

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, FEBRUARY 26, 2016, 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 9:39 a.m. on Friday, February 26, 2016.

Chairman Scott said, you may be seated at the moment.

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**II. INVOCATION**

Chairman Scott said, I will ask that once our devotional leader gets through or indicate it's time to pray, I would ask that you restand and remain standing through the Pledge of Allegiance. We will be led in the Pledge of Allegiance today by the Commissioner from the 2<sup>nd</sup> District, Commissioner Holmes.

Chairman Scott said, it's a -- it's a real pleasure to have with us today as our devotional leader Pastor Damion P. Gordon, Sr. If -- if you've not been there, he's pastor of the First Jerusalem Baptist Church. And what I really like about him is his work in trying to help those with mental health. Pastor Gordon has a master's of arts in religion and church ministry from Liberty University in Lynchburg, Virginia. He's currently pursuing a doctor's degree in education, organization and leadership Christian ministry at the Grand Canyon University out in Phoenix. He's originally from Arkansas, but he's been in Savannah now for quite some time, and he's had numerous trainings in leadership and mentoring and counseling, and for a while he worked in the field of mental health, for seven years with the American Work, Inc., out of Albany, Georgia. And he serves on the Georgia Mental Health Consumer Network Board. So he's spent a lot of time not just ministering but also counseling people who are in need. And it's a great pleasure at this time to present to you Pastor Damion P. Gordon, Sr., our devotional leader this morning. Pastor Gordon.

Pastor Damion P. Gordon said, God bless you today. Thank you so much to all of our dignitaries, and we thank God for every -- everyone that is with us today. We just want to say that it's an honor and it's a pleasure to be a part of this assembly today, and so I don't want to prolong any time, and so at this time, we'll just have a word of prayer. Let us pray.

Pastor Gordon gave the invocation as follows:

God of all creation, we thank you today for your many blessings. We thank you because we know that you are God and beside thee there is none other. We thank you because you woke us up this morning and you started us on our way. And so now, Father, we ask for your continued blessing. We ask for your hand of protection for every Council member, every dignitary, and every award recipient today. We ask that you would protect those who are protected to them. And then, oh, God, we come and we ask that your wisdom will fall fresh in this meeting. That, God, that productivity will come from this forum, and then most of all, Lord, we ask that respect for one another will be shown in this place. God, we thank you, again, for this city, for this county, and we pray right now, Heavenly Father, that you will continue to bless as only you know how to bless. And, God, we ask these things in your name, Amen.

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

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**III. PLEDGE OF ALLEGIANCE**

Commissioner Holmes said, would you join me in the Pledge of Allegiance?

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

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## CERTIFICATE OF APPRECIATION

Chairman Scott presented Pastor Gordon with a Certificate of Appreciation for his time in presenting the Invocation.

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## IV. ROLL CALL

Chairman Scott said, the Clerk will call the roll.

Present:                 Albert J. Scott, Chairman  
                               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 Bocoock, County Clerk

Not Present:         Dr. Priscilla D. Thomas, Vice Chairman, District Eight

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Chairman Scott said, may I note for the record, Madam Clerk, that Commissioner Thomas, our Vice Chair, has had a knee surgery, and she's in therapy today. She will not be in attendance, but she will be participating in the meeting when we are talking about the police merger. So would you let the records show that she's not present but she will be participating in the meeting?

Clerk said, yes, sir.

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## V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

### **1. PRESENTATION OF SERVICE AWARDS.**

Chairman Scott said, at this time I'm going to recognize our County Manager, Mr. Lee Smith, who's going to bring forth our HR Director, Ms. Carolyn Smalls, for the purpose of presentations of service awards.

County Manager Lee Smith said, yes, sir, as you know, this has -- will be our second month of annual anniversary presentations. I'd ask Carolyn and the human resources staff if they would all step up and ask the Board if you would step down, as we did last month, here in front. I'll be on the end, and you'll get to congratulate them, and we'll hand out the gifts at the end. And Carolyn will be calling out the -- the employees.

