

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, DECEMBER 19, 2014, 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 9:37 a.m. on Friday, December 19, 2014.

Chairman Scott said, good morning and welcome. I'll ask at this time that you be seated, and when our devotional leader completes his message and indicate it's time for prayer, I'll ask that you stand -- re-stand and remain standing through the Pledge of Allegiance. We will be led in the Pledge of Allegiance this morning by Commissioner Center of the 3rd District.

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II. INVOCATION

Chairman Scott said, at this time it's indeed an honor to have with us Apostle Zane Crawford of the United House of Prayer for the purpose of leading us in our devotion. Apostle Crawford.

Apostle Zane Crawford said, thank you. I would like to transform us into one body with these words. Oh, what a friend we have in Jesus. All our sins and grieves to bear. Oh, what a privilege it is to carry everything to God in prayer. Oh what peace we often forfeit. Oh, what needless pain we bear. All because we do not carry everything to God in prayer. It was said in times past, the Lord is our light and our salvation. Whom shall we fear. Let us bow our heads in submission of prayer.

Apostle Crawford gave the invocation as follows:

Let us pray to the God of all denominations and keeper of all souls, it is once again that we humbly submit ourselves as simple souls seeking your help and to offer thanks. In turn God we thank you for all your many blessings. We thank you for this body of Commissioners and the work that they have done and the work that they are about to do. God, we thank you for all those who names are not listed on the list of recognition but strive daily to do the work of this government. Eternal God, we thank you for every teacher, every doctor, those that protect our streets, for those that work in all levels of municipality. Father, we thank you for their service, and eternal God, as this body has come together to do the work that they have been commissioned for, Father, we recognize and accept that we all have been commissioned. That during this holiday season, as we remember and sing tidings of joy, help us to remember those that are laden with sorrow as we remember and express good cheer. Help us to remember those that are still in despair and, oh, God, help us, when we look at every document, every project, everything that is set forth to do the work of this government, Lord, help us to know that those words have been laid as a foundation from the beginning that everything can be accomplished if we love our neighbor as ourself. Help us to do this, oh, God, we pray in Jesus' name through grace, and we all said together -- Amen.

Members of the Commission and Members of the audience collectively said, Amen.

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III. PLEDGE OF ALLEGIANCE

Commissioner Center said, would you join with me.

Commissioner Center led all in the Pledge of Allegiance to the Flag.

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CERTIFICATE OF APPRECIATION

Chairman Scott presented Apostle Crawford with a certificate of appreciation for appearing before the Board and giving the invocation.

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IV. ROLL CALL

Chairman Scott said, the Clerk will call the roll.

The Clerk called the roll.

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

Also present: Lee Smith, County Manager
 R. Jonathan Hart, County Attorney
 Janice Bocook, County Clerk

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CHATHAM COUNTY YOUTH COMMISSION

Chairman Scott said, the Chair recognize our vice Chairman Thomas for the purpose of introducing the members of our Youth Commission who's present today.

Commissioner Thomas said, thank you, Mr. Chairman, members of the Commission, ladies and gentlemen. Serving with us today are T'Amarr Grant, who is a sophomore attending Jenkins High School; Erica Ellison, a sophomore attending Johnson High School; and Shareka Dukes, who is a junior at Memorial Day School. Welcome, and we wish that you will participate in the discussions today, okay?

Commissioner Shabazz said, good morning.

Chairman Scott said, okay. Thank you all for being here. Is today the last day of school? Oh good.

Commissioner Farrell said, I don't know if you can tell by the smiles.

Chairman Scott said, all right.

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RECOGNITION OF GUESTS

Chairman Scott said, we have a proclamation and special presentation. Before we get into that, I wanted to acknowledge someone in the audience. We have the Haitian American Historic Society members in the audience, and they are led by Daniel Phils Ames, Sr., who is chair of that. Is he still here?

Commissioner Shabazz said, he had to leave. He had to leave.

Chairman Scott said, he had to leave? Okay. They were with us in the Green Room, and we sort of ran out of time, but I just wanted to acknowledge their presence here today. Okay.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**1. PRESENTATION ON CHATHAM COUNTY SAFETY NET PLANNING COUNCIL 2013.**

Chairman Scott said, now we'll have a presentation on Chatham County Safety Net Planning Council, and Ms. Hayes will come forth.

Ms. Lisa Hayes said, thank you.

Chairman Scott said, good morning.

Ms. Hayes said, thank you, Mr. Chairman, Dr. Thomas, Commissioners, it's an honor to be here to present on behalf of our partners, and we also want to point out that it's through the Commission that this work is really possible for us to serve our community. At this time I'd like to ask all of our partners to please stand, and we're all here, and we represent the hospitals, the FQHCs and the community health organizations, and we're all very, very thankful for the investment of the county. I just want to point out the -- the snapshot for the uninsured population in Chatham County. About 64 percent of our population falls within the 18-64 age group, and 25 percent of that or approximately 25 percent of those are uninsured. So -- the Affordable Care Act is a relatively new Act, and I just want to point out that this provides access to health care and insurance for a lot of our population, and last year during the open enrollment period, about -- approximately 11,000 people enrolled into the ACA, into the market place.

Ms. Hayes said, another large investment that the Commission gives to the Safety Net community is the Chatham Health Link HIE. This is a health information exchange which allows health providers and patients to access and share medical information at the point of service. So we have just signed on with GRACHIE, which is the Georgia -- Georgia Regional Academic HIE. It's -- it includes Augusta and Macon and some other partners, and so we've signed on in Oct -- October, and all of our partners should be on boarded by April 2014 [sic]. This is a huge win for the county. It allows us to avoid re-ad -- re-admissions, better understand patients, it reduces duplication, and really leverages the resources and investments that the county has given.

Ms. Hayes said, as I mentioned earlier. Safety Net is really here to provide access and reach the uninsured. As this graph points out, we are reaching that population. In 2013 Safety Net providers experienced a slight increase in the number of patients served, and it increased by about 12.8 percent, and the majority of those patients are from Chatham County. 85.2 percent of those patients served are from Chatham County. I also want to point out that the FQHCs are regional providers, and they can't turn people down at their doors, and so they have to serve everybody in the community, but the majority of those are Chatham County residents. This graph shows patients served by provider. All of our clinics as this shows increased their patients with notable increases at the FQHCs and St. Mary's.

Ms. Hayes said, adults aged 18-64 made up approximately 83 percent of the patients served, and the 65 and older age group and the younger than 18 age group also increased. The zip codes with the highest proportion of patients using Safety Net providers in 2013 are 31404 and 31405, followed by 31401 and 31406. This is the downtown and immediate areas surrounding downtown. These are the areas of Chatham County with the highest proportion of individuals living in poverty, which is a significant contributor to lacking health insurance. In terms of patient visits, patient visits increased for all providers with the exception of Community Health Mission. The federally qualified health centers, Curtis V. Cooper and J.C. Lewis provided 71 and a half percent of the visits in 2013.

Ms. Hayes said, clinic visits include medical visits, dental visits, behavioral health and wellness visits, both on and off site. In 2013 total visits increased by over 12 percent. Medical visits represent almost 73 percent of all the visits. Dental rep -- rep -- dental visits represent a little over six and a half percent, and although behavioral health service -- services represent about two percent of visits, the lack of adequate mental health providers in Chatham County continues to be an important concern. In response, the Safety Net provider committee prioritized mental health as a primary issue in 2000 -- 2013 to ensure triage of mental health issues and to make crisis resources known to the clinics to prevent escalating situations. Finally, providing specialty care to patients before their medical conditions worsens can result in lower over -- overall health care costs and fewer emergency room visits and/or hospitalizations. Just over 8,385 referrals were made to specialty care on behalf of Safety Net patients in 2013. All the providers have an unmet need in specialty care referrals.

Ms. Hayes said, this chart shows the pharmaceutical assistance for 2013. It decreased from 12.271 million to about almost 11 million and MedBank provided 7.8 million of this total. The number of primary care patients increased at St. Joseph's/Candler emergency departments, just over 1100 patients, while Memorial Health experienced a decline of almost 20,400 patient visits. There's a variety of factors for this huge decline at Memorial, and one -- some of those contributing factors include that patients are presenting themselves at a much sicker rate. They are presenting at a higher acuity level. They also implemented a new clinical documentation and coding system at Memorial, and this could be a huge factor in why these numbers have gone down is because we've -- we're counting them differently. They also placed a social worker and a community research specialist in the emergency department, and these people help provide a primary care home, and the Safety Net provider visits also increased. So people are going to the Safety Net providers, as well, so that should be a contributing factor. Because this is such a big change in 2013, 2013 will provide the new benchmarks for the Safety Net providers moving forward.

Ms. Hayes said, a total of 20,469 patients presented in the emergency department for primary care. We still have a large number of uninsured adults presenting in the emergency department. Adults between 18 and 64 accounted for almost 57 percent of those visits. Medicaid and Medicare are at a -- are at higher numbers than the clinic population. Approximately 37 percent of the patient visits to area emergency departments were covered under Medicaid. Another 47 percent of the visits were uninsured or self-pay. The majority of people presenting in the emergency department presented between 8:00 -- 8:00 a.m. and 8:00 p.m. Monday through

Friday, and the children are coming in to the emergency department for primary care visits between 8:00 or excuse me, between 4:00 p.m. and 8:00 p.m. Monday through Friday. So they are coming after they're school hours.

Ms. Hayes said, patients by zip codes is slightly different for the emergency department utilization versus the clinics. The numbers show that where there is clinic access emergency department utilization goes down. For example, in 31401 is green in this slide, but it's blue in the clinic's map. So 31415 and 31408 are also lower because those areas have access to the Safety Net clinics. 31409 has an increase because of St. Joseph's/Candler Hospital location and there are no clinics in that area. In terms of sources of revenue to providers, approximately \$14 million in funding came into the Safety Net provider system in 2013. This is a 1.6 percent decrease over 2012. The federal and state government grants are still the largest source of funding to the FQHCs and provide a little over 44 percent of the funding. Chatham County government is a very important piece of this. They provide a little over 28 percent of the total investment in indigent care.

Ms. Hayes said, in conclusion all providers saw an increase in their patient population. Again that was 12.8 percent. There were 3348 new patients accessing Safety Net primary care providers in 2013. The number of patients seeking dental care increased by 679 patients in 2013. Providers recorded 137,841 patient visits and behavioral health visits declined due to lack of providers. Providing adequate specialty care to the uninsured continues to be a community challenge. Solving this complex health care access issue will require resources beyond the primary care partners of the Safety Net, and that's something we need to work to figure out a solution for. Medication assistance provided at clinic sites improves access in aids and patient compliance. Providing essential prescription medications can improve patient outcomes and prevent unnecessary hospitalizations. Overall the number of patients seeking primary care at emergency departments decreased significantly.

Ms. Hayes said, as I mentioned there are many factors contributing to that, and those will be the new -- 2013 will be the new benchmark. Also, there were a total of 29,217 primary care visits to local emergency departments, and the uninsured adults accounted for the highest utilization. 84 percent of those patients served were from Chatham County and both -- both of those health systems continue to connect patients to primary care medical homes. Funding sources for providers were -- maintained -- remained relatively consistent, and the most common diagnoses that were reported by our partners were high blood pressure, hypertension, over weight/obesity, diabetes, depression and anxiety, high cholesterol and HIV. I want to thank you for your investment in the Safety Net providers. It is critical to our being able to reach our population and be able to provide that care. I would like to open this up for questions.

Chairman Scott said, anybody have any questions of Ms. Hayes? Vice Chair Thomas and our Pro Tem Stone. In that order.

Commissioner Thomas said, thank -- thank you, Mr. Chairman. I don't have a question. I do have a comment. I just want to thank you and all those associated with Safety Net for the services that you render to this county. It's unbelievable. I pretty much kind of keep up with what's going on because I have a lot of citizens in -- in my District alone that are being served, and I want you to know that I'm very, very appreciative of the way that they are handled, and you have given so many of them an extended life. Not because they don't want to have coverage and stuff like that, they just can't afford it, and they have to depend on others to help stay alive. So I want to commend you and to say, continue to reach out, and I will continue to do whatever I can to help, you know, the program succeed.

Ms. Hayes said, thank you, Dr. Thomas. It's a real honor to be able to be here to represent our partners who are doing, I would say, extraordinary things --

Commissioner Thomas said, yes.

Ms. Hayes said, -- in the community to help our population.

Commissioner Thomas said, thank you.

Chairman Scott said, Pro Tem Stone.

Commissioner Stone said, thank you, Mr. Chairman. I would like to echo the concern -- the comments of Commissioner Thomas. Also, I want the -- the citizens to understand the great savings to Memorial and to the tax payers. Being a part of the Curtis V. Cooper board, I've been fortunate enough to follow the numbers and understand the tremendous amount of savings for primary care for individuals that are keeping them out of our emergency rooms and freeing up the emergency rooms for the people that really are there for dire emergencies. I also as I reiterate -- I want to reiterate what I stated in the Green Room that with the closing of the Community Health Mission, want to make certain that if Curtis V. Cooper is picking up any of these additional patients, that the money that was going to the other organization, if -- if Curtis V. Cooper is going to be absorbing that, then I would like for them to receive the funding. That only seems fair.

Ms. Hayes said, thank you so much for that comment. I know that the county negotiates with the FQHCs and the other partners and the other Safety Net providers regarding that contract, but I'm sure they'll take that into consideration. Thank you.

Commissioner Stone said, thank you.

Chairman Scott said, okay. Commissioner Shabazz of the 5th District.

Commissioner Holmes said, I got a --

Commissioner Shabazz said, yes. Good morning. Good morning. I would like to thank you for the Safety Net and to also -- I want to just comment on the Curtis Cooper Clinic. I think it's a very good clinic here in this community, and it's a -- it's a God sent. Having involvement with Curtis Cooper and the type of service that they render is just second to none. I just wanted to let you know that. Thank you.

Ms. Hayes said, thank you.

Commissioner Shabazz said, yes.

Ms. Hayes said, and my experience with all the Safety Net providers --

Commissioner Shabazz said, yes.

Ms. Hayes said, -- Curtis V. Cooper and J.C. Lewis and the other providers is -- they're doing exceptional work.

Commissioner Shabazz said, yes. Yes.

Ms. Hayes said, it's an honor to be with them.

Commissioner Shabazz said, and I would like to congratulate them too, but I -- I just know first hand about Curtis Cooper, you know. I just want to commend them too for their service.

Chairman Scott said, Commissioner Holmes of the 2nd District.

Commissioner Holmes said, good job. Ms. Hayes, what are Safety Net are doing for -- to increase the enrollment in the health care act?

Ms. Hayes said, we are working with the different care navigators. Some of our -- some of our providers, the FQHCs have care navigators that work within the community and do specific outreach at enrollment events. We just had an -- an event this past week that was very successful where they enrolled 74 people into the market place. As I mentioned, 11,000 people were enrolled through their efforts last year in Chatham County, which is a huge success. That's 11,000 people that now have access to care and can go to the doctor instead of presenting at a high acuity level in the hospitals. There are -- you know, we're just trying to utilize all the resources, and the ACA is a wonderful resource for people to -- to have to be able to afford healthcare.

Commissioner Holmes said, thanks.

Ms. Hayes said, thank you.

Chairman Scott said, Commissioner Center of the 3rd District.

Commissioner Center said, thank you, Mr. Chairman. Good morning. Great presentation. I'm asking you to educate me. For people who are not insured and don't have an income, so the Affordable Care Act doesn't reach them, how do -- how do they get covered? We just pick up the bill?

Ms. Hayes said, well, there are some barriers based on, you know, how our state has worked through this law. One thing that we're doing as Safety Net and all of our partners are engaged in is we have launched a campaign for healthy kids and -- and families, and, through that we're enrolling children into Right From the Start Medicaid and Peach Care for kids. So at the very least we're getting the children enrolled in health insurance so that they can see the doctor and go to those primary care visits.

Commissioner Center said, thank you.

Ms. Hayes said, thank you.

Chairman Scott said, okay. Commissioner Farrell of the 4th District.

Commissioner Farrell said, good morning. Since the ACA has been implemented, what would you say is the percentage of uninsured in Chatham County? Is it -- has it remained the same? Has it gone up? Has it gone down? Do you have any grasp of the local effect of ACA in Chatham County since its inception?

Ms. Hayes said, the numbers are a little -- there's a lag in the numbers, but as I mentioned, 11,000 people were enrolled during last enrollment season. According to Enroll America, about 50,000 people are unenrolled or don't have health insurance in Chatham County. There is different numbers if you look at the census data. The evaluation actually talks a little bit about, you know, those numbers, but we think that if we continue our efforts

through the ACA, through the campaign, and continue our advocacy of how important health insurance is, that it will make an impact.

Commissioner Farrell said, so you don't really have a -- a grasp of the -- the -- the impact --

Ms. Hayes said, I do know how many people enrolled last year, and that was 11,000, but I don't have a grasp of whether or not they went from a different insurance into the market place, but I do, you know, the numbers are going down. We don't have -- we -- we -- the ACA has really only been there for a year, and so we don't have a lot of benchmarks to -- to base it against.

Commissioner Farrell said, okay. So effectively we probably have the same amount of uninsured people in Chatham County today as we did a year ago. Is that a fair statement or is that not a fair statement?

Ms. Hayes said, I'll defer to my partners and --

Dr. Diane Weems said, I just don't think we know yet.

Commissioner Farrell said, you just don't have the data to answer?

Dr. Weems said, [inaudible]. Until we see the data we won't be fully -- it's just that lag time.

Commissioner Farrell said, gotcha. Okay. I understand.

Dr. Weems said, [inaudible as she was sitting in the audience and not at the podium.]

Commissioner Farrell said, we'll -- we'll -- we'll -- we'll ask the question next year.

Ms. Hayes said, okay.

Commissioner Farrell said, all right. Thank you.

Ms. Hayes said, I'll be prepared for that. Thank you.

Chairman Scott said, thank you.

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2. TO PROVIDE THE FINAL LOCAL AND MWBE PARTICIPATION REPORT FOR THE GARDEN CITY AND ISLANDS LIBRARY PROJECTS, RIVES E. WORRELL COMPANY, INC., D/B/A J.E. DUNN CONSTRUCTION REPRESENTATIVES WILL BE PRESENT.

Chairman Scott said, at this time we will in -- invite up representatives from Rives Worrell and J.E. Dunn to give us a final overview on MWBE participation in the two library contracts that we just completed.

Mr. Ryan Price said, Chairman Scott and Commissioners thank you for having me today. Before I get started I'd like to thank everyone involved in the project for making the project successful and the successful delivery of the two Chatham County libraries, the Garden City branch, as well as the Islands branch, Michael Kaigler, Clifford Bascombe, Peggy Joyner and Robin Mauer with the -- with the county, County Attorney Jonathan Hart, the Live Oak Public Library system with Christian Kruse, and Pat Baker, as well as Greenline Architecture for their design, Monica Mastrianni and Keith Howington and their team did a fantastic job and -- and helped make the project very successful.

Mr. Price said, we are very proud that we were able to -- to deliver the two library projects successfully, completing the projects on schedule and on budget, and a big part of that success was our ability to maximize local and minority participation. I'm proud to say that the libraries were delivered with 93 percent local participation from Savannah-Chatham County businesses, and our women and minority participation was 44 percent through the final numbers. That constitutes \$3,220,360 spent with local women and minority businesses to deliver that project. We also were able to award \$2,623,931 to SBE businesses, small business enterprises as part. Those combined numbers of the SBE business and W/MBE businesses constitute over 80 percent of the businesses that were employed to build the two libraries.

Mr. Price said, and if you'll bear with me, I'd like to run down a list of the businesses that worked on the project: Bonitz of Georgia and their minority partner, Parker Phillips delivered the roofing and dry wall portion of the work. Braddy Heard delivered the electrical portion. They're a W/MBE. Champion Fire Protection was our fire protection subcontractor. Clifton Construction with Gina Mincey, the owner of that company, was the site work and utilities contractor for the Garden City library. They had a minority partner in Division Two who assisted them with that work. Cornerstone Masonry and their partner Ernest Wright, with Economy Masonry was the mason for the Garden City library. Dan Sheehan provided the stucco and water proofing. Eastern Excavation did the road work at Garden City. The -- the work that was part of the contract with Garden City outside of the --

the county's portion of the project. East Coast Insulation did the in-wall spray foam insulation. Glover's Masonry, and Mr. Glover is here with us today, worked on the -- the Islands library delivering the -- the masonry portion of the project. Image Keepers, Mr. Greg Sanders, did the final cleaning for both projects. J and L Glass, John Sheely's company did the glass and glazing for both projects. Mark Crapps installed the doors, frames and hardware and all accessories. Mc -- McCarthy did the doors, frames and hardware material. Miller Painting did all of our painting. Mountain Shore Management and the CEO of Mountain Shore, Rachel Kelley, is here with us today. They were the landscaper for the Islands project. Morris Mechanical provided the plumbing. Outdoor Accents did all of the concrete pavers. Regan Tile did the -- the flooring in both projects. Mr. Ronnie Hall's company, R.J. Hall provided all of the concrete foundations and the slab on grade for the project. Mr. Hall has joined us here today. Savannah Fence did all of the temporary and permanent fencing. Site Work Construction and their minority partner, Division Two, did the site work at the Islands site. Southeastern Air, another Savannah business provided the HVAC. The Nelson Group did the landscaping at the Garden City project. W. and W. Cabinets provided the mill work inside the project, and finally Yates Astro provided the -- the pest control.

Mr. Price said, and what's -- what we're most proud of on top of the minority participation is the fact that we had no subcontractor issues on the project. No one failed to perform their work. There were no issues with performance, and the quality was met at the highest level, and we maintained that through the -- through the completion of the project as verified by Greenline. A big part of our success to delivering high levels of M/WBE participation is through our minority contracting business development program, which we've partnered with the county and the city to have class participants in the -- in the program, and many of the businesses that I mentioned today were part of that MCBBD class. If you had any -- have any questions about the class, we're prepared to -- to talk about that today if -- if that's something you would like to hear about.

Chairman Scott said, I don't think we have any questions.

Mr. Price said, all right.

Chairman Scott said, thank you.

Commissioner Center said, I have one question but not about the class.

Mr. Price said, well, with that, I -- we're --

Chairman Scott said, okay.

Mr. Price said, I'll -- I'll open it up to questions then.

Chairman Scott said, I'll open it up to questions. Thank you.

Mr. Price said, apologize.

Chairman Scott said, Commissioner Center. Yeah.

Commissioner Center said, thank you. Your 93 percent local participation and 44 percent minority and women.

Mr. Price said, yes, sir.

Commissioner Center said, is that based on revenues --

Mr. Price said, it is.

Commissioner Center said, -- or I mean payments made or what is that --

Mr. Price said, it is based on payments made.

Commissioner Center said, thank you.

Chairman Scott said, okay.

Mr. Price said, and that's the way it was tracked.

Commissioner Center said, thank you.

Chairman Scott said, good presentation. Thank you so much.

Mr. Price said, thank you.

Commissioner Thomas said, great job.

Mr. Price said, thank you.

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VI. CHAIRMAN'S ITEMS

Chairman Scott said, we don't have anything under Chairman's item.

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VII. COMMISSIONER'S ITEMS**1. REMEMBERING BOB HABAS PRESENTED BY JAMES ABERSON (COMMISSIONER THOMAS).**

Chairman Scott said, we have one item under Commissioner's Item, and I'll recognize our Vice Chair Thomas of the 8th District to introduce our presenter.

Commissioner Thomas said, I'm off the page. Please, just a minute. Oh. Thank you, Mr. Chairman. At this time I'm going to ask Mr. James Aberson to come forward and make his presentation. Thank you.

Mr. James Aberson said, thank you, Mr. Chairman, Dr. Thomas, Commissioners, staff and Youth Commission. I appreciate you giving me a -- a moment of your time today. I promise to keep it brief. I am the Americans with Disabilities Act coordinator for Chatham County, and I also am chair of the advisory committee on accessible transportation, and as that Chair I work with some -- some pretty special people. One of those is Mr. Bob Habas, and I wanted to tell you just a little bit about Bob today. I also wanted to introduce a few folks that are here. Bob's two nephews, John Harrison and Shawn Habas are here. Fran Todd, who is the past executive director of LIFE and knew Bob for probably 30 years, and Sally McClellan who works with LIFE and also knew Bob for quite a long time.

Mr. Aberson said, Bob Habas was born December 10th, 1954 and passed away after battling complications from surgery on the morning of September 8th, 2014. Bob was a member of the ACAT committee, and he lived most of his life in Savannah. He graduated from Jenkins High School in 1973 and earned a degree from Savannah State College in 1992. Bob was an aspiring professional bowler when in 1979 at the age of 24 a tragic accident left him paralyzed from the neck down. Because Bob didn't have the financial ability to provide for himself, he was confined to a nursing home for ten years. While in the nursing home, he fought for the right to use the Medicaid dollars paying for him to live in the nursing home to be used to help him live in the community instead. In 1994 he became the second person in the state to be awarded this Medicaid waiver. With the waiver, Bob was able to move into an apartment and hire personal care attendants with the money that was previously only allowed to be spent on the nursing home. Bob could have been satisfied with that. He had achieved his freedom, but like most of you here, he felt he had a job to do. He went on to become an effective advocate for the disabled and helped several other people with disabilities get out of nursing homes and live in the community.

Mr. Aberson said, as an active member of Living Independence For Everyone, an advocate -- an advocacy organization for people with disabilities, he served as a peer counselor and provided information and referral to other people with disabilities. He served for many years as LIFE's representative on ACAT and worked to improve accessible transportation for the entire community. He was also one of the people responsible for making sure curb cuts were present on most of our street corners in the historic district. For his efforts, he was recognized in the Savannah Morning News and gave more than one television interview regarding rights for the disabled. There will probably never be a statue erected in Savannah squares honoring Bob Habas, but like all the tireless citizens that work to improve our community, he's just as much a hero to me as Tomochichi or Oglethorpe, and I just wanted you to know a little bit about Bob. Thank you for your time.

Chairman Scott said, okay. Thank you for sharing that with us.

Commissioner Thomas said, Mr. Chairman? May I have comments, please? Very quickly.

Chairman Scott said, yes. I recognize our Vice Chair from the 8th District.

Commissioner Thomas said, I just want to thank you for coming forward this morning to share that information on this dynamic individual, and I'm hoping and praying that in the very near future that something will be done and can be done in remembrance of him.

Mr. Aberson said, thank you.

Commissioner Thomas said, the work that, you know, he -- he was able to do under a handicap situation speaks volumes of what can be done if you try.

Mr. Aberson said, yes, ma'am.

Commissioner Thomas said, and so he's given back so much to this community and also given others like him who may not have even thought about doing something of that nature the idea that, oh yes, I can make it, and I can do this because Bob did it. So I just want to say thank you for bringing that to us and hopefully that we can do something in the very near future.

Mr. Aberson said, I -- I appreciate you giving me the opportunity, and there -- we've started a fund at LIFE to help people get out of nursing homes. It's a fund of last resort so that --

Commissioner Thomas said, I understand.

Mr. Aberson said, -- you know, if there's moving costs or a -- or a utility deposit or something like that.

Commissioner Thomas said, yes.

Chairman Scott said, yeah.

Mr. Aberson said, that -- that we can provide those things. So --

Commissioner Thomas said, thank you.

Chairman Scott said, okay.

Mr. Aberson said, thank you for giving me the opportunity Dr. Thomas.

Commissioner Thomas said, thank you.

Chairman Scott said, thanks, Jim.

Chairman Scott said, thank you.

Commissioner Stone said, Mr. Chairman? Mr. Chairman? May I ask a question?

Chairman Scott said, yes. Our Pro Tem --

Commissioner Stone said, what is the name --

Chairman Scott said, our Pro Tem Stone from the 1st District.

Commissioner Stone said, the name of the organization that is raising the money?

Mr. Aberson said, it is LIFE, living independence for everyone. It's the local center for independent living.

Commissioner Stone said, thank you.

Mr. Aberson said, thank you.

Chairman Scott said, okay. Thank you.

Commissioner Shabazz said, thank you.

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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. BOARD CONSIDERATION OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF SAVANNAH TO ALLOCATE THE COSTS OF THE RECORDER'S COURT OF CHATHAM COUNTY.**

NOTES:

- Item was pulled from the October 24, 2014, agenda at the request of the City of Savannah.
- At Board meeting of November 7, 2014, item was tabled.
- At Board meeting of November 21, 2014, item was tabled until the December 19, 2014, meeting.

Chairman Scott said, next on our agenda is on page four. We have an item that's been tabled since October the 24th. Is there a motion to remove it from the table?

Commissioner Center said, I think it's automatically removed.

Chairman Scott said, no. The way it is written, it was tabled until December 24th [sic]. I -- I want to entertain a motion to remove it from the table before we proceed.

Commissioner Farrell said, so moved.

Commissioner Stone said, second.

Chairman Scott said, properly moved and second to remove it from the table. All in favor indicate by voting yes, opposed no.

Commissioner Center said, you mean December 19th, not December 24th, correct?

Chairman Scott said, since October the 24th it's been on the table.

Commissioner Center said, okay.

Chairman Scott said, okay. It's now off the table. This is the Board consideration of an Intergovernmental Agreement with the City of Savannah to allocate costs of the Recorder's Court of Chatham County, and the item was pulled on the 24th, and, it was postponed or tabled on the -- November 7th, and it was tabled again on November the 21st, and -- and until December the 17th [sic] to December 19th, and it's now off the table. What this agreement does is it will revise an agreement that's been in place for almost 50 years, over 50 years at the Recorder's Court, and what it will do is a more just and fair appropriations of cost for the Recorder's Court, and at this time, Lee [Smith], does staff want to make any presentations on it or anything else?

County Manager Lee Smith said, no. I think we gave all the -- the data on the workshop, so, unless there are questions.

Chairman Scott said, yeah. What it -- what it will do is reduce the cost to the county Special Service Districts by 900 and -- roughly \$950,000 --

County Manager Smith said, 948, yeah.

Chairman Scott said, -- over the life, and this is an annual reduction. However, the first year to help the City adjust in terms of budget, we agreed only to implement the 450,000 of the 950,000 savings in the first year, and then going forth you would realize the full 950,000 savings. And what that will allow is a \$500,000 dampening or continuing at the existing cost -- continuing really at the existing cost with a \$450,000 deduction the first year and then \$950,000 in years going forth, and essentially that's it. Now it was indicated in the Green Room that -- that there are some amendments to be add -- added, and at this time before we consider it, we need to perfect it with amendments if the Commission so please, and at this time I'll recognize the Commissioner from the 3rd District, Commissioner Center for an explanation of two amendments, one in which the staff agrees with, and we have no objections. Hopefully we can dispose of that one pretty quickly.

Commissioner Center said, thank you, Mr. Chairman. The first amendment I think staff said was just a -- a -- a writing error, and they're going to fix it, which would be item 3.5 on page 3 of our materials. The selection -- it -- it shall read, the selection for appointment of the Recorder's Court judges shall be by majority votes of each of the governing authorities. That's the way it is now, and it -- it will not be changed or given to a committee that includes the Managers.

County Manager Smith said, that's correct.

Chairman Scott said, okay. Hearing the amendment, is there a motion?

Commissioner Center said, I move that we accept that amendment.

Commissioner Thomas said, second.

Commissioner Stone said, second.

Chairman Scott said, properly moved and second. All in favor of the amendment indicate by voting yes, opposed no. The amendment has been adopted. I recognize the Commissioner from the 3rd District --

Commissioner Center said, thank you. Thank you again, Mr. Chairman.

Chairman Scott said, -- for his second and last amendment.

Commissioner Center said, if you turn to page 13 in your materials in the annotations, you'll see two boxes that

are listed as Exhibit B. Presently the county pays 20 percent of each of the three judges' salaries, 80 percent paid by the City, and they're City employees, and the pension benefits are -- are based on city and county payments. The proposed change would change the benefit structure to pay judges differently. Stokes and Cornwell-Williams, who by name would be 100 percent by the City; Harris Odell by name 100 percent paid by the county, which would also affect the pension benefits. None of -- they're all still working so none have received any pension benefits yet. I move that we change that so that 30 percent -- that we don't differentiate between the judges, that the county pay 30 percent of each judges' and the city pay 70 percent. I picked the 30 and the 70 because based on the 100 out of 300 percent, that's one-third, 33.3 percent, so I just rounded down to 30, which is basically accepting the count -- the -- the staffs' calculations, but it would read that salary at -- salaries would be 30 percent paid by county, 70 percent paid by City. All the pension benefits would read the same. It would say each entity provides pension benefit relative to the amount of salary paid. And I -- and I move that we accept that amendment.

Chairman Scott said, okay. Anybody else want to speak on this amendment?

Commissioner Center said, there hasn't been a second.

Commissioner Kicklighter said, well, we don't have a second on it, so.

Chairman Scott said, yeah. Is there a second? Hearing none, the amendment's dead. The Chair recognize the Commissioner from the 4th District for the purpose of presenting an amendment.

Commissioner Farrell said, thank you, Chairman. My amendment would read as follows that the cost share agreed -- goes into effect in its totality upon approval, and it would eliminate the \$500,000 credit from the Chatham County Commission to the City of Savannah. That would be my amendment. In other words, if we can -- the two bodies can agree to a cost share formula that's more in line with the current services, that we go ahead and implement it in its totality and don't have a phase in. My rationale is the -- the body of money that this \$500,000 would be impacting is a \$30 million SSD bill -- budget, and it would be to the benefit of another governing body that has a budget of \$350 million. So I -- I think it's a disproportionate burden on the cost share to go to that -- to -- to the smaller of the two budgetary bodies. So, therefore, I -- if we can agree on a -- on a fair and equitable cost share that we just go ahead and do it and -- at it's -- at it's level upon it being approved by both governing bodies. So I -- I make that as a motion.

Commissioner Center said, I'll second it.

Commissioner Stone said, second.

Chairman Scott said, okay. Properly moved and second that we adopt an amendment that eliminate the \$500,000 first year phase in. Is there any questions or unreadiness?

County Attorney R. Jonathan Hart said, Mr. Chairman, as I understand the motion --

Commissioner Thomas said, I'm not clear.

County Attorney Hart said, -- essentially what would be happening is section 7.6 (a)(4) would be deleted, which deals with the 500,000 one time credit offset by the City of Savannah, for clarity.

Chairman Scott said, okay. And the whole purpose of that was a staff recommendation. The City asked for, was it a -- a four-year phase in?

County Attorney Hart said, originally it was a three-year phase in.

Chairman Scott said, a three-year phase in. The county staff countered with a one time \$500 amount, and that's how -- \$500,000 amount, and that's how we got here, and this will not increase spending in the Special Service District. The Special Service District is already paying it. What it really means is that the Special Service District, instead of receiving a \$950,000 less expenditure in the first year, they would receive 450,000 and 950,000 going forth. Any -- if there's no further unreadiness, all in favor of the motion indicate by voting yes, opposed no. Motion carries. Now we've perfected the Intergovernmental Agreement. It's now ready for adoption.

Commissioner Center said, I move we adopt it.

Commissioner Thomas said, second.

Chairman Scott said, any -- any unreadiness? There is one concern from staff is that should we put a time frame for which to receive a response from the City, and I did -- I wonder if staff has a recommendation? Thirty days? Sixty days?

County Manager Smith said, thirty days.

Commissioner Stone said, I --

Commissioner Brady said, I'll move 30 days.

Commissioner Kicklighter said, second.

Chairman Scott said, I would --

Commissioner Farrell said, yeah.

Commissioner Center said, I have a question.

Commissioner Farrell said, we need an answer. I -- I would agree with that.

Chairman Scott said, we have -- we have a motion on the floor. What I would like to see whoever made the motion if they would amend their motion.

Commissioner Brady said, it was me that made the motion.

Chairman Scott said, no, it was --

Commissioner Brady said, oh. Oh.

Commissioner Center said, go ahead.

Commissioner Farrell said, oh, my amendment?

Commissioner Brady said, oh. I thought about the timeline.

Chairman Scott said, no, I'm talking -- I'm talking about on -- yeah, but on the timeline, whoever made the motion to adopt --

Commissioner Center said, let -- let me -- let me remove the motion so someone else can make it that way, and I'll discuss it.

Chairman Scott said, okay. Is the second removed?

Commissioner Kicklighter said, second? I mean it --

Chairman Scott said, is it withdrawn?

Commissioner Shabazz said, it's withdrawn?

Commissioner Center said, well, let me say I -- I move that --

Commissioner Kicklighter said, whoever made the motion --

Commissioner Center said, Mr. --

Chairman Scott said, yeah. We have a motion and we have a second.

Commissioner Center said, yes. I moved that we -- that we adopt the proposal and send it. Now they're asking if it'd change that to a timeline. I want to discuss that since our next meeting is January 16th, I'd like the timeline to be January 15th, which is just four days less than 30.

Chairman Scott said, no. No. But you have the Christmas holidays and all. We -- the staff recommend a 30-day. The second -- the motion and second has been rescinded. Is there a motion that we approve and request a 30-day response from the City?

Commissioner Brady said, I -- so moved.

Commissioner Stone said, I'll make the motion.

Chairman Scott said, properly moved. Second?

Commissioner Stone said, I'll second it.

Chairman Scott said, any unreadiness? Any discussion? Commissioner Center?

Commissioner Center said, no discussion.

Chairman Scott said, okay. All in favor of the motion indicate by voting yes, opposed no.

Commissioner Kicklighter said, this does include all the amendments we heard?

Chairman Scott said, it in -- it includes two amendments, yes.

Commissioner Kicklighter said, okay.

Commissioner Thomas said, thirty days?

Chairman Scott said, yes.

Commissioner Farrell said, for a response.

Chairman Scott said, for a response.

Commissioner Farrell said, in -- in writing I would take it.

Commissioner Center said, you don't know.

Commissioner Holmes said, I hope so.

Chairman Scott said, the motion carries. It's off the table and gone. Perfection by the staff with amendments.

ACTION OF THE BOARD:

- a. Commissioner Farrell moved to remove the item from the table. Commissioner Stone seconded the motion and it carried unanimously.
- b. Commissioner Center moved to amend item 3.5 to read the selection for appointment of Recorder's Court judges shall be by majority votes of each of the governing authorities. Commissioner Thomas seconded the motion and it carried unanimously.
- c. Commissioner Farrell moved to amend the intergovernmental agreement to remove section 7.6(a)(4), the \$500,000 credit offset by the City of Savannah. Commissioner Center seconded the motion and it carried unanimously.
- d. Commissioner Brady moved to adopt the amended Intergovernmental Agreement to include a 30-day response from the City of Savannah. Commissioner Stone seconded the motion and it carried in a 7-2 vote with Chairman Scott and Commissioners Stone, Holmes, Farrell, Brady, Kicklighter and Thomas voting yes and Commissioners Center and Shabazz voting no.

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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 RISK MANAGEMENT FUND INCREASE REVENUES AND EXPENDITURES \$7,190 FOR INSURANCE REIMBURSEMENTS, 2) IN THE MULTIPLE GRANT FUND INCREASE REVENUES AND EXPENDITURES \$19,430 FOR A GRANT AWARD FROM THE GEORGIA CRIMINAL JUSTICE COORDINATION COUNCIL, 3) IN THE GENERAL FUND M&O TRANSFER \$13,837 FROM CONTINGENCY TO TRANSFER OUT TO RESTRICTED COURT FEES, 4) IN THE RESTRICTED COURT FEES FUND: a) INCREASE REVENUES \$13,837 TRANSFER IN FROM GENERAL FUND M&O, b) INCREASE EXPENDITURES \$13,837 IN THE 5% VICTIM WITNESS BUDGET, and 5) IN THE SALES TAX V FUND TRANSFER FUNDS AMONG PROJECTS AS OUTLINED IN THE ATTACHED MEMORANDA.**

Chairman Scott said, all right. We'll move to page 5, Items for Individual Action. The first item is to request approval of the following budget amendments and transfers: in the Risk Management Fund increase revenues and expenditures by \$7,190 from the insurance reimbursements, and in the Multiple Grant Fund increase revenues and expenditures by \$19,430 for a grant awarded -- award from the Georgia Criminal Justice Coordination Council, and in the General Fund M&O transfer \$13,837 from Contingency to Transfer out to Restricted Court Fees, and in the Restricted Court Fees Fund: increase revenues by \$13,837 Transferred in from General Fund M&O, and increase expenditures \$13,837 in the 5% Victim Witness Budget, and in 5) in Sales Tax V Fund transfer funds among projects as outlined in the attached memorandum.

Commissioner Center said, Mr. Chairman.

Commissioner Brady said, move for approval.

Chairman Scott said, okay.

Commissioner Center said, okay. I second.

Chairman Scott said, properly moved and second that we approve item 1. Any unreadiness? Any discussion? Hearing none, all in favor indicate by voting yes, opposed no. The motion carries.

ACTION OF THE BOARD:

Commissioner Brady moved for approval of the request following budget amendments and transfers: in the Risk Management Fund increase revenues and expenditures \$7,190 for insurance reimbursements, 2) in the Multiple Grant Fund increase revenues and expenditures \$19,430 for a grant award from the Georgia Criminal Justice Coordination Council, 3) in the General Fund M&O transfer \$13,837 from Contingency to Transfer out to Restricted Court Fees, 4) in the Restricted Court Fees Fund: a) increase revenues \$13,837 Transfer in from General Fund M&O, b) increase expenditures \$13,837 in the 5% Victim Witness Budget, and 5) in the Sales Tax V Fund transfer funds among projects as outlined in the attached memoranda. Commissioner Center seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: IX-1

AGENDA DATE: December 19, 2014

TO: Board of Commissioners

THRU: Lee Smith, County Manager

FROM: Amy Davis, Finance Director

ISSUE:

To request approval of the following budget amendments and transfers: 1) in the Risk Management Fund increase revenues and expenditures \$7,190 for insurance reimbursements, 2) in the Multiple Grant Fund increase revenues and expenditures \$19,430 for a grant award from the Georgia Criminal Justice Coordination Council, 3) in the General Fund M&O transfer \$13,837 from Contingency to Transfer out to Restricted Court Fees, 4) in the Restricted Court Fees Fund: a) increase revenues \$13,837 Transfer in from General Fund M&O, b) increase expenditures \$13,837 in the 5% Victim Witness Budget, and 5) in the Sales Tax V Fund transfer Funds among projects as outlined in the attached memoranda.

FACTS AND FINDINGS:

1. Insurance reimbursements has exceeded the budget. An amendment to increase revenues and expenditures \$7,190 in the Risk Management Fund is needed. Correspondence and a resolution are attached (to the original staff report in the Clerk of Commission's meeting file).
2. Chatham County has been awarded a \$19,430 grant by the Georgia Criminal Justice Coordinating Council. 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).
3. In 2011 the Public Information Officer in the District Attorney's office was temporarily given added responsibilities to coordinate and administer the Violence Intervention Program. The Public Information Officer received a salary increase paid from the 5% Victim Witness Fees for the additional duties. The temporary assignment ended effective November 11, 2011. Since that time funding for the position continued to be split between the District Attorney's budget and the 5% Victim Witness fees budget. The Director of the Victim-Witness Assistance Program has requested that the funds be returned to the 5% Victim-Witness Fund. Correspondence and a resolution are attached (to the original staff report in the Clerk of Commission's meeting file).
4. The County Engineer has requested project modifications in the Sales Tax V Fund. Correspondence is attached (to the original staff report in the Clerk of Commission's meeting file).

FUNDING:

The budget amendment will establish funding in the Risk Management, the Multiple Grant and the Restricted Court Fees Funds. Funds are available in the General Fund M&O and Sales Tax V Funds.

ALTERNATIVES:

1. That the Board approve the following:

RISK MANAGEMENT FUND

Increase revenues and expenditures \$7,190 for insurance reimbursements

MULTIPLE GRANT FUND

Transfer \$13,837 from contingency to Transfer Out to Restricted Court Fees.

GENERAL FUND M&O

Increase revenues and expenditures \$19,430 for a grant award.

RESTRICTED COURT FEES FUND

- a) Increase revenues \$13,837 for a Transfer in from General Fund M&O.
- b) Increase expenditures \$13,837 in the 5% Victim Witness budget.

SALES TAX V FUND

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

- 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. REQUEST BOARD APPROVAL TO CREATE AN ASSISTANT DISTRICT ATTORNEY POSITION IN THE DISTRICT ATTORNEY'S OFFICE TO FUNCTION AS AN APPELLATE ATTORNEY.

Chairman Scott said, Item 2, and we will invite our District Attorney up to talk about this, but this is to request Board approval to create an Assistant District Attorney position in the District Attorney's Office to function as an Appellate Attorney.

District Attorney Meg Heap said, good morning.

Members of the Board collectively said, good morning.

District Attorney Heap said, first of all thank you very much for allowing me to be here. I'd first like to say for this appellate attorney, we're not requesting any funds. This would be a shift in our salaried budgets. We have seen an increase -- we actually looked back on the data from 2012 when I -- before I took office, there were 19 jury trials in State Court. It went to 2013, 55 and in 2014, as of today, 49. We also saw an increase of jury trials in Superior Court. In 2012 there was 21 jury trials. It increased to 36, and then ultimately up to 44, and just to explain, we had a jury trial this week, it was an armed robbery of three juveniles. It -- someone who -- he was convicted, and he has constitutional rights to a motion for new trial, which involves transcripts, arguments, and briefs. Then he has a right to appeal. We have to -- the State has to respond with briefs, we have to go and do oral arguments, and then ultimately after that he also has the right to a habeas, and again, we have to respond with briefs and/or oral arguments. We have seen this increase and -- and with the increase -- with the major crimes division which was created by Judge Karpf, we have more murders, armed robberies, kidnappings, sexual assaults, aggravated child molestation, and with these, we are pushing more cases to jury trial which requires --

Chairman Scott said, Madam --

District Attorney Heap said, -- excuse me, which requires more appellate work, and so we are requesting -- we are not requesting any funds, but requesting that the position be made available, and I welcome any questions.

Commissioner Stone said, I'll make a motion.

Chairman Scott said, any questions?

Commissioner Brady said, I move for approval.

Commissioner Stone said, well, that's what I was going to do.

Commissioner Center said, go ahead.

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

Commissioner Farrell said, second.

Chairman Scott said, second by Commissioner Farrell of the 4th District. Been properly moved and second. Any unreadiness?

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

Chairman Scott said, any questions?

District Attorney Heap said, yes, sir.

Chairman Scott said, Commissioner Shabazz from the 5th District.

Commissioner Shabazz said, who's working in this capacity right now?

District Attorney Heap said, each individual prosecutor is doing their own motions, and -- and doing their motions for new trial, their appellate work and their habeas work.

Commissioner Shabazz said, okay. So would this be to your advantage to --

District Attorney Heap said, yes, it would. I -- I mean I have my trial prosecutors who I want them to focus on the jury trials, the serious violent crimes, as well as our crimes in State Court and our other felony division. I think, and I'd spoken to Mr. Center about it earlier, I think a person who has the expertise in appeals, they know what the issues are and know how to defend them when they go up. I think it's a different -- someone in -- in -- in a courtroom has -- are very good at speaking, they may not be as good at writing, though they are, but it would give them more time to focus on the murders and the serious crimes.

Commissioner Shabazz said, so one person would be handling all this?

District Attorney Heap said, yes.

Commissioner Shabazz said, okay.

District Attorney Heap said, it's going to be -- it's going to be heavy, but, we're looking at someone with some expertise in this area, worked with the Attorney General, and also, hopefully, we can get her, but she's also worked with the Attorney General, and she worked for the Fulton County District Attorney's office.

Commissioner Shabazz said, thank you. Thank you for your leadership.

District Attorney Heap said, yes, sir.

Commissioner Center said, yeah, may I -- may I add a comment to that?

Chairman Scott said, yes.

Commissioner Center said, yeah. I -- I just wanted to point out --

Chairman Scott said, Commissioner Center of the 3rd District.

Commissioner Center said, in -- in the civil practice, many, many lawyers now are going to an expert on appeals who has a more familiar relationship with the appellate judges, 'cause they're all in Atlanta, may have worked for them, and a lot of people out there try a case, and it gets appealed are going to hire someone who does only appeals. It makes it much cleaner and easier.

District Attorney Heap said, and you want to hold -- uphold the conviction.

Commissioner Center said, yes.

Commissioner Shabazz said, mm-hmm.

Chairman Scott said, Madam DA, can you tell us what the total number of DAs that you have?

District Attorney Heap said, yes, sir. We have eight prosecutors who are funded by the State, that is by statute. For every Superior Court Judge you have a state-paid prosecutor. We have 29 prosecutors funded by the County; two are funded by the Chatham County Narcotics Team. They're assigned to the drug unit. We have two that are funded by Child Support in their budget. Did that answer the question?

Chairman Scott said, yeah. So you have a total of 39, and this will make you 40?

District Attorney Heap said, yes, sir.

Chairman Scott said, you'll have the largest law firm in town, won't you?

District Attorney Heap said, we do. We work the hardest.

Chairman Scott said, any further questions? If not, all in favor of the motion indicate by voting yes, opposed no.

District Attorney Heap said, now, some may disagree, but I -- I don't. Thank you very much. I appreciate it.

ACTION OF THE BOARD:

Commissioner Brady moved for Board approval to create an Assistant District Attorney position in the District Attorney's Office to function as an Appellate Attorney. Commissioner Farrell seconded the motion and it carried unanimously.

AGENDA ITEM: IX-2

AGENDA DATE: December 19, 2014

TO: Board of Commissioners
THRU: Lee Smith, County Manager
FROM: Meg Heap, District Attorney
Carolyn A. Smalls, Human Resources Director

ISSUE:

Board approval to create an Assistant District Attorney position in the District Attorney's Office to function as an Appellate Attorney.

BACKGROUND:

Since January 2013, the District Attorney has focused on securing tougher sentences for violent and repeat offenders in Superior Court. In State Court, the District Attorney has emphasized not reducing DUI cases unless evidentiary concerns warranted it. As a result of these efforts, the number of jury trials has increased significantly over the past two years. The District Attorney's office does not currently have an attorney dedicated to handling appeals related to jury trials and convictions.

FACTS AND FINDINGS:

1. The number of jury trials prosecuted in Chatham County State Court increased from 19 in 2012 to 55 in 2013 and to 49 in 2014. In Chatham County Superior Court the number of jury trials increased from 21 in 2012 to 33 in 2013 and to 44 in 2014.
2. Every criminal defendant who is convicted is entitled to a motion for new trial as well as a direct appeal. In addition, convicted defendants have the ability to file appeals under habeas corpus law and certain appeals may also be filed by defendants during the course of the trial, prior to the verdict.
3. Currently, Assistant District Attorneys who work as trial prosecutors are also functioning as appellate prosecutors. The amount of time required for a trial prosecutor to prepare an appellate case creates inefficiencies and detracts from the time needed to prepare for trials. The Chatham County DA's office currently has 13,001 pending criminal cases with 39 prosecutors. Given the current caseload of the District Attorney's Office, it is not practical or feasible to dedicate a current trial prosecutor to function solely as an appellate attorney.
4. The skill set needed for appellate work is very different from the skills needed to try a case. The majority of an appellate practice, unlike a trial practice, involves writing motions and briefs, reading trial transcripts, conducting legal research, and making legal arguments in front of a panel of appellate judges. In addition, considerable knowledge of appellate law and procedure is essential.
5. Having an appellate prosecutor with specific appellate practice experience will increase the likelihood of succeeding on appeals and keeping convictions and sentences in place. An experienced appellate prosecutor will increase productivity and the rate in which appeals are handled, free up trial prosecutors to focus on trial preparation and securing convictions, and will allow for more cases to be prosecuted.
6. The trend in District Attorneys' Offices throughout Georgia is to designate one or more appellate attorneys: Fulton County has nine, DeKalb and Cobb Counties each have three, and Clayton County has one. The Chatham County Public Defender's Office has one appellate public defender.

FUNDING:

No additional funding is needed. The position will be funded from permanent salary savings within the District Attorney's existing FY 2015 budget.

POLICY ANALYSIS:

The Board's approval is required to create new positions. Approval of the requested position will enable the District Attorney's Office to provide essential services related to the prosecution of crimes in Chatham County.

ALTERNATIVES:

1. Approve creation of an Assistant District Attorney position in the District Attorney's Office to function as an Appellate Attorney.
2. Provide staff with other direction.

RECOMMENDATIONS:

Approve Alternative 1.

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3. CNT MONTHLY REPORT GIVEN VERBALLY BY DIRECTOR RAGAN.

Chairman Scott said, we'll now have Director Ragan with the CNT monthly report.

County Manager Smith said, before he comes up, Mr. Chairman, I'd like to say he became a new -- a grandpa again yesterday, so congratulations to -- to the Commander.

Chairman Scott said, we -- we have a lot of grandmothers and grandpas around here now.

County Manager Smith said, that's right. He's got a new one.

Director D. Everett Ragan said, I have a brand new one on the 17th, another girl. Three daughters, two granddaughters. I can't win. I -- the only argument I win sometimes is with staff, other than that --

Commissioner Center said, you have won.

Director Ragan said, -- I don't -- I -- I don't win anything in the house. Good morning --

Chairman Scott said, good morning.

Director Ragan said, Commissioner -- Commissioners. Happy holiday season everybody. I won't see you probably before Christmas but hope everybody has a -- a joyful and a safe Christmas. During the month of November we initiated 53 cases and closed out 26 of those. You've seen the charts on the number -- the amount of drugs seized that we have. To date we're again over a million dollars worth of narcotics seized out of Chatham County, so we're extremely proud of that. Three handguns, 41 guns so far this year that we've taken off the streets; 19 arrests. Geographic locations, you'll see that we have -- we had some out of towners come in. We had some from Panama City, Florida who wanted to come in and set up a actual drug and prostitution ring at some of our local hotels, and we were able to work in -- work an undercover in and -- and take care of those individuals. So, as you can see also, the -- the Islands precinct, we're still very busy again assisting with the Savannah-Chatham Metro homicide division and their people in reference to a lot of the violence that's been taking place over there. This week we've already executed three search warrants on the state streets, and again, this is not on the Wilmington, Whitmarsh Island, this is off of Pennsylvania Avenue and state streets that we're -- we're having those -- those issues that we're seeing.

Director Ragan said, again, you see the graph, City of Savannah --

Chairman Scott said, no. We -- we're not seeing the graphs, and that's what I thought.

Director Ragan said, oh, we're not? No. No. This is -- this is a different presentation.

Chairman Scott said, all right. All right.

Director Ragan said, this is just the monthly report thing. This is the one you have in front of you.

Chairman Scott said, all right. Thank you.

Director Ragan said, and this is -- that's just a little side presentation for just a few -- a few slides on something else. So.

Chairman Scott said, okay. Thank you.

Director Ragan said, in fact, I'll go ahead and -- and -- we'll just make one more -- on some significant events so far in November, even narcotics agents gets fooled sometimes. We had a -- we had an individual offer to sell an undercover agent a -- an ounce of powder cocaine for \$1,000. It raised a little bit of suspicion 'cause it normally goes for 1200 around Savannah. He sold us fluke. It wasn't real cocaine, but with our suspicions, we were able to go ahead and arrest him and -- and take him off the street. He -- we paid him some money, and he got -- he got put in jail for selling fake dope. We also concluded an investigation in -- yeah --

Commissioner Center said, put him in fake jail.

County Manager Smith said, it's the real jail.

Chairman Scott said, in other words, you can arrest somebody for anything.

Director Ragan said, we can -- yes, sir. All they got to do is even present that they want to sell us some illegal narcotics we'll -- we'll certainly put them in jail. I -- it's -- it's hard to, you know, imagine somebody wanting to go to jail with selling baking soda, but sometimes they -- sometimes they do. The -- November 7th we concluded an investigation in the -- on an individ -- individual we purchased powder cocaine on two separate occasions. This is the eighth sales -- drug sales arrest since 2003 on this individual, and this marked his 24th arrest in Chatham County, including parole and probation violations and -- and burglary. And, again on November the 13th is when we were doing the -- some surveillance operations at the Roadway Inn. Management came to us and indicated a problem out of a room, and we were able to infiltrate, and arrest prostitutes and a pimp for selling drugs and prostitution. So, November was a fairly good month.

Director Ragan said, I want to do a special presentation on -- where's Jerrell --

County Manager Smith said, it's got to go up and start the slide show.

Director Ragan said, yeah.

County Manager Smith said, from the beginning.

Director Ragan said, it won't go.

County Manager Smith said, I can get it. I just -- I don't want to have to hobble over.

Director Ragan said, there we go. Just wanted to do a -- a quick thing on -- I've talked several times on heroin and the increase of heroin what we're seeing in the -- in this community. A little basic on what heroin is. Of course it's street name is H, pronounced heroin because once you do it, you will be messed up from here on they said. Brown is referring to the color of the powder. Black tar heroin you see, which is a black tarry looking substance. The origins of heroin, basically, if you remember back in the 60s, 70s, 80s, everybody talked about the golden triangle and then the golden crescents over in Afghanistan, and this was particularly during the -- the invasion of Russia, there was -- a lot of poppy seed was over there. What we found now, and like I say is since 2007, the production of heroin -- Mexico now is the number two producer of heroin worldwide. Heroin -- this is how it's used, basically it's put in a spoon, cooked over, put the needle, shot in the arm. That gives the immediate euphoric high that they're looking for with the opium-based high. It can be free-based, put in that little pipe, water underneath it, heat the water and you -- you get high that way, but it's not as immediate; and snorting, like you -- like powder cocaine. Again, you'll get the high. It will just take you a little bit longer to get there. Doesn't seem to last as long.

Commissioner Center said, people take pictures of themselves doing this? Is that how you got them?

Director Ragan said, yes, sir.

County Manager Smith said, mm-hmm.

Director Ragan said, they take -- they take pictures.

County Manager Smith said, post it. Facebook.

Director Ragan said, sometimes it's surveillance pictures.

Commissioner Center said, Facebook.

Director Ragan said, look at what we're seeing in -- in Chatham County, and -- and is the heroin/pill battle. We fought the pill battle a couple years ago. We were able to successfully shutdown a major pill mill in Garden City that was supplying -- most of their client base was out of Tennessee, Kentucky, the Carolinas coming in. Only 15 percent of their client base for pain pills was -- was out of Chatham County, the rest of it was southeast United States. People got hooked on the pills, the oxycotins, the hydrocodones, the oxycodones, they're all opiate based. We were able to shut that down, and this is a nation-wide trend, it's not just in Chatham County, it's nationwide, able to shut that down so now they're going back to the cheaper heroin. It is much cheaper than what it was going in and getting the -- getting the pills. You can see the increase in the number of cases we've

had and the amount of heroin we've recovered. We recovered four times of -- of -- as much this year as we had in the entire last year. And it's all about the money. It's -- it's -- the lack of pills, makes it available for the heroin. The suspects now in -- with the fact that Mexico is the second number -- second leading producer of heroin in the world, with everything being smuggled across the border, it's easier to smuggle the heroin. Availability is easier.

Director Ragan said, a couple of cases we made this month. One, you see the small individual packets. That's -- is usually a one-tenth gram of heroin. That's how it is sold in the one-tenth grams. Most of them heat and dilute. It's in the individual packets. It was already marked for sale. It was in the little -- wax paper and plastic looking bags that had stamped heavy hitters on it. We interdicted this with information that it was coming in. We interdicted it at the train station. This was coming out of New Jersey. The second batch that we recovered this month was shipped through the mail, and you can see, the cans, in those -- those pictures, those are the false bottom cans we talked about before that all you do is twist it and the heroin and all was inside -- inside those -- with the dogs sniff and all, so that's how that was packaged. That had not been cut. It was coming in to the -- to the dealer who actually would then cut it down and -- and -- into the tenth. Probably step on it once or twice, which means, stepping on it makes -- makes it a little bit weak -- weaker but it also increases his money supply. He gets more money. He makes -- takes that -- takes that dope, cuts it in half, makes twice the dope, and he gets twice the money off of it. So that's what I wanted to show you this month, what we're -- what we're seeing in Chatham County and actually nationwide.

Chairman Scott said, what is that last slide you have there? Number eight.

Director Ragan said, again, that's just the close up of the -- of the bulks.

Chairman Scott said, okay.

Director Ragan said, that's the little packets that came in on the -- on the train.

Chairman Scott said, yeah.

Director Ragan said, and then the bulk that came in on the -- through the postal service. Individuals have been arrested on -- on all of those. The one that we intercepted from the train, we had to spend time to get a search warrant to go into his baggage, which means we had to cut him loose because we didn't -- we could, you know, hold the bags but we couldn't hold him, and he had a partner with him. We interviewed, cut loose. We re-arrested -- the female turned herself in. We arrested him yesterday morning, and he had another three grams of heroin in his pocket, along with some Xanax.

Chairman Scott said, okay.

Director Ragan said, thank you.

Chairman Scott said, we have some questions.

Director Ragan said, yes, sir.

Chairman Scott said, we've got Commissioner Center from the 3rd and Commissioner Shabazz from the 5th.

Commissioner Center said, thank you.

Director Ragan said, yes, sir.

Commissioner Center said, in -- in today's paper they showed a meth lab bust, but they're wearing -- your people are wearing HAZMat material. Can you explain that -- do these things still blow up?

Director Ragan said, yes, sir. These are -- the individuals we arrested when we -- we indicted ten people on a special present -- presentment to the Grand Jury last -- last week, and so we did a little round up over this past week with those individuals. Eight we pretty much knew where they were at; two were out of pocket, one in Texas and one in -- one in --

Commissioner Center said, Atlanta.

Director Ragan said, -- Atlanta. The -- these individuals are not the crystal meth dealers that we're seeing coming out of Mexico. These individuals are your one pot that you can make in the bathroom of your house, the attic, you can make it to a car. A stop up in -- you know from Bulloch County where they chased a car the other day and they had an active meth lab. It's basically using two-liter drink bottles. You put -- you put fuel in them and lithium batteries sliced up in them and some Sudafed and it turns into a chemical reaction, and, yes, they can blow up, and that's the people we got yesterday. We recovered the -- during the interviews post-arrest, we found one active lab that was still cooking some liquid in the bottles, and one old lab that they had dumped in the woods that we went and cleaned up, but yes, you have to wear HAZMat suits because they're extremely dangerous. And thanking -- thanking the Commission for the purchase of our HAZMat vehicle and we have all the equipment that we can go do that with.

Commissioner Center said, thank you.

Commissioner Shabazz said, thank you. Good morning, Mr. Ragan.

Director Ragan said, yes, sir.

Commissioner Shabazz said, what's the behavior -- what's the symptoms of a person's that's using the heroin -- heroin?

Director Ragan said, well, if he is able to have his heroin, and keep and maintain his supply, it could be a person -- you'd walk in in a-- a banking facility or anything else, he has no symptoms. He is anybody. He's your next door neighbor. He is anyone who is -- is able to afford and keep that. Now, the issue comes in when the addiction is so bad that they can't afford it, and then one, it leads to more crime because of -- of getting money for the supply, and two, you get the sweats, you get the withdrawals, and you get the -- the dehydration, body weight and everything else that leads on you. So as long as they got the supply -- one individual that we arrested on our -- one of our field cases, he was melting his pills, and when you say a pill case, a pill addict, he was one of the ones who was so bad, he crushed the pills up, cooked them like you saw on the spoon, and then injected the pills to get the opium high. He was sitting in a bank behind a desk. He was a bank person. He handled loans and everything else. He was sitting in his coat and tie. We arrested him. He had his needle and he had his band to put around his arm, and he had his spoon in his pocket. So they can -- as long as they are getting the supply, they can be anyone.

Commissioner Shabazz said, thank you. Thank you.

Chairman Scott said, thank you.

Director Ragan said, yes, sir.

ACTION OF THE BOARD:

For Information only.

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

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4. LEGISLATIVE PACKET. POWERPOINT PRESENTATION FROM WORKSHOP IS PROVIDED.

Chairman Scott said, okay. Item 4 on our Action Calendar is the legislative package, which was the power point presentation that was shared with you at our workshop. And, Jon, do you have any comments?

County Attorney Hart said, no, sir. I think we understood pretty much what you want us to do in that regard as to the -- the four items, and we'll proceed accordingly. We'll draft legislation; 90 percent of it's drafted, and circulate it among --

Commissioner Kicklighter said, Mr. Chairman?

Chairman Scott said, yes, Commissioner.

Commissioner Kicklighter said, thank you, Mr. Chairman. I would just like to remind this Board that included in this legislative packet that will be presented to the State delegation today is a request for this Commission to alter state laws which would allow for the possible expansion of Chatham Area Transit into areas of the county in which has always opted out in the past, and I would like to state that in the audience now we have Mayor Mike Lamb from the City of Pooler. We have the Bloomingdale Mayor, Mayor Rozier. We have the Garden City Police Chief, Chief Lyons, all representing the various cities in a -- an attempt to express their opposition to any legislative changes that would allow forced taxation and services on their respective cities or areas within their cities, and speaking with each of them, or at least with two of them, it's my understanding that should a decision of this magnitude ever be presented within their cities, that they would prefer that the citizens of each city be able to vote on something like that. But they -- no, I'm not going to speak any further. They -- they basically oppose it on that as far as them. I would like for them to have the opportunity to speak before any vote is taken on this, but at this point, I would actually like to make a motion to remove the request regarding the state actions to alter the CAT taxing and service district.

Chairman Scott said, you're not recognized -- you've not been recognized for the purpose of making a motion.

Commissioner Kicklighter said, Mr. Chairman, point of order.

Chairman Scott said, we'll get to it.

Commissioner Kicklighter said, point of order. When no one has the floor, and a member says Mr. Chairman, if recognized by the Chairman, the member has the floor and has the right to speak in a debate or make a motion, page 30, line one, Robert's Rules of Order.

Chairman Scott said, the -- you're correct except -- except for the Chair did not recognize you when he recognized you for the purpose of making a motion --

Commissioner Kicklighter said, Mr. Chairman --

Chairman Scott said, I recognized you for the purpose of making a comment.

Commissioner Kicklighter said, -- point -- point of order. When no one has the floor, and a member says Mr. Chairman, if recognized by the Chairman, the member has the floor. That's line 25.

Chairman Scott said, yes.

Commissioner Kicklighter said, they have the right to speak in a debate or make a motion. This is page 30, line one, obtaining the floor, Robert's Rules of Order, the 11th Edition.

Chairman Scott said, once again, the Chair did not recognize you for the purpose of making a motion. I will -- I will at the --

Commissioner Kicklighter said, point -- point of order.

Chairman Scott said, I will at the appropriate time. I will at the appropriate time recognize you --

Commissioner Kicklighter said, point of order when no one has the floor, and a member says Mr. Chairman, if recognized by the Chairman, the member has the floor, line 25, and has the right to speak in a debate or make a motion. Page 30, line 1.

Chairman Scott said, I hear you, but at this time I'm not going to recognize you for a motion because I want to hear from -- I want to hear from the Mayor who's here, and at the appropriate time I'll recognize you for a motion.

Commissioner Kicklighter said, I at this point make -- I call for a vote on this. According to Robert's Rules of Order, after the third time --

Chairman Scott said, what do you want to vote on?

Commissioner Kicklighter said, -- the Chairman has denied -- I call for a vote that I am allowed to make a motion, and that -- I'm calling for a vote. This is according to Robert's Rules of Order, which we follow.

Chairman Scott said, what is -- state -- state your -- state your motion, Mr. Kicklighter.

Commissioner Kicklighter said, okay. Well, based on Robert's Rules of Order, which is the --

Chairman Scott said, state -- state your motion.

Commissioner Kicklighter said, I am getting to it sir. If the Chair ignores the point of order, the member can repeat the point of order a second and third time, and if the Chair still ignores it, the member standing his place can immediately point -- point the out of order to a vote with a debate. So, at this point --

Chairman Scott said, no. I want to know what your original motion though.

Commissioner Kicklighter said, my -- my original motion was to remove the request from the packet that will be delivered to our state delegation -- remove the request regarding the state's request -- regarding the county requesting the state to actions to alter CAT's taxing and service district. That's my original motion, sir.

Chairman Scott said, is there a second? There's not a second for your motion. Thank you. Now, let me -- let me state what we're doing here today. We are not -- we are not changing the CAT's districts. Okay? What we are doing here today is asking the legislature to allow at some point a determination by the Chatham Area Transit Authority for the need of expanded service through professional studies or however they may arrive at that point. And once they do that, they will come back to this Commission and ask this Commission to expand CAT in whatever that area may be recommended. At that time, the Commission would have to authorize the expansion of CAT before it could actually take place. And -- and -- and so the statements that's been made is incorrect. Am -- am I correct, counselor in what I'm saying?

County Attorney Hart said, no, sir. Yes -- yes, sir, you are. I mean that's --

Chairman Scott said, and -- and that is all we're doing with this legislative request, and at some point if we decide as a Commission that CAT needs to be expanded then the Commission will have to vote after having seen some demonstration of need of service in the area, and at that point, you would know exactly who would

be taxed and etcetera. This is not a blanket authorization to tax any municipality or any other area in the county. Period. And -- and this is where the misgiving, and at some point I say to the Commissioner from the 7th, you will have the opportunity to make any motion, oppose any expansions of Chatham Area Transit Authority. I just want to make it clear to the members of this Commission and the public what we're asking for is not a blanket authorization to expand CAT in municipalities or any place else, and -- and that's really what we're doing, but I did not want my mayor, who is Mayor Lamb, to be here without having an opportunity that he can come up and express whatever comments he wants to make, and -- and also the Mayor of Bloomingdale, but what we're doing today is not expanding the CAT district nor are we asking the legislators to expand it. What we are asking for is authorization to afford CAT an opportunity to demonstrate a need for services and if they bring that back, it will be a recommendation to the Commission because CAT doesn't have taxing authority. The Commission will have to vote and if the District that's impacted, if the Commission vote would be assess one mill in taxation to support the CAT service in that area, and that's all we are doing. So, if there is some misunderstanding about what we are doing, I want to make sure we're clear on that, and if we ever get to the point where we're expanding in Bloomingdale or Garden City or Pooler or any place else, certainly we would hear from the Mayor or anybody else in that area who would like to. But I didn't want the Mayor today to have come here and wanted to address this Commission and not afford him an opportunity. Okay? So Mayor Lamb if you --

County Attorney Hart said, Mr. Chairman, could I also make the point that in expanding the area of service, we're not talking about an entire municipality.

Chairman Scott said, no.

County Attorney Hart said, in other words, you -- you're going to expand the service where the service is required and it's economically feasible.

Chairman Scott said, there will have to be a demonstration that service is needed.

County Attorney Hart said, and -- and so you may have a municipality that has a need in its commercial district and has no need where else --

Chairman Scott said, yeah.

County Attorney Hart said, -- and -- and therefore the need would be considered by the Commission accordingly.

Commissioner Kicklighter said, may I ask a question and not make a motion? Question only, please.

Chairman Scott said, you want to ask it before the Mayor?

Commissioner Kicklighter said, I would like to clarify something if --

Chairman Scott said, yes. Go ahead.

Commissioner Kicklighter said, thank you, sir. So if the request -- if the State delegation is successful with the request, this body would then have the authority to levy a tax within an area for a service within an area that we currently do not have. We would have the ability to level the tax and send the service to an area that we currently do not possess, is that correct?

County Attorney Hart said, if you follow the procedure and demonstrate a need and CAT -- you receive a CAT recommendation --

Commissioner Kicklighter said, right.

County Attorney Hart said, -- yes, you could vote affirmatively to do that.

Commissioner Kicklighter said, but -- but without all the -- the cut and dry of it all, if currently -- if this request passes the state, this body will then have the ability in which it does not currently have to levy a tax --

County Attorney Hart said, hmm-mm. That is -- that is incorrect.

Chairman Scott said, that's incorrect.

County Attorney Hart said, this body is the only body that has the right to level a tax, and they've had that since day one that CAT was founded.

Chairman Scott said, and that's the reason CAT will have to come back to us with a recommendation because they don't have taxation.

Commissioner Kicklighter said, okay.

County Attorney Hart said, all they can do is recommend.

Commissioner Kicklighter said, this body currently -- can this body currently levy the tax and put a service in an area that is -- does not -- that -- that's not in.

County Attorney Hart said, I would say -- if I were betting you -- yes. I would say yes.

Commissioner Kicklighter said, well why -- why is this a request?

County Attorney Hart said, now there's some language in the original acts that had some language in there that the -- that they had some opt in, opt out provisions that we've had two different sets of attorneys opine to would not be constitutional because y'all are given that authority by the constitution and -- and you just can't take that away by an ordinary vote. So, but -- and I realize there may be a difference of opinion among people, it is CAT's position that they could expand the District without the need for this legislation, but what this legislation does is puts into play a mechanism by which you just can't go out there and pick an area and say, hey, we want to make this part of the CAT District. This is a situation in which you got to study.

Chairman Scott said, it forces them to justify it.

County Attorney Hart said, yeah. You got to justify it.

Commissioner Kicklighter said, is it fair -- is it fair to say that this legislative request seals the deal in the favor of -- where you may have two opinions regarding whether or not you can put the tax and the servicing in a certain area this -- this folds it up and packages it nicely, and -- other words, there -- it removes doubt that possibly this point can happen? Is that fair to say?

County Attorney Hart said, to the -- yes, sir. To the extent there is doubt, if -- if you pass the legis -- if the state representatives pass this legislation, you know, it would be pretty straight forward. There wouldn't be -- you wouldn't have that language hanging around the Act anymore that, you know, there's maybe a difference of opinion about it.

Commissioner Kicklighter said, okay. Thank you. And I'll -- I'll -- I'll just state it's -- which I know we all do, my opposition to this is not personal. I'm -- I as we all do represent those people and when I went door to door that was one of the main things everybody expressed to me, and that's why I'm trying to stand up for them.

Chairman Scott said, and we would never have a vote to impose service without allowing you to have that opportunity to state --

Commissioner Kicklighter said, yes.

Chairman Scott said, -- your opposition because I just want to say that's not what we're doing here today. Commissioner Brady.

Commissioner Brady said, I have a question, and I picked up on something you said. Let's say -- let's use Pooler as an example, okay? You've got a lot of like subdivisions in Pooler, and you've also got a -- a expanding business district in Pooler, okay? So let's just say that we would use just that part of the municipality, which would be the business district, and that's where we think the need is, who would be taxed if you pick out just the business district?

County Attorney Hart said, well you would determine what the business district was, and then you would probably pick some distance off of say the spine road, Pooler Parkway, on either side of it, maybe 600 yards, 500 yards, whatever makes sense and the Commission feels comfortable with, then any entity within that district would be taxed which by -- by your example the tax would fall on the commercial end of the stick as opposed to the -- the residential.

Commissioner Brady said, that's -- that's what I wondered. Thank you.

Chairman Scott said, Commissioner Farrell.

Commissioner Farrell said, thank you, sir. Following along on that train of thought, there are some areas in the unincorporated area that would be a similar situation as the Pooler example. Would it also be incumbent and possible for this Commission to -- to look at different areas and apply that same thought and taxation?

County Attorney Hart said, you could -- there -- well -- well I -- that -- this -- this answer assumes there are areas in unincorporated county that are not already being serviced, but --

Commissioner Farrell said, I'm talking about areas that are -- as we well know all of them are taxed, not necessarily all the areas have fixed route service.

County Attorney Hart said, correct. So, yeah, you could -- you could -- you know if you needed to expand the district in the unincorporated area, yes, you would. Now the question of whether that -- that hypothetical situation would ever occur, you'd have to get out your maps and look at them.

Commissioner Farrell said, well I'm -- the hypothetical would be on the taxation part. If you had a area of commercial interest in the unincorporated area, could it also be used, you know if there's certain citizens that aren't being served, could they be also off the hook for paying the tax like the example that my other Commissioner presented?

County Attorney Hart said, I -- I -- I couldn't answer that without giving that a little bit of thought, but --

Chairman Scott said, I can answer it for you. Anything is possible if you get enough votes.

Commissioner Farrell said, thank you.

Chairman Scott said, yeah. Mayor Lamb.

Mayor Mike Lamb said, Chairman, Commissioners, I appreciate the opportunity to say a few words. I really didn't come here prepared to say anything, I was just going to listen to all of you all. I was at the workshop the other day because of some interest that we had about CAT services coming to our City of Pooler, and for a long time you've known that the City of Pooler, we've stated it, because we've been told by our citizens, by many of our citizens that we would like to vote on something like that before it comes to our city. CAT buses are a good service. I understand. What I don't understand I guess is CAT buses coming out there and taxing an area that doesn't need the CAT buses. It's that you're going to that area --

Chairman Scott said, yeah.

Mayor Lamb said, -- and then you're going to tax them because you're coming to that area.

Chairman Scott said, now, what I -- and this is what the counsel spoke to and this is what I just stated. There would have to be a study and a demonstration for a need of service before we could expand it if you follow the procedures that we're asking the legislature to look at.

County Attorney Hart said, yeah. It would make no sense in a residential subdivision to have CAT buses running up and down a residential subdivision.

Chairman Scott said, with no riders.

County Attorney Hart said, but there might be -- there might be a fixed point where you could leave the subdivision and go to a collection point.

Chairman Scott said, yeah.

Mayor Lamb said, okay.

Chairman Scott said, okay.

Mayor Lamb said, well, the only other thing, and I -- I've stood by this, and I will want to continue to be by this, and I hope each and every one of you feel the same way. I report to the citizens in my district, and I think all of y'all do to, and putting something on them that comes from another area that they don't get to vote on, it's going to hurt them, and they're going to come back at me and say what can you do, so that's why I'm here today. That's why I'm sharing with each and every one of you. My citizens, and I know I can't account for 100 percent of them, but I bet you I can account for about 99 percent of them that will say no they don't want CAT buses. Now some of the businesses coming in may request it, and my answer to you is, why isn't there some kind of contract that maybe the county works out with businesses in the future. Several of those places out there have mentioned they'd like to have CAT buses coming there, but I don't want it to be something that comes to a business, and then right behind them is a subdivision that's never going to use the CAT buses, and they're going to get taxed on it.

Chairman Scott said, yeah. Yeah, and -- and that's the whole purpose of this legislation. If -- if you look at the opinions that was afforded Representative Stephens and others, the County Commission right now would have the authority to go out and just take in the entire city limits of Pooler and make them a CAT service district and tax the entire city limit at -- with a vote of this Commission. That's not what the legislation is asking to do. We are asking that we be allowed to carve out an area that has a demonstrated need for services rather than doing a blanket service district for CAT. And -- so we're trying to do the opposite of what you're suggesting, and -- and that's -- that's the whole purpose of it. And if and when it ever gets to the point where there is a demonstration of services, certainly you would be invited -- invited in, be shown the boundaries and everything else before this Commission votes.

Mayor Lamb said, one last thing too is CAT buses, they're quite large, and based on the ridership that I see a lot of times coming through our city going over to another area, you could use a van, and maybe even a car sometimes. So in that particular case I --

Chairman Scott said, yeah.

Mayor Lamb said, -- it's just using something that large, and if it goes down Pooler Parkway, and you do put stops, we have two lanes, and they're backed up already. A CAT bus would probably back up traffic like crazy.

Chairman Scott said, you -- you're trying to --

Mayor Lamb said, and I'm just -- I'm getting way ahead of the game --

Chairman Scott said, yeah, you're trying to define -- you're trying to define where the bus will stop, and I have no idea.

Mayor Lamb said, right. But I'm just giving you my input.

Chairman Scott said, but I couldn't -- I couldn't -- I couldn't envision them stopping up and down Pooler Parkway --

Mayor Lamb said, okay.

Chairman Scott said, -- as you suggested.

Mayor Lamb said, all right. Just wanted to let you all know how we feel in the city.

Chairman Scott said, yeah.

Mayor Lamb said, we'd like to have a vote on it from our city before something like that comes to our city by our citizens.

Chairman Scott said, okay.

Commissioner Thomas said, Mr. Chairman?

Chairman Scott said, do you have questions of the Mayor?

Commissioner Thomas said, yes. I have comments.

Chairman Scott said, okay. I recognize our vice Chair.

Commissioner Thomas said, thank you, Mr. Chairman. Mayor Lamb thank you so much for being here today. I represent a portion of Garden City, and I'm happy to do so, and I think we have worked very well together in the past. However, I do get requests -- questions as to why certain segments of Garden City do not have the ability to have transportation to get to work. We have quite a few, and I can point them out personally, some I've taken myself to try to be able to feed their families because they don't have a car and can't afford a car, so they have to walk to the various areas. We have had community discussions with those persons in Garden City, particularly in the 8th District that have grave concerns about the disconnection because they are paying for those roads. They were included. They didn't -- they -- they were not asked whether they could afford to pay the taxes to help, you know, with the new roads that were put in. But I'm just explaining to you what they explained to me, and so they don't understand the objection of not giving them the ability to be able to have bus services to their jobs like JCB and other areas of that nature. That's the biggest concern at this point, and I'm hoping that we will be able to work out something because there's a large constitu -- constituency of people that actually work at these different places that lives in Garden City through -- they do not have personal transportation, so they have to depend on the bus for everything or either walk. So if you just think about that, and see if we can work out something. I'm sure we can work out something together as we always have in the past in Garden City. So I just wanted to throw that out. I'm not sure you were at any of the meetings or were informed of any of the community meetings. I attend those different community meetings, and these are the concerns that they have.

Mayor Lamb said, can I ask you something?

Commissioner Thomas said, yes.

Mayor Lamb said, have you had any of those meetings in Pooler also?

Commissioner Thomas said, not in Pooler. It's just --

Mayor Lamb said, okay.

Commissioner Thomas said, right. 'Cause I do not serve Pooler.

Mayor Lamb said, okay.

Commissioner Thomas said, okay?

Mayor Lamb said, that was sort of my question.

Commissioner Thomas said, right.

Mayor Lamb said, was --

Commissioner Thomas said, right.

Mayor Lamb said, -- you know they want to ride into Pooler is what you're saying.

Commissioner Thomas said, right.

Mayor Lamb said, okay.

Commissioner Thomas said, but what I'm trying to say is that if we can, as we always have, look at the total situation, and if we can work something out to help the less fortunate that do not have -- will not have because they cannot afford cars and stuff, but they have families and they are really trying to -- to work and not get out there and do other stuff. The majority of those persons that I'm talking about as I move around. So if we can kind of help with that.

Mayor Lamb said, okay.

Commissioner Thomas said, it will be very helpful.

Chairman Scott said, thank you.

Commissioner Thomas said, okay?

Mayor Lamb said, thank you.

Chairman Scott said, thank you, Mr. Mayor.

Mayor Lamb said, thank you, Mr. Chairman.

Chairman Scott said, at this time I'll --

Commissioner Kicklighter said, we have Mayor Rozier in the audience from Bloomingdale, also, and the Chief from Garden City.

Chairman Scott said, I didn't know this was a police issue, but --

Commissioner Kicklighter said, well --

Chairman Scott said, Mayor Rozier did you want to say anything?

Commissioner Kicklighter said, I think the Mayor sent him to represent, so.

Mayor Ben Rozier said, Mr. Chairman, members of the Commission, I do appreciate you taking time to voice -- to let us voice our opinion. I don't have a whole lot to say -- to add to what Mayor Lamb said. I understand the importance of the Chatham Area Transit. I have an employee who lives on 50th Street that comes out to the airport every day where I own a business. I spend anywhere from 12 to 16 hours a day at the airport, and I see the CAT buses coming with one or two or three or four people, \$100,000 bus burning \$4.00 a gallon diesel fuel. Yeah, they should -- they could ride a pedi-cab would be better or a -- or a small truck or a small van or the express ones that you have, you know, not the big ones.

Chairman Scott said, yeah.

Mayor Rozier said, but I think CAT is a money pit the way it's currently operated, but that's another debate.

Chairman Scott said, yeah. This isn't a hearing on CAT.

Mayor Rozier said, I understand that.

Chairman Scott said, yeah.

Mayor Rozier said, I understand.

Chairman Scott said, yeah.

Mayor Rozier said, I just -- like I say, that's another debate, but the people in Bloomingdale -- I was elected Mayor in 2002 and a -- again this year, just allow them to vote on whether or not they're going to be taxed. And

I don't believe -- in a -- in a perfect world, yeah, you tax the people that need the service, but if it comes to Bloomingdale, I believe every citizen, every household will be taxed. Every land owner will be taxed. The people that -- that live there, I would only ask that they have a chance to vote before they get the tax.

Chairman Scott said, okay.

Mayor Rozier said, that's my only --

Chairman Scott said, thank you.

Mayor Rozier said, -- only comment. Thank you very much.

Chairman Scott said, appreciate your views.

Mayor Rozier said, thank you.

Chairman Scott said, thank you.

Commissioner Kicklighter said, Chief Lyons was sent -- Chief Lyons was sent by the Mayor of Garden City.

Chairman Scott said, Chief, you want to say anything?

Chief David Lyons said, I --

Chairman Scott said, Commissioner Kicklighter insists that you're an envoy from the Mayor.

Chief Lyons said, I'm an envoy by the Mayor and Council of Garden City.

Chairman Scott said, okay.

Chief Lyons said, and I appreciate the -- the recognition there. I would just echo a -- a couple of the points that Mayor Lamb and Mayor Rozier made. To Dr. Thomas' point, I assure you that Garden City will work with you and -- and the -- and the -- the residents to make sure that -- that they're needs are answered.

Commissioner Thomas said, right.

Chief Lyons said, we would just ask for a -- a citizen input, citizen vote on any taxation that came into Garden City additional to what we already have.

Commissioner Thomas said, right.

Chairman Scott said, okay.

Chief Lyons said, appreciate it. Thank you, sir.

Chairman Scott said, thank you, Chief. At this time I'll entertain a motion.

Commissioner Center said, to -- to approve the legislative --

Chairman Scott said, yeah.

Commissioner Center said, I move we approve the legislative packet.

Commissioner Stone said, second.

Chairman Scott said, properly moved and second that we approve the legislative package. Any unreadiness? Any further discussion? Hearing none, all in favor indicate by voting yes, opposed no. The package is approved.

ACTION OF THE BOARD:

Commissioner Center moved for Board approval of the legislative packet. Commissioner Stone seconded the motion and it carried in an 8-1 vote with Commissioner Kicklighter being the lone no vote.

AGENDA ITEM: IX-4
AGENDA DATE: December 19, 2014

TO: Board of Commissioners

THRU: Lee Smith, County Manager

FROM: R. Jonathan Hart, County Attorney

SUBJECT: Items to be Presented to the Local Delegation

The County Attorney's Office has been asked to review the potential items to be presented to the Local Delegation on Friday, December 19, 2014. The items for consideration are as follows:

1. Marsh Protection
Revisions to the proposed changes to general laws regarding the Soil Erosion and Sedimentation Act. The County has a vested interest in the definition of what constitutes marsh and what exceptions to building within the buffer around the defined marsh are allowed. The County advocates stronger language to allow the Department of Engineering to improve and maintain drainage and roadway structures throughout the County.
2. Chatham Area Transit
CAT is exploring options to provide additional transit services where they are needed and it is economically feasible to provide services. In order to achieve this goal, CAT would need to expand its special service district where it could potentially impose the tax and provide service. Additionally the CAT Board would be expanded to add a representative from any municipality that receives services.
3. Appointment of Magistrates and jurisdiction for that Court
In 2013, by Local Act, the General Assembly limited the number of magistrates that Chatham County can have. Likewise, that Act gave the Chief Magistrate the power to appoint all part time magistrates. The County seeks legislation that would allow the appointment of additional full-time magistrates if the Board deems them necessary. Also, the proposed Local Act would give the Board the power to control part time judges and convey upon the Magistrate Court for the ability to accept guilty pleas.
4. Christmas Tree
The compensation of local officials and judges has been a lingering issue for staff. Ambiguities in current law and how it properly interfaces with the general law have led to two lawsuits. To fix these issues, the County would propose two separate acts. The first Act would deal only with constitutional officers such as tax commissioner, sheriff, clerk of superior court. This Act would define base salaries as well as supplements for this term while keeping to the Board of Commissioners the ability to set supplements in future terms.

The second Act would address only judges. This Act would establish salaries, as the current Act does, for all judges based upon a percentage of the Superior Court judge's salaries. The only change as to the judges would be to offset any longevity granted to a judge who has a statutory minimum salary so that parity remained among the judges.

No judge or official would have his or her salary reduced by the enactment of this Act.

[NOTE: PowerPoint presentation documents attached to the Clerk of Commission's meeting file.]

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5. REQUEST BOARD ADOPT RESOLUTION TO CREATE AND ACTIVATE THE SAVANNAH-HARBOR INTERSTATE 16 CORRIDOR JOINT DEVELOPMENT AUTHORITY.

Chairman Scott said, now this is a request -- Request Board adopt a Resolution to create and activate the Savannah Harbor-Interstate 16 Corridor Joint Development Authority. This was discussed at your workshop. This is an opportunity for Chatham County to work with three additional counties along the I-16 corridor. For the purpose of really just adding an additional tool in the tool box when SEDA is out trying to solicit prospective clients and it will afford them an opportunity if there's not a site in Chatham County and there's a site in one of those other counties, it will just give them more tools in which to work.

Commissioner Stone said, Mr. Chairman?

Chairman Scott said, and at this time, before you get to questions, Counselor, Manager, do you have anything to add? We have Tripp Martin. Tripp do you have anything -- Tripp Tollison. Do you have anything to add?

Mr. Tripp Tollison said, no, sir.

Chairman Scott said, if not, we'll --

Commissioner Stone said, I was going -- I'll make the motion for approval, Mr. Chairman.

Commissioner Center said, second.

Commissioner Shabazz said, second.

Chairman Scott said, properly moved and second. Hearing the motion, any unreadiness? Any discussion? Hearing none, all in favor of the motion indicate by voting yes, opposed no. Go forth and solicit.

Mr. Tollison said, thank you very much.

Chairman Scott said, you've got your instructions, Tripp.

Commissioner Farrell said, make the county prosper.

Commissioner Stone said, yes.

ACTION OF THE BOARD:

Commissioner Stone moved for Board adoption of the Resolution creating and activating the Savannah Harbor-Interstate 16 Corridor Joint Development Authority. Commissioners Center and Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: IX-5

AGENDA DATE: December 19, 2014

TO: Board of Commissioners

THRU: Lee Smith, County Manager

FROM: R. Jonathan Hart, County Attorney

ISSUE:

For Board consideration of the creation and activation of a Joint Development Authority with Bulloch, Bryan and Effingham counties to be named "The Savannah Harbor-Interstate 16 Corridor.

BACKGROUND:

The Development Authority's law allows for the creation and activation by resolution of the governing body to organize and participate in a joint development authority. The resolution under consideration is for the purpose of creating a Joint Development Authority with Bulloch, Bryan and Effingham counties, all of which are contiguous to Interstate 16 Corridor. The governing authorities of the other counties have already executed a similar resolution.

The purposes of the Authority is to encourage business growth and development and provide sufficient acreage tracts and development facilities necessary to attract large manufacturing plants that will require substantial resources and employ large numbers of individuals (excess of a thousand). It is believed that a Regional Development Authority, in which the four counties would reap the benefit of the attraction of large development. Should a large development express any interest, then the Development Authority would negotiate with the interested party and put together an intergovernmental agreement designating the extent of financial resources and of the governmental responsibilities that the various counties would mutually provide. The Agreement would negotiate a payment in lieu of taxes that would be used in part to reimburse, long term, each of the counties financial commitment.

FACTS AND FINDINGS:

1. The Development Authority's law allows for the creation and activation by resolution of the governing body to organize and participate in a joint development authority.
2. The resolution under consideration is for the purposes of creating a Joint Development Authority with Bulloch, Bryan and Effingham counties, all of which are contiguous to Interstate 16 Corridor. The governing authorities of the other counties have already executed a similar resolution.
3. The purposes of the Authority is to encourage business growth and development and provide sufficient acreage tracts and development facilities necessary to attract large manufacturing plants that will require substantial resources and employ large number of individuals (excess of a thousand).
4. It is believed that a Regional Development Authority, in which the four counties are able to participate, would financially encourage development and all counties would reap the benefit of the attraction of large development.

5. Should a large development express any interest, then the Development Authority would negotiate with the interested party and put together an intergovernmental agreement designating the extent of financial resources and other governmental responsibilities that the various counties would mutually provide.
6. The Agreement would negotiate a payment in lieu of taxes that would be used in part to reimburse, long term, each of the counties' financial commitment.

POLICY ANALYSIS:

The governing authority of Chatham County, being the Board of Commissioners, has a responsibility to encourage growth through attracting employers that can provide employment opportunities within Chatham County. It is the opinion of The Savannah Economic Development Authority that a joint authority among the counties would result in greater employment opportunities for all.

FUNDING:

Funding will not be required at this time. Should a developer express such an interest so as to require a financial commitment it would be negotiated through an intergovernmental agreement among the counties which would be subject to the approval of the Board of Commissioners of Chatham County.

ALTERNATIVES:

1. Create a Joint Development Authority with Bulloch, Bryan and Effingham counties to be named "The Savannah Harbor-Interstate 16 Corridor."
2. Do not create a Joint Development Authority with Bulloch, Bryan and Effingham counties to be named "The Savannah Harbor-Interstate 16 Corridor."

RECOMMENDATIONS:

Approve Alternative 1.

[NOTE: The Resolution is attached to the Clerk of Commission's meeting file.]

=====

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, all right. Everything else is on your Action Calendar. No one request that we pull anything off. At this time I'll --

Commissioner Center said, I move we approve the Action Calendar.

Commissioner Stone said, second.

Chairman Scott said, it's been properly moved and second that we approve the Action Calendar. Any unreadiness? Any discussion? Hearing none, all in favor of approving the Action Calendar indicate by voting yes, opposed no. Action Calendar is approved.

ACTION OF THE BOARD:

Commissioner Center moved to approve all items on the Action Calendar, Items 1 through 10 and under Item 10, Items A through D. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

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

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1. **APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF DECEMBER 5, 2014, AS MAILED.**

ACTION OF THE BOARD:

Commissioner Center moved to approve the minutes of the regular meeting of December 5, 2014, as mailed. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

=====

2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD NOVEMBER 27, 2014 THROUGH DECEMBER 10, 2014.

ACTION OF THE BOARD:

Commissioner Center moved to authorize the Finance Director to pay the claims against the County for the period of November 27, 2014 through December 10, 2014, in the amount of \$5,057,042. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

=====

3. REQUEST BOARD ACCEPT LOT "4" OF THE GUMER SUBDIVISION FOR DEDICATION AS A CONSERVATION AREA. [DISTRICT 6].

ACTION OF THE BOARD:

Commissioner Center moved to accept Lot "4" of the Gumer subdivision for dedication as a conservation area. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-3
AGENDA DATE: December 19, 2014

TO: Board of Commissioners
THRU: Lee Smith, County Manager
FROM: Leon Davenport, P.E., County Engineer

ISSUE:

Request Board approve acceptance of Lot "4" of the Gumer Subdivision for dedication as a conservation area.

BACKGROUND:

The owner, Gumer Associates, Inc., submitted an application for a three lot minor subdivision. He was advised that Chevis Road must be extended to provide access to the proposed Lot "4" of the Gumer Subdivision. In lieu of extending the road, the owner requests that the County accept the dedication of the property for conservation purposes.

FACTS AND FINDINGS:

1. The owner of 1000 Chevis Road (Lot "3") of the Gumer Subdivision, proposed a three-lot minor subdivision. The existing features of the lot include a telecommunications tower and a canal that splits the property in a 60' Chatham County Drainage Right of Way.
2. Lot "3" of the Gumer Subdivision is zoned as a single family residential property. The lot has a 0.15 acre lease parcel that is used by a telecommunications tower. The proposed subdivision will create a stand-alone tower parcel, a single family residential parcel and an additional parcel (Lot "4") that is inaccessible for development without extending Chevis Road over the County owned canal. The lot consists of 4.04 acres that will be protected by restrictive covenants.
3. Conservation areas preserved through deed restrictions are added to the County's inventory of open space areas for credit through FEMA's Community Rating System (CRS) program.

ALTERNATIVES:

1. Board approve acceptance of Lot "4" of the Gumer Subdivision for dedication as a

conservation area.

2. Do not accept the lot for dedication.

POLICY ANALYSIS:

the Board must approve property dedications.

RECOMMENDATION:

That the Commissioners adopt Alternative 1.
District 6

Prepared by: Chris Rains

=====

4. **REQUEST BOARD AUTHORIZE EXECUTION OF A QUIT CLAIM DEED TO THE GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT) FOR THE RIGHT OF WAY PARCELS ACQUIRED BY DEED OR CONDEMNATION FOR THE SR 25 CONN/WEST BAY IMPROVEMENT PROJECT, NHS00-002-00(923).
[DISTRICT 8]**

ACTION OF THE BOARD:

Commissioner Center moved to authorize execution of a Quitclaim Deed to the Georgia Department of Transportation for the right of way parcels acquired by deed or condemnation for the SR 25 Conn/West Bay Improvement project. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-4

AGENDA DATE: December 19, 2014

TO: Board of Commissioners
THRU: Lee Smith, County Manager
FROM: Leon Davenport, P.E., County Engineer

ISSUE:

To authorize execution of a Quit Claim Deed to the Georgia Department of Transportation (GDOT) for the right of way parcels acquired by deed or condemnation for the SR 25/Conn/West Bay Improvement Project, NHS00-002-00(923).

BACKGROUND:

The widening project is scheduled for construction contract letting by GDOT in the fiscal year 2016. The project will widen lanes, add raised median and other improvements between East Lathrop Avenue and West Lathrop Avenue. Right of way acquisition is complete and the right of way is being cleared for certification.

FACTS AND FINDINGS:

1. The Contract for Acquisition of Right of Way between the GDOT and the County was approved by the Board on April 29, 2013. It specifies that all parcels acquired by condemnation be filed in the County's name and subsequently conveyed to GDOT prior to right of way certification since West Bay Street is a State Route (SR 25 Connector). The contract specifies that the County must certify that the GDOT by June 30, 2015, that all of the required right of way and easements for the entire project are titled to GDOT, the GDOT has legal possession of the right of way and easements, all displaces relocated from the project, all structures removed and right of way is ready for construction.
2. Execution of the Quit Claim Deed will allow the County to comply with the provisions of the contract and complete the right of way certification process. After the right of way certification process is complete, the County will request GDOT reimbursement of right of way costs.

ALTERNATIVES:

1. To authorize execution of a Quit Claim Deed to the Georgia Department of Transportation (GDOT) for the right of way parcels acquired by deed or condemnation for the SR 25/Conn/West Bay Improvement Project, NHS00-002-00(923).
2. To not authorize the Quit Claim deed.

POLICY ANALYSIS:

The Board must approve quit claim actions.

RECOMMENDATION:

To approve Alternative No. 1.
District 8

Prepared by Pamela Bernard

=====

**5. REQUEST BOARD APPROVAL TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF SAVANNAH FOR THE COUNTY-WIDE MAINTENANCE PROGRAM.
[DISTRICT 1, 2, 3, 5, 6 AND 8.]**

ACTION OF THE BOARD:

Commissioner Center moved for approval to enter into an Intergovernmental Agreement with the City of Savannah for the county-wide maintenance program. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-5

AGENDA DATE: December 19, 2014

TO: Board of Commissioners

THRU: Lee Smith, County Manager

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

ISSUE:

Request Board approval to enter into an Inter-governmental Agreement with the City of Savannah for the county-wide Canal Maintenance Program.

BACKGROUND:

in 1997 the Board determined a need for a county-wide drainage maintenance program to assist the various municipalities with maintenance of the major canals within their city limits. In March of this year the Board entered into a county-wide Canal Maintenance Agreement with six municipalities not including the City of Savannah. On December 8, 2014, staff received an executed agreement on behalf of the City of Savannah.

FACTS AND FINDINGS:

1. In October of 2008 the Board entered into an Intergovernmental Agreement with each participating municipality for canal maintenance. The 2008 agreements have expired. As a result, staff is requesting the Board to renew our commitment to provide this service by entering into another agreement with each municipality.
2. The maintenance program is a three-part program that consist of: 1 - canal cleaning and remove silt, vegetation and debris; 2 - spraying herbicide to reduce the aquatic growth; and 3 - mowing canal rights-of-ways. Any additional or supplemental maintenance is the responsibility of the municipality within their jurisdiction.
3. Currently, the county-wide Maintenance Program has identified 49.92 miles of canals in the Unincorporated County and 85.6 miles within a municipal jurisdiction.
4. On March 28, 2014, the Board gave approval to enter into an agreement with six of the local municipalities with the exceptions being the Town of Vernonburg (who does not have any canals) and the City of Savannah. Since the inception of the county-wide Canal Maintenance Program in 1997, the City of Savannah has *never* been willing to enter into an agreement with the County. However, the County continues to provide the service with exception of the mowing function. Mowing within the City of Savannah was discontinued in FY 2012-2013 due to budget cuts.

FUNDING:

Funds are budgeted annually for the program from the M&O General Fund.

POLICY STATEMENT:

An Intergovernmental Agreement is required for services provided within municipalities.

ALTERNATIVES

1. Board approve to enter into an Intergovernmental Agreement with the City of Savannah for the county-wide Canal Maintenance Program.
2. Board not to approve request and provide staff with other direction.

RECOMMENDATION:

Board approve Alternative #1.

All Districts except 4 and 7

[NOTE: Canal Maintenance Program Agreement in the Clerk of Commission's Meeting file.]

=====

6. CONFIRM THE INTERGOVERNMENTAL AGREEMENT BETWEEN TAX COMMISSIONER AND GARDEN CITY FOR TAX BILLING.

ACTION OF THE BOARD:

Commissioner Center moved to confirm the Intergovernmental Agreement between Tax Commissioner and Garden City for tax billing. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-6

AGENDA DATE: December 19, 2014

TO: Board of Commissioners

THRU: Lee Smith, County Manager

FROM: R. Jonathan Hart, County Attorney

ISSUE:

To approve a contract between Chatham County, City of Garden City ("Garden City") and Daniel T. Powers, Tax Commissioner for the Tax Commissioner overseeing and providing for collection of tax revenues for Garden City.

BACKGROUND:

Garden City has requested Daniel T. Powers as Tax Commissioner to exercise his discretionary authority pursuant to O.C.G.A. §48-5-359.1(a)(2)(B), to undertake supervision of the preparation of Garden City's digest, for the collection of taxes in the same manner as he does for the County and other contracting municipalities. The County Commission is asked to approve this agreement. The contract would allow for a more timely collection of taxes in a cost effective manner due to efficiency of operations. The Tax Commissioner undertaking these additional duties and supervision for tax collections shall result in Garden City paying \$4.00 per parcel of real estate and/or bill of personality issued by the Tax Commissioner. The Tax Commissioner has indicated that \$4.00 per parcel will cover the cost of collection.

FACTS AND FINDINGS:

1. Garden City has requested Daniel T. Powers, as Tax Commissioner, to exercise his discretionary authority pursuant to O.C.G.A. §48-5-359.1(a)(2)(B), to undertake supervision of the preparation of Garden City's digest for the collection of taxes in the same manner as he does for the County and other contracting municipalities.
2. The County Commission is asked to approve this agreement.
3. The contract would allow for a more timely collection of taxes in a cost effective manner due to efficiency of operations.
4. The Tax Commissioner undertaking these additional duties and supervision for tax collection shall result in Garden City paying \$4.00 per parcel of real estate and/or bills of personality issued by Tax Commissioner.

POLICY ANALYSIS:

This contract will benefit Garden City, reimburse costs to the County and will allow for a more efficient tax collection process.

FUNDING:

There is no County funding requirement and Garden City will reimburse costs and create efficiencies within Garden City's government.

ALTERNATIVES:

1. Approve contract with Daniel T. Powers, Tax Commissioner, Chatham County and Garden City.
2. Do not approve contract with Daniel T. Powers, Tax Commissioner, Chatham County and Garden City.

RECOMMENDATION:

Alternative 1.

[NOTE: Intergovernmental Agreement is attached to the Clerk of Commission's meeting file.]

=====

7. **REQUEST BOARD APPROVAL TO ACCEPT THE SUBGRANT AWARD FOR THE GEORGIA CRIMINAL JUSTICE COORDINATING COUNCIL AND THE OFFICE ON VIOLENCE AGAINST WOMEN FOR THE ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE PROGRAM. THE GRANT REQUIRES NO MATCH, SO NO ADDITIONAL FUNDS FROM THE COUNTY ARE REQUIRED.**

ACTION OF THE BOARD:

Commissioner Center moved for approval to accept the subgrant award for the Georgia Criminal Justice Coordinating Council and the Office on Violence against Women for the Enhanced Training and Services to end abuse in later life program. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-7
AGENDA DATE: December 19, 2014

TO: Board of Commissioners
THRU: Lee Smith, County Manager
FROM: Meg Heap, District Attorney

ISSUE:

To request acceptance of the Subgrant Award from the Georgia Criminal Justice Coordinating Council and the Office on Violence Against Women for the Enhanced Training and Services to End Abuse in Later Life Program.

BACKGROUND:

The CJCC applied for the grant through the federal government's Office on Violence Against Women on behalf of the District Attorney's Office, Rape Crisis Center, Coastal Regional Commission Area Agency on Aging and the Savannah-Chatham Metropolitan Police Department.

FACTS AND FINDINGS:

1. The competitive grant for \$19,430 provides reimbursement for training and travel for Elder Abuse personnel from the partner agencies over the course of the three year grant cycle.
2. **The grant requires no match, so no additional funds from the County are required.**
3. The CJCC identified Chatham County with its large and growing population of seniors as in need for a Collaborative Community Response (CCR) team. The CCR will coordinate multi-disciplinary partners to develop comprehensive plans to meet victims' needs. Training will be conducted community-wide to help bring awareness to the signs of Elder Abuse.
4. Georgia's Department of Aging Services determined that between 2007 and 2011, the statewide number of substantiated elder abuse cases climbed 55%. Between 2010 and 2013, Chatham County experienced an increase of 169% in substantiated cases of abuse, exploitation, sexual abuse or neglect of an elder. Additionally, statistics show that in Chatham County between 2007 and 2013, 45% of temporary protective orders granted to petitioners age 50 and older were granted to petitioners who were African American.

Special consideration will be given to the community's large African American population.

5. This grant will help train service providers and community leaders to recognize the signs of elder abuse and provide plans to connect elders with victim services as well as to help shore up gaps in referrals.

FUNDING:

1. No additional county funds are required.
2. This one-time only award is renewable for three years.

ALTERNATIVES:

1. That the Board accept the grant through the Criminal Justice Coordinating Council.
2. That the Board not accept the grant through the Criminal Justice Coordinating Council.

POLICY ANALYSIS:

This acceptance of the Office on Violence Against Women's Enhanced Training and Services to End Abuse in Later Life is no cost to the Board of Commissioners. The addition of this program will help train service providers and assist the District Attorney's office in establishing a comprehensive approach to address elder abuse in Chatham County.

RECOMMENDATION:

That the Board approve Alternative 1.

=====

8. **REQUEST FOR NEW BEER, WINE AND LIQUOR POURING AND SUNDAY SALES LICENSE FOR 2014. PETITIONER: TRACIE RAMIREZ, D/B/A RIO BRAVO MEXICAN RESTAURANT, LOCATED AT 444 JOHNNY MERCER BOULEVARD, 31410. [DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Center moved for new beer, wine and liquor pouring and Sunday Sales license for 2014. The Petitioner is Tracie Ramirez, d/b/a Rio Bravo Restaurant located at 444 Johnny Mercer Boulevard. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-8
AGENDA DATE: December 19, 2014

TO: Board of Commissioners

THRU: Lee Smith, County Manager

FROM: Gregori S. Anderson, Director of Building Safety and Regulatory Services
 Joseph Lumpkin, Sr., Chief of Police

ISSUE:

Request for new beer, wine, liquoring pouring and Sunday Sales license for 2014. Petitioner: **Tracie Ramirez d/b/a Rio Brave Mexican Restaurant** located at **444 Johnny Mercer Boulevard, Savannah, Georgia 31410.**

BACKGROUND:

Mr. Ramirez requests approval of a new beer, wine, liquoring pouring and Sunday Sales license in connection with an existing restaurant. The business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance.

FACTS AND FINDINGS:

1. The application was reviewed by the Police Department for compliance of the applicant and site distance requirements and approved.
2. The returned application was reviewed by Building Safety. The County Fire Inspector inspected the site for compliance and approved the facility.

3. The applicant and business meet the requirements of the Chatham County Alcoholic Beverage and Sunday Sales.
4. The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION:

The Savannah-Chatham Metropolitan Police Department and Regulatory Services recommend approval.
District 4

We verify that the attached report and attachments (attached to the original staff report in the Clerk of Commission's meeting file) are complete and correct as to form.

Gregori S. Anderson, CBO

Chief Joseph Lumpkin, Sr.

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9. REQUEST FOR NEW BEER, WINE AND LIQUOR POURING AND SUNDAY SALES LICENSE FOR 2014. PETITIONER: SARAVANAN POLLACHI, D/B/A HOLIDAY INN LOCATED AT 11 GATEWAY BOULEVARD EAST, 31419. [DISTRICT 5.]

ACTION OF THE BOARD:

Commissioner Center moved for new beer, wine and liquor pouring and Sunday Sales license for 2014. The Petitioner is Saravanan Pollachi, d/b/a Holiday Inn, located at 11 Gateway Boulevard East. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

AGENDA ITEM: X-9

AGENDA DATE: December 19, 2014

TO: Board of Commissioners

THRU: Lee Smith, County Manager

FROM: Gregori S. Anderson, Director of Building Safety and Regulatory Services
Joseph Lumpkin, Sr., Chief of Police

ISSUE:

Request for new beer, wine, liquoring pouring and Sunday Sales license for 2014. Petitioner: **Saravanan Pollachi d/b/a Holiday Inn located at 11 Gateway Boulevard, East, Savannah, Georgia 31419.**

BACKGROUND:

Saravanan Pollachi requests approval of a new beer, wine, liquoring pouring and Sunday Sales license in connection with an existing Hotel. The business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance.

FACTS AND FINDINGS:

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

RECOMMENDATION:

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

District 5

We verify that the attached report and attachments (attached to the original staff report in the Clerk of Commission's meeting file) are complete and correct as to form.

 Gregori S. Anderson, CBO

 Chief Joseph Lumpkin, Sr.

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

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. Weatherpak 2000 System for the Mobile Emergency Operation Center (MEOC)	CEMA	North American Custom Speciality Vehicles, LLC.	\$15,243	MGF- Homeland Security SIP
B. Change Order No. 1 to extend the construction contract by 90 days to complete Hunt Drive Bridge replacement and Faye Drive Bridge replacement.	Engineering	Rogers Bridge Company	\$0	N/A
C. Change Order No. 2 to the construction contract for the Carver Heights Community Center for replacement of unsuitable soil, line relocation and additional curb	Building and Safety	Tippins-Polk Construction	\$42,420	SPLOST (2008-2014) Carver Heights Community Center (Pending Transfer)
D. Change Order # 1 to the construction contract for renovation of records room for Clerk of Superior Court to add additional demolition, electrical work and counters	Special Projects	Satori Construction, LLC (MBE)	\$3,444	SPLOST (2008-2014) County Administration Building Project

AGENDA ITEM: X-10 A thru D
AGENDA DATE: December 19, 2014

TO: BOARD OF COMMISSIONERS

THRU: LEE SMITH, COUNTY MANAGER

FROM: MICHAEL A. KAIGLER, ASSISTANT COUNTY MANAGER

SUBJECT: AWARD OF BIDS

ITEM A

ISSUE: Request Board approval of a \$15,243 sole source purchase for a Weatherpak 2000 System for the Mobile Emergency Operation Center (MEOC) from North American Custom Speciality Vehicles, LLC., Melbourne, FL, for Chatham Emergency Management Agency (CEMA).

BACKGROUND: On November 21, 2014, The Board of Commissioners approved the receipt of a Homeland Security (DHS) grant to Chatham Emergency Management Agency (CEMA), for the

Weatherpak 2000 System for the Mobile Emergency Operation Center (MEOC).

FACTS AND FINDINGS:

1. North American Custom Speciality Vehicles, LLC., built the MEOC which included the brackets and connections necessary to install the Weatherpak 2000 System. Due to the items installed during the original build-out, no other weather station will work efficiently with the original install items.
2. North American Custom Speciality Vehicles, LLC., has performed all major installation and repair work on the MEOC since CEMA took delivery of the vehicles.
3. Staff believes that the price from North American Custom Speciality Vehicles, LLC to be fair and reasonable.

FUNDING: MGF- Homeland Security SIP
(2503920 - 52.39001 - 25020780)

ALTERNATIVES:

1. Board approval of a \$15,243 sole source purchase for a Weatherpak 2000 System for the Mobile Emergency Operation Center (MEOC) from North American Custom Speciality Vehicles, LLC., Melbourne, FL, for Chatham Emergency Management Agency (CEMA).
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM B

ISSUE: Request Board approval of Change Order No. 1 to extend the construction contract with Rogers Bridge Company by 90 days to complete Hunt Drive Bridge replacement and Faye Drive Bridge replacement.

BACKGROUND: On February 22, 2013, the Board awarded a construction contract to Rogers Bridge Company to replace the Hunt Drive and Faye Drive Bridges on Burnside Island. The project encountered various utility conflicts after construction began. Tidal fluctuations also limited the contractors ability to work continuously on the project.

FACTS AND FINDINGS:

1. In order to complete construction of the project, staff is recommending additional contract time not to exceed 90 days.
2. Contract History:

Original Contract (2-22-13)	\$ 2,484,556
Change Order No. 1 (Pending)	\$ 0
Revised Contract Amount	\$ 2,484,556

FUNDING: N/A

ALTERNATIVES:

1. Board approval of Change Order No. 1 to extend the construction contract with Rogers Bridge Company by 90 days to complete Hunt Drive Bridge replacement and Faye Drive Bridge replacement.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM C

ISSUE: Request Board approval of a \$42,420 Change Order No. 2 to the contract with Tippins - Polk Construction, Inc., for the construction of the Carver Heights Community Center addition.

BACKGROUND: On April 11, 2014, the Board of Commissioners approved a contract with Tippins-Polk Construction, Inc. For the Carver Heights Community Center addition in the amount of \$799,000. The Carver Heights Community Center addition is an approximately 4,000 square foot area. The addition

shall contain a multi-purpose room, reading room/library, computer room and fitness/exercise room. The facility shall contain spacial allocations to accommodate programs directed by the City of Savannah.

FACTS AND FINDINGS:

1. The location of the addition is at the existing Carver Heights Community Center on Collar Avenue.
2. This change order represents the replacement of unsuitable organic soil located under the proposed parking lot, upgrade existing shingles to match new addition, relocating of lines to the existing grease trap and unforeseen additional curb to conceal the existing building footing.
3. Contract history:

Original Contract (4/11/14)	\$799,000
Change Order 1 (10/10/14)	\$ 9,810
Change Order 2 (pending)	<u>\$ 42,420</u>
Revised Contract Amount	\$851,230

FUNDING: SPLOST (2008-2014) - Carver Heights Community Center (Pending Board approval of Budget Transfer)
(3244980 - 54.13011 - 32470357)

ALTERNATIVES:

1. Board approval of a \$42,420 Change Order No. 2 to the contract with Tippins - Polk Construction, Inc., for the construction of the Carver Heights Community Center Addition.
2. Provide staff with other direction.

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

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
MARK BUCALO

ITEM D

ISSUE: Request Board approval of a \$3,444 Change Order No. 1 to the construction contract with Satori Construction LLC., to renovate the real estate records section of the Clerk of Superior Court at the J. Tom Coleman Courthouse.

BACKGROUND: On November 21, 2014, the Board confirmed a \$35,007 purchase to Satori Construction LLC., to renovate the real estate records section of the Clerk of Superior Court at the J. Tom Coleman Courthouse.

FACTS AND FINDINGS:

1. During the course of the renovation the scope of work changed. The change order will add to the scope of work additional demolition work, electrical work, countertops, and finished wall area. In addition, the change order includes vent pipe cut, cap and haul away as well as ceiling grid.
2. Contract History:

Original Contract 11-21-14	\$35,007
Change Order No. 1 (pending)	<u>\$ 3,444</u>
Revised Contract Amount	\$38,451

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

ALTERNATIVES:

1. Board approval of a \$3,444 Change Order No. 1 to the construction contract with Satori Construction LLC., to renovate the real estate records section of the Clerk of Superior Court at the J. Tom Coleman Courthouse.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
MARK BUCALO

PREPARED BY _____
PURCHASING AGENT

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ORDER OF THE AGENDA

Chairman Scott said, everything else is for informational purposes. We will need to have a executive session.

County Attorney Hart said, litigation and personnel.

Commissioner Center said, we have First Readers.

Chairman Scott said, we've got some First Readers.

County Manager Smith said, First Readers, that's right.

Chairman Scott said, I'm getting ahead of myself.

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XI. FIRST READINGS

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

1. **THE PETITIONER, ADAM RAGSDALE, AGENT FOR SMACKO, INC., IS REQUESTING TO REZONE TWO EXISTING LOTS TO A B-C (COMMUNITY-BUSINESS) ZONING CLASSIFICATION. THE CURRENT ZONING OF BOTH OF THE SUBJECT PROPERTIES IS PD-R-SM (PLANNED DEVELOPMENT-RECLAMATION-SURFACE MINING). THE PETITIONER PROPOSES TO REZONE TO A B-C (COMMUNITY BUSINESS) CLASSIFICATION. THE MPC RECOMMENDS APPROVAL.
FILE NO. Z-141022-00086-1
[DISTRICT 5.]**

Chairman Scott said, all right. First Readers on page 8. The Petitioner, Adam Ragsdale, agent for SMACKO, whoever that is, Inc., is requesting to rezone two existing lots to a B-C, Community-Business, zoning classification. The current zoning of both the subject properties is PD, which is -- PD-SM, which is Planned Development-Reclamation and Surface and Mining. The Petitioner propose to rezone a B-C, Community Business, classification to an MPC -- the MPC recommended approval. That's a First Reader. We'll take this up again at our meeting on the 16th. We have staff here if anybody has any questions now. If not, we can hold them for then.

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2. **THE PETITIONER, JONATHAN JEWETT, IS REQUESTING TO REZONE PROPERTY LOCATED AT 453 BOURNE AVENUE FROM AN I-H (HEAVY INDUSTRIAL) CLASSIFICATION TO A B (BUSINESS) CLASSIFICATION. THE MPC RECOMMENDS APPROVAL.
FILE NO. Z-101021-00085-1
[DISTRICT 8]**

Chairman Scott said, the second First Reader is the Petitioner, Jonathan Jewett, is requesting to rezone property

located at 453 Bourne Avenue from an I-H , Heavy Industrial, classification to a B, Business, classification. The MPC recommends approval. This is a First Reader, and we'll take it up and hear from our staff on the Second Reader unless there are questions now. Hearing none.

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XII. SECOND READINGS

Chairman Scott said, we have no Second Readers.

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XIII. INFORMATION ITEMS

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

ACTION OF THE BOARD:

A status report was attached as information.

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

ACTION OF THE BOARD:

A status report was attached as information.

AGENDA ITEM: XIII-2

AGENDA DATE: December 19, 2014

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

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
Mailing of prebills for month of December	Tax Commissioner	World Marketing	\$9,966	General Fund/M&O -Tax Commissioner
Fuel injector repair to unit # 173-Public Works F350 crew truck	Fleet Operations	Roberts Truck Center, Inc.	\$3,456	General Fund/M&O - Fleet Operations
Office supplies	Tax Commissioner	VIP Printing & Office Supply	\$2,883	General Fund/M&O - Tax Commissioner
Air conditioner and muffler repair to unit # 23-Public Works front end loader	Fleet Operations	JCB of Georgia	\$6,453	General Fund/M&O - Fleet Operations
Laptop computers for Superior Court	I.C.S.	Dell Marketing, L.P.	\$5,019	General Fund/M&O - Court Expenditures
Repairs to pumps and aerators at the Pine Barren Wastewater Treatment Plant	Public Works and Park Services	Tencarva Machinery Company	\$6,493	Water and Sewer
Software support agreement for inmate property tracking system	Detention Center	ScottTech, LLC	\$5,904	General Fund/M&O - Detention Center
Four (4) scanners for Detention Center	Detention Center	PCMG, Inc.	\$3,084	General Fund/M&O - Detention Center
Mobile tool boxes for aircraft hangar	Mosquito Control	Stanley Fastening Systems L.P.	\$3,145	General Fund/M&O - Mosquito Control

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3. ROADS AND DRAINAGE REPORTS.**ACTION OF THE BOARD:**

A status report was attached as information.

AGENDA ITEM: XIII-4 ROADS
AGENDA DATE: December 19, 2014

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Leon Davenport, 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. Whitefield Avenue. Construction complete. GDOT issued partial maintenance acceptance, except for the traffic signal at the intersection of Whitefield and Ferguson on November 14, 2014.
2. Bay Street Widening. ROW acquisition complete. Chatham County has possession and titles for all required ROW and Easements. Demolition underway to prepare parcels for ROW certification.
3. Jimmy Deloach Parkway Extension and Interchange of Jimmy Deloach Parkway at U.S. 80. Design is on-going. Notice to Proceed with ROW acquisition issued October 3, 2014 for Extension project. ROW authorization expected in 2014 for the interchange project. Property owners meeting held September 24, 2014 at Bloomingdale City Hall. Projects to be let together for construction by GDOT.
4. SR 307 Widening from US 17 to I-16. GDOT accepted for ownership and maintenance the section from I-16 southward to Hardin Canal. Notice to proceed issued for remainder on July 2, 2014 to Reeves Construction. Contract time for construction is 270 days.
5. 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 authorization expected in 2015.
6. Local Roads.
 - a. Hunt Drive and Faye Road Bridge Replacements. Hunt Drive Bridge open to two way traffic. Stage 1 construction of Faye Drive construction is complete. Stage 2 construction underway with travel across the bridge reduced to one-lane and controlled by temporary traffic signals. Notice to Proceed with construction issued May 1, 2013.
 - b. Walthour Road Bridge Replacement. Construction complete. Bridge open to traffic on October 3, 2014.
 - c. Montgomery Cross Road at Sallie Mood. Construction underway. Notice to proceed with intersection and pedestrian improvement project issued to JHC Corporation on July 11, 2014. Contract time is 175 days.

RECOMMENDATION: For information.
 Districts All

AGENDA ITEM: XIII-4 DRAINAGE
AGENDA DATE: December 19, 2014

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

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

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

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

FACTS AND FINDING:

1. Pipemakers Canal. The project includes canal widening, bank stabilization, sluice gates and culverts. Construction of improvements are substantially complete. Completion of punch list items is underway.
2. Pipemakers Tidegate Replacement. The project involves replacing existing sluice gates with flap gates. The Board awarded a construction contract at the September meeting. The contract has been executed and Notice to proceed given, with completion expected in May, 2015.
3. Pipemakers 24" Pipe Replacement. The project involves replacing two undersized pipes with a larger pipe near State Route 21. Design work is complete. The Board awarded a construction contract, and construction will commence in December.
4. Ashley Road Outfall Drainage Improvements. The project will improve a drainage system from the Ashley Road cul-de-sac. Design work is underway.
5. Gateway-Henderson Drainage Improvements. The project will improve portions of the drainage system in the northeast quadrant of I-95 and SR 204. The project includes construction of maintenance access and drainage improvements. Design work is underway.
6. Norwood Drainage Outfalls. The project will improve drainage capacity and access for maintenance for two drainage outfalls from Norwood Avenue. Construction of improvements is complete at Norwood Place. Design work, permitting, and acquisitions are underway for the outfall near Skidaway Road.
7. Louis Mills/Redgate Canal. The project will correct inadequate drainage capacity and the lack of maintenance access to the canal. Design of improvements along the Marshall Branch Canal is underway and includes construction of maintenance access and culvert replacements.
8. 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 began in January 2014 and was substantially complete in November. Punch list items will be complete by the end of December.
9. 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.
10. 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. Construction began in September and will be complete by February 2015. Design of a separate project to expand and relocate an existing outfall channel is underway.
11. Little Hurst Canal. The project will improve drainage capacity and access for maintenance along the canal. Field surveying and wetland delineation are complete. Design of improvements at the CSX railroad crossing is underway.
12. 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. Construction began in September and is scheduled to be complete in March 2015.
13. 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. Design work is underway.
14. Wahlstrom Road Drainage Improvements. The project will relocate a part of a drainage system located on private property into the County right-of-way and an acquired easement. Design work and permitting are complete and the project will be out to bid soon.
15. Pipemakers Canal Cart Bridge Replacement. The project will replace a segment of the wooden

golf cart bridge at Crosswinds Golf Club over the Pipemakers Canal with a concrete pad. The existing maintenance road on both sides of the bridge will be sloped to meet the pad, which will allow continuous maintenance access. The Board approved the construction contract on November 7. Construction is scheduled for January 2015.

16. Vidalia Road Canal Drainage Improvements. The project will improve conveyance and obtain easements for access and maintenance. Design is underway.

RECOMMENDATION: For information.
Districts: All

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EXECUTIVE SESSION

Chairman Scott said, and at this time if there's nothing further, we'll entertain a motion to go into executive session.

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

Commissioner Stone said, second.

Chairman Scott said, properly moved and second. Any unreadiness or questions? Please be reminded we're due back in here at 12:00 for our luncheon with our legislative delegation. All in favor of the motion indicate by voting yes, opposed no. The motion carries. We are headed for executive session. Thank you. Meeting adjourned.

ACTION OF THE BOARD:

Commissioner Center moved to recess to executive session for the purpose of litigation and personnel. Commissioner Stone seconded the motion and it carried unanimously.

The Board recessed at approximately 11:25 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 Center moved to authorize the Chairman to execute an Affidavit that the Executive Session was held in compliance with the Open Meetings Act. Commissioner Stone seconded the motion and it carried unanimously.

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APPOINTMENTS

2. **SAVANNAH ECONOMIC DEVELOPMENT AUTHORITY**

ACTION OF THE BOARD:

Commissioner Kicklighter moved to re-appoint Steve Green to the Savannah Economic Development Authority with his term set to expire January 7, 2020. Commissioner Stone seconded the motion and it carried unanimously.

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ADJOURNMENT

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 12:10 p.m.

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APPROVED: THIS _____ DAY OF JANUARY, 2015.

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

JANICE E. BOCOOK, CLERK OF COMMISSION