLAND FOR CONSERVATION AND/OR GREEN SPACE.
 [DISTRICT 3]**

ACTION OF THE BOARD:

Commissioner Farrell moved for Board acceptance of the donation from Mr. Robert Bell of 1.55 acres of land

located at 194 Battery circle on Whitemarsh Island for conservation and/or greenspace. Commissioners Stone and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present; Commissioners Brady and Kicklighter were not present for the vote.]

AGENDA ITEM: X-9**AGENDA DATE: December 20, 2013**

TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Michael A. Kaigler, Assistant County Manager

ISSUE:

To accept the donation of land from Mr. Robert K. Bell, Jr. located at 194 Battery Circle on Whitemarsh Island.

BACKGROUND:

Mr. Bell approached the County to offer to donate 1.55 acres of land located on Whitemarsh Island with frontage on Battery Circle.

FACTS AND FINDINGS:

1. The property owner is willing to quitclaim the property known as PIN 1-0084-05-019 shown as Lot 2 in the attached plat of Battery Place prepared by Bert B. Barrett, Sr., dated October 26, 1996 to Chatham County for conservation and/or green space.
2. Mr. Bell has provided a Title Opinion, a Phase I Environmental Site Assessment and appropriate quitclaim deed. The Environmental Site Assessment revealed no potential threat on the property.
3. The Metropolitan Planning Commission Executive Director noted that the property appears to have natural resources on site, is within close proximity to properties of historical significance and has the potential to be an asset to the County and land conservation efforts.

FUNDING:

No funds are requested.

POLICY ANALYSIS:

Board action is required to accept ownership of real property.

ALTERNATIVES:

1. Board accept the donation of land from Mr. Robert K. Bell, Jr. located at 194 Battery Circle on Whitemarsh Island.
2. Board to provide staff with other direction.

RECOMMENDATION:

That the Board adopt Alternative #1.

District 3.

=====

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

ACTION OF THE BOARD:

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

AGENDA ITEM: X-10 A thru K
AGENDA DATE: December 20, 2013

TO: BOARD OF COMMISSIONERS

THRU: R.E. ABOLT, COUNTY MANAGER

FROM: MICHAEL A. KAIGLER, ASSISTANT COUNTY MANAGER

SUBJECT: AWARD OF BIDS

ITEM A

ISSUE: Request Board approval of a \$10,574 purchase of a Trimble GPS device with hardware and software from GPServ, Inc., for Public Works and Park Services.

BACKGROUND: Chatham County receives coverage under the National Pollutant Discharge and Elimination System (NPDES) Phase I Municipal Separate Storm Sewer System (MS4) Permit issued on April 12, 2012 as required by the provisions of the Georgia Water Quality Control Act and the Federal Clean Water Act. The County's goal is to annually inspect 20% of MS4 System facilities to satisfy the reporting requirement of the issued permit. GPS surveying is required to locate and document existing and new storm water infrastructure within Chatham County and unincorporated districts to consistently add to the storm water inventory and improve information therein. This purchase would permit Public Works to achieve this objective as the existing devices and software performing this job are obsolete and must be replaced or upgraded.

FACTS AND FINDINGS:

1. Staff obtained pricing from the following vendors for the purchase. Responses are as follows:

GPServ, Inc. Orlando, FL	\$10,574
Navigation Electronics, Inc. Norcross, GA	\$11,783
Bradshaw Consulting Services, Inc. Aiken, SC	\$11,999
2. These devices and the accompanying software are crucial to meeting Georgia EPD reporting requirements for Chatham County's storm water discharge permit.
3. Staff believes the total cost to be fair and reasonable.

FUNDING: SSD - Public Works
(2704100 - 54.24002)

ALTERNATIVES:

1. Board approval of a \$10,574 purchase of a Trimble GPS device with hardware and software from GPServ, Inc., for Public Works and Park Services
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary computer equipment system support for hardware and software for the using departments.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
NICK BATEY

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM B

ISSUE: Request Board approval of \$12,322 for annual software maintenance renewal for WebEOC system and Double-Take applications from ESi Acquisitions, Inc., for the Chatham Emergency Management Agency (CEMA).

BACKGROUND: WebEOC is a web-enabled, crisis incident management system that integrates CEMA's data sources to a common platform. It allows authorized emergency managers and first responders with internet access to enter and view incident information.

FACTS AND FINDINGS:

1. Double-Take is a replication and availability suite that makes the available critical data, system and applications more secure and accessible.
2. Support renewal for these licenses is essential to the EOC when exporting out critical reports to FEMA, GEMA, local elected officials and supporting agencies.
3. The Double-Take maintenance was pro-rated to expire with WebEOC maintenance resulting in a cost increase due to the additional months of support.
4. Staff believes the total cost of \$12,322 to be fair and reasonable.

FUNDING: CEMA - Reimbursable Expenses
(1009957 - 57.10111)

ALTERNATIVES:

1. Board approval of \$12,322 for annual software maintenance renewal for WebEOC system and Double-Take applications from ESi Acquisitions, Inc., for the Chatham Emergency Management Agency (CEMA).
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary computer support for applications for the using departments.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
NICK BATEY

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM C

ISSUE: Request Board approval of \$63,550 for the purchase of Video Arraignment Systems from Business Information Systems, Inc., of Ft. Lauderdale, FL, for four (4) courtrooms at the Chatham County Detention Center.

BACKGROUND: The Chatham County Detention Center requires video arraignment systems for the four (4) Courtrooms at Building C2 of the new facility.

FACTS AND FINDINGS:

1. The existing video arraignment system is not adequate for use in the four new courtrooms at the new facility.
2. A Request for Bid was properly advertised and four (4) bids were received on November 27, 2013. The bidders were:

	Lightspeed Datalinks Columbus, GA	\$ 34,792
*	Quality Communications, Inc. Savannah, GA	\$49,652
	BIS Digital, Inc. Ft. Lauderdale, FL	\$ 63,550
	Stage Front Presentation Systems Savannah, GA	\$ 103,206
* MBE		

3. Upon review of the bids and equipment lists submitted by each vendor, the CCDC IT staff determined that the bids received from Lightspeed Datalinks and Quality Communication, Inc., did not conform to the bid requirements. Therefore, the CCDC IT staff recommended to award the bid to Business Information Systems, Inc.
4. Stage Front Presentation Systems, Inc., of Savannah, GA, was offered the local vendor preference to match Business Information Systems, Inc., bid but they declined.

FUNDING: CIP - Detention Center Expansion SPLOST project
(3803355 - 54.23001 - 38060407)

ALTERNATIVES:

1. Board approval of \$63,550 for the purchase of Video Arraignment Systems from Business Information Systems, Inc., of Ft. Lauderdale, FL, for four (4) courtrooms at the Chatham County Detention Center.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
MARK BUCALO

ITEM D

ISSUE: Request Board approval of a \$29,980 sole source purchase from Communication Laboratories, Inc., of Melbourne, FL, for the installation of a mobile satellite system for Chatham County Emergency Management (CEMA).

BACKGROUND: Chatham County Emergency Management (CEMA) has been selected by the Georgia Emergency Management Agency (GEMA) to receive a FEMA grant for the acquisition of a mobile satellite system for the Emergency Operations Center.

FACTS AND FINDINGS:

1. The existing mobile satellite system is out of warranty and the parts are no longer available as the system has been discontinued. This system will replace the existing inoperable satellite system.
2. This replacement satellite system will allow EOC to effectively communicate with other local, state and federal partners. This will provide internet access to CEMA when a disaster interrupts local internet reception.
3. The sole source is necessary because Communication Laboratories, Inc., is the sole provider for emergency alert messaging from the Georgia Emergency Management Agency and currently provides this same service to every Emergency Operations Center (EOC) in the State, include CEMA. As the sole provider of this service, support is justified for COMLABS to be the sole source provider for the build out of equipment and service for the Mobile Emergency Operations Center (MEOC). As a prudent measure, Chatham County ICS conducted thorough research with multiple satellite vendors. Following their research, ICS's recommendation it to use COMLABS. It is important to have a single source for both service and equipment to avoid dealing with multiple vendors in an emergency situation.
4. Staff believes the total cost of \$29,980 for the be fair and reasonable, CEMA will be responsible for the 25% match of \$7,495.

FUNDING: EMPG - R&R Grant (Pending Board Approval of Budget Amendment)
(2503920 - 54.25001 - 25020602 - \$ 22,485)
(2503920 - 54.25001 - 2502060M - \$ 7,495)

ALTERNATIVES:

1. Board approval of a \$29,980 sole source purchase from Communication Laboratories, Inc., of Melbourne, FL, for the installation of a mobile satellite system for Chatham County Emergency Management (CEMA).
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to accept Federal grant funding that is in the interest of the community.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA
I.C.S. APPROVAL _____
NICK BATEY

ITEM E

ISSUE: Request Board approval of a \$13,249 professional services contract with the National Center for State Courts (NCSC) to conduct a governance study of the Juvenile Courts operations and structure.

BACKGROUND: Effective January 1, 2014, the Juvenile Justice Reform Act will be implemented in the Juvenile Justice System in Georgia resulting in significant changes to procedures and practices at the Chatham County Juvenile Court. The extensive changes are required and other related issues has brought governance of the court to the forefront. Consequently, the judges of the Juvenile and Superior Courts of the Eastern Judicial Circuit have determined that it is necessary to conduct a governance assessment of the Juvenile Court to ensure efficient implementation to better serve the families in Chatham County.

FACTS AND FINDINGS:

1. The NCSC is an independent, nonprofit court improvement organization founded at the urging of Chief Justice of the Supreme Court Warren E. Burger. Justice Burger envisioned NCSC as a clearinghouse for research information and comparative data to support improvement in judicial administration in state courts. All of NCSC's services - research, information services, education, consulting - are focused on helping courts plan, make decisions, and implement improvements that save time and money, while ensuring judicial administration that supports fair and impartial decision-making.
2. The NCSC is the sole provider of the specific type of assessment requested. They are recognized as the lead organization that works with courts across the country for various services. NCSC staff and researchers are contracted with regularly to provide evaluation, assessments and implementation of court improvement tools and methods. Other Chatham County Courts have worked with NCSC in the past and have found their assessments and evaluations to be extremely beneficial.
3. Effective January 1, 2014, the Juvenile Justice Reform Act will be implemented in the Juvenile Justice System in Georgia. With the significant changes being enacted in the Juvenile System, the judges of the Juvenile and Superior Courts of the Eastern Judicial Circuit feel that it is necessary to conduct an extensive governance assessment of the Juvenile Court. This assessment will examine the current organizational structure and operation procedures, evaluate the effectiveness of current practices and ascertain what steps must be taken effectively to implement necessary changes.

FUNDING: General Fund/M&O - Juvenile Court Fund
(1002600- 52.39001)

ALTERNATIVES:

1. Board approval of a \$13,249 professional services contract with the National Center for State Courts (NCSC) to conduct a governance study of the Juvenile Courts operations and structure.
2. Provide staff other direction.

POLICY ANALYSIS: This assessment is necessary to ensure that Juvenile Court is well positioned to comply with the mandates of the revised Juvenile Code.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
MARK BUCALO

ITEM F

ISSUE: Request Board approval of a \$10,298 sole source purchase from North American Custom Specialty Vehicles, LLC, of Melbourne, FL, for the installation of an auto deployable scene lighting system for Chatham County Emergency Management (CEMA).

BACKGROUND: Chatham County Emergency Management (CEMA) has been 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 provide light for the MEOC security camera at night, provide light for additional workspace on the exterior of the vehicle and create a safer work environment.
3. The sole source is necessary because the vehicle is under warranty with this vendor. The installation is complex and requires pulling of panels, wiring harnesses, and tie-in to systems supported by chassis and generator power.
4. Staff believes the total cost of \$10,298 to be fair and reasonable.

FUNDING: EMPG - R&R Grant (Pending Board Approval of Budget Amendment)
(2503920 - 53.16009 - 25020582)

ALTERNATIVES:

1. Board approval of a \$10,298 sole source purchase from North American Custom Specialty Vehicles, LLC, of Melbourne, FL, for the installation of an auto deployable scene lighting system for Chatham County Emergency Management (CEMA).
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to accept Federal grant funding that is in the interest of the community.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM G

ISSUE: Request Board approval of Change Order No. 1, in the *deductive* amount of \$5,724, to the annual contract for waste and recycling compactors and hauling services with Republic Waste Services of Savannah, GA, for the Detention Center.

BACKGROUND: On January 11, 2013, the Board approved an annual contract with an option to renew for four (4) additional one (1) year terms, with Republic Waste to supply two (2) compactors and provide weekly hauling services. A "per haul" charge is received for each haul. By viewing historical data, the compactor for recycling of cardboard can be reduced to one pick up per month, thus saving \$477 per month for an annual savings of \$5,724.

FACTS AND FINDINGS:

1. The two (2) trash compactors at the facility are emptied each week. One (1) of the compactors is used for cardboard recycling. Based on historical information, the pickup service on the cardboard compactor can be reduced from weekly service to monthly service.
2. The existing contract with Republic Waste Services is up for renewal and needs to be modified to reduce the pickup service on the cardboard recycling compactor from weekly to monthly.
3. The total deductive change order is \$5,724:

Current Contract	\$	30,496 / annual
Change Order No. 1 (pending)	\$	(5,724) / annual
Revised Contract Amount	\$	24,772 / annual

FUNDING: General Fund/M&O - Detention Center
(1003326 - 52.21101)

ALTERNATIVES:

1. Board approval of Change Order No. 1, in the *deductive* amount of \$5,724, to the annual contract for waste and recycling compactors and hauling services with Republic Waste Services of Savannah, GA, for the Detention Center.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to issue change orders to essential service contracts to recognize changes in scope of services.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM H

ISSUE: Request Board approval to award a \$11,520 annual contract with renewal options for four (4) additional one (1) year terms with Imagann Cleaning Service, Inc., to provide janitorial services at the CNT Complex.

BACKGROUND: Janitorial contracts have proven to be more cost effective than hiring personnel to perform the service "in-house." The contract will provide daily janitorial service.

FACTS AND FINDINGS:

1. Bids were properly advertised and made available to service providers. On October 23, 2013, seven (7) bids were received. The bids were evaluated by staff and the results are as follows:

*	Imagann Cleaning Service, Inc. Savannah, GA	\$11,520
*	Sparkling Cleaning Services Savannah, GA	\$12,600
	Goodwill Industries of the Coastal Empire Savannah, GA	\$12,993
*	Randall Green Professional Cleaning Savannah, GA	\$14,400
*	CKC Enterprises Savannah, GA	\$14,460
	Jani-King of Savannah Savannah, GA	\$16,056
	Quality Cleaning Contractors Savannah, GA	\$18,432

*MBE

2. Staff believes the bid of \$11,520 from Imagann Cleaning Services, Inc., to be fair and reasonable.

FUNDING: General Fund/M&O - Facilities Maintenance
(1001565 - 52.21301)

ALTERNATIVES:

- Board approval to award a \$11,520 annual contract with renewal option for four (4) additional one (1) year terms with Imagann Cleaning Service, Inc., to provide janitorial services at the CNT Complex.
- Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
MELVA SHARPE

ITEM I

ISSUE: Request Board approval of a \$1,289 Change Order No. 1, to the construction contract with Peek Pavement Markings, LLC, to recognize an additional scope of work for Public Works and Park Services.

BACKGROUND: On October 25, 2013, the Board approved a construction contract with Peek Pavement Markings LLC for the restriping of various County roads.

FACTS AND FINDINGS:

- A contract was awarded to Peek Pavement to stripe various roads within Chatham County.
- Staff was contacted recently regarding the poor visibility of the striping on a portion of Shipyard Road between Beaulieu and Sullivan Drive.

3. Staff and the Engineering Department inspected the roadway and agreed that paint is significantly worn and thus visibility is low. The joint recommendation is to add this portion of roadway to the existing contract and reduce mobilization charges that would be incurred as a result of a separate project.
4. The cost for the additional striping is \$1,289. The price is in accordance with the existing contract's unit price costs.
5. Contract history is as follows:

Original Contract Amount (10-25-13)	\$ 42,272
Change Order No. 1 (pending)	\$ 1,289
Revised Contract Amount	\$ 43,561

FUNDING: SSD - Public Works
(2704100 - 52.39001)

ALTERNATIVES:

1. Board approval of a \$1,289 Change Order No. 1, to the construction contract with Peek Pavement Markings, LLC, to recognize an additional scope of work for Public Works and Park Services.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to issue Change Orders to essential service contracts to recognize changes in scope of services.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM J

ISSUE: Request Board approval of an \$79,187 Change Order No. 1, to the construction contract with Pioneer Construction, Inc., for the construction/renovation for the Human Resources Offices at 123 Abercorn Street.

BACKGROUND: On July 26, 2013, the Board approved a construction contract with Pioneer Construction, Inc. to renovate 123 Abercorn Street for the Human Resources Department. On November 8, 2013, the Board approved a Change Order No. 2 to the design contract with Lott + Barber to modify the design to 123 Abercorn Street for ADA compliance.

FACTS AND FINDINGS:

1. The modifications to the design of the 123 Abercorn Street building resulted in additional construction costs associated with the design.
2. The additional construction costs relate to structural changes to the walls, structural changes to the State Street entrance, and associated HVAC, lighting, plumbing, telecommunications, and electrical changes.
3. The itemized construction changes and costs from Pioneer Construction include items directly related to the Lott+Barber Change Order No. 2 design modifications, as well as items that were unforeseen in the original contract and scope of work.
4. Staff believes that the amount received from Pioneer Construction, Inc. for the construction costs associated with this Change Order are fair and reasonable.
6. Contract history:

Original contract (7-26-13)	\$655,888
Change Order No. 1 (pending)	\$ 79,187
Revised contract amount	\$735,888

FUNDING: SPLOST (2008-2014) - County Administration Building Project
(3244980 - 54.13011 - 32460657)

ALTERNATIVES:

1. Board approval of an \$79,187 Change Order No. 1, to the construction contract with Pioneer Construction, Inc., for the construction/renovation for the Human Resources Offices at 123 Abercorn Street.

- 2. Provide staff other direction.

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

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
MARC BUCALO

ITEM K

ISSUE: Request Board approval of a \$346,468 Amendment No. 3 to Construction Manager at Risk (CMR) agreement for two (2) new libraries with J.E. Dunn Construction Company/d/b/a R.J. Griffin and Company to include construction of Sunshine Avenue and Central Avenue.

BACKGROUND: On June 10, 2011, the Board of Commissioners approved a Construction Manager at Risk (CMR) agreement to R. J. Griffin and Company, for the new Garden City and Islands Branch Libraries. On August 9, 2013, the Board of Commissioners approved the guaranteed maximum price for the project. Construction of these two (2) roads was not included in the guaranteed maximum price.

FACTS AND FINDINGS:

- 1. The necessary infrastructure for the Garden City Library was originally planned to be the responsibility of the developer for the Islands Town Center in Garden City. During the economic downturn, the developer went bankrupt and was unable to fulfill the obligation.
- 2. In order to support the library project, Garden City and Chatham County agreed to fund the required infrastructure. Chatham County agreed to fund the road, parking lot, sidewalks and related utilities in front of the library on Central Avenue. Garden City agreed to fund the widening of the access road - Sunshine Avenue.
- 3. This amendment includes both the County and Garden City portions of the work. A memorandum of understanding has been developed and Garden City will reimburse the County \$155,316 for their portion of the work. Additional utility work is needed but will be Garden City's sole responsibility.
- 4. The total cost of this work is \$346,468. The Assistant County Engineer has reviewed the cost and determined it to be reasonable. Staff is requesting an amendment to the CMR Agreement to expand the scope of work to include the construction of Sunshine Avenue and Central Avenue and related work.
- 5. Agreement history:

Original Agreement (06-10-11)	
Amendment No. 1 (08-09-13)	\$8,600,000
Amendment No. 2 (11-22-13)	\$ 139,000
Amendment No. 3 (pending)	<u>\$ 346,468</u>
Revised Agreement Amount	\$9,085,468

FUNDING: SPLOST (2003-2008) - Garden City and Island Libraries
(3234980 - 54.14311 - 32360217)

ALTERNATIVES:

- 1. Board approval of a \$346,468 Amendment No. 3 to Construction Manager at Risk (CMR) agreement for two (2) new libraries with J.E. Dunn Construction Company/d/b/a R.J. Griffin and Company to include construction of Sunshine Avenue and Central Avenue.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to issue Amendments to reflect changes in the scope of work.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
MARC BUCALO

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, on your calendar there is a -- a number of -- of -- there are a number of items. There are no First Readers.

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XII. SECOND READINGS

Chairman Scott said, there are no Second Readers.

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XIII. INFORMATION ITEMS

Chairman Scott said, and what's remaining is informational item for your consideration. I would encourage you to look those over.

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: December 20, 2013

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Perform a slope stability analysis on Pipemakers Canal	Engineering	Terracon	\$8,000	SPLOST (1998-2003) Pipemakers Canal
Recreational officials for October 5-26	Public Works and Park Services	Coastal Football Association	\$3,705	General Fund/M&O - Parks and Recreation
Two (2) laptops for Fleet Operations	I.C.S.	Dell Marketing L.P.	\$5,410	General Fund/M&O - Fleet Operations
Tires for unit #61- Public Works motor grader	Fleet Operations	SOS Radial Tire Service	\$6,191	General Fund/M&O -Fleet Operations
File cabinets, chairs, whiteboards and monitors	C.N.T	Staples Business Advantage	\$6,400	C.N.T.-Confiscated Funds
Custom file folders	Magistrate Court	VIP Printing & Office Supply	\$5,082	General Fund/M&O - Magistrate Court
Replace boom computer system on unit #93 - Public Works tractor	Fleet Operations	Flint Equipment Company	\$4,338	General Fund/M&O -Fleet Operations
Replace track chains on unit #82 - Public Works excavator	Fleet Operations	ASC Construction Equipment USA, Inc.	\$7,765	General Fund/M&O -Fleet Operations

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
Paint and supplies for existing housing units	Detention Center	Home Depot, Inc.	\$7,225	General Fund/M&O - Detention Center
Materials to pressure wash and paint existing kitchen for Detention Center Expansion Project	Detention Center	Home Depot	\$2,813	CIP-Jail Expansion Fund (SPLOST Funding)
Repair air conditioning and sprockets on unit #82 - Public Works excavator	Fleet Operations	ASC Construction Equipment USA, Inc.	\$7,202	General Fund/M&O -Fleet Operations
Postage and mailing of delinquent notices	Tax Commissioner	Diversified Companies, LLC.	\$3,958	General Fund/M&O - Tax Commissioner
Ecology report revisions required by GDOT on the Jimmy Deloach Parkway Phase II	Engineering	Sligh Environmental Consultants	\$8,000	SPLOST (1993-1998) Jimmy Deloach Parkway Phase II
Soccer officials for October 30 - November 3	Public Works and Park Services	Greater Savannah Soccer Association, Inc.	\$3,060	General Fund/M&O - Parks and Recreation
Replace track chains on unit #84 - Public Works excavator	Fleet Operations	Yancey Brothers Company, Inc.	\$5,881	General Fund/M&O -Fleet Operations
Tax sale advertisements for month of November	Tax Commissioner	Morris Publishing Group	\$9,645	General Fund/M&O - Tax Commissioner
Ten (10) wireless access points for Pete Liakakis Government Building	I.C.S.	Centrics IT, LLC	\$3,850	General Fund/M&O -I.C.S.
2500 drug testing kits	Juvenile Court	Fact, LLC	\$7,397	Juvenile Court Family Dep Grant
Ceiling tiles and grids for modular building	Detention Center	Capitol Materials of Savannah, Inc.	\$6,227	SPLOST (2008-2014) Law Enforcement Training Construction
Office furniture for new personnel and additional furniture for two (2) offices	C.N.T.	VIP Printing & Office Supply	\$4,799	Escrow-C.N.T.
Six (6) file cabinets	C.N.T.	Office Services, LLC	\$3,755	Escrow-C.N.T
Building plaque for Detention Center Expansion Project	Detention Center	Franklin Bronze Plaques, Inc.	\$8,540	CIP-Jail Expansion Fund (SPLOST Funding)

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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: December 20, 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.
2. Whitefield Avenue. Construction underway by GDOT contract. Scheduled completion was October 2013. Completion unknown at this time.
3. Bay Street Widening. The GDOT authorized right of way acquisition on May 9, 2013 (in progress).
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. PIOH (Public Information Open House) for Phase 2 and a PHOH (Public Hearing Open House) for the Interchange is scheduled for January 23, 2014 at Bloomingdale City Hall. ROW authorization expected fiscal year 2014.
5. SR 307 Widening from US 17 to I-16. Construction substantially complete for section from I-16 southward to Hardin Canal. Solicitation for contract to pave remainder to US 17 out for bids.
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 bridge.
 - b. Walthour Road Bridge Replacement. Solicitation for construction contract out for bids. Bid opening held December 12, 2013.

RECOMMENDATION: For information.

Districts All

AGENDA ITEM: XIII-3 DRAINAGE
AGENDA DATE: December 20, 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. 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.

3. 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.
4. Norwood Drainage Outfalls. The project will improve drainage capacity and access for maintenance for two drainage outfalls from Norwood Avenue. Construction of improvements is complete at Norwood Place. Design work, permitting, and acquisitions are underway for the outfall near Skidaway Road.
5. 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.
6. 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.
7. 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. The construction contract was awarded by the Board on September 27, 2013. Work is expected to begin in January 2014 due to delays associated with AT&T lines and scheduled for completion by October 2014. Laroche Avenue will be closed between Neva Avenue and Lansing Avenue during construction.
8. 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.
9. 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.
10. Little Hurst Canal. The project will improve drainage capacity and access for maintenance along the canal. A design scope of work is under development.
11. 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, design work and coordination with the City of Pooler are underway.
12. 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, there is need for an executive session.

County Manager Abolt said, personnel and litigation will be the intent, sir.

Commissioner Farrell said, so moved.

Chairman Scott said, it's been moved. Do we have a second?

Commissioner Shabazz said, second.

Chairman Scott said, properly moved and second that we now go into executive session for litigation and personnel. All in favor of the motion indicate by voting yes, opposed no. The motion carries.

ACTION OF THE BOARD:

Commissioner Farrell moved to recess to Executive Session for the purpose of litigation and personnel. Commissioner Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present; Commissioners Brady and Kicklighter were not present for the vote.]

The Board recessed at approximately 11:10 a.m.

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ITEMS FROM EXECUTIVE SESSION

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

ACTION OF THE BOARD:

Commissioner Brady 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: Commissioner Center was not present; Commissioners Holmes and Shabazz were not present for the vote.]

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- 2. LAWSUIT SETTLEMENT**

ACTION OF THE BOARD:

Commissioner Brady moved to authorize up to \$9,000 as settlement of the Shawn Springs civil action. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Center was not present; Commissioners Holmes and Shabazz were not present for the vote.]

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ADJOURNMENT

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 12:15 p.m.

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APPROVED: THIS _____ DAY OF JANUARY, 2014.

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

JANICE E. BOCOOK, CLERK OF COMMISSION