Ms. Carolyn Smalls, Human Resources Director said, good morning Mr. Chairman, members of the Board, our County Manger, this month we have twelve employees who are receiving their annual service awards, eight of whom are here with us today, and we want to congratulate them and present them with this award for their dedicated service to Chatham County. So as I call your name, would you please come forward to receive your award. We have two employees who have 20 years of service with Chatham County, and they are Kelli A. Bonds, who's with Building Safety and Regulatory Services [applause], and also with 20 years of service Lance T. Lange with the detention center [applause]. With 15 years of service we have Jamie L. Jarrell with Child Support Enforcement [applause]; and Dustin Hetzel with CEMA with 15 years of service [applause]. With ten years of service, Latoya P. Glover with the Detention Center [applause]. With five years of service, Rovonda Fleming with ICS [applause]. Also with five years of service, Peter H. Solomon with Public Works and Park Services [applause]. And with five years of service, William L. Norris, Jr., Voter Registration [applause]. Congratulations to all of you. Thank you.

Chairman Scott said, let me just say to the employees who are receiving rewards [sic], on behalf of -- of this county and the County Commission, we sincerely appreciate your services. In many cases you are the face of the county. A lot of times our constituents don't see us. They see you if they come in to wherever you work for services, and we appreciate all that you do to represent this county and the work that you do for this county. Thank you so much. Any members of the Commission have any comments? I recognize the Commissioner from the 2<sup>nd</sup> District, Commissioner Holmes.

Commissioner Holmes said, I didn't know anybody still give 20 years to a job. Who -- who's that 20 years? That young lady. How many more years you going to give after this?

Ms. Kelli Bonds said, as long as God will let me.

County Manager Smith said, 20 more. She's young.

Commissioner Holmes said, 20 more. Well congratulations to all of you all and hope that you enjoy everything.

Chairman Scott said, again, thank you all for being here.

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## 2. RECOGNITION OF ROY HINELY, DIRECTOR OF INTERNAL AUDIT, ON HIS RETIREMENT

Chairman Scott said, next we -- we have somebody who's receiving the ultimate employee reward, and that is -- is that he gets to leave and not come back after 28 years of service, and sail off into the sunset, and so it's with great pleasure for those of you who do not know or have not been in contact with him, Mr. Roy Hinely. Roy. And let me just say that Roy has been a dedicated employee and I -- I've said that he's the person in the county who tries to keep everybody honest, and he's the person who have to go into departments, he and his staff and ask the tough questions and to make sure that folk are following the rules and regulations and they are in fact spending county tax dollars as they are supposed to be spent, and it's with great pleasure that I have he and his wife, Elizabeth, here to -- with us today, and I'm going to ask members of the Commission to join me in just a few minutes in presenting Mr. Hinely with a framed copy of a proclamation, and I just want to share a little bit of it with you at this time before we present him with the framed copy, and -- and -- Roy, feel free to sit down. I don't -- I don't want you to have to work on your last day. But, let me just say that the proclamation says:

Chairman Scott read part of the following proclamation:



**WHEREAS**, Chatham County is privileged to have employees of high caliber that take great pride in their duties and responsibilities, and in that regard, we commend Roy U. Hinely; and

**WHEREAS**, Roy U. Hinely began his employment with Chatham County on May 23, 1988, in the Chatham County Internal Audit Office as an Operational Auditor working his way up to Internal Auditor II. On July 1, 2012, he was promoted to Internal Audit Director and held this position until he retired on February 26, 2016; and

**WHEREAS**, he was a dedicated and valuable member of the Chatham County Internal Audit Department. He kept a positive attitude and strived to meet any challenges that were placed upon him; and

**WHEREAS**, he took great pride in his duties as Internal Audit Director. During his time at Chatham County he did whatever was necessary to assure the Internal Audit Department was just the way it should be for the benefit of all. His service to Chatham County was exemplary and worthy of special notice.

**NOW, THEREFORE**, I, Albert J. Scott, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby salute:

### ROY U. HINELY

upon his retirement and express sincere appreciation for over twenty-seven years of dedicated service to the citizens of Chatham County and the Internal Audit Department and extend best wishes for a long, happy, healthy retirement.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 26<sup>th</sup> day of February 2016.

**ATTEST:**

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Albert J. Scott, Chairman  
Chatham County Commission

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Gail F. Gordon, Administrative  
Assistant to the Chairman

Chairman Scott said, and I would ask that members of the Commission join me in presenting Roy with a framed copy and to wish him well in his many endeavor -- endeavorment ahead. I know part of it will be on the water. I don't know what else Elizabeth have in mind for him, but I hope it's all enjoyable. Please join me. [Applause.]

Chairman Scott said, Roy I knew when we talked about this yesterday when I had that little paper copy that you thought I was just joshing about getting you a framed copy, but we do -- we have this framed copy.

Commissioner Center said, but you can't have that.

Chairman Scott said, and I wanted to just present it to you on behalf of the entire Commission who are here to greet you and just thank you for -- and just thank you for all of your years of service. And I know folk were poking fun at you yesterday about all of the things that -- that you do in that office and your demeanor and your meeting the press and all that, but along that line of meeting the press, you know we have a public information office position available in case you want to start a new career. Given any thought to it?

Mr. Roy Hinely said, I will give that a lot of consideration.

Chairman Scott said, but anyway again, thank you so much.

Mr. Hinely said, thank you, Mr. Chairman.

[The Board individually congratulated Mr. Hinely.]

Chairman Scott said, we -- we're going to give you the last word.

Mr. Hinely said, Mr. Chairman and Commissioners, it is my great pleasure to be here today on my last day--

Chairman Scott said, Roy -- yeah.

Mr. Hinely said, and I appreciate the honor that you have presented to me with this proclamation, and these past few days I've been looking back over the -- all the time since 1988 that I've been here. Many of the times it's -- it's a considerable challenge and many of the times it was -- it was fun. It was absolutely fun. And -- but in total, it was an extremely professionally satisfying experience, and I wish to commend -- I wish to thank everybody on this Commission and the Commissions who have gone before you ever since I've been here that I appreciate the fact that I've been allowed to serve this county government and the people of Chatham County.

Chairman Scott said, thank you. I will only say to you that that proclamation cannot properly express our appreciation for our service. It's been invaluable, and I really appreciate it -- all that you've done for Chatham County.

Mr. Hinely said, thank you.

Chairman Scott said, I recognize Commissioner Brady from the 6<sup>th</sup> District for the purpose of a comment.

Commissioner Brady said, Roy, just know this that an auditor is one of the most important positions in -- in a company and in a government, 'cause you're the ones that's looking for compromises of policy and handling of funds and for you to have done it this long, that's a tough job. It's a lot of hours, it's a tough job, and, you -- you know, you're looking at people you know, and you're having to go through their files and -- and so, I certainly appreciate what you did as an auditor. Congratulations on retirement.

Mr. Hinely said, thank you Ms. Brady.

Chairman Scott said, our pro tem, Commissioner Stone from the 1<sup>st</sup> District, and then we've got Commissioner Farrell from the 4<sup>th</sup> District.

Commissioner Stone said, I just want to say congratulations. I know that the job that you had at times was very stressful and how much we appreciated your dedication and your devotion to Chatham County, and I hope that you will thoroughly enjoy your retirement.

Mr. Hinely said, thank you Commissioner Stone.

Chairman Scott said, Commissioner Farrell.

Commissioner Farrell said, Mr. Hinely, congratulations on a great career with the county and all the value and benefits that your position and your workmanship has contributed to the well functioning of this governing organization. So, somebody's