

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, SEPTEMBER 11, 2015, 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 9:38 a.m. on Friday, September 11, 2015.

Chairman Scott said, good morning and welcome. We're going to deviate a little bit from our printed agenda, and at this time, I'm going to ask if the Sheriff Color Guard would come forward and present the colors, and once the colors are in place, I'm going to ask that we -- that we stop all movements in this Chamber and that we honor a minute of silence in recognition of the 14<sup>th</sup> anniversary of the 9/11 attack and all of those who lost their lives in that attack. At this time, color guard, please.

[NOTE: The Sheriff's Department Color Guard presented the Colors and a moment of silence was had.]

Chairman Scott said, will we bow our heads, please? Amen. With our colors in place, I will ask the Commissioner from the 6<sup>th</sup> District, Commissioner Brady, to lead us in the Pledge of Allegiance.

[NOTE: Pledge of Allegiance was said at this time.]

Chairman Scott said, please be seated.

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**II. INVOCATION**

Chairman Scott said, and please remain seated until such time as our devotional leader has provided us with his message of inspiration and at such time he indicates it's time to pray, if you would re-stand for the prayer. It's a pleasure to have with us today Pastor Paul A. Sheppard of Thankful Missionary Baptist Church. I've known him since he arrived in town. He's a native of Virginia. He attended some of the most prestigious schools in this country, including Howard University. He is descendent of past preachers. His grandfather was a minister. He's come from a long line of clergy. He's a person who's very active in the community and who understand the need to -- to -- the church needs to be involved 24/7, and it's a great pleasure today to invite him here to lead us in our devotion. At this time, Reverend Paul A. Sheppard.

Reverend Paul A. Sheppard said, good morning.

Members of the Board collectively said, good morning.

Reverend Sheppard said, Mr. Chairman, I want to thank you and your staff for this opportunity to give this morning's brief devotion. There's a scripture verse taken out of John 13, verses 34 and 35 that says a new command I give you, love one another. As I have loved you, so you must love one another. By this all men would know that you are my disciples, if you love one another. For the next three and a half minutes, maybe two minutes, I'm going to talk about the demonstration of love. Jesus' ministry centered on loving everybody regardless of one's character, race, socioeconomic background, gender or social status. His ministry was focused on the least of these. His love for everyone was so profound that he even loved the most difficult and dangerous people in society. But unfortunately, we live in a loveless society where people are judged not by their character, but by their political party affiliations, zip codes, the color of their skin and by their ethnicity, which creates the twin -- the evil twins called injustice and inequality.

Reverend Sheppard said, human hearts must be fundamentally transformed if we are to achieve justice and equality. When love is demonstrated, racism ceases; when love is demonstrated, bigotry ceases; when love is demonstrated, classism, sexism and ageism [sic] ceases. Because we are so deeply loved by Jesus, we have a spiritual mandate and a moral obligation to love like Jesus loves. The extent to which we love one another validates, authenticates and communicates our own personal faith. What are our duties as citizens in this great nation and in -- and in this great county? As citizens we must demonstrate our following -- we must demonstrate our love in the following ways. Number one, forgive one another. The ultimate example of forgiveness was demonstrated when Jesus hung on the cross and cried out Father, forgive them for they know not what they do. But true forgiveness keeps no record of wrongs. Number two, we must accept one another. To truly love someone, we must avoid trying to change the person for our own political petty and selfish purposes. And number three, honor one another. Honor means to esteem someone as highly valuable. When we value others above ourselves, we are emulating the attitude and the mind of Christ.

Reverend Sheppard said, the chief calls of discriminatory and prejudice hearts lies in humanity's blindness to the sacredness of humanity; blindness to the spiritual dimension of humanity leads to the personalization of

human beings. Treating humans as less than sacred is to treat them as things and objects to be abused and not as persons to be loved. A loveless mentality devalues human life. Dr. Martin Luther King, Jr., once said, quote, an individual has value because he has value to God. Whenever this is recognized, whiteness and blackness pass away as determinates in a relationship and son and brother are substituted, unquote. Instead of being blind to the sacredness of humanity, we are obligated to embrace humanity and to love humanity and all of its diversity and beauty. In the words of Max Muller, a flower cannot blossom without sunshine, and a man cannot live without love.

Reverend Sheppard said, in closing, let me leave you with this. Do more than belong, participate. Do more than care, help. Do more than believe, practice. Do more than be fair, be kind. Do more than forgive, forget. Do more than dream, work. And do more than live, love. Love is not something you feel, it is something that we all must do. Thank you.

Commissioner Thomas said, beautiful.

Reverend Sheppard said, let us pray.

Reverend Sheppard gave the invocation as follows:

Eternal God our Father, we thank you for this -- for this moment, for this opportunity to stand before you. First of all we just want to say thank you for allowing us just to be able to be here. Now, Lord, we pray that you would just guide the hearts and minds of these Commissioners. Lord, in anything they do, everything they do, let it be pleasing in your sight. We must put others before ourselves because we must emulate the love that you displayed, the love that you demonstrated. And, Lord, if all humanity had just an ounce of love, this world would be in a better place. We thank you now, and we all say -- Amen.

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

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### **III. PLEDGE OF ALLEGIANCE**

Commissioner Brady led all in the Pledge of Allegiance to the Flag after the Colors were presented by the Sheriff's Department Color Guard.

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### **CERTIFICATE OF APPRECIATION**

Chairman Scott presented Pastor Gregory with a Certificate of Appreciation for his devotion and invocation.

Commissioner Thomas said, Mr. Chairman? May I?

Chairman Scott said, Vice Chair.

Commissioner Thomas said, thank you. Reverend Sheppard, I just want to thank you for that masterful rendition of the scripture this morning interpreting the word love. I think that what you have said and if everyone listening in this room today and those that are listening by air, if we would just take those words that you have just shared with us this morning, this world will be a much better place. Personally, I try to do that every day in my life, to show love and to be most productive in helping others to do the same. So thank you for sharing those words with us this morning. I really appreciated that.

Chairman Scott said, recognize the Commissioner from the 3<sup>rd</sup> District, Commissioner --

Commissioner Center said, thank you, Mr. Chairman.

Chairman Scott said, -- Center.

Commissioner Center said, and good morning. And Reverend Sheppard, I too wanted to comment on your sermon, your -- your speech, your words of wisdom, but I feel very appreciative how I felt so much included in your closing and how you closed your -- your words and your prayer today, and I share with our -- with our Vice Chairman. I mean every day we pick up the paper, not just we read about happen -- happening here in our community which we'll discuss later, but the events around the world. You know, through college, give peace a chance, you know, all we ask is for love. It was a very moving message, and I appreciate it. And I -- and I thank you very much. That was excellent. And I also wanted to say that, you know, Sunday night is the beginning of the Jewish New Year for my religion. It's a week of thoughtful prayer when we -- we -- we ask for forgiveness for what we've done wrong and -- and the Lord writes in the Book of Life what's going to happen to us in the next year, and we pray that we get a good writing. So listening to your sermon is -- is very much

of what we believe and what we preach, and I also want to take the opportunity to wish a la shanna tova to all our Jewish constituents. Thank you.

Chairman Scott said, Commissioner Holmes of the 2<sup>nd</sup> District have comments.

Commissioner Holmes said, Reverend Sheppard, thank you so much for them kind words and strong words. You must be have been working with our Chairman, our Manager in putting together the agenda that we have for today's meeting. Your timely words and what you have said, it's going to sit in this room today.

Commissioner Shabazz said, that's right. That's right.

Commissioner Holmes said, congratulation for strengthening me to get through what we have today. Appreciate it.

Commissioner Shabazz said, amen.

Commissioner Stone said, amen.

Chairman Scott said, thank you.

Commissioner Shabazz said, amen.

Chairman Scott said, again. Thank you so much, Pastor.

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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, at this time I'll recognize our Vice Chair, Commissioner Thomas, for the purpose of introducing the officers of the Youth Commission who are here.

Commissioner Thomas said, thank you, Mr. Chairman. Members of the Commission, ladies and gentlemen, I'm delighted to introduce to you this morning the Youth Commissioners that are serving today. Mohammad Abdallah, a student at Woodville-Tompkins; Jamilah Hilliard, Savannah Christian; and Aliyah Dorsey, St. -- St. Vincent Academy. Welcome. We are very happy to have you here with us today. And please feel free to just chime right in, ask any questions or whatever that you might, you know, so deserve to ask. Okay?

Youth Commissioner Mohammad Abdallah said, yes, ma'am.

Commissioner Kicklighter said, we might even need your vote in a little while.

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## **V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

### **1. SWEARING-IN CEREMONY OF THE 2015-2016 CHATHAM COUNTY YOUTH COMMISSION.**

Chairman Scott said, okay. And the next item on our agenda, where you'll get to meet, I hope, all the Youth Commissioners for this school year, and at this time I will recognize our Assistant HR Director, Mr. Van Johnson, for the purpose of introducing the 2015/2016 Chatham County Youth Commission.

Mr. Van Johnson said, thank you so much. Mr. Chairman, Dr. Thomas, Ladies and Gentlemen, good morning.

Commissioner Shabazz said, good morning.

Commissioner Thomas said, good morning.

Mr. Johnson said, as we observe patriot's day today and reflect on a day that changed our lives forever, the way that we view the world and the way the world viewed us; the way we went about our lives; the way that we conducted business. As you remember very fondly that heroes were revealed that day; those that we know well and we've heard their stories and those unfortunately who's stories will never be known. But we realize that heroes are created out of opportunity and out of preparation. It is with that thought in mind that I introduce to you this morning the 2015/2016 Chatham County Youth Commission. I submit to you, these are our heroes of today and tomorrow.

Mr. Johnson said, so while we bemoan the issue of -- of crime, specifically, youth crime in Chatham County and Savannah, I know that you are constantly charged with the question, what are you doing about it? Well, the answer is quite clear and comprehensive because for the last 23 years you have supported and you have invested in young people through the Chatham County Youth Commission, and you did it before it was fashionable to do. Your leadership and vision of youth engagement is felt in the cities and counties that have replicated your model to include Fulton County, Georgia; Miami-Dade County, Florida; Prince George's County, Maryland; Macon-Bibb County, Georgia; Cass County, North Dakota; Newnan, Georgia; Dougherty County, Georgia, and the list grows and continues as this group of young people, your young people are proudly the only youth group officially recognized by both the National Association of Counties and the National League of Cities.

Mr. Johnson said, this -- this year we had the opportunity to look far and wide for young people. We weren't looking for perfect young people. We were looking for young people who were willing to work, willing to sacrifice, and willing to make a difference. Certainly they look very perfect to you right now, but they're young people, and sometimes do some of the things that young people do. Certainly before you are people that are straight A students, and then there are some people before you that are C students, but they will bring that C up before this year is over. You look before you to young people who have never had issues with juvenile delinquency or criminality, but there are young people in here who have had those issues. But those issues are over now because we're much interested in their future than we are their past.

Mr. Johnson said, we present to you among the 37, 15 new Youth Commissioners. People who have stepped up. We worked them all summer long. They contributed over 100 hours of unpaid community service, learning about their community, visiting, touring, meeting people, learning things, learning about what you do or the issues that are important to you, and most particularly wearing these dreaded white t-shirts all summer long. They had to do this while their friends were out having a good time, while they were out enjoying their summers. They had to do it while family members went on vacations. But they stayed, they persevered, and we present them to you today. Certainly, we can tell you that many things that these young people will do. We know that they are your advocates. They are your agents. We hope that they will continue to make you proud. They will be the forefront of your voices on youth issues. Certainly this year they will continue to address youth crime, and we have partners who we're working with with that, eliminating rapes and sex trafficking, and we have partners to -- with -- with that. And really improving youth health outcomes for young people as we know that has become a -- a real social service issue as we look at the -- the health of young people. There are so many people to thank, and I certainly have to thank our -- our angel, our visionary, our founder, Dr. Priscilla Thomas, who -- she didn't tell you, but actually last week celebrated her 61<sup>st</sup> wedding anniversary, and we think that's actually pretty awesome. [Applause.]

Mr. Johnson said, I haven't even been alive 61 years. So -- and being with a person 61 years we think is something special. And to all of you who -- who take the time to -- to -- to talk to our young people, to smile at them, to ask them to name their aspirations, and all of you do it. When we're at conferences and you see them, you own them, and that makes them feel very, very special. Certainly to our -- our County Manager, Mr. Smith; our HR Director, Carolyn Smalls; and to our staff. We -- we consider this a team effort. It takes a village to raise a child, but at Chatham County, we say it takes a team to do that. So Octavia Brown, if she will stand; Marilyn Rodriguez; Linda Polite; Sala Menaya; and Pete Nichols, that help us to engage and enrich these young people's lives. And -- and we could not do it without our partners in progress, that we call parents or parental units of these young people because we're kind of inducting them as well. They've had to pick their children up on time; they've had to drop them off on time; and I know many of them had to re-arrange their schedules to be able to accommodate their young people, so please, all of the parents of your young people, parents, godparents, grandparents, big momma, big papas, all please stand and -- and be recognized. [Applause.]

Mr. Johnson said, and we thank them for their continued partnership. All right. Now I proudly present to you Mr. Mohammad Abdallah, who is our returning Chair. He actually fallen -- falls into a very unique category because he was young enough to be elected twice. So, Mr. Abdallah.

Mr. Mohammad Abdallah said, I love to speak right after Mr. Johnson. Good morning County Commission. Today's the day of success and recognition. As the Youth Commission, we are proud to invite new members. All members of the Chatham County Youth Commission are ready to stop the violence, to guide the youth of Chatham County, and to advocate the need of youth all throughout the world. This is -- this is possible because of you, the County Commission. Chairman Al Scott, we thank you so much for your generosity and Dr. Priscilla Thomas, we thank you so much for being so creative in creating the Chatham County Youth Commission and for being such a great role model for people -- so many people, as well as myself. I am ready to serve my second term as Chairman, and we are ready to serve our role as prime examples of youth throughout the world. And Dr. -- Mr. Johnson, we would like to thank you for your 20<sup>th</sup> year directing Youth Commission. I think everybody should give him a hand for that. [Applause.]

Mr. Abdallah said, thank you all so much and have a blessed day.

Mr. Johnson said, thank you, sir, and when I started with the Youth Commission 20 years, I had a full head of hair. I don't know who stole it, but I really would like it back. So at this time I will introduce you to these outstanding young people, and then we actually have a unique swearing in process, Mr. Chairman, this year, is you would administer the oath of office, but also the Chatham County Youth Commission is also a Rotary Interact Club, and this is our second year as being Rotarians. So, then we will have Gena Taylor to offer the oath of office to our officers of our Interact Club.

Mr. Johnson said, so, I present to you the Chatham County Youth Commission for 2015-2016, and we're going to ask that they stand and then sit down so their parents can get pictures of them. Mr. Mohammad Abdallah, goes to Woodville-Tompkins. He serves as our Chair. He's a senior, and this is his third term on Youth Commission. Lindsey Mitchell is our Vice Chair from Windsor Forest. Aliyah Dorsey is our Secretary. She is serving her second term. She's a junior at St. Vincent's Academy. Our Parliamentarian is Jamilah Hilliard. She's from Savannah Christian. She's a senior. This is her third term. Shakayla Bush is an executive members. She's a senior at Groves High School in her third term. Isis Howard is a senior at Islands High School. She's a senior serving her second term. Caylen Johnson is a senior at Savannah Arts Academy. She's serving her second term. Ms. Wytney Benyard is a junior at Woodville-Tompkins. She's in her first term. Ms. Ariel Bland, New Hampstead. She's a senior. This is her third term. Victoria Brown, Savannah Christian. She's a senior. This is her second term. Mr. Uchenna Chukwekere. He is a junior at Savannah Arts Academy. He's in his second term, and he should be taking a test at this time.

Mr. Johnson said, Mr. Taylor Cobin, Savannah Arts Academy. He's a junior. He's a first termer. Ms. Kennedy Cunningham, Woodville-Tompkins. She's a senior. This is her third term. Ms. Morgan Dent, St. Vincent's Academy. She's a junior. This is her first term. Erica Ellison, Johnson High School. She's a junior. This is her second term. T'Amarri Grant from Jenkins High School. She's a junior. This is her second term. Byron Gray, Bethesda Academy. He's a senior. This is his first term. Nafia Hamilton, Johnson High School. She's a junior. This is her second term. Javetti Higgenbottom, Bethesda Academy. He's a senior. This is his second term. Nisi King, and she's our first student from the Habersham School. She's a sophomore, and this is her first term. Aundrea Linton, Savannah Early College. She's a sophomore. This is her first term. Caitlin Mallory, who could not be with us today, but she's from Bible Baptist. She's a sophomore. This is her first term. Trinity Mason, Islands High School. She's a senior. This is her third term. Ms. Bryanna Pacheco. She's from Savannah Arts. She's a junior. This is her first term. Micheal Pal, Savannah Country Day. He's a junior. This is his second term. Rayna Perry, Savannah Arts Academy. She's a junior. This is her second term. Lydia Poole, Bible Baptist. She's a junior. This is her first term. Sydnei Richardson, Early College. She's a junior. This is her first term.

Mr. Johnson said, Corteria Roberson, St. -- St. Vincent's Academy. She's a junior. This is her first term. Bria Sanders, New Hampstead. She's a junior. This is her first term. Mika Scott, Jenkins High School. She's a junior. This is her -- her second term. Gerald Thomas, Bethesda Academy. He's a senior. This is his second term. Jada Tyson, Woodville-Tompkins. She's a senior. This is her first term. Janoris White, Beach High School. He's a senior. This is his first term. Marcia Williams, Woodville-Tompkins. She's a junior. This is her second term. And we have the distinction for the first time in our 20-year history to have twins. Gabriel Williams, Savannah Early College. He's a senior in his first term, and Nicholas Williams, his brother, Savannah Early College. He's a senior, and this is his second term. Pray for us this year with that. And Cordell Woods, a senior at Benedictine. He's in his third term. Ladies and Gentlemen, the 2015-2016 class of the Chatham County Youth Commission. Mr. Chairman. [Applause.]

Mr. Johnson said, yeah, Mr. Chairman, Dr. Thomas, you come down and offer the oath of office.

Chairman Scott said, okay. When -- when I say I, please say your name. Okay. I (Youth Commissioners all stated their name), citizen of the State of Georgia and the United States, and a member of Chatham County Youth Commission do hereby solemnly swear or affirm that I will support the Constitution of the United States and the Constitution of the State of Georgia. That I will honestly and faithfully perform the duties assigned to me, and that I will at all times abide by and conform to laws, ordinance, and rules and regulations approved by the Chatham County Commission. So help me God.

All Chatham County Youth Commission Members said, I do.

Chairman Scott said, you are now members of the Youth Commission. [Applause.]

Mr. Johnson said, Ms. Taylor.

Ms. Gena Taylor said, good morning.

Commissioner Shabazz said, good morning.

Ms. Taylor said, to the Chairman and -- and Vice Chair and to the rest -- rest of the Members of the Chatham County Commission, I am honored on behalf of our District Governor, District 6920, Mr. John Neelly, who's also a member of our Rotary Club of Savannah East, and also on behalf of our club president, Mr. -- or Dr. Ed Donoghue, I am Gena Taylor, the immediate past president of the Rotary Club of Savannah East. It is an honor to be able to come and be apart of this Chatham County Youth Commission. We are very excited about the possibilities of this group. Van Johnson has done a great job working with them and describing them today, and so, everything that I've heard him say this morning and -- and heard what Pastor Sheppard say this morning, it is all in line with what the Interact Club of Rotary International is all about. It is a service and social youth leadership program for teenagers ages 14 to 18, and so we are so honored today to be able to come and install the officers of this wonderful club and to be associated as a sponsoring club, the Savannah club of Savannah East -- the Rotary Club of Savannah East to be the sponsoring club of such a unique group of people. We -- it is unique in that it is a community-based interact club versus a school-based, and it's unique in this District. So we are very, very proud to have the very first, inaugural interact club that is community-based. And the other thing that makes it unique is that it is comprised of students from all schools, both public and private, and so we are very proud to be associated with this organization.

Ms. Taylor said, to the incoming president, secretary, treasurer, vice president, also to the sergeant at arms of the Interact Club of the Chatham County Youth Commission, this is an indication of the esteem and confidence that your fellow interactors have in all of you. We also believe you will uphold the high moral and ethical standards of your club and that you will give the best of your executive ability to the furtherance of the interest of your interact club and carrying forward the object of Rotary. Membership in Rotary is an honor and a privilege with corresponding duties and obligations, including service to your club, school and community. You will be expected to participate in multiple levels of service and to attend this club's meetings regularly. With 338,836 interactors in 14,732 interact clubs in 109 countries, you are members of a worldwide, elite group of young leaders that represent the best of youth in their respective communities and countries. Your community will know and judge interact by your actions. Interact is like anything else, you get out of it what you put into it. As a member of the family of Rotary, interact officers and members are encouraged to foster the ideal of service as a basis of worthy enterprise. I charge each of you to judge yourself by the Rotary model, service above self, and the Rotary four-way test. Of all the things you think, say and do, first, is it the truth? Second, is it fair to all concerned? Third, will it build good will and better friendships? Fourth, will it be beneficial to all concerned?

Ms. Taylor said, you the individual members of the Interact Club of the Chatham County Youth Commission are the electors. You have chosen to use your vote to elect from your membership the young men and women who will guide the club's activities in the next year. This is your action team. Incoming officers, I charge you to lead this club only in those actions which exemplify the highest principles of Rotary. That you conduct the affairs of this club in accordance with the constitution and bi-laws of both Rotary International and this club, and to strive to make our theme peace through service, the heart and soul of this club. I trust that each member will work, will show respect and honor your interact advisor, which is me, and work together to make your interact club the premier club in the Savannah, Chatham County community.

Ms. Taylor said, now for the installation of the officers of the Chatham County Youth Commission, the Interact Club of the Chatham County Youth Commission. President, Mr. Mohammad Abdallah; Vice President, Ms. Lindsey Mitchell; Secretary, Ms. Aliyah Dorsey; Treasurer will be Ms. Shakayla Bush and our two Sergeant at Arms are Isis Howard and Ms. Caylen Johnson. Will you fulfill the responsibilities of your offices to the best of your ability in accordance with the constitutional documents of this club? Do you solemnly pledge that you will faithfully execute your elected offices of the Interact Club of the Chatham County Youth Commission and that you will to be best of your abilities sort -- support the Interact and Rotary district governors and Rotary International, and that you will uphold the constitution and the bi-laws of this interact club? If you accept these responsibilities, please say I do.

All Officers said, I do.

Ms. Taylor said, very good. I hereby declare the new officers and directors installed. Our community will be stronger and have a better future because of these young leaders. Thank you. [Applause.]

Mr. Johnson said, thank you, Mr. Chairman, Commissioners. Thank you for your time.

Commissioner Shabazz said, thank you.

Commissioner Thomas said, just before Mr. Johnson leaves, I would like to really say thank you Mr. Johnson. This is a young man that has really put a whole lot into working with these young people day and night, unpaid. Unpaid. This is extra. So I just want to say that we really do appreciate you, your services to this community,

as well as to the international community. As we all know that the Chatham County Youth Commission, we are recognized all over the United States of America, and we are continuing to grow. And I just want to say to the parents, we really thank you for your continued support. Because without you, these young people could not do what they are doing, and it's really a great organization, and I am really, really proud. I thank God for giving me the opportunity to see what has really come forth from a small idea, knowing that everything was possible, and I am so proud of all of these young people. Continue to do good work. Thank you so very much. [Applause.]

Chairman Scott said, again, congratulations to all the members of the Youth Commission and thanks to all the parents for all that you will have to do over the next year to support these kids. Again, thank you.

Mr. Johnson said, Mr. Chairman, may we be excused?

Chairman Scott said, and you may be excused, 'cause I know you're anxious to get back to class.

Mr. Johnson said, that's right.

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## **VI. CHAIRMAN'S ITEMS**

None.

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## **VII. COMMISSIONER'S ITEMS**

Chairman Scott said, and while the youth members are exiting, and we move on to our regular schedule, I'm -- under Commission Item, as a follow-up to the discussion that we had in the Green Room, at this point, I'm going to recognize our Vice Chair, Commissioner Thomas, for the purpose of some instructions.

Commissioner Thomas said, thank you, Mr. Chairman. Commissioners, ladies and gentlemen, Chatham County has lost two individuals who played an important role in the fight for civil rights, Mr. Sage Brown and Mrs. Frances Bright Johnson. I would like to ask that our Chair, Al Scott, be given the opportunity to send a letter to their families from the Commissioners acknowledging their services to this community at this time.

Chairman Scott said, all right, Dr. Thomas. Is there any objections to that?

Commissioner Holmes said, is that a motion?

Chairman Scott said, no, we don't need one.

Commissioner Thomas said, I move that --

Chairman Scott said, okay.

Chairman Scott said, hearing no objection, I will so do so.

Commissioner Thomas said, thank you.

Commissioner Shabazz said, I'd like to commend you for that.

Commissioner Thomas 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 (\*)

Chairman Scott said, and there are no Tabled Items or Reconsideration.

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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 AMENDMENT: IN THE MULTIPLE GRANT FUND INCREASE REVENUES AND EXPENDITURES \$194,750 FOR A GRANT AWARDED TO THE SAVANNAH-CHATHAM COUNTY DRUG COURT.**

Chairman Scott said, so we are on the Individual Action Calendar, Items for Individual Action. The first item is to request the approval of the following budget amendment: in the Multiple Grant Fund increase revenues and expenditures \$194,750 for a grant awarded to the Savannah-Chatham County Drug Court.

Commissioner Brady said, so moved, Mr. Chairman.

Commissioner Stone said, second.

Commissioner Thomas said, second.

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

**ACTION OF THE BOARD:**

Commissioner Brady moved to approve the following budget amendment: in the Multiple Grant Fund increase revenues and expenditures \$194,750 for a grant awarded to the Savannah-Chatham County Drug Court. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

**AGENDA ITEM: *IX-1***  
**AGENDA DATE: SEPTEMBER 11, 2015**

**TO:** Board of Commissioners  
**THRU:** Lee Smith, County Manager  
**FROM:** Amy Davis, Finance Director

**ISSUE:**

To request approval of the following budget amendment: in the Multiple Grant Fund increase revenues and expenditures \$194,750 for a grant awarded to the Savannah-Chatham County Drug Court.

**FACTS AND FINDINGS:**

The Savannah-Chatham County Drug Court received a \$194,750 grant award from the Georgia Department of Behavioral Health and Development Disabilities (DBHDD). 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).

**FUNDING:**

The budget amendment establishes funds in the Multiple Grant Fund.

**ALTERNATIVES:**

1. That the Board approve the following:

**MULTIPLE GRANT FUND**

Increase revenues and expenditures \$194,750 for a grant awarded to the Chatham County Drug Court.

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 OF THE FISCAL YEAR 2016/2017 BUDGET ADOPTION AND MILLAGE LEVY CALENDAR, AND SET A DATE FOR THE BUDGET GOALS SESSION/RETREAT.**

Chairman Scott said, the second item is to request Board approval of the fiscal year 2016/2017 budget adoption and millage levy calendar, and set a date for our budget goal session that the Manager will be polling everybody on at some future date. Hearing it, is there -- is there a motion?

Commissioner Farrell said, so moved.

Commissioner Brady said, so moved.

Commissioner Stone said, second.

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

**ACTION OF THE BOARD:**

Commissioner Farrell moved to approve the fiscal year 2016/2017 budget adoption and millage levy calendar, and set a date for the budget goals session/retreat. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

**AGENDA ITEM: IX-2**  
**AGENDA DATE: SEPTEMBER 11,**

**2015**

**TO:** Board of Commissioners

**THRU:** Lee Smith, County Manager

**FROM:** Amy Davis, Finance Director

**ISSUE:**

To request Board approval of the Fiscal Year 2016/2017 Budget Adoption and Millage Levy Calendar, and set a date for the Budget Goals Session/Retreat

**BACKGROUND:**

The Budget Adoption and Millage Levy Calendar are approved by the Board each fiscal year to facilitate timely adoption of the budget and millage levy.

**FACTS AND FINDINGS:**

1. The FY 2016/2017 (July 1, 2016 thru June 30, 2017) Budget Adoption and Millage Levy calendar is shown in completion on page 3 herein and contains the following major target dates:
 

September 14, 2015	--	Capital requests packages sent to departments
October 10, 2015	--	Personnel budgeting process begins
January 22, 2016	--	Distribution of budget packages
May 6, 2016	--	Presentation of proposed budget to Board of Commissioners
May 20, 2016	--	Public hearing at regular Commission meeting
June 10, 2016	--	Year 2016 Tax Digest and 5-year history to Board as information
June 24, 2016	--	Adoption of the FY 2016/2017 Budget Adoption of Year 2016 M&O, SSD and CAT millage rates
2. The period from May 9, 2016 through May 27, 2016 is available if the Board wishes to meet with the County Manager, departments or staff to discuss the proposed budget.
3. The Board may elect to hold a Budget Goals Session/Retreat in November 2015 where the Board's goals and priorities for the upcoming fiscal year can be developed. Stated goals and priorities will be utilized by the County Manager to develop the FY 2016/2017 proposed budget. The Board could also have a series of workshops on CIP needs concurrent with the goal session.
4. Approval of the calendar does not preclude the Board scheduling additional workshops prior to budget adoption or amending the target adoption date.

5. The State of Georgia may enforce penalties against counties who do not submit their digest by August 1st.

**FUNDING:**

N/A

**ALTERNATIVES:**

1. Approval the FY 2016/2017 Budget Adoption and Millage Levy Calendar, and set a date for the Budget Goals Session/Retreat.
2. Amend the calendar.

**POLICY ANALYSIS:**

State law requires that an annual budget be adopted by the Board for the General Fund and all Special Revenue and Debt Service Funds while a project-length budget should be adopted for construction-in-progress funds. The calendar also provides for levy of millage rates to allow for timely sub mission of the tax digest to the Department of Revenue.

**RECOMMENDATION:**

That the Board approve Alternative 1 and set a date for the Budget Goals Session/Retreat.

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**3. REQUEST BOARD APPROVAL OF THE SALE OF THE GRANGE ROAD RIGHT OF WAY TO THE GEORGIA PORTS AUTHORITY FOR \$300,000 WITH THE RESERVATION OF A DRAINAGE EASEMENT FOR FUTURE IMPROVEMENTS. [DISTRICT 8.]**

Chairman Scott said, the third item is to request Board approval of the sale of the Grange Road Right of Way to the Georgia Ports Authority for \$300,000 with the reservation of a drainage easement for future improvements.

Commissioner Thomas said, Mr. Chairman?

Commissioner Holmes said, so move for approval.

Commissioner Thomas said, I move for approval.

Commissioner Stone said, second.

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

**ACTION OF THE BOARD:**

Commissioner Holmes moved to approve the sale of the Grange Road right of way to the Georgia Ports Authority for \$300,000 with the reservation of a drainage easement for future improvements. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present for the vote.]

**AGENDA ITEM: IX-3**

**AGENDA DATE: SEPTEMBER 11, 2015**

**TO:** Board of Commissioners

**THRU:** Michael Kaigler, Assistant County Manager

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

**ISSUE:**

Request Board approval of the sale of the Agreement for the Purchase and Sale of Real Property for the Grange Road Right of Way to the Georgia Ports Authority for \$300,000 with the reservation of a Drainage Easement for future improvements.

**BACKGROUND:**

The Georgia Ports Authority (GPA) is the major property owner that surrounds the Grange Road Right of Way. Chatham County owns the Grange Road Right of Way to the Savannah River. Chatham County held the Right of Way for the purpose of future drainage needs in the Pipemakers Canal basin.

**FACTS AND FINDINGS:**

1. Chatham County Department of Engineering staff analyzed the Pipemakers Canal basin and found that Right of Way will not be needed for future needs if a drainage easement is provided. The GPA will reserve a drainage easement along the perimeter of GPA property for future drainage needs if necessary.
2. Department of Engineering acquisition staff reviewed the price for the property and determined the amount to be fair valuation for the property.
3. The Agreement for the Purchase and Sale of Property was reviewed and approved by the County Attorney as to legal form.

**ALTERNATIVES:**

1. Request Board approval for the sale of the Grange Road Right of Way to the Georgia Ports Authority for \$300,000 with the reservation of a Drainage Easement for future improvements.
2. To not approve the sale.

**FUNDING:**

No funding is required.

**POLICY ANALYSIS:**

The Board must approve property sales.

**RECOMMENDATION:**

That the Board approve Alternative #1.

District 8

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#### **4. REQUEST BOARD CONSIDERATION OF THE INTERGOVERNMENTAL AGREEMENT CONCERNING SAVANNAH-CHATHAM METROPOLITAN POLICE DEPARTMENT.**

Chairman Scott said, the next item, Item 4, is to request Board consideration of the Intergovernmental Agreement concerning Savannah-Chatham Metro Police Department, and what's before you today is the County staff's mod -- modified agreement that they recommend approval. Now, I'm going to ask our Assistant County Manager, just for the sake of clarity, just to sort of step you through on -- on this proposal, and then at such time I'll entertain questions to the Assistant County Manager, then I'll entertain comments from members of the Commission, and as stated in the Green Room, your comments will be limited to six minutes, not to exceed seven. Our County Manager, Mr. Smith, has agreed to be the time keeper, and so, when we get to the phase of -- of comments by members of the Commission, please note that you have a six-minute time limit on your discussion.

Assistant County Manager Linda Cramer said, hey. Good morning. I'm going to go back through some slides that we had at our workshop last week, just to give everyone an overview of the agreement that you have in front of you. This agreement that you have in front of you was developed from a framework agreement that was recommended by the City Manager and the County Manager in May, 2015, and that framework agreement came after pretty much a year of negotiation with the City. I think the County sent the first draft of the agreement -- of an agreement over to them in July 2014, so we had a lot of negotiations back and forth. This Board actually adopted that framework agreement May 22<sup>nd</sup>.

Chairman Scott said, for clarity Madam Assistant Manager.

Assistant County Manager Cramer said, yes.

Chairman Scott said, both bodies approved that framework, is that correct?

Assistant County Manager Cramer said, that's correct.

Chairman Scott said, thank you.

Assistant County Manager Cramer said, actually, the City Council, I don't believe they saw the framework, did they?

County Manager Lee Smith said, yes.

Assistant County Manager Cramer said, the City Manager did, but.

County Manager Smith said, but --

Chairman Scott said, no, they voted on the framework.

County Manager Smith said, City Council voted on it.

Assistant County Manager Cramer said, they voted on it?

County Manager Smith said, yeah.

Assistant County Manager Cramer said, okay.

County Manager Smith said, on the framework also.

Assistant County Manager Cramer said, not -- not real sure when they voted on it.

County Manager Smith said, mm-hmm.

Chairman Scott said, yeah.

Assistant County Manager Cramer said, the County then on July 13<sup>th</sup>, looking at the framework agreement, we developed a contract, an intergovernmental agreement, took it over to a staff meeting, and started negotiations with staff with City and County staff on the framework agreement, and we -- we worked through mid-August, and then an agreement was presented to City Council and approved August 20<sup>th</sup>, and here we are today with an agreement for your approval. The agreement that was approved by City Council and that's in front of you, really follows a lot of points of agreement in previous drafts of these contracts that we've been going through since last July. It retains existing precinct and beat structures for right now. It moves property investigators over to precincts, and it has a lot of other components in it, that, you know, you've seen before that we've talked about related to operation of the department. Things like, you know, the Animal Control until will come back to the County and come under the County Manager next July. CNT has already been pulled back under the county, so -- so some of those traditional county departments that -- that we've always funded will come back over under the County Manager. Also in this agreement, there is a two-year term --

Chairman Scott said, Madam Manager, also, the -- the county was already paying for those agreements.

Assistant County Manager Cramer said, correct.

Chairman Scott said, and it's just -- for those functions, so it was just clarified that it would be totally under the control of the County Manager. Is that correct?

Assistant County Manager Cramer said, correct.

County Manager Smith said, yes.

Assistant County Manager Cramer said, it's just moving administrative responsibility back to the County Manager. Some of the other provisions in this framework, we do have a -- an initial term of two years in the agreement. The term of the agreement is 10 years, but it's only funded -- there's only a funding formula in the agreement for two years. So after that two-year period, there's no funding agreement, so that in effect, forces us to negotiate a better contract, one which we think will be based on service measures. So that is the outcome that we seek, to develop a cost structure for both entities reflective of services provided.

Chairman Scott said, and that -- that was also in the framework.

Assistant County Manager Cramer said, that was also in the framework.

Chairman Scott said, yeah.

Assistant County Manager Cramer said, all these things were in the framework. The accountability standards are important. During this two-year time, since we don't have a lot of data on service levels, we're -- we're looking at, you know, performance measures, metrix, whatever you want to call it, that will indicate the services provided to each entity, and under the framework agreement, and in the contract, we are going to use an outside consultant to -- to work with county and city staff on a monthly -- at a monthly meeting, and, you know, interim times in between to go ahead and start quantifying those measures and come up with a good cost structure for both entities. I've already spoken with the CFO of the city about this -- this consultant. You know, we want to go ahead and jump start an RFP once we have approved this agreement and get it out on the street so that we can get started on this because we're a little behind. The agreement also has a strong policy committee function in it, and the policy committee, as you know, is the Mayor and the Chairman and both the City and County Managers. There is quarterly meetings in the agreement of the policy committee. Any service level changes or due diligence issues would go to the policy committee, and then come -- you know, any outcome from that would come back to you for approval. That could include any budget changes -- significant budget changes.

Assistant County Manager Cramer said, there is a flat fee in the agreement for the county in years one and two, an annual fee of 14 million, 154,780. That's for all county shared departments. If the county's still paying for Animal Control, for example, we would pay our share -- you know, any expenses they're paying for that, we would reimburse the county on top of that -- I mean the city on top of that, but -- but for shared departments, we would pay that \$14 million a year. We did recommend once we -- once we looked at the agreement that the City Council had approved, we did recommend some minor changes that are in keeping with the framework agreement, and those are in the agreement that you received -- the full agreement last night. We also gave you earlier in the week kind of a summary of what those changes were. They were to three sections of the agreement, and they really just emphasized the role of the policy committee and any changes in service levels and cost.

Chairman Scott said, and it just sort of took us back to the framework.

Assistant County Manager Cramer said, yes. It -- it really goes back to the framework agreement and the provisions that were in the framework agreement, and I think city staff and county staff had agreed, you know, on that process. So. And that -- that's really all I have.

Chairman Scott said, okay. Is there any question of the Assistant County Manager?

Commissioner Stone said, Mr. Chairman?

Chairman Scott said, Linda, thank you. You did a very good job, because you didn't have any questions.

Commissioner Stone said, I actually do.

Chairman Scott said, you have one. I'm sorry.

Commissioner Thomas said, I don't have a question, I just -- I just missed the amount that you said the flat fee --

Commissioner Shabazz said, turn your mike on. Turn your mike on.

Assistant County Manager Cramer said, mm-hmm.

Commissioner Thomas said, -- was 14 million?

Chairman Scott said, is your mike on?

Assistant County Manager Cramer said, 14 million, 154,780.

Commissioner Thomas said, thank you.

Assistant County Manager Cramer said, annual for the first two years. Yes, ma'am.

Chairman Scott said, Commissioner Stone.

Commissioner Stone said, Ms. Cramer, could you please put up the sheet --

Chairman Scott said, could you pull your mike up, please?

Commissioner Stone said, I'm sorry. Could you please put up the sheet that shows what the cost would be if -- in the event that we needed to stand up our own police department? And I think that was issued in 2013.

Assistant County Manager Cramer said, yes. This was a sheet that we did in October 2014, actually, using 2013 data. If I can figure this out.

Commissioner Center said, nice fingers.

Assistant County Manager Cramer said, okay. So before we -- the history of this sheet really is before we sent an agreement over to the city in July 2014, we started looking at different alternatives to police services. One of those alternatives was to talk with the Sheriff and -- and enter into a contract with the Sheriff for police services in the unincorporated area, and when we looked at that, that -- and we -- we staffed it up, that came in at about \$11 million. Then we had a second alternative where we took the 20 -- 2003, I'm sorry. I'm trying to read this, 2003 staffing levels that we had in the old Chatham County Police Department, and we just costed those back up, and that came to what does that say? Twelve million something?

County Manager Smith said, 12 -- 12.7.

Chairman Scott said, twelve.

Assistant County Manager Cramer said, then we --

Chairman Scott said, Madam -- Madam Manager.

Assistant County Manager Cramer said, I'm sorry.

Chairman Scott said, but if you -- if you were to use the current salary level, I estimate that that cost would be 13.3.

County Manager Smith said, it would be higher.

Assistant County Manager Cramer said, I think if you used the new salary levels that the city has all these costs would be up because we did this last year.

Chairman Scott said, yeah.

Assistant County Manager Cramer said, then we had alternative three, that was looking at the city's -- our old agreement with the city and the 39 percent cost share for shared cost centers, which they were requesting at that time, and that was over 15 million. And then we had another alternative for the county with a different level of officers based on some work we had done in house, and that came in at about 13 million, I think.

Chairman Scott said, 13.9.

County Manager Smith said, yes, 13 -- 14, right at 14 million.

Chairman Scott said, right at 14.

Assistant County Manager Cramer said, and then we did estimate that any start up costs would be -- you know, we would have some start up costs probably, 3 million, 3 and a half million for equipment mainly because we -- you know, all the computers, all that equipment, administrative equipment, is city property and the guns and all that, so -- but we would have some -- some costs involved.

Commissioner Stone said, so, Mr. Chairman, I guess my -- my point is it would cost significantly more -- any of these proposals for us to stand up our own police department. Based on --

Assistant County Manager Cramer said, with the start up costs you would.

Commissioner Stone said, yes.

Assistant County Manager Cramer said, for one year.

Commissioner Stone said, yes, with the start up costs, and we've got to acknowledge the cost -- the pay increases that are not incorporated into this sheet. Is that correct?

Assistant County Manager Cramer said, right. I think the bulk of your cost on any of these are your salaries, obviously.

Commissioner Stone said, okay. I just -- I just wanted some clarification on that. Thank you.

Chairman Scott said, any further question of the Assistant Manager?

Commissioner Kicklighter said, I have one question. If I can just as a question?

Chairman Scott said, yes. Question of the Assistant Manager.

Commissioner Kicklighter said, yes. You stated it would cost more --

Chairman Scott said, Commissioner Kicklighter of the 7<sup>th</sup> District.

Commissioner Kicklighter said, you -- you stated it would cost more, would that be a one time start up cost?

Assistant County Manager Cramer said, yes, it should be a one time start up cost.

Commissioner Kicklighter said, and the estimate to start your own would be 13.3 versus the proposal of 14, 154 --

Assistant County Manager Cramer said, yes.

Commissioner Kicklighter said, seven, \$800,000 less than what is being proposed by staff today to go in and allow someone else to -- to dictate the future of the safety for the unincorporated area?

Assistant County Manager Cramer said, that -- that's an estimated cost.

Commissioner Kicklighter said, you don't even have to answer that.

Assistant County Manager Cramer said, yeah. We're doing that math.

Commissioner Kicklighter said, that -- that's fine. Thank you.

Chairman Scott said, okay. Is that part of your six minutes?

Commissioner Kicklighter said, no, sir. That was a question.

Chairman Scott said, okay. Thank you. Thank you, Ms. Cramer.

Assistant County Manager Cramer said, you're welcome.

Chairman Scott said, okay. At -- now at -- at this time, we can -- as I stated, you -- you'll be limited to six minutes. We can either entertain a motion and then have discussion or we can have discussion and then entertain a motion. Is there a preference?

Commissioner Brady said, I would suggest we have discussion and then entertain a motion.

Chairman Scott said, okay.

Commissioner Brady said, Mr. Chairman.

Chairman Scott said, all right. Anybody --  
Commissioner Center said, comments.

Chairman Scott said, I see the Commissioner from the 3<sup>rd</sup> District, Commissioner Center.

Commissioner Shabazz said, this is where we have the six minutes?

Chairman Scott said, yes.

Commissioner Shabazz said, all right.

Commissioner Center said, my comments, and if you'd get ready to put up Exhibit C. Thank you, Mr. Chairman. I wanted to explain my thoughts to my constituents and all who are listening. The agreement between Savannah and Chatham County is actually not an agreement between the whole county and the City of Savannah. Tybee, Thunderbolt, Pooler, Port Wentworth, Garden City, Bloomingdale, Vernonburg residents are not involved. This is an arrangement between those citizens of the unincorporated area and the City of Savannah. Those people who don't have their own government for their own particular purposes but are governed by the nine votes up here. The original concept was a true merger, a joint police department run by both the county and the city. It would have had 18 ruling votes on hiring and firing a chief, locating precincts, budget, capital expenses. That may have been problematic, but that was the concept. The agreement did not evolve that way. It became a city run police department with suggestions from the county. Numerous -- we have numerous scores of agreements with every municipality, including Savannah. Yet of all those agreements, this is the only one, the only one that had a history of miscommunications, chafed feelings, and harsh responses.

Commissioner Center said, Alderman Tony Thomas calls it a tension filled merger, and he says it has not helped. His complete post was, (the crime problem we have today in Savannah are the fruits of a systematic failure to address the real issues in Savannah). We can't even agree on who sent what to whom when. County staff says one thing, city staff produces emails to counter what county says. Communications are as much through the media releases as directly to each other. When I watched the city deliberate -- deliberations and heard what their staff was telling Council, I thought, County is from Venus, Council is from Mars. The city perception is -- of discussion is 180 degrees different from our perception. There's been bickering, mistrust, harsh statements. It's been an unhappy relationship.

Commissioner Center said, would you -- Exhibit C is a list I put together of the chart. The original agreement was October 2003; first county proposal was July 2014; city responded completely changed it, so we wrote a letter in reply to the response, didn't even do a response 'cause we all said it's not going to happen. A year ago, two weeks less than a year ago, we voted nine to nothing to terminate the existing agreement. Sent that termination notice to the city, then on October 17, we sent a second written proposal and January the county voted on a third written proposal. We got a city letter response. On February 27 we authorized hiring a search firm for a chief. On March 27 we appropriated \$65,000 for that search firm. On April 10 the County Manager told us that April 30 was a drop dead date to stand up a new police department. May 22 we voted on a framework with a two-year fixed price of 14.1 million. July 31 the County Manager told us July 31 was the drop dead date. Then on August 20 the city voted on a proposal ignoring our fixed price.

Commissioner Center said, we use the term agreement and proposals. We have no agreement. We've had proposals back and forth. Deliberations and offers have been painful. Our first offer is, well the county will run the police department and just the city pay us, and that was absolutely refused. The city said they want control of the police department. We finally caved in on decisions regarding the chief and authority and simply offered to pay for services, but we put a two-year limit on that amount, 14.1 million. During those two years we share the cost of an unnamed third-party consultant to help us develop more data and come up with a formula acceptable to both parties. That 14.1 million and my vote included any pay raises, body cameras, whatever. That was it. And we put a time limit on that response. The city busted that time limit. Then they rejected that

offer. They've offered 14.1 million plus, and in a brilliant public relations effort, they say that pay raises, body cameras, and Operation Cease Fire should come on top of the 14.1 million.

Commissioner Center said, let me repeat, the county's offer of 14.1 million included pay raises, included body cameras, and whatever else the city wanted to pay. The county is not against pay raises. Our offer, along with what the city is budgeting and banking, is more than sufficient to cover those costs. That's why the city has said they're going to go ahead and institute those costs whether or not we come to a new agreement with them. The residents of the unincorporated areas fee has sky rocketed, and they feel their services have not increased at all, but have in fact diminished. So now I have come to believe that ceding control to the city was a mistake. It is fundamentally inappropriate to tax the unincorporated area for police services and not give them a voice controlling those services. I am no longer willing to agree to concede control. The bottom line in all these discussions should be reducing and eliminating crime, and all studies show that the merger itself does not increase or decrease the crime.

Chairman Scott said, you have -- you have 55 seconds.

Commissioner Center said, simply look at what is going on now. Every day we read about shootings, armed robberies, car thefts, home invasions, store invasions, sometimes in broad daylight. Can anyone really say that the merger has lowered the incidents of crime? In a way the merger has enabled the city to not tackle the problem. Just as friends and family can enable a drug user, I now believe sharing the police department has enabled the city not to tackle the problem. As long as it has the county as a crutch, the city will not buckle down and do what is necessary, perhaps even raising taxes, to fight this crime rash. As Alder Thomas -- as Alderman Thomas posted, the crime problem we have today in Savannah are the fruits of a systematic failure to address the real issues in Savannah. In fact, until this election year, the city never even talked about pay raises.

Chairman Scott said, time's up Commissioner.

Commissioner Center said, okay. I would move that I be given an additional minute and a half to finish my statements.

Commissioner Farrell said, second.

Chairman Scott said, time's up.

Commissioner Center said, I've -- I've had a motion. There's been a second, and according to Robert's Rules --

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

Commissioner Center said, but I made the motion. Robert's Rules --

Chairman Scott said, you're not recognized for the purpose -- you are out of order.

Commissioner Center said, Mr. Chairman, I'm not. The Robert's Rules of Order say that we can overrule the rulings of the Chair, and I've asked that I have an additional minute and a half to finish my comments, and it's been seconded. I'd like to have a vote on that.

Chairman Scott said, you have not been recognized for a motion.

Commissioner Center said, well, I will continue reading my comments, 'cause I think you're out of order. The city has never --

Chairman Scott said, you are -- you are out of order.

Commissioner Center said, Mr. Chairman, Robert's Rules of Order govern our meetings, and I'm following Robert's Rules of Order. You cannot change those.

Chairman Scott said, we'll refer to the Counsel.

Commissioner Center said, Counsel is this --

Chairman Scott said, was he recognized for the purpose of a motion?

County Attorney R. Jonathan Hart said, you set his time limit at six minutes not to exceed seven.

Commissioner Center said, and I'm -- and I'm moving that we grant me more time, and I'm entitled to that.

County Attorney Hart said, and I -- and I -- I hear that , but you -- you agreed to that before you started.

Commissioner Center said, I did not agree to that. That was an announcement made. No one agreed to that. There was no vote on that.

Chairman Scott said, there was no objections.

Commissioner Farrell said, there was no vote on that.

Commissioner Center said, there was no vote on that, and --

County Attorney Hart said, okay. Well, you -- you -- you -- if this -- if this Commission wants to change the time limit --

Commissioner Center said, and that's what I'm asking the Commission to grant me another 90 seconds, which I probably won't take the whole time to finish my comments.

Chairman Scott said, no.

Commissioner Center said, now I've asked the Commission to grant it, Mr. Chairman.

Commissioner Kicklighter said, he is correct as far as Robert's Rules of Order. So.

Chairman Scott said, well --

Commissioner Center said, I -- I could have finished the comments in the time we had this discussion.

Chairman Scott said, yeah. If -- if you --

Commissioner Center said, if you will please grant me the leeway, Mr. Chairman, I'll be quick to finish them.

Chairman Scott said, no. I -- I will -- I'm perfectly willing to let this Commission decide whether or not they want to exceed the seven minutes.

Commissioner Center said, okay.

Commissioner Farrell said, well, raise the screen so we can see the --

Commissioner Thomas said, how -- how many minutes? I mean --

Commissioner Kicklighter said, he just needs a minute.

Commissioner Center said, I'm not going to take more than 90 seconds.

Commissioner Thomas said, no more.

Commissioner Center said, no more. I got that page right here.

Chairman Scott said, no. We -- we need to put it to rest.

Commissioner Thomas said, no, he said no more. No more.

Commissioner Farrell said, it passed.

Commissioner Thomas said, let's go. Let's go.

Commissioner Center said, all right. They're reading it to us. All right. Thank you. In fact, until this election year, the city never even talked about pay raises. I acknowledge that just because someone gets elected doesn't make that person an expert on fighting crime or any issue.

Chairman Scott said, Mr. Manager, are you keeping the time on the 90 seconds?

County Manager Smith said, yes, sir.

Commissioner Center said, but when you ask for an office and get elected, you take on the responsibility to look for answers and do the job. I'm no longer willing to enable the city to avoid tackling the problem of crime. The City of Savannah definitely has a crime problem and to many it appears out of control, and one has to ask, if you cannot police your own area, why do you want to expand and police more than your own area? If joining police departments is so critical and so beneficial, why hasn't Savannah asked Thunderbolt, Garden City, Port Wentworth or Pooler to merge with them? Why aren't those municipalities clamoring to merge their police departments with Savannah's? The fact is those municipalities -- municipalities wouldn't do it. They have their own governments and they say no. From the response I've had from constituents and others, I'm convinced that if the SSD had it's own government, it would also say no. The two governments tried a merger, it didn't turn out as expected, it's time to move on. Thank you.

Chairman Scott said, anyone else wishing to speak? I recognize the Commissioner from the 4<sup>th</sup> District, Commissioner Farrell.

Commissioner Farrell said, well, thank you. I'm basically here today to repeat what I have said in previous meetings. I'll have to make it short and sweet because that seems the order of the day. As a representative of over 30,000 people in the unincorporated area, my focus is clear on the people that live in the unincorporated area. I have no bias against or for a merger. It has the potential to be a very efficient and effective way to police in this community. However, you have to have a partnership to do this. In 2003 the sitting Commission sold out the unincorporated area, gave up their authority to have any say so -- any meaningful say so in how this police office -- police department is run. We merely make suggestions, and we handed them a blank check.

Commissioner Farrell said, fast forward. We have taken a bad deal and made it slightly better. We needed to move a mile; we moved a millimeter. To me this is not a good deal for the unincorporated residents. They need a stronger voice to look out for their best interests, and this Commission is the only elected body that can do that. The City of Savannah has a Mayor and nine Council people to look after their best interest. The business community has hundreds and hundreds of folks and millions of dollars to look after their best interest. The unincorporated area has eight Commissioners and one Chairman to look after their best interest, and it astounds me that when we deal with an issue that is strictly an unincorporated area issue, that their representatives reference how other municipalities should feel and how they should be represented, when in fact we represent the unincorporated area on this issue, and how it intervenes with the other elected officials is all well and good, but it is not our duty on this particular issue to weigh in how it affects Effingham County, Richmond Hill, Pooler, City of Savannah. When we're focusing on this issue, we should be looking out for the best interest of the unincorporated area citizens, which I do. I have a clear lens to do that, and I have looked at this deal. I inherited it when I became a Commissioner in 2005.

Commissioner Farrell said, I have tried diligently for over ten years to make this thing work. I have seen the inner workings between the county and the city. It is not a pretty situation. There is not the cooperation that is needed. The fairness of the -- of the financial distribution of payments is nowhere near what I consider fair and just, and therefore I cannot support this particular document, just as I have not been able to support the past one that came up for review. This is a ten-year document that seals the fate for ten years with a slight possibility in two and a half years under perfect conditions they might be able to undo this thing. So today is a critical vote in my opinion. The better answer would be to reject this, come up with terms that give the County Manager, the County Chairman, the Commission an equal voice in how this police department is managed. We have to have accountability where our police officers are. We have to have fact-based information on what our fair share is to pay.

Commissioner Farrell said, there is no business in this community that would agree to such a deal as this where we absolutely give away all our authority and present a blank check with -- I've watched for years as this thing escalated and escalated and escalated to the detriment of our Public Works Department. Our litter doesn't get picked up on a -- on a more regular basis. Our ditches aren't cleaned out on a more regular basis. Our grass isn't cut. Our roads are not repaved as often as could be if we weren't overpaying for a service. To add injury to insult, we not only overpaid for the service, which I am told in 2003 there was zero vacancies, except for perhaps one major on the police department. We're paying for all these officers, yet we have no accountability where they are. If the police merger ended today, then the City of Savannah wouldn't have any vacancies, 'cause now they would be up to speed. They would have enough officers to cover the City of Savannah. They're overstretched. They've got some issues, and I'm praying and hoping that they solve those issues and -- and fix the problems and make this community safer. 'Cause I stand behind every police officer, every GBI agent, every FBI agent, all those officials that work, every Sheriff's deputy that works to make this a safe community, whether -- no matter what uniform they wear. But when I sit up here, I have a fiduciary responsibility to the citizens that I represent to look after how their tax money is spent and how their services are delivered, and to me you can't dress this thing up. It's a -- not a good deal. It could be, but it's not, and I just -- I cannot support it, and I would encourage my other Commissioners to take the view that -- of the unincorporated residents, because this directly affects how their money is spent and how their service is delivered. And no matter what extra benefit that this does for the City of Savannah residents --

Commissioner Shabazz said, it's time.

Chairman Scott said, how are we doing on time?

County Manager Smith said, 30 seconds.

Chairman Scott said, go ahead.

Commissioner Farrell said, you need the 30 seconds, sir?

Chairman Scott said, no.

Commissioner Farrell said, oh. Okay.

Chairman Scott said, I just wanted you to know how much time you had.

Commissioner Farrell said, well, he's -- he's got a piece of paper up there.

Chairman Scott said, okay.

Commissioner Shabazz said, it's past time.

Commissioner Farrell said, so, no matter how much extra good this does for the unincorporated area residents to help financially and with -- with unfettered use of our police officers that we're paying for, at the end of the day I urge my Commiss -- fellow Commissioners to look out for the best interest of the unincorporated citizens on this issue. We do plenty to help out all the municipalities on many different issues. So I'll leave it at that. And thank you for your consideration to get a better deal or get out and let's go back to a Chatham County Police Department. Thank you.

Chairman Scott said, thank you, Commissioner. I appreciate your courtesies. Anyone else who wants to speak to it? I recognize Commissioner Holmes of the 2<sup>nd</sup> District.

Commissioner Holmes said, thank you, Mr. Chairman. You know I wasn't going to make a comment about this merger this time. I was going to leave it alone and vote my conscience. But with the crime that we're facing here in Chatham County and Savannah, I keep hearing, unite, pull together and work together. That's what I keep hearing. Crime is not in one area. Crime is all over this county, and if you going to eliminate crime or help decrease some of the crime, I know the best thing to do is to come together and to fight it together. But you know them roads that go out in the unincorporated area. I pay tax for that too, but I don't use them roads. I do not use them roads. Very seldom you may see me use them roads, but I pay tax for them roads. So when you talk about paying for someone else expense, the City of Savannah pay for them roads just like we pay for our roads.

Commissioner Holmes said, but I'm going back to the four, seven and ten. The four, seven and ten. Under the first agreement, that four years, we did not open up the agreement to negotiate, and the reason why we didn't open it up, it was closed off to us for negotiation. And then the seventh year, the seventh year came. It supposed to open up for negotiation, and it didn't open up. This is the tenth year, and the reason why you are here discussing it now because on the tenth year it automatically opened up for negotiation. That's where we at. So why are we here discussing that? Because some party failed to negotiate in the first, four and seventh, and here we are at the tenth. Are we fighting the city or are we negotiating with the city? Are we attacking the city or the city attacking us? Because I keep hearing our negotiator use the word negotiate, negotiate. That's why in these agreement, you hear agreement. You hear agreement. So in order for you to write anything in these on agreeable, you have to negotiate, and I am sort of tired of hearing statement made from our city counterpart attacking what we're not doing. It is -- it ain't about us. We have to unite ourself together in this issue we call crime.

Commissioner Holmes said, and I heard some comments up here a while ago, but if you go back up all the news coverage and you was going around to neighborhood meeting, you was going to rally, I keep hearing unite ourself together. So, if we going to reunite ourself together, then why are we talking separation? Why -- why are we not pulling together? And I guarantee you, under any agreement we face, they ain't no such thing as a perfect agreement. Now if you can put together some minds from both party to give us a perfect agreement, hats off to that person. But it's not going to be perfect for the city, and it's not going to be perfect for the county. But at some point, we're going to have to give in some way and stop fighting against each others. That's why I said today to the Reverend Sheppard, he must be know about this agenda today because this agenda's going to take some love; it's going to take some consideration; and it's going to take us united for this merger to work. Even if we sign off on it today and go, we know it's not perfect, but it's a working agreement, and I hope we can do it. Thank you.

Chairman Scott said, thank you Commissioner. Any -- Commissioner Stone of the 1<sup>st</sup> District.

Commissioner Stone said, thank you, Mr. Chairman.

Chairman Scott said, I might also note, before you get started, Ms. Stone, Mr. Kicklighter sent me a note, I think it was on yesterday asking that -- if he could be last, at least next to the Chair, and that's the reason that -- if you're wondering why I haven't called on him. Thank you. Carry on.

Commissioner Stone said, all right. Thank you, Mr. Chairman. First of all, I'm -- I'm a little befuddled as to why we're actually voting on anything today, 'cause this is the same framework that was sent to City Council a few weeks ago that apparently they added some things to. So I'm going to state what I stated in July, and that would be that Savannah is part of Chatham County. The other municipalities are a part of Chatham County, and we all have, whether it's the county or the city, a fiduciary responsibility to all the tax payers. If we de-merge this department, we could be looking at some escalation in crime statistics because of the per capita basis, which is going to hurt all of us. With SPLOST and ESPLOST, I see this as a potential problem for businesses coming into this community, for people coming to visit Savannah, and for enjoying what we know today. And I'm not going to tell you there is not room for improvement, because I believe that there really is.

Commissioner Stone said, in looking at the numbers yesterday, that Ms. Cramer put up earlier, those were 2013 numbers, so I'm intelligent enough to know that you've got to pump in some type of inflation if we were going to start up a police department today. The other thing that's troubling to me is that I spoke at great length with a retired police officer that was with the force for 20 years, pre-merger and post-merger, and this individual shared with me the nightmares of when the police department was separate, especially on major investigations. To quote this officer, we were constantly butting heads when we were trying to get through investigations. I don't

see that as a productive way to run a police department. We need to pull together. We need to pull all of -- consolidate all of our resources to combat crime. Crime is not going away any time soon.

Commissioner Stone said, this individual also shared with me the problems of the unincorporated area being peppered through the county and crossing jurisdictional lines when -- when calls where being made. I don't want to see that happen. I want to see this department unified, strong and large, and maybe someday some of the other municipalities might consider joining with our police department.

Commissioner Kicklighter said, that will never happen.

Chairman Scott said, you're out of order. You're out of order Commissioner Kicklighter. Please.

Commissioner Stone said, as a conservative who believes in consolidation and less government, and I firmly believe in that, I'm going to vote as I did in July for this same framework. Like I said, I'm not even sure why we're voting today. That this will go forward with no changes. I don't want to see any additional cost. This is what we approved. This is what I voted for in July. This is what I'm voting for. Having said that, with this -- this new agreement in place, I do expect and will monitor the service in the unincorporated area in the District that I represent because if it does not improve, I will guarantee you one thing and that is I will be your worst nightmare. 'Cause that is the major complaint that I'm hearing in the unincorporated parts of Chatham County that I represent, and that's not right. So I will be monitoring that. Mr. Chairman, thank you.

Chairman Scott said, thank you Commissioner. Commissioner Brady of the 6<sup>th</sup> District.

Commissioner Brady said, well -- thank you, Mr. Chairman, and lucky for y'all I'm usually the queen of brief, 'cause it's hard to come behind everything else that's said, and I wanted to hear it before I made my comments. I absolutely agree that we should have a merged police department. The problem here is that every time we send over an agreement that is acceptable to the county, the city changes it. Now, you can call it what you want, but as the newspaper put it this morning, it was, you know, petty bickering. It's not petty bickering it's -- it's -- it's two governments trying to negotiate a fair contract, and at this point, I have absolutely no faith in that will happen based on the back and forth that we've been through. We did set deadlines, and we've passed those deadlines. And the first and foremost thing that government should do is protect its citizens. If we split apart, the City of Savannah will remain a police department. They'll be able to police the city limits. And as far as reasons to have it, which was discussed earlier in diluting crime, we should not have a merged police department just to say we've diluted the crime stats, and I think that was one of the original reasons why it was merged in the first place.

Commissioner Brady said, what we've got to do is we've got to resolve the crime problem, and diluting stats is not resolving a crime problem, and I am perplexed as to how it got here. I -- I mean I just arrived two and a half years ago. In 2003 I was against it, although I had no voting power, and I've watched it just go down ever since it was implemented in 2005. And the truth is, the county is partly to blame for that. I mean, I -- I'm not going to take the blame 'cause I wasn't here, but we never did anything to -- to -- to -- to renegotiate this contract, and so, you know, there's, you know, the -- the County Manager at the time didn't do anything to put it on the table, and we just went on and on and on and I guess they all thought, well, maybe it will get better soon. Well, it didn't. So I'm not going to repeat what my other colleagues have said, and I agree with most of what everybody has said. We do need to unite, but I agree with something Commissioner Stone said, I don't even know why we're talking about this today. As far as I'm concerned, when they made changes to that agreement, and our staff changed their agreement, it should have just gone back to them for negotiations instead of us having to vote on this today. Because until we come up with an agreement, what are we really voting on? I mean this says consideration. So, I -- that's going to force a no vote for me, and -- and I -- I represent probably 50 percent unincorporated and 50 percent city limits, and I promised my city -- city folks that they will continue to get police service. This should not affect them, but the unincorporated area needs to have the same type of service and they currently do not. So those are my comments, Mr. Chairman.

Chairman Scott said, thank you, Commissioner. Anyone else wish to speak?

Commissioner Shabazz said, I do.

Chairman Scott said, I recognize the Commissioner from the 5<sup>th</sup> District.

Commissioner Shabazz said, good morning. I'd like to state my position, and it's -- and it's still the same. I'm for the agreement, and I'm for the Savannah Police -- Chatham Police Department staying merged, and for the first time in history, that I will agree with the Savannah Morning News in terms of the petty bickering, because that's all it is. I think that this police department needs to stay merged. Crime is at a all-time high, and I believe that a house divided against itself at this time cannot stand. And I think that public safety need to be the number one issue in terms of keeping the residents of Savannah and Chatham safe. And so I stand on my position. I'm -- I'm for it. Thank you.

Chairman Scott said, okay. Our Vice Chair, Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman. Thank you, Mr. Chairman. Members of the Commission I'm sitting here and I'm listening, and I have very mixed emotions about the entire situation. Yes I was on the Commission when we first had the merger -- proposed the merger. I thought it was a great thing at that time

to become unified in providing services to the public, that is public safety number one, and all of the other things that goes along with it. As the years have progressed, and we have been discussing this merger, I find it very strange, very strange that some of us who are in the position that we are in, as elected officials we're supposed to be working for the good of the people at all times, and I'm in awe to be sitting here in 2015 to listen to some of the same things that we have talked about year after year. When will Chatham County and Savannah -- those of us who are elected, when will we put aside, some of us, our personal feelings. Personal feelings and personal whatever should never enter into anything. We should be looking at the entire picture. Something that will benefit the entire constituency of this community. I voted for the merger then. It was a good faith effort. I thought that being all inclusive in terms of city and county would make a difference, but it's people -- people and excuse my language right now, that screw stuff up. We need to all look at the big picture, and this goes to City Council as well. I've listened to a lot of rhetoric, as well over there about this merger. It's time for us to make a decision. Let's move forward in good faith and finally, if it doesn't work, we won't negotiate any more. We do what we have to do. That's my feeling. And there's a lot of blame to go around, but I'm hoping and praying that the day will come as elected officials that we will look at the big picture, what it means to all the citizens of Chatham County, that includes the unincorporate [sic] areas as well, and let's move forward and make a difference in the lives of the citizens that we serve, Thank you, Mr. Chairman.

Chairman Scott said, thank you. I recognize the Commissioner from the 7<sup>th</sup> District, Commissioner Kicklighter.

Commissioner Kicklighter said, thanks Mr. Chairman. Y'all liked my drawing so much last time I decided to write something out. All right. Basically I just want to start out, and I'm going to talk really fast. I have always supported the concept of a true, fair merger, but in fact we've never had a true, fair merger in place. We still do not have a proposal in place that's a true, fair merger. Just brief explanation for people that may be watching, and I'm going to need to see that, so that's going to have to get added back to my time.

County Manager Smith said, I have not started yet. I'm waiting for this to get straight.

Commissioner Kicklighter said, okay. Brief explanation because it's very much confusing because there's never --

Chairman Scott said, move it up slightly on the screen. Just slightly.

Commissioner Thomas said, there you go.

Chairman Scott said, there you go.

County Manager Smith said, you got it.

Commissioner Kicklighter said, and I'll rephrase this, the higher ups and the media outlets have never actually allowed the true story to be reported although these wonderful media folks actually bring home the right material. It's been pretty much a cover up since the beginning of just deep, artificially lowering the crime rate here. But unincorporated area residents, they pay a tax that no other county resident pays. They pay this tax for city-type services which we dole out if you will. Included in that tax that they pay and no one else pays is their police services. That's what we're talking about, their city services that they and they alone pay for. So this concept of people have to be sacrificed for the overall, that may be true if everyone in the county was sacrificing, but, no, the only ones being asked to sacrifice is the 85,000 people that have been -- I believe I'll use your word, screwed, since 2003.

Commissioner Kicklighter said, brief history up on the board. In 2002 the unincorporated area Chatham County Police Department, because that's what they patrolled, the unincorporated area, cost approximately four to four and a half million dollars. Flash to 2014, September 16<sup>th</sup>, Savannah counters one of our many offers to police the unincorporated area for 15 million. That tripled. Tripled in 11 years. Chairman, he made a counter offer of his own for \$13.9 million. That happened on 10/17/2014; 12/17 Savannah counters again at 15.9 million. Wow, that's sincere care and really trying to negotiate fairly. They actually took their original counter and bumped it up \$900,000. Great job. It looks good PR wise when the media only allows bits and pieces out there. It looks good in editorials when they act like we're not doing our job here.

Commissioner Kicklighter said, July 2015 county staff presents Savannah with an approved agreement. Approved by this body, some not all of us. I believe everyone except for me and Farrell on that one did. You approved a \$14.1 million budget. August 20<sup>th</sup>, Savannah had the audacity to actually come back, approve something with the contingencies, basically ataking that budget anywhere from \$14.6 million back to 15 million. If you take a good little look at the chart, that's why I just went ahead and wrote it out, they approved basically pretty much exactly what they wanted one year ago. Yeah, folks, we can -- we can get a deal done with Savannah when we do exactly what they want. That's what happened in 2000 -- and -- and 2 when it was approved. We did exactly what they wanted. They did a hell of a -- hell of a -- heck of a good job. One heck of a good job, excuse me, I almost slipped up there, for the Savannah residents. But as a Commission that was sworn in to actually in that instance protect the unincorporated area, the Commission did -- then did a very poor job. I'm at four minutes --

County Manager Smith said, yes.

Commissioner Kicklighter said, -- of six?

County Manager Smith said, of seven.

Chairman Scott said, four out of seven.

Commissioner Kicklighter said, did a very poor job then. Okay. It was -- someone spoke about it would cost more. If you add the wage increases, a new unincorporated Chatham County Police Department will come up to 13.3 million. That's still approximately \$1.7 million less than Savannah's latest counter. And it is 4.1 million more than the Sheriff presented that they could patrol the area for. Granted, that 4.1 would go down if we want to go increasing there, so let's say -- let's, you know, knock a million even. That's \$3 million more than the Sheriff can do it for. And one of the main differences there, if the Sheriff actually did it, is those constituents would actually have an elected representative to hold accountable. With this poorly put together agreement, they have no elected official to hold accountable because they have no elected official with any authority to hire and fire the police chief because all of that authority is given to the City of Savannah, which is elected by their residents.

Commissioner Kicklighter said, so for another 10, 12 years, approving even this counter that's here today, those 85,000 residents will be screwed financially, and they will be screwed because they will be receiving taxation without representation when it comes to true oversight over their police department. If I was an attorney, I would sue for the heck of it because I believe it's straddling that line of taxation without representation. It's -- it's -- it's got to be close. But, you know, I'm just asking you. I've watched the door open and shut throughout the years. Police chiefs, our Managers being told a police chief was removed or a police chief left, police chief did that. I've watched Commissioners act surprised -- two minutes?

County Manager Smith said, two minutes.

Commissioner Kicklighter said, I've watched a -- I've watched people -- our folks, staff members, Commissioners, various Chairmen, Managers, act shocked when certain things happen, and -- and -- and it's actually almost humorous. If you read the pathetic agreements that have been approved in the past and although in the art of compromising is still a pathetic one because the compromise comes back to giving Savannah exactly what they want. And it's not a good deal for those unincorporated area residents, even if they match the money you're offering, because it's taxation without representation, which was the initial thrust and was the initial push that I was so proud of this body for. That was it in a nut share to get equality for the unincorporated area residents, but that's been thrown out, and now they have the nerve to actually present us back asking for what they were asking for one year ago today. I encourage everybody on this Board --

County Manager Smith said, one minute.

Commissioner Kicklighter said, -- don't make the same mistake over and over and over and over. If I'm fortunate enough to be here in ten years, if you approve this today, I'm going to just ask staff to record whatever I said back in the first meeting opposing this thing, and I'm just going to start playing it over and over because I've said the same damn thing -- pardon me, for twelve years.

Chairman Scott said, please, your language.

Commissioner Kicklighter said, I'm -- excuse me. And it's really getting ridiculous. And if it's approved, I'll be saying the same things, and I'll -- I'll comfort the Manager when a police chief's fired and he had no say so in it. And -- just like I've done in the past. So, just, please do the right thing.

Chairman Scott said, thank you. I was going to compliment the Commission on it's decorum, but he -- he would -- he would not allow that.

Commissioner Kicklighter said, I meant that as in a water block.

Chairman Scott said, but let me -- let me just say that I was also disappointed that all he had was verbiage and no pictures this time around. And I'm going to continue my opposition to people who buy ink by the barrel. I'm not going to agree with them. It's more than petty. And the reason that we have to vote today is that this is a contract that mirrors the framework, and all we've done is taken the framework and put it in contract format, and that's really the only reason that we have to vote again. And those are the only comments that I'm going to make with the exception that I recommend approval, and at this time I'll recognize our Vice Chair for the purpose of a motion.

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

Commissioner Holmes said, second.

Chairman Scott said, properly moved and second.

Commissioner Center said, question.

Chairman Scott said, Any discussion? Any questions?

Commissioner Center said, yes. What --

Chairman Scott said, Commissioner from the 3<sup>rd</sup> District.

Commissioner Center said, thank you, Mr. Chairman. What are we approving? As I understand --

Chairman Scott said, we're approving the staff recommendation that was sent to you last night.

County Manager Smith said, that was sent to you last night.

Commissioner Center said, all right. You're -- we -- so if we vote yes, we're approving sending a new offer to the city?

Chairman Scott said, it's the same offer we sent before with cleaned up language.

County Manager Smith said, this is the framework when you authorized back, you actually said, this is the framework you agreed to. You then said to the Attorney and myself now construct an actual agreement that mimics the framework that gives all the whereases and wherefores, and that's what we're giving you today.

Commissioner Center said, so -- so we -- we're just ignoring what the city did, and we're voting on a document, asking them to approve that document.

County Manager Smith said, this is our agreement that we would send to them, yes.

Commissioner Stone said, yes.

Commissioner Center said, okay.

Commissioner Farrell said, can I ask a question?

Chairman Scott said, if you have an unreadiness, yes. Go ahead.

Commissioner Farrell said, yes, I do. If by some reason this passes today and it goes to the city, and the city rejects it, are we going -- what -- what is the next step? Are we going to negotiate forever or are we going to go back to 9/26/14 to the directive that nine Commissioners gave staff to start a new police department?

Chairman Scott said, if the -- I would -- I would hope and think that the city will approve what we sent back over there, and with the support of the people who buy ink, who thinks it's just petty, it shouldn't be any issue at City Council.

Commissioner Farrell said, so if they don't pass it, then what? That -- that's my question. What's the next step?

Chairman Scott said, we'll -- we'll have to cross that bridge when we get to it. All in favor indicate by voting yes, opposed no. All in favor indicate by voting yes or no. The motion carries.

**ACTION OF THE BOARD:**

- a. Commissioner Center moved that he be given an additional minute and a half to finish his comments. Commissioner Farrell seconded the motion and it carried in a 7-2 vote. Commissioners Stone, Holmes, Center, Farrell, Brady, Kicklighter and Thomas voted yes. Chairman Scott and Commissioner Shabazz voted no.
- b. Commissioner Thomas moved to approve the Intergovernmental Agreement concerning Savannah-Chatham Metropolitan Police Department. Commissioner Holmes seconded the motion and it carried in a 5-4 vote. Chairman Scott and Commissioners Stone, Holmes, Shabazz and Thomas voted yes and Commissioners Center, Farrell, Brady and Kicklighter voted no.

**AGENDA ITEM: IX-4**

**AGENDA DATE: SEPTEMBER 11, 2015**

**TO:** Board of Commissioners

**THRU:** Lee Smith, County Manager

**FROM:** Linda B. Cramer, Assistant County Manager

**ISSUE:**

Request Board consideration of the Intergovernmental Agreement concerning Savannah-Chatham Metropolitan Police Department. (*Note: City Council approved this agreement on August 20, 2015. County staff is proposing modifications to the agreement.*)

**BACKGROUND:**

On May 13, 2015 the County and City Managers announced a mutually agreed-upon framework for a revised Savannah-Chatham Metropolitan Police Department (SCMPD) agreement. Both City Council

and the Board of Commissioners approved the framework agreement. Staff subsequently developed an agreement for the operation of the SCMPD.

**FACTS AND FINDINGS:**

1. In 2003 the City of Savannah and Chatham County entered into an intergovernmental agreement for the operation of the SCMPD which became effective on January 1, 2005.
2. Over the past year there have been numerous discussions between the two parties about revising the 2003 agreement. On May 13, 2015 the County and City Managers announced a mutually agreed-upon framework for a revised SCMPD Agreement. The framework was approved by both City Council and the Board of Commissioners.
3. County staff developed an agreement based on the approved framework and points of agreement from previous contract drafts. County staff met with City staff on July 13, 2015 and walked through the agreement. City staff responded in mid-August with changes. City Council approved an agreement on August 20, 2015. The approved agreement is attached (to the Clerk of Commission's meeting file) and is identified as the Intergovernmental Agreement Concerning Savannah-Chatham Metropolitan Police Department ("IGA").
4. City staff made changes to the IGA prior to Council approval that fall outside the framework. County staff had objected to these changes prior to City Council's consideration of the IGA. County staff has identified these changes and proposes that the Board consider responding to the City with a revised agreement incorporating the items shown in Attachment I. The Board should understand that these modifications would require City Council to reconsider the modified IGA which could delay finalizing the contract as well as the hiring of a law enforcement consultant to begin the work outlined in the IGA.
5. Until the agreement is finalized, the County remains under the 2003 agreement which expires February 29, 2016.

**FUNDING:**

Funding for the SCMPD is provided in the fiscal year 2016 Special Service District Fund budget in the amount of \$14,154,780 which equals the annual cost identified in the framework document.

**POLICY ANALYSIS:**

The revised agreement will lead to development of an evidence-based approach to operations and funding.

**ALTERNATIVES:**

1. Adopt the Intergovernmental Agreement Concerning Savannah-Chatham Metropolitan Police Department, as approved by City Council on August 20, 2015; or
2. Adopt the Intergovernmental Agreement Concerning Savannah-Chatham Metropolitan Police Department with the contract modifications shown on Attachment I; or
3. Provide other direction.

**RECOMMENDATION:**

For Board consideration.

**ATTACHMENT I**

Section III C95)

Delete: New capital or operating cost additions that benefit both parties will be based on equitable cost share to be agreed upon by both parties prior to procurement or implementation. The parties acknowledge that the City of Savannah has been conducting an extensive Classification and Compensation Study concerning all City employees, including SCMPD officers, for several months, and based on that study and its additional studies on recruiting and retention issues, has implemented substantial changes in pay will affect most of the officers in the SCMPD, retroactive to July 1, 2015. The City has requested that these changes be presented to the County Commission for their consideration and approval. The County acknowledges that its share of costs beginning as of July 1, 2015 will be adjusted after consideration and approval of these compensation changes by the County Commission. Replace with: New capital or operating cost additions that benefit both parties and have been approved by both parties will be based on an equitable cost share to be agreed upon by both parties prior to procurement or implementation. All new capital or operating costs shall be referred to the Policy Committee. The Policy Committee shall recommend approval, denial or modification to both parties for approval by both governing bodies.

Section V C

Delete last sentence: All other costs related to the defense of such claims and the payment of any settlements or judgments resulting from such claims shall be charged back to the MPD budget. Replace with: All other costs related to the defense of such claims and the payment of any settlements or judgments resulting from such claims shall be charged back to the MPD budget as approved by the Police Committee.

Section VI B(2)

Delete last sentence: The County's cost shall be adjusted after the County Commission considers and approves the police pay increases which have been implemented by the City as of July 1, 2015.

[NOTE: The proposed Intergovernmental Agreement is attached to the staff report in the Clerk of Commission's meeting file.]

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## 5. REQUEST BOARD APPROVAL OF THE INTERGOVERNMENTAL AGREEMENT REGARDING FUNDING THE RECORDER'S COURT OF CHATHAM COUNTY.

Chairman Scott said, next item on the agenda -- next item on the agenda is to request Board approval of the Intergovernmental Agreement regarding funding of the Recorder's Court of Chatham County to include Exhibit A. City Council approved this agreement on August 20<sup>th</sup>, 2015. Madam -- did -- Ms. Cramer, did you have any -- did you want to make any outlines or --

County Manager Smith said, Jon.

Chairman Scott said, -- if you would just come up and see if any members of the Commission have any questions.

County Manager Smith said, Jon? Jon I think --

Chairman Scott said, Jon's going to do it?

County Manager Smith said, yes.

Chairman Scott said, at this time I'll recognize our Counsel for --

County Attorney Hart said, yeah. Sure.

Chairman Scott said, -- explanation of the agreement.

County Attorney Hart said, yeah. We were given instructions to try to sit down with the City and come up with a -- an agreement on the operational cost of Recorder's Court, and at that time, there had been quite frankly discussions between the city and the county about the need for a new agreement. The old agreement was about a half a page and dated back to the 60s and it no longer recognized the involvement of the court in modern society and a differing set of needs with differing sets of laws, and so the question became what was a great -- what was a fair and equitable way to allocate costs. And staff with the city and staff with the county sat down and came up with about eight or nine different potential ways of calculating costs. Some were rejected out of hand by both parties as just not being practical, and that narrowed the focus down to three or four different ways of doing it, and in regard to those ways, they pretty much broke down along the lines. And the idea was to allocate -- to include all costs, such as -- such as the sheriff, such as the -- the massive amount of money spent by the county in regard to indigent defense as a true operational cost, and those general theories were pretty much acceptable to everyone in the room, and it was a matter of putting it into some type of formula that could be allocated and some type of formula that could change with the statistics.

County Attorney Hart said, we were fortunate in that particular case that we had pretty good matrix. You kind of have to tip your hat to Recorder's Court. They kept good numbers, so you could take their numbers and crunch them and come up and see where the resources are. This agreement in my opinion is a much improved agreement over what we currently have. It's agreement that reflects actual use of services, and it has cost centers with formulas that deal with inspections, deals with petty crime. It also allocates proportional costs to the amount of use. So overall I think the agreement is a very much improved agreement. Is it perfect? No. It never will be perfect, and you probably couldn't define perfect if you had to do it on a bet. But I think it's a very functional situation. The Recorder's Court will continue to keep the mat -- the matrix so that we can go back and look at the numbers and make adjustments up or down based on the use of services within the court. There has been a fair amount of compromise by the county and there's been a fair amount of compromise by the city in reaching this agreement, and I would strongly recommend that the county -- Commission consider adopting this agreement simply for the fact that you -- you can measure what you're paying against what services you're getting and I think both sides need to do that. Be glad to answer any questions anybody has.

Chairman Scott said, any -- Commissioner Farrell of the 4<sup>th</sup> and then Commissioner Stone of the 1<sup>st</sup>, our Pro Tem. In -- in that order.

Commissioner Farrell said, the -- the county currently pays 45 to 48 percent of the cost. What -- going forward can you give us some percentage of how much unincorporated area residents are --

County Attorney Hart said, yeah, they're -- they're --

Commissioner Farrell said, how much service they're -- they're using and how much cost that we're going to share? Do -- do they match?

County Attorney Hart said, well what we did was we created three cost centers. One's dealing with felony; one's dealing with misdemeanor traffic; and there's one dealing with code enforcement, and if you took the caseload volume of 2013, you -- you -- you've got anywhere from 70 to 88 percent cost difference between what the city uses and -- and the county uses for each of those categories. And what those statistics have done is allow us to go in and include other costs that have been totally excluded from the formula in the past, for example, the county has picked up totally all of the sheriff's costs and picked up all the costs for indigent defense. We spend about \$4.5 to \$5 million a year on that. Now, not all that -- obviously, the majority of that's not in Recorder's --

County Manager Smith said, 4.2 million. I'm just -- not to be petty.

County Attorney Hart said, yeah. But the majority of that is not in Recorder's Court, but a significant amount of that is.

County Manager Smith said, yes. Yes.

County Attorney Hart said, so there's been an allocation of that where the county's going to pick up the felonies, 'cause we're ultimately going to have to deal with the felonies anyway if they are bound over into State or Superior Court. But the city's going to contribute to that. On the other hand, the city's going to pick up a greater amount of the code enforcement because the code enforcement is a -- a -- a -- in the terms of the number of case loads, you're comparing 2,000 against about 200 code enforcements for the county. So each of those type of numbers or statistics that drive that has then been allocated into some type of formula. Now five years from now, you know, we might be in a situation where we're doing a thousand code enforcements a year, and if that were the case, then this formula would have to be adjusted where we'd pay a greater percentage of the code enforcements.

Commissioner Farrell said, well, my question -- I'll be more clear, I suppose. What percentage of the court does the county use and what percentage of the cost are we proposing to pay.

County Attorney Hart said, right now the county's paying somewhere between 20 -- 45 percent to --

Chairman Scott said, Assistant County Manager is there prepared to answer that.

County Attorney Hart said, oh, excuse me.

County Manager Smith said, she's right there. She's -- Linda --

Assistant County Manager Cramer said, yeah. I -- I mean basically under the court volume if you look at volume in the court we should be paying between 20 and 25 percent, and we've been playing -- paying about 50 -- 45 percent.

Commissioner Farrell said, under this agreement, going forward, knowing that our use is 20 to 25 percent, is that correct?

Assistant County Manager Cramer said, correct.

Commissioner Farrell said, what are our payments going to be after you add and subtract and deduct for this and that and the other thing. What percentage of the court will the unincorporated tax payers be on the hook for?

Assistant County Manager Cramer said, it will be reflective of the service level, so it would be 20 to 25 percent.

County Manager Smith said, yes.

Assistant County Manager Cramer said, of the cost.

Commissioner Farrell said, so -- and when will that start?

Assistant County Manager Cramer said, that would start probably in year three, once you pull the credit out. We do have the \$250,000 per year credit. So that is going to skew it some, but the -- the pure number would be really in year three when you have that credit removed.

Commissioner Farrell said, and what was the -- the rationale for adding the credit instead of just balancing the books knowing that we've been over paying by 100 percent from the county's point of view for indefinite number of years since this agreement's been around since probably I was in diapers.

Assistant County Manager Cramer said, that was a product of the negotiation with the city.

Commissioner Farrell said, thank you.

Chairman Scott said, it was really to afford the city an opportunity to absorb it in their budget. Commissioner Stone.

Commissioner Stone said, thank you, Mr. Chairman. I guess I'm going to picky back on what Commissioner Farrell just said. We haven't -- our usage in the courts has been significantly less and to be asked to pick up for two years a half a million dollars to make it easier on the city, I -- I'm not -- I'm not comfortable with that. The city has plenty of money, and I don't think this is fair. We've been absorbing most of the cost to begin with, and now we have to put a buffer in for them? I -- I wish the allowance system in my house worked like that when I was growing up.

Commissioner Center said, Mr. Chairman? I -- I just -- procedurally.

Chairman Scott said, I want --

Commissioner Center said, okay.

Chairman Scott said, Commissioner Stone, do you have anything else?

Commissioner Stone said, no, sir.

Chairman Scott said, anybody else have any comments?

Commissioner Kicklighter said, yeah. Just the irony of this conversation. Commissioner Stone, with all due respect, you just approved a deal a lot worse than that deal. I commend the Chairman for actually getting something done here. This wasn't something that had to be done.

Commissioner Stone said, Commissioner Kicklighter, that's -- that's simply your opinion.

Commissioner Kicklighter said, exactly. It's not a matter of fact, but I commend the Chairman for bringing back a deal that saves -- what's the amount it's going to save?

County Attorney Hart said, we figure at minimum over two years, \$800,000. I -- I think that includes --

Assistant County Manager Cramer said, that would be annually.

County Manager Smith said, annually.

County Attorney Hart said, annually. So, you know --

Chairman Scott said, annually.

Commissioner Kicklighter said, and how long's the agreement?

County Attorney Hart said, until we --

Assistant County Manager Cramer said, annual renewal.

County Manager Smith said, we're doing it -- we're doing a year -- I'm sorry. We're doing -- when I met with the city, Linda, Jon, all of us, Jennifer, we finally went to a year to year because, and I will just state my own feelings is that in negotiations with the city it did appear they were moving to a municipal court, and I've said to them, look, we are looking to correct indigent defense. You've got to give us some time to work on that. Now, if you want to go to a municipal court, we'll go year to year, and then if you decide, we'll change out; we'll get out; we'll set up our own.

Commissioner Kicklighter said, well, and I -- and I like the year to year and that's why I asked.

County Manager Smith said, yes.

Commissioner Kicklighter said, I thought -- I remember from the workshop.

County Manager Smith said, yes.

Chairman Scott said, yeah.

Commissioner Kicklighter said, is -- I like that because I -- I believe the Chairman does -- I know that from -- I -- I can't say that I know anything, but from discussions in the past, I'm under the -- under the impression that the Chairman realizes that we could potentially save more monies in the future.

County Manager Smith said, we can.

County Attorney Hart said, we can.

Commissioner Kicklighter said, and I think the year to year with the deal you've struck here is a nice start, and then we can follow up and -- and move forward. But saving the monies starting now is much better than letting this existing -- 'cause let's face it, there's no one -- not many people up here that's going to vote to boot Savannah out of that courtroom at this moment, and so this saves money while the Chairman with my hope would continue to work to bring the monies on down, and -- and, you know, if I thought we had the courage to start our own courtroom and save that million, then I'd be all for voting against this right now, but I just don't believe that we have the courage as a group to step in that direction.

County Manager Smith said, we --

County Attorney Hart said, staff --

Commissioner Kicklighter said, so we can take this lead and take this savings and work out way down in the future.

County Attorney Hart said, staff feels that one of the -- the good reasons to do this agreement is it puts the county in a position to better control indigent costs.

County Manager Smith said, yes.

County Attorney Hart said, if the city goes their way, and we go our way, we're still going to have an indigent de -- indigent defense cost, and -- and it's going to appear in State Court and it's going to appear in Superior Court, 'cause there's going to be a lot of cases bound over, and you won't be in the situation where you can provide -- structure the situation where a lot of that's taken care of in municipal court. They won't have the same incentive we have to control that cost, 'cause they'll pass it on. So, in -- in all fairness, this -- this agreement here is much better than -- and -- and much fairer to everybody --

Chairman Scott said, yeah.

County Attorney Hart said, -- because it -- it provides a situation where if -- you know, some -- something new comes up and it's a new cost factor or -- or the statistics change, then it's going to be adjusted. It may be adjusted in our favor, it may be adjusted in their favor.

Commissioner Kicklighter said, and because it's one year, we can correct --

County Attorney Hart said, sure.

Commissioner Kicklighter said, -- any future mistakes that we seem -- that we may believe that we haven't.

County Manager Smith said, Commissioner Kicklighter, we also looked at the issue of the -- the police merger, because over the next two years as we talk to these consultants and we see where we are, if in the two years, you terminate, because it's our -- this agreement that you just passed will terminate in two years. It doesn't just continue on the merger. If we de-merge, then we have to take steps on these courts, because there could be increased cost to the county in our other courts, and we're concerned about that. So the year to year works for us.

Commissioner Kicklighter said, that's good.

County Attorney Hart said, and for the city too.

County Manager Smith said, and for the city.

Chairman Scott said, Commissioner Center.

Commissioner Center said, thank you. All right. If the city or the county either one would move away in another year, what happens to the 500,000? Do we -- do they get the whole \$500,000 credit or they owe us \$250,000?

County Manager Smith said, if we separate it stops. I mean --

County Attorney Hart said, it stops.

Chairman Scott said, it's gone.

County Manager Smith said, -- there's no cost either way. It stops.

County Attorney Hart said, there's no cost either way.

County Manager Smith said, so there's no cost either way.

Commissioner Center said, but -- but -- we're giving them a \$500,000 credit on monies we say they owe us somewhere. We're not materializing that 500,000?

County Attorney Hart said, we -- we're doing 250 -- we're doing 250 one year and then --

County Manager Smith said, 250 the next year.

County Attorney Hart said, -- 250 the next year.

Commissioner Center said, okay. So if this --

Chairman Scott said, if they walk away from the agreement, we don't do the --

County Manager Smith said, and I did that based on those one years because I --

Commissioner Center said, so if they walk away, that 250, they don't get a credit for.

County Attorney Hart said, correct.

County Manager Smith said, that's correct.

County Attorney Hart said, correct.

Commissioner Center said, okay.

Chairman Scott said, any -- any other questions --

Commissioner Center said, no, sir.

Chairman Scott said, --before I start enter -- entertaining comments.

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

County Manager Smith said, sure.

Chairman Scott said, okay. I recognize the Commissioner from the 5<sup>th</sup> District, Commissioner Shabazz.

Commissioner Shabazz said, you mentioned something about this agreement has an affect on indigent -- indigent defense. Can you explain that further?

County Attorney Hart said, sure. The county is the primary bearer of providing indigent defense. Like we -- we fund 100 percent of the public defender's office, and we fund the State Court, and we fund the Superior Court, and we fund the Magistrate's Court. All of those have elements of indigent defense. The city is going to pick up a percentage of that in Recorder's Court because some of that is misdemeanor stuff that really relates to the -- to the city. So, if you look at Recorder's Court as being a place to resolve minor crimes, either adjudicate them or plea them or whatever, that keeps it out of your State and Superior Court where it will jam up their docket with a bunch of petty cases when they ought to be trying rapes, muggings, shootings, murders, and whatever other heavy crime you have. When you put that in State Court, those petty crimes, you still have an obligation to provide indigent defense, but now you're providing indigent defense at a much more expensive level than you can provide good indigent defense. When I say good, I mean excellent indigent -- indigent defense, in a Recorder's Court setting because you're not dealing with the same gravity of crime. So what you're trying to do is to take care of a lot of the smaller misdemeanors and crimes down in Recorder's Court so that you don't have to bear all that expense in State and Superior Court because that affects sheriff's costs, judges costs, court administration time, and all the other things that go into it. So from our standpoint, it's -- it's -- it's a good move.

County Attorney Hart said, also, you just voted on a police merger. We like the fact it's year to year because if they choose to pull out or want to pull out fine, but at that point, you're -- you're going to have another issue you're going to have to deal with. Now you got your police force having to report to two courts, which means police officers will be asked to come to court twice a week, not once a week, and there's a cost in that. So it seems to me like this is an agreement that accounts for true cost of the court in a very equitable way because if you want to argue about it, you've got to argue against the statistics that shows the amount of services that you're getting.

Commissioner Shabazz said, thank you. Thank you.

Chairman Scott said, any further questions of staff? Now, is there any -- anybody wishing to make comments about this agreement?

Commissioner Center said, I would.

Chairman Scott said, okay. Commissioner Center had -- had passed out a -- a sheet here. The Chair consider this sheet -- I'm concerned about the germaneness of it. Counselor? Counselor?

County Attorney Hart said, sir.

Chairman Scott said, I'm concerned about the germaneness of this sheet that was passed out.

County Attorney Hart said, I -- I haven't seen it.

Chairman Scott said, and I'm going to give you a copy to rule whether or not it's germane. And Commissioner if you want to speak on this sheet, you need to speak on it from your desk.

Commissioner Center said, okay. I wanted to be able to point a few things out. I'll speak from my desk.

Chairman Scott said, it will -- it will also be on there.

County Manager Smith said, overhead.

Commissioner Center said, all right.

Chairman Scott said, but you -- but first we're going to determine whether or not it's germane to --

Commissioner Center said, so you're going to cut off my speech before I make it, Mr. Chairman?

Chairman Scott said, I don't know yet. I -- I asked my parliamentarian his opinion. If he says it's germane, then.

Commissioner Center said, well, it's -- it's Exhibit B to the agreement you're going to vote on. How could it not be germane?

Chairman Scott said, you're not the parliamentarian.

Commissioner Center said, well. Oh, excuse me, it's my Exhibit B. It speaks to Exhibit A to which you're going to vote on.

Chairman Scott said, I'm -- I'm letting Counsel look at it.

County Attorney Hart said, I -- I -- it appears to be information concerning salaries, and, you know, in the context of what Exhibit A is, beyond that, I -- I can't tell you. It appears -- it appears to be about salaries in regard to Recorder's Court Judges, which there has always been an agreement to divide -- split salaries between people. Now that's going to be modified under the new Recorder's Court agreement because we're going to do some things on percentages. It also seems to indicate that the percentages for salaries for one of the judges is -- is paid by the -- by the county as opposed to the city. Beyond that I -- I -- I really don't know what it has to do with the Recorder's Court agreement. Beyond that, if -- if -- it's -- if it's relevant, it's tangentially relevant.

Commissioner Center said, well, that makes it relevant.

Chairman Scott said, the --

Commissioner Center said, Mr. Chairman, you didn't ask any other Commissioner in my two and a half years here who put a chart up if their chart was relevant.

Chairman Scott said, well --

Commissioner Center said, now this -- this -- this is --

Chairman Scott said, I didn't ask if it was relevant, I asked if it was germane because your chart also start calling people by name.

Commissioner Center said, so does this agreement.

Chairman Scott said, and -- and I don't -- I don't believe other judges -- other members of the Commission has come here with a personal -- what appears to be a personal --

Commissioner Center said, okay. I would like a point of personal privilege, Mr. Chairman, for three minutes.

Chairman Scott said, well, I haven't -- I haven't ruled on this yet.

Commissioner Center said, no, but what you just said, you attacked me, and I'd like a point of personal privilege to respond to that.

Chairman Scott said, but on -- on the basis, Counselor, you think it's vaguely germane?

County Attorney Hart said, yes, sir.

Chairman Scott said, okay. I'll recognize --

County Attorney Hart said, it -- it -- I mean it just deals with basic salary information --

Chairman Scott said, I'll recognize --

County Attorney Hart said, -- and -- and -- but -- but -- but how it operates within -- in the context of an agreement that's going to split costs --

Chairman Scott said, in -- in the -- the abundance -- in the abundance of caution, Commissioner, I'll let you proceed.

Commissioner Center said, okay. If you'd please put up Exhibit A. Make it a little bit larger so we can read it, please. This Exhibit A which is before you is part of the agreement. It's Exhibit A to the proposed Recorder's Court agreement. Now let me say, I -- I like a merge of Recorder's Court, but I think we should be fully open and disclose everything we do to the public, and as the Chairman says, he considers this a personal matter, which makes it more difficult to talk about, but that's absolutely untrue. My father served on City Council for 23 years. In those 23 years, he never allowed his business to bid on a city contract. He understood public trust and public monies, and he passed that on a little bit to me, and that's why I'm talking about this.

Commissioner Center said, this is part of the actual agreement. If you will notice on the first three lines it says salaries. It does not say judge one, judge two, judge three. It does not say position, it mentions the judges by name. That struck me as highly unusual. None of our other agreements, none of our legislation dealing with judges or payments mention individuals by name. Previously, as existing now, the county paid 20 percent of every judges' salary, 80 percent paid by the city. When you get to Judge Odell, who replaced Judge Dillon -- when Judge Dillon was there, he got 20 percent by the county, 80 percent by the city. That's fine. The pension, if you notice, Judge Stokes, each entity provides pension benefit relative to the amount of salary paid. Same for Judge Williams. Judge Odell, there is a different line. The county provides pension benefit on the total salary received from the city and the county. Judge Dillon did not have that. If Harris Odell were to resign, not get re-elected, there would be a new judge in there, and we'd have to have a whole new agreement, 'cause there's no specification of what that new judge would get paid. If any of the other judges resign or retire, we'd have to have a whole new agreement. There's no specification what that new judge would get paid. And by the way under the existing written agreement, if Judge Odell, whom we're now going to pay 100 percent of his salary were to leave --

County Attorney Hart said, just -- just for purposes of the record, we would not need a new agreement, and just for purposes of the record those percentages really wouldn't matter under the new agreement insofar as -- as -- as percentages between them because we're going to share those costs based on percentages in the agreement.

Commissioner Center said, well, you -- you -- you ruined my thought. If Judge Odell were to step down, then even though we're paying -- going to provide this new agreement, you see below it's going to be 100 percent of his salary, the city would nominate his replacement, not the county.

County Attorney Hart said, initially.

Commissioner Center said, if any one judge steps down, the first judge who steps down --

County Attorney Hart said, it's alternating.

Commissioner Center said, -- the city would nominate them. So if Judge Odell was the first one to step down, the city would nominate his replacement.

County Attorney Hart said, correct.

Commissioner Center said, okay. Now, you go down to the bottom half of this agreement, beginning January 1, 2016, when we pass this, the salaries now become zero percent for Stokes and Williams and 100 percent with Judge Odell. Again, it's not by positions, it's by name. What is the effect of that? When you look at the pension, 'cause the county's going to provide the pension benefit on the total salary received from the county. Now if you put up Exhibit B, this is the one the Chairman didn't want me to show, I've done a chart to change -- y'all have heard me talk -- every time this has come up, the Commission has heard me talk about it, and every time I've got called down by the Chairman, and I've been cautioned by others not to talk about it, but I think if we vote on something, we have to tell the public what we're voting on. I mean several years ago City Council gave one of their own a \$50,000 gift for plumbing, and we found out about it after the vote. I didn't like that, and now that I'm in a position to talk about something before the vote, I'm going to do it.

Commissioner Center said, under all previous agreements, no other employee of Recorder's Court has ever been considered a county employee for any purpose. The county has never paid any pension benefits to any employee based on salary earned outside the county. Now you see the county pays 20 percent of the total salaries -- I mean the county pays 20, the city pays 70 [sic] percent, and each jurisdiction would pay pension benefits based on the percentage of salary paid until Judge Odell was appointed. Under the new agreement, the city will pay pension benefits for two judges, and we'll pay pension benefits for Judge Odell. Now, what does that matter in money? We get 2 percent times every year served times our highest salary as a pension. Judge Odell was here 16 years, eight as a judge. I'm assuming he serves eight, he may serve more. That's 24 years -- that's 48 percent. If the county based it's salary on the 20 percent it's paid, the county would pay 15,400 years [sic] pension, the city would pay the rest. He'd get a \$35,880 pension. Our liability would be 15,400. Under this

agreement when you vote for it, Judge Odell is going to get 48 percent of 60,000 -- \$160,000, and the county's pension liability will be \$76,800 a year. That means we vote this agreement with this Exhibit A attached to it, we are agreeing to pay an additional \$61,400 a year for life. If we do that, and we vote for it, that's fine. But I think the public ought to know what we're doing, and this is special treatment given to one person, and I'm suggesting, that's why the names of the judges are in here. So this one person gets special treatment.

Commissioner Center said, now I've been told, well the county's going to save \$1 million a year, don't fight this issue. This is not an issue the city brought up. This is not a deal breaker. The city didn't ask for it. The county asked for it. They say this is a personal matter. I'm telling you right now, and I'm telling you again, Mr. Chairman, it's not a personal matter. But if it were, and that were my motivation, the facts are the facts. This has never been voted on by any Commission. I was asked -- I asked, there's been -- there's no mention in any Commission minutes, there's no written existing memo documenting that the Commission ever agreed to this arrangement. Someone said, what about executive session? I was told it was discussed in executive session, but we all know you cannot take a binding vote in executive session. You can discuss things. City [sic] Attorney said we can't even take a vote in there, we can just get a consensus, but if you want to make an agreement, you have to open the door, come out in the public, and vote on the agreement. If this Recorder's Court agreement is approved as written and special treatment given, the county will pay additional pension per year for life to a former colleague. No judge who replaces him will ever get this deal. No judge who went before him will ever get this deal, and I commend him, and I was told it was a private, personal arrangement made by -- between him and the previous County Manager to augment each other's pensions. This Commission never voted on it, and I cannot accept it, and I can't vote for it with this language in there, and I'm urging you all to reject this agreement until we can change that language.

County Attorney Hart said, I -- I would --

Chairman Scott said, let me -- let me just say that --

Commissioner Brady said, I turned your mike off.

Chairman Scott said, one of the reasons that I was reluctant on the germaneness of this, now if you had outlined all three judges pension, that would have been one thing, but when you focus on just one Judge --

Commissioner Center said, all three judges are on there --

Chairman Scott said, -- it has to --

Commissioner Center said, -- when you look at the top.

Chairman Scott said, it has to be concerned as personal when you specifically put his name in for references on your Exhibit.

Commissioner Center said, but Mr. Chairman, we're not called to pay the pensions.

Chairman Scott said, yes.

Commissioner Shabazz said, I have -- I have -- I have a problem with this because he's -- he's mentioning stuff about the former County Manager supplementing their retirement and stuff like that.

Chairman Scott said, well, you would have to --

Commissioner Shabazz said, you don't have no --

Chairman Scott said, you would have to be talking about the former County Commission --

Commissioner Shabazz said, right.

Chairman Scott said, -- and the former County staff.

Commissioner Shabazz said, what proof does he have of that?

County Attorney Hart said, the --

Commissioner Shabazz said, do you have any proof of that? These things?

Chairman Scott said, you're not allowed -- you're not allowed to debate him on this, that would be --

Commissioner Shabazz said, right.

Chairman Scott said, out of order.

County Attorney Hart said, okay. I -- I -- I would point out that the new Recorder's Court agreement that you have under consideration takes all the judges' compensation and it deals with it as a cost of the court. Okay?

Which is then -- goes through the formulas for figuring out what costs are what. Now, if this judge were to resign or be replaced, there's nothing to -- at all to prevent the Commission from choosing to recalculate how they want to calculate costs. In other words, they -- they could check -- re-assign cost how they wished to --

Commissioner Center said, but that would be ongoing.

County Attorney Hart said, correct.

Commissioner Center said, not -- not for this -- not for this particular individual.

Chairman Scott said, Commissioner Center, you -- Commissioner Center, you are not recognized. Please follow --

Commissioner Center said, well, they interrupt me to make comments, Mr. Chairman, on my comments.

County Attorney Hart said, the -- the only point I'm making is that you've got a salary agreement that's -- that -- of the current judges. If there is a new judge appointed, we're going to alternate who appoints the judges. Both sides still have to approve. In other words, the city would nominate somebody, both sides would have to vote. Next time around the county would nominate somebody, both sides would have to vote. The salaries of Superior Court Judges -- the Recorder's Court Judges are governed by -- would be governed by the agreement that we have in place.

Chairman Scott said, thank you, Counselor.

County Attorney Hart said, -- so anybody else that came on would be controlled by that.

Chairman Scott said, thank you, Counselor.

Commissioner Center said, are -- are these -- are these figures incorrect?

Chairman Scott said, I recognize the Commissioner from the 7<sup>th</sup> District, please.

Commissioner Kicklighter said, thank you, Mr. Chairman. I -- I just want to state that -- and I asked Dr. Thomas because we were undoubtedly here, and she remembers too. I remember a discussion about whether or not the Judge, I guess in question, could carry over retirement years accumulated over to that, and I remember a consensus that it would be okay. I don't remember where the discussion took place, and I don't remember any details that would have shown --

Commissioner Thomas said, right.

Commissioner Kicklighter said, -- you know, that -- if -- if that -- well, I don't see what the other ones would be making in retirement, so I don't know what their's would be, but I know I did not -- I know we didn't see any detail that would show that one would be getting a lot more than the other.

Commissioner Thomas said, right.

Commissioner Kicklighter said, it was just simply can this person carry the years over to it, because they've been serving, and they would be on the county, and I didn't even think that that position was filled to filled to fill -- the other judge -- I thought that position was actually created just to help offset -- speed up the court, because --

Chairman Scott said, see what's wrong with the information is that it doesn't show that the other judges would also be getting a city pension, and when you put the two together --

Commissioner Kicklighter said, yeah.

Chairman Scott said, -- it would probably be in excess of that.

Commissioner Kicklighter said, but -- yeah, and I -- I guess my whole point of even speaking is to let it be known that -- that I do remember the discussion. I don't remember if it was voted on. I don't remember any of that at all. I don't recall, but it wasn't -- whatever it was, it wasn't as -- as -- it wasn't as -- it wasn't as bad as that just sounded.

Commissioner Center said, Mr. Chairman --

Commissioner Kicklighter said, that -- there was --- there was discussion. I mean, I do remember that.

Commissioner Center said, I -- I am not asking for different treatment --

Chairman Scott said, I recognize Commissioner Stone.

Commissioner Center said, okay.

Chairman Scott said, you're not recognize.

Commissioner Center said, well, I'd like to respond to the comments.

Chairman Scott said, let's let other Commissioners --

Commissioner Center said, okay.

Chairman Scott said, -- we're not going to have a debate backwards and forth between Commissioners. The Commissioner from the 1<sup>st</sup> District.

Commissioner Center said, well, Mr. Chairman, I just -- that's exactly what you're doing in your comments, Mr. Chairman.

Chairman Scott said, Commissioner Stone.

Commissioner Center said, you've got to treat us all equally.

Commissioner Stone said, Mr. Chairman, I -- and maybe the County Manager. Would we have been required to vote on this? Is this something that -- that --

County Attorney Hart said, well, I mean, we've had other officials that have tacked on time from other positions that they've served over the years.

Commissioner Stone said, okay. So this would not have required a vote by the Commission, is that correct?

County Attorney Hart said, no. There was -- there was never any issue raised about --

Commissioner Center said, I -- I just --

Commissioner Stone said, I mean I think that --

County Attorney Hart said, you know, if somebody said -- nobody raised their hand and said no, we don't want to do that.

Commissioner Stone said, I have no problem with it being --

County Attorney Hart said, and I don't know any -- any other official we've done that to.

Commissioner Stone said, I have no problem with it being disclosed, I just wanted to make sure that -- that we follow the rules if this needed to be voted on and approved.

Chairman Scott said, okay.

Commissioner Center said, point of information, Mr. Chairman.

Chairman Scott said, anybody else have any comments? Back to Commissioner Center from the 3<sup>rd</sup>.

Commissioner Center said, in response to that, first of all, I'm just asking that all judges be treated equally, that we do not have different categories and different payments. If you want to pay all judges where the county pays 33 and a 1/3 percent and the city pays 67 percent, then the salary distribution is the same. Mr. County Manager, did you not tell me this morning that any agreement like this between Judge Odell and the county would have to be approved by the Commission?

County Manager Smith said, Jon -- yes.

Commissioner Center said, thank you.

County Manager Smith said, I believe so.

County Attorney Hart said, there's --

Chairman Scott said, hearing -- hearing no further discussion, I will entertain a motion.

Commissioner Farrell said, can I make one more comment? It -- it's not --

Chairman Scott said, go ahead.

Commissioner Farrell said, -- anything to do with this. I will -- I -- I take exception to this agreement only on one point, and I wanted to point this out. I like the idea that we're going year to year. I like the idea that the unincorporated tax payers are -- are paying their fair share apparently. I like that. What I don't quite get is this \$250,000 gift when I've watched other departments in the unincorporated area do without trucks and do without

employees and do without this and that. We're talking about an unincorporated budget of \$30 million a year versus a City of Savannah budget in the neighborhood of \$350 million a year. I don't see why David is subsidizing Goliath. Why would such a small budget have to help transition an entity with such a large budget? \$250,000 out of \$350 million should not be a significant item, and as long as that's in this Recorder's agreement, although I agree with most of it, I will not support it until that's gone. Now, will that move the dial on where this thing goes? I doubt it, but those are my thoughts, and that's how I was -- I will proceed when it comes to a vote. Thank you.

Commissioner Stone said, is that your -- is that a motion?

Commissioner Farrell said, no. No. I was just making a comment.

Chairman Scott said, anybody else?

Commissioner Kicklighter said, I -- I guess I question --

Chairman Scott said, I think that I'm going -- I'm going to wrap it up, unless anybody else have any comments.

Commissioner Kicklighter said, I -- I just got one question.

Chairman Scott said, on this particular judge, he gets a single retirement from the county. The other -- on this particular judge, he gets a single retirement from the county. On the other two judges, they get two retirements. They get one retirement from the county and they also get a retirement from the city because they are participating in both plans -- in both plans. And, historically, the city plan has been a little more generous than the county, so you could expect the other two judges, given the same length of time of service on that bench would in fact be getting more than the judge that we've bantered around today.

County Manager Smith said, Mr. Chairman, just -- and I had mentioned to Jon a while ago, if I can? Just remembering that the -- the -- the Christmas tree that we've talked about was repealed.

Chairman Scott said, yeah.

County Manager Smith said, so when the terms ends --

County Attorney Hart said, as to them -- as to them.

County Manager Smith said, -- this salary can be changed.

Chairman Scott said, at this time I'll entertain a motion.

Commissioner Kicklighter said, all right.

Chairman Scott said, I recognize the Vice Chair for the purpose of a motion.

Commissioner Thomas said, you'll have to excuse me, Mr. Chairman -- I'm sorry, I was a little --

Chairman Scott said, we've -- we've got before us the approval of the Recorder's Court merger agreement.

Commissioner Thomas said, I move for approval.

County Manager Smith said, okay.

Chairman Scott said, is there a second?

Commissioner Shabazz said, second.

Chairman Scott said, properly moved and second.

Commissioner Kicklighter said, I'm -- oh, God.

Chairman Scott said, any unreadiness? I recognize Commissioner Kicklighter.

Commissioner Kicklighter said, thank you.

Commissioner Farrell said, raise the --

Commissioner Kicklighter said, thank you, Mr. Chairman. Okay. I -- I have a question for -- for staff.

Chairman Scott said, raise the screens, please.

Commissioner Kicklighter said, the Chairman just -- just -- I think answered -- he did answer my question, but I just -- I want this to be firmly on the record. Based on time -- tenure served, would the other two judges be receiving virtually the same type of retirement, although it comes from Savannah rather than from both?

County Attorney Hart said, it -- it -- it -- it's -- it's hard to say --

County Manager Smith said, that depends.

County Attorney Hart said, -- 'cause it depends on how long you serve.

Chairman Scott said, I would say given the same length of service.

County Attorney Hart said, given the same length of time, if each one of them had eight years, technically, probably the people that were under the city plan would probably have a greater percentage, 'cause I think they vest -- we vest at like two percent a year, and they vest at two and a quarter or something like that.

Assistant County Manager Cramer said, well, they have -- they have a different pension formula. I believe it's years of service times 2.3 percent --

County Attorney Hart said, yeah.

County Manager Smith said, yeah.

Assistant County Manager Cramer said, -- a year for each year, that, -- you know at their payout, and ours is two percent pay out. And -- but they pay a lot more in. They have a higher contribution into their plan --

Commissioner Kicklighter said, so they could actually --

Assistant County Manager Cramer said, so, I mean, basically, they're going to be similar, but they might have a little bit higher pay out under the city pension plan.

Commissioner Kicklighter said, okay.

County Manager Smith said, correct.

Assistant County Manager Cramer said, they're paying more in up front, but they get more in the back.

Chairman Scott said, but they're -- they're -- they're also getting two pensions, is that correct?

Assistant County Manager Cramer said, they would -- they get a county pension on that 20 percent right now.

Chairman Scott said, yes.

Assistant County Manager Cramer said, and that will go away under this agreement. They will not be contributing to the county pension.

Commissioner Kicklighter said, okay.

Assistant County Manager Cramer said, they'll be contributing to the city.

Commissioner Kicklighter said, thank you. And one more question. Based on -- okay -- this type of allowing a -- a county -- county employee to carry tenure into another county department or whatever, that's not unusual?

County Attorney Hart said, no. We have it happen quite often in the judiciary. We've had judges become -- go from State Court to Superior Court or Recorder's Court to Superior Court to State Court, wherever.

County Manager Smith said, and we have employees go to different departments.

County Attorney Hart said, and -- and we've done -- we've got employees that switch departments between roads to the sheriff's department or vice versa, and we've tacked on prior service.

Commissioner Center said, question.

County Attorney Hart said, and it is a county court, by the way, just as much as it is a city court.

Commissioner Kicklighter said, okay. Thank you.

Chairman Scott said, I recognize -- before we vote, I recognize the Commissioner from the 3<sup>rd</sup>.

Commissioner Center said, okay. You consider it a county court, but this -- every employee of the court except this one was a city employee, and so this is not really another county department, is it? I mean I have no -- no disagreement with moving from county to county, but when you move to county to non-county.

County Attorney Hart said, I -- I think you're splitting hairs. I -- I don't mean to be rude or anything like that, but that's hair splitting there because we had to allocate these people somewhere. Its' a joint court. It's a -- its' a hybrid court.

Commissioner Center said, and -- and -- and if --

County Attorney Hart said, it's a court that's different than any other court in this state.

Commissioner Center said, I understand, and if the Commission votes on it, that's fine. It just should be open to the public.

County Attorney Hart said, I don't disagree with that.

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

Commissioner Kicklighter said, one -- one more question if I can just on that.

Chairman Scott said, we've got to vote before now.

Commissioner Kicklighter said, oh. Sorry.

Chairman Scott said, motion carries.

Commissioner Kicklighter said, just clarification on one item, please, Mr. Chairman.

Chairman Scott said, Commissioner from the 7<sup>th</sup> District, Commissioner Kicklighter.

Commissioner Kicklighter said, it's my understanding that we also have been funding Chatham County police officers, as in Chatham County Sheriff's department officers to protect that specific court.

County Attorney Hart said, correct.

County Manager Smith said, yes.

Commissioner Kicklighter said, thank you. So there's a direct sign or proof that that's not even unusual for us to fund something solely. So I just --

County Attorney Hart said, it -- it's done on a reimbursement type --

Chairman Scott said, in fact we're the only one that provide it.

Commissioner Kicklighter said, okay.

County Attorney Hart said, yeah, but, right now, we're paying it all. So.

Commissioner Kicklighter said, I mean.

Commissioner Center said, we're paying 100 percent.

Commissioner Kicklighter said, I mean I -- I knew that -- I knew the answer, but I just wanted to -- how I was justifying it anyway. That -- that it wasn't a big difference.

Chairman Scott said, thank you.

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the Intergovernmental Agreement regarding funding the Recorder's Court of Chatham County, to include Exhibit A. Commissioner Shabazz seconded the motion and it carried in a 6-3 vote with Chairman Scott and Commissioners Holmes, Shabazz, Brady, Kicklighter and Thomas voting yes and Commissioners Stone, Center and Farrell voting no.

**AGENDA ITEM: IX-5**

**AGENDA DATE: SEPTEMBER 11, 2015**

**TO:** Board of Commissioners

**THRU:** Lee Smith, County Manager

**FROM:** Linda B. Cramer, Assistant County Manager

**ISSUE:**

Request Board approval of the Intergovernmental Agreement Regarding Funding of the Recorder's Court of Chatham County, to include Exhibit A. (*Note: City Council approved this agreement on August 20, 2015.*)

**BACKGROUND:**

In January 1961 the City of Savannah and Chatham County agreed to jointly operate and share the costs of the Recorder's Court of Chatham County. Then, after fifty years, the agreement expired. In August 2013 both entities began developing a new agreement. In May 2015 the County and City Managers announced a mutually agreed-upon framework for a revised Savannah-Chatham Metropolitan Police Department agreement. Part of the framework outlined final details related to the Recorder's Court agreement. The agreement presented herein (attached to the Clerk of Commission's meeting file) is the product of staff negotiations and due diligence.

**FACTS AND FINDINGS:**

1. Since January 1961 the City of Savannah and Chatham County have been jointly operating and sharing the cost of the Recorder's Court of Chatham County. Costs were allocated among both parties annually based on the share of collected revenues for each jurisdiction, as monitored and recorded in the Court's records. Then, after fifty years, the agreement expired. In August 2013 the City of Savannah sent a draft agreement to the County that followed the traditional procedure of cost sharing.
2. In January 2014 the County proposed that Court costs be shared henceforth based on defined cost centers and each jurisdiction's caseload volume as tracked by Court staff. City staff has agreed to this new approach. The three cost centers are Felony, Misdemeanor & Traffic, and Code Enforcement. Court costs are defined and allocated to each cost center based on the agreement. Expenses are then split based on the actual caseload volume for the cost center. An annual reconciliation process makes each entity responsible for costs related to their use of the Court.
3. In May 2015 the County and City Managers announced a mutually agreed-upon framework for a revised Savannah-Chatham Metropolitan Police Department agreement. Part of the framework resolved final details related to the Recorder's Court agreement. On July 13, 2015 County staff presented a revised agreement to the City which included the framework provisions and clarified various appointment and administrative issues. Subsequent meetings with staff of each jurisdiction produced the Intergovernmental Agreement Regarding Funding of the Recorder's Court of Chatham County ("IGA") which is attached (to the Clerk of Commission's meeting file.) City Council approved the IGA on August 20, 2015.
4. The IGA provides the City with an annual phase-in credit of \$250,000 in both 2016 and 2017. No credit is provided in thereafter.
5. The IGA's term is one year with automatic renewals. The effective date is January 1, 2016.
6. The County is now paying 45% to 48% of the costs or \$2.1 million per year. Under the new agreement, the County's operating cost share should decrease within the next two years by approximately \$800,000 based on current usage of the Court. The IGA recognizes costs incurred by the County for indigent defense, courtroom security and some services of the Victim Witness program. These costs will be charged to appropriate cost centers.
7. The County has a separate memorandum of understanding with the City for the capital costs related to the purchase and use of the iasWorld product/Tyler Technologies system in Recorder's Court. This agreement is separate from the IGA but is governed by Section 9 in terms of allocating capital costs to the cost centers.
8. Caseload volumes in 2013 for each cost center were:

	<u>Savannah</u>	<u>County</u>	<u>% - Sav</u>	<u>% - Co.</u>
Felony	2,334	986	70.30%	29.70%
Misd./Traffic	30,775	9,964	76.05%	23.95%
Code Enforcement	2,240	278	88.96%	11.04%

**POLICY ANALYSIS:**

The Recorder's Court of Chatham County was established by a constitutional amendment (Ga. L. 1972 p. 1493) whereby the jurisdiction of the Recorder's Court of the City of Savannah was expanded to include the County's unincorporated area and then renamed the Recorder's Court of Chatham County. Other area municipalities do not utilize this Court but instead operate their own municipal court. The County could reinstate its own "municipal" court by diverting related Court activities for the unincorporated area to Magistrate Court and/or State Court.

**FUNDING:**

The County's cost share for the Recorder's Court is budgeted in the Special Service District Fund. Any costs not covered by court fines and fees are paid for by unincorporated area taxpayers.

**ALTERNATIVES:**

1. Approve the Intergovernmental Agreement Regarding Funding of the Recorder's Court of Chatham County, to include Exhibit A, or
2. Provide staff with other direction.

**RECOMMENDATION:**

Alternative 1 is recommended.

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**X. ACTION CALENDAR**

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

Chairman Scott said, back to the agenda, the Action Calendar. No one indicated a desire to pull anything off. So at this time I'll entertain a motion to approve of the Action Calendar.

Commissioner Brady said, so moved.

Commissioner Kicklighter said, so moved.

Commissioner Thomas said, second.

Chairman Scott said, properly moved and second. Any unreadiness or discussion? Hearing none, all in favor of approving the Action Calendar indicate by voting yes, opposed no. Someone has not voted. The Action Calendar is approved.

**ACTION OF THE BOARD:**

Commissioner Brady moved to approve all items on the Action Calendar, Items 1 through 6 and under Item 6 Items A through K. Commissioner Thomas seconded the motion and it carried unanimously.

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

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- 1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF AUGUST 28, 2015, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Brady moved to approve the minutes of the regular meeting of August 28, 2015, as mailed. Commissioner Thomas seconded the motion and it carried unanimously.

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- 2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD AUGUST 20, 2015 THROUGH SEPTEMBER 2, 2015.**

**ACTION OF THE BOARD:**

Commissioner Brady moved to authorize the Finance Director to pay the claims against the County for the period of August 20, 2015 through September 2, 2015, in the amount of \$3,123,041. Commissioner Thomas seconded the motion and it carried unanimously.

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- 3. REQUEST BOARD AUTHORIZE THE CHAIRMAN, CLERK OF COMMISSION, COUNTY ATTORNEY AND COUNTY ENGINEER TO SIGN ALL REQUIRED DOCUMENTS TO ENABLE CHATHAM COUNTY TO PARTICIPATE IN THE 2016**

**LOCAL MAINTENANCE AND IMPROVEMENT GRANT (LMIG) PROGRAM WITH  
THE GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT).  
[ALL DISTRICTS.]**

**ACTION OF THE BOARD:**

Commissioner Brady moved to authorize the Chairman, Clerk of Commission, County Attorney and County Engineer to sign all required documents to enable Chatham County to participate in the 2016 Local Maintenance and Improvement Grant (LMIG) Program with the Georgia Department of Transportation (GDOT). Commissioner Thomas seconded the motion and it carried unanimously.

**AGENDA ITEM: X-3**

**AGENDA DATE: SEPTEMBER 11, 2015**

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

**ISSUE:**

That the Board authorize the Chairman, Clerk of Commission, County Attorney and County Engineer to sign all required documents to enable Chatham County to participate in the 2016 Local Maintenance and Improvement Grant (LMIG) Program with the Georgia Department of Transportation (GDOT).

**BACKGROUND:**

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

**FACTS AND FINDINGS:**

1. The application for the 2016 LMIG program requires submission of the projects and estimates for construction. All applications must be submitted by January 1, 2016 or funds are lost for this fiscal year.
2. The LMIG formula amount for Chatham County for 2016 is \$660,850.40. Chatham County is required to provide a 30% match for this amount.
3. Staff proposes to use the 2016 LMIG funds towards the County's road resurfacing program. In calendar year 2016, staff anticipates resurfacing approximately 15 miles of roads at an estimated cost of \$3.8 million dollars. Funding will be a combination LMIG and SPLOST funds.

**ALTERNATIVES:**

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

**FUNDING:**

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

**POLICY ANALYSIS:**

The Board must approve intergovernmental agreements.

**RECOMMENDATION:**

That the Board approve Alternative No. 1.

District: All Districts.

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4. **REQUEST BOARD APPROVAL TO ACCEPT THE BDHDD REGIONAL GRANT AWARD OF \$194,570 FOR THE SAVANNAH-CHATHAM COUNTY DRUG COURT AND AUTHORIZE THE CHAIRMAN TO SIGN THE RELATED CONTRACT AND HAVE ACCOUNT CODES AND PROJECT NUMBERS ASSIGNED.**

**ACTION OF THE BOARD:**

Commissioner Brady moved for approval to accept the BDHDD Regional Grant Award of \$194,570 for the Savannah-Chatham County Drug Court and authorize the Chairman to sign the related contract and have account codes and project numbers assigned. Commissioner Thomas seconded the motion and it carried unanimously.

**AGENDA ITEM: X-4**

**AGENDA DATE: SEPTEMBER 11, 2015**

**TO:** Board of Commissioners

**THRU:** Lee Smith, County Manager

**FROM:** Jean Cottier, Coordinator, Deputy Court Administrator, Savannah-Chatham County Drug Court Coordinator

Crystal Cooper, Superior Court Administrator

**DATE:** August 20, 2015

**ISSUE:**

To request board approval to accept the BDHDD Regional Grant Award of \$194,570 for the Savannah-Chatham County Drug Court and authorize the Chairman to sign the related contract and have account codes and project numbers assigned.

**BACKGROUND:**

Since 2005, the Commission has approved the acceptance of DBHDD funding to help defray substance abuse treatment costs for the Savannah-Chatham County Drug Court. The contract was received 8/20/15 and the period of this contract (grant) began July 1<sup>st</sup>, 2015 and ends June 30, 2016. This amount of funding has held steady for the past 4 years.

**FACTS AND FINDINGS:**

1. The County will serve as the local fiscal sponsor for the contract (grant) in the amount of \$194,750.
2. The Commission Chairman is named the Authorized Representative for the contract (grant).

**FUNDING:**

No match is required.

The grants receipts and disbursement will be reflected in the Multiple Grant Fund.

**ALTERNATIVES:**

1. That the Board approve the acceptance and authorize the Chairman to sign the contract (Grant) as presented.
2. That the Board deny approval of the funding and provide other direction.

**POLICY ANALYSIS:**

It has been consistent with Board policy to authorize the Chairman's signature on contracts to receive funding for the necessary expenses and services of the Savannah-Chatham County Drug Court. The county funds for approximately 35% of the funding used to run this program.

**RECOMMENDATION:**

That the Board approve Alternative 1.

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5. **REQUEST BOARD APPROVAL TO DISPENSE ALCOHOLIC BEVERAGE (BEER, WINE AND LIQUOR) FOR A SPECIAL EVENT (FUNDRAISER) AT DELEGAL CREEK MARINA, LOCATED AT 1 MARINA DRIVE. PETITIONER: RAPE CRISIS CENTER OF THE COASTAL EMPIRE, INC., THROUGH KESHA GIBSON-CARTER. THE EVENT WILL BE HELD ON SEPTEMBER 19, 2015. [DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Brady moved for approval of a permit to dispense alcoholic beverage for a special event on September 19, 2015. Commissioner Thomas seconded the motion and it carried unanimously.

**AGENDA ITEM: X-5**

**AGENDA DATE: SEPTEMBER 11, 2015**

**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:**

Permit to dispense alcoholic beverage for a special event on September 19, 2015.

**FACTS AND FINDINGS:**

1. **Rape Crisis Center of the Coastal Empire, Inc.**, a non-profit organization through applicant **Kesha Gibson-Carter** has filed a Special Event Application for a fundraiser at 1 Marina Drive (Delegal Creek Marina), Savannah, GA 31411. The applicant has the intent to dispense alcoholic beverages at the event.
2. Section 16-134(4) of the Chatham County Business/Occupational Tax Ordinance requires approval of the County Commissioners to issue a temporary permit to dispense alcoholic beverages in conjunction with a special event.
3. The ordinance grants the Board of Commissioners discretion to allow the consumption of alcoholic beverages in conjunction with a special event.

**ALTERNATIVES:**

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

**POLICY ANALYSIS:**

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

**RECOMMENDATION:**

Approve Alternative #1.

District 4

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

**ACTION OF THE BOARD:**

Commissioner Brady 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 Thomas seconded the motion and it carried unanimously.

**AGENDA ITEM: X-6 A-K**

**AGENDA DATE: SEPTEMBER 11,**

**2015**

**TO: BOARD OF COMMISSIONERS**

**THRU: LEE SMITH, COUNTY MANAGER**

**FROM: LINDA CRAMER, ASSISTANT COUNTY MANAGER**

**SUBJECT: AWARD OF BIDS****ITEM A**

**ISSUE:** Request Board approval to award a \$44,300 annual contract, with renewal options for four (4) additional one (1) year terms, to Sodman Landscape Design, for specialized lawn care at various departments for Facilities Maintenance and Operations.

**BACKGROUND:** Chatham County has historically contracted lawn care services for County buildings.

**FACTS AND FINDINGS:**

1. This contract will provide for specialized lawn care services at the Citizens Service Center, Tag Office, Police Department Annex, Police Department Precinct #5 and Juvenile Court building.
2. Staff developed a scope of work and bids were properly advertised and opened August 4, 2015. The bid responses are as follows:

*	Sodman Landscape Design Savannah, GA	\$44,300
	Goodwill of the Coastal Empire, Inc. Savannah, GA	\$58,222

\*WBE

3. Staff believes the low bid of \$44,300 submitted by Sodman Landscape Design to be fair and reasonable.

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

**ALTERNATIVES:**

1. Board approval to award a \$44,300 annual contract, with renewal options for four (4) additional one (1) year terms, to Sodman Landscape Design, for specialized lawn care at various departments for Facilities Maintenance and Operations.
2. Provide staff other direction.

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

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

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

**ITEM B**

**ISSUE:** Request Board approval to award a \$6,363 annual contract, with renewal options for four (4) additional one (1) year terms, to Goodwill of the Coastal Empire, Inc., for specialized lawn care at the CNT administrative building and warehouse for Facilities Maintenance and Operations.

**BACKGROUND:** Chatham County has historically contracted lawn care services for County buildings.

**FACTS AND FINDINGS:**

1. Staff developed a scope of work and bids were properly advertised and opened August 4, 2015. The bid responses are as follows:

	Goodwill of the Coastal Empire, Inc. Savannah, GA	\$6,363
*	Sodman Landscape Design Savannah, GA	\$9,700

\*WBE

2. Staff believes the low bid of \$6,363 submitted by Goodwill of the Coastal Empire, Inc., to be fair and reasonable.

**FUNDING:** General Fund/M&O - CNT  
(1003222 - 52.22001)

**ALTERNATIVES:**

1. Board approval to award a \$6,363 annual contract, with renewal options for four (4) additional one (1) year terms, to Goodwill of the Coastal Empire, Inc., for specialized lawn care at the CNT administrative building and warehouse for Facilities Maintenance and Operations.
2. Provide staff other direction.

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

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

BUDGET APPROVAL \_\_\_\_\_  
MARK BUCALO

**ITEM C**

**ISSUE:** Request Board approval to award a \$15,198 professional services contract to Whitaker Laboratory, Inc., for material testing and special inspection services for the J. Tom Coleman Judicial Courthouse Renovations - Phase I project.

**BACKGROUND:** Material testing and special inspections are required by Georgia Law to insure compliance with local codes and construction standards and specifications.

**FACTS AND FINDINGS:**

1. Staff solicited local firms that specialize in this type of service and two (2) firms submitted quotes. The quotes are as follows:
 

Whitaker Laboratory, Inc. Savannah, GA	\$15,198
Terracon Consultants, Inc. Savannah, GA	\$18,115
2. Whitaker Laboratory, Inc., is a licensed firm who is qualified to perform special inspections and conduct construction materials testing to insure full code compliance. Staff finds their quote to be fair and reasonable.

**FUNDING:** SPLOST (2008-2014) - Courthouse Construction  
(3244980 - 54.13001 - 32460427)

**ALTERNATIVES:**

1. Board approval to award a \$15,198 professional services contract to Whitaker Laboratory, Inc., for material testing and special inspection services for the J. Tom Coleman Judicial Courthouse Renovations - Phase I project.
2. Provide staff with other direction.

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

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

BUDGET APPROVAL \_\_\_\_\_  
MARK BUCALO

**ITEM D**

**ISSUE:** Request Board approval to award a not to exceed \$76,000 sole source professional services contract to Kern & Co., LLC, for architectural and civil services on the Police Precinct Project.

**BACKGROUND:** In June 2006 the Board awarded a construction contract for the Islands Precinct based on plans designed by Kern-Coleman & Co. The company has changed but the designers of record from the 2006 project are now with Kern & Co., LLC. The new precinct will be a replica of the Islands Precinct with some minor revisions.

**FACTS AND FINDINGS:**

1. Construction drawings (Architectural and Civil) for the Islands Precinct were completed by Kern-Coleman Co., in 2005.
2. Kern & Co., LLC is the consultant of record for the previous precinct project. The design plans from the previous project will be used to replicate the new project. Some modifications will be

- included in the design and updated code issues will be addressed. Contracting with Kern & Co., LLC will expedite the design.
3. Staff negotiated the fee with the consultant. The fee for the professional services is fair and reasonable for the work proposed.
  4. Approval of this contract will save a significant amount of money and staff time that would otherwise be expended to procure the services through the Request for Proposal - Quality Based Selection (QBS) process. The QBS process would delay the delivery time of the final plans for this much needed pedestrian improvement project.

**FUNDING:** SPLOST (2014-2020) - Police Precinct and related equipment  
(3254220 - 52.12003 - 32560703)

**ALTERNATIVES:**

1. Board approval to award a not to exceed \$76,000 sole source professional services contract to Kern & Co., LLC, for architectural and civil services on the Police Precinct Project.
2. Provide staff other direction.

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

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

BUDGET APPROVAL \_\_\_\_\_  
MARK BUCALO

**ITEM E**

**ISSUE:** Request Board approval of a \$63,366 sole source purchase from Pen-Link, Ltd., of three (3) additional monitor stations and user licenses for the CNT telephone intercept system.

**BACKGROUND:** On February 28, 2014, the Board approved the purchase of a telephone intercept system with analytical software for law enforcement.

**FACTS AND FINDINGS:**

1. Pen-Link is the sole source manufacturer and direct distributor of a telephone intercept system with analytical software for law enforcement.
2. This telephone intercept system has the ability to interface with public telephone company files and law enforcement databases which will expedite results in extraction of information for undercover operations.
3. These monitor stations and licenses will increase the number of undercover operations within the existing system.
4. Staff believes the total cost of \$63,366 to be fair and reasonable.

**FUNDING:** CNT - Confiscated Funds  
(2103222 - 54.25001)

**ALTERNATIVES:**

1. Board approval of a \$63,366 sole source purchase from Pen-Link, Ltd., of three (3) additional monitor stations and user licenses for the CNT telephone intercept system.
2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to approve the purchase of equipment for law enforcement activities.

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

BUDGET APPROVAL \_\_\_\_\_  
MARK BUCALO

**ITEM F**

**ISSUE:** Request Board approval to award a \$26,250 sole source contract to R. L. Construction Group, Inc., to replace the existing roof on the original section of the Anderson Cohen Weightlifting Center.

**BACKGROUND:** The original roof section is over 20 years old and beginning to show signs of wear and tear.

**FACTS AND FINDINGS:**

1. The contractor for the new addition of the center was R. L. Construction Group, Inc. The roof on the new addition was completed on December 12, 2014, and has a 25 year warranty.
2. This project will consist of removing the existing roof on the original section of the building and replacing with new asphalt shingles to match the layout of the roofing system on the addition.
3. The existing roof on the original section and the new addition will be connected by way of creating a valley to match the asphalt shingles into becoming one roof structure.
4. R. L. Construction Group, Inc., provided staff with a quote of \$26,250 for the project and will provide a 25 year warranty.
5. Having this project performed by the contractor that has the roof warranty on the new addition will protect that warranty and have one contractor responsible for the entire building.

**FUNDING:** CIP - Parks and Recreation  
(3506100 - 52.22001 - 35030400)

**ALTERNATIVES:**

1. Board approval to award a \$26,250 sole source contract to R. L. Construction Group, Inc., to replace the existing roof on the original section of the Anderson Cohen Weightlifting Center.
2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to award contracts in order to maintain warranties.

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

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

**ITEM G**

**ISSUE:** Request Board approval of \$23,532 from Padded Surfaces by B&E, Inc., to construct a padded cell at the Detention Center.

**BACKGROUND:** With the present mental health issues being faced throughout the State of Georgia, a larger percentage of the jail population is plagued with mental health issues. Because of this higher ratio of the population with mental health challenges, staff consulted with the Medical Association of Georgia who conveyed the need to have padded cell environments for those inmates displaying aggressive, suicidal, violent or uncontrollable behavior that may cause harm to themselves, other inmates or Corrections staff.

Presently the only option available to Corrections staff is the use of restraint devices. The normal cell environment has unprotected concrete walls, floors and steel seating.

**FACTS AND FINDINGS:**

1. It is administration's goal to provide inmates, with behavior challenges, an environment that reduces the potential harm to themselves, other inmates or Corrections staff.
2. Staff researched regional companies with the capability to provide the specified product. Three (3) companies viewed the designated area and submitted quotes. The responses are as follows:

Padded Surfaces by B&E, Inc. Indianapolis, IN	\$23,532
Cornerstone Service & Supply Madison, AL	\$28,000
Marathon Engineering Corp. Lehigh Acres, FL	\$28,350

**FUNDING:** General Fund/M&O - Detention Center  
(1003326 - 52.22001)

**ALTERNATIVES:**

1. Board approval of \$23,532 from Padded Surfaces by B&E, Inc., to construct a padded cell at the Detention Center.
2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to approve purchases for critical safety issues that affect inmates and/or staff.

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

BUDGET APPROVAL \_\_\_\_\_  
MARK BUCALO

**ITEM H**

**ISSUE:** Request Board approval of a \$35,370 purchase to provide and install warning devices on ten (10) law enforcement vehicles for SCMPD from West Chatham Warning Devices.

**BACKGROUND:** Warning devices are required for all law enforcement vehicles for safety, to provide a speedy path to crime scenes/emergencies, and to aid citizens in duress.

**FACTS AND FINDINGS:**

1. The devices are necessary to outfit ten (10) Chevrolet Caprices for patrol duty and are a safety requirement.
2. The bid was properly advertised and two (2) vendors responded on June 2, 2015. The responses are as follows:

GT Distributors of Georgia, Inc. \$3,093 each ( equipment only)  
Rossville, GA

West Chatham Warning Devices \$3,537 each (equipment & installation)  
Savannah, GA

3. GT Distributors of Georgia, Inc., was the low bid. However, they did not bid on the installation of the equipment. A local vendor installation would cost an additional \$600 per unit for a total cost of \$3,693 each vehicle.
4. Staff believes the total cost of \$35,370 provided by West Chatham Warning Devices to be fair and reasonable.

**FUNDING:** CIP - Police Vehicle Replacement  
(3501567 - 54.22001 - 3503068B)

**ALTERNATIVES:**

1. Board approval of a \$35,370 purchase to provide and install warning devices on ten (10) law enforcement vehicles for SCMPD from West Chatham Warning Devices.
2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to approve the purchase of warning devices for law enforcement vehicles.

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

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

**ITEM I**

**ISSUE:** Request Board approval to terminate the \$76,942 contract with J.C. Lewis Ford for the purchase of one (1) Rapid Deployment Vehicle (RDV) and award the \$78,942 purchase to Lynch Diversified Vehicles for CNT.

**BACKGROUND:** The Board approved the use of confiscated funds at their January 25, 2013, meeting for the purchase of the RDV. The Board approved the purchase of the RDV at their November 7, 2014, meeting to J. C. Lewis Ford which utilized the local preference option to match the low outside Chatham County bid submitted by Lynch Diversified Vehicles.

**FACTS AND FINDINGS:**

1. This RDV will be used to transport personnel and equipment to tactical narcotics operations. It is specifically designed for tactical response.
2. Over the last several months, staff has been working with J.C. Lewis Ford for the delivery of the RDV. J.C. Lewis Ford is unable to deliver the vehicle and requested to terminate the purchase.
3. Staff contacted Lynch Diversified Vehicles and they quoted the price of \$78,942 to provide the specified vehicle. This is a slight increase of their bid from September 11, 2014. The price difference is due to the increase in costs with the chassis, bodies and other materials.
4. Lynch Diversified Vehicles has stated they will guarantee delivery in 180 days or sooner.
5. Staff believes this cost to be fair and reasonable.

**FUNDING:** Confiscated Funds - CNT  
(2103222 - 54.25001)

**ALTERNATIVES:**

1. Board approval to terminate the \$76,942 contract with J.C. Lewis Ford for the purchase of one (1) Rapid Deployment Vehicle (RDV) and award the \$78,942 purchase to Lynch Diversified Vehicles for CNT.
2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to terminate purchases when it is in the best interest of the County and to provide the necessary vehicles for law enforcement activities.

BUDGET APPROVAL \_\_\_\_\_  
MARK BUCALO

**ITEM J**

**ISSUE:** Request Board approval to award annual contracts with renewal options for two (2) additional one (1) year terms, to Multi-Bank Securities, Inc., and FTN Financial Group to provide investment broker/dealer services to the Finance Department on an "on going", "as needed", and "per transaction" basis.

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

**FACTS AND FINDINGS:**

1. Currently, the County has four (4) existing brokers/dealers on annual contract to provide this service.
2. A Request for Proposal (RFP) for investment brokerage services was issued and publicly advertised. Proposals were received on August 6, 2015.
3. The intent of the solicitation was to add to the established list of firms interested in providing investment brokerage services to the County on an "on going" and "as needed" basis. Each financial and investment transaction, over the term of the contract, will be awarded to the firm that offers the lowest written quotation and is deemed to be in the best interest of the County.
4. Two (2) firms responded to the RFP. The technical proposals were scored by an evaluation committee, see attached page 12. The evaluation committee did not deem it necessary to conduct firm interviews. Proposal results are as follows:

<u>Vendor</u>	<u>Points</u>
Multi-Bank Securities, Inc. Marietta, GA	83.33
FTN Financial Group Memphis, TN	79.66

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

**ALTERNATIVES:**

1. Board approval to award annual contracts with renewal options for two (2) additional one (1) year terms, to Multi-Bank Securities, Inc., and FTN Financial Group to provide investment broker/dealer services to the Finance Department on an "on going", "as needed", and "per transaction" basis.

- 2. Provide staff other direction.

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

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

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

**ITEM K**

**ISSUE:** Request Board approval of the annual premium of \$14,988 for renewal of Fiduciary Liability Policy for a term of one (1) year beginning September 18, 2015, with Travelers Insurance Company.

**BACKGROUND:** The Employee Retirement Income Security Act of 1974 imposes personal liability on Fiduciaries of employee welfare plans for acts of mismanagement or errors in judgment. This policy will pay on the County’s behalf all sums that the County becomes legally obligated to pay as a result of any “Wrongful Act”. “Wrongful Act” means a breach of fiduciary duty, including negligence, in the discharge of duties for Trusts or Employee Benefit Plans. The County has purchased coverage in the past for fiduciary liability to protect the county for claims that arise out of Wrongful Acts.

**FACTS AND FINDINGS:**

- 1. The current carrier, Travelers’ is offering a renewal quotation of \$14,988. The renewal premium is the same as the expiring premium. Travelers’ carries an A.M. Best rating of A++(Superior). The coverage limits are \$2 million with a \$25,000 deductible. This coverage is for the protection of the employee pension plan.
- 2. The County’s insurance broker, USI, solicited quotations from Chubb, Ace Insurance, Hartford Insurance and Zurich Insurance Company. These companies declined to quote a premium on the policy.

**FUNDING:** Risk Management - Internal Service Fund  
 (6259922 - 52.31021)

**ALTERNATIVES:**

- 1. Board approval of the annual premium of \$14,988 for renewal of Fiduciary Liability Policy for a term of one (1) year beginning September 18, 2015, with Travelers Insurance Company.
- 2. Provide staff other direction.

**POLICY ANALYSIS:** The County has chosen to provide fiduciary liability coverage in the past years to protect the County’s assets.

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

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

PREPARED BY \_\_\_\_\_  
 PURCHASING DIRECTOR

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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. PRESENT THE 2015 CHATHAM COUNTY REVENUE ORDINANCE FOR ADOPTION BY THE BOARD OF COMMISSIONERS.**

Chairman Scott said, at this time you’ve got some items in there for informational purposes.

Commissioner Brady said, you’ve got a First Reader.

Chairman Scott said, and we do have a First Reader, and this is -- the First Reader is on page nine, and it's present the 2015 Chatham County Revenue Ordinance for adoption by the Board of Commission, which you will adopt at the next meeting. That's it for First Readers.

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**XII. SECOND READINGS**

None.

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**XIII. INFORMATION ITEMS**

Chairman Scott said, everything else is information. There are no Second Readers.

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: SEPTEMBER 11, 2015**

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

<b>ITEM</b>	<b>DEPT.</b>	<b>SOURCE</b>	<b>AMOUNT</b>	<b>FUNDING</b>
25 cases of hydration drink	Detention Center	Paper Chemical Supply, Co.	\$2,859	General Fund/M&O - Detention Center
80 tons of asphalt hot mix	Public Works and Park Services	Carroll & Carroll, Inc.	\$4,800	SSD - Public Works
15 information technology monitoring devices	Sheriff's Dept.	CDW Government, Inc.	\$5,400	General Fund/M&O - Detention Center
80 tons of asphalt hot mix and supplies	Public Works and Park Services	Preferred Materials, Inc.	\$4,800	SSD - Public Works
25 tons of industrial grade sand	Mosquito Control	Standard Sand & Silica Company, Inc.	\$4,375	General Fund/M&O - Mosquito Control
Annual service agreement on uninterruptible power supply for server room	Sheriff's Dept.	Advent Power Protection Systems	\$4,108	General Fund/M&O - Sheriff's Dept.
Annual license and maintenance agreement for false alarm tracking software for Finance	I.C.S.	AOT Public Safety Corporation	\$5,488	SSD - Finance

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
Bearing fan support for helicopter	Mosquito Control	Heli-Mart, Inc.	\$4,879	General Fund/M&O - Mosquito Control
Upgrade bucket on new Public Works wheel loader	Fleet Operations	Flint Equipment Company	\$9,999	Solid Waste
Support service & licensing agreement renewal for Taxespeak	Tax Commissioner	Call Processing Systems, Inc.	\$7,500	General Fund/M&O - Tax Commissioner
Software maintenance agreement for the monitoring of servers remotely	I.C.S.	Netikus.Net, Ltd	\$4,111	General Fund/M&O - I.C.S.
58 batteries and 53 belt clips for portable radios	I.C.S.	Motorola Solutions, Inc.	\$7,142	Debt Service Fund
Monthly rental of blasting equipment for the Phase 2 construction project at the Detention Center	Detention Center	ESCA Industries, Ltd.	\$9,960	General Fund/M&O - Detention Center
Repairs to chiller	Detention Center	Boaen Mechanical Contractors, Inc.	\$4,248	General Fund/M&O - Detention Center

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**3. FLOOD MITIGATION PLAN ANNUAL PROGRESS REPORT, CRS ACTIVITY.**

**ACTION OF THE BOARD:**

A status report was attached as information.

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**EXECUTIVE SESSION**

Chairman Scott said, and at this time I'll recognize the Commissioner from the 6<sup>th</sup> District for the purpose of a motion for executive session.

Commissioner Brady said, Mr. Chairman, I move to have an executive session to discuss legal, appointments and real estate.

Commissioner Shabazz said, second.

Chairman Scott said, properly moved and second. Any discussion? Hearing none, all in favor of us going to executive session, vote yes, opposed no. We're headed for executive session.

**ACTION OF THE BOARD:**

Commissioner Brady moved to recess to executive session for the purpose of litigation, real estate and personnel. Commissioner Shabazz seconded the motion and it carried unanimously.

The Board recessed at approximately 12:04 p.m.

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**ITEMS FROM EXECUTIVE SESSION**

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

**ACTION OF THE BOARD:**

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

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2. **APPOINTMENTS**  
**Aging Services Advisory Board**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to re-appoint Howard Dawson and to appoint Dr. Rebecca Gaston-Dawson to the Aging Services Advisory Council. Both appointees terms are set to expire June 30, 2018. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shabazz, Brady and Kicklighter were not present for the vote.]

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**Live Oak Public Library Board****ACTION OF THE BOARD:**

Commissioner Farrell moved to appoint Charlotte Brawner Welch to the Live Oak Library Board. Her term is set to expire June 30, 2018. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shabazz, Brady and Kicklighter were not present for the vote.]

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**Savannah Chatham County Council on Disability Issues****ACTION OF THE BOARD:**

Commissioner Stone moved to appoint Kelsey Ustrud to the Savannah Chatham County Council on Disability Issues. Her term is set to expire September 1, 2019. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shabazz, Brady and Kicklighter were not present for the vote.]

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**ADJOURNMENT**

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 12:23 p.m.

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**APPROVED: THIS \_\_\_\_\_ DAY OF SEPTEMBER, 2015.**

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

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**JANICE E. BOCOOK, CLERK OF COMMISSION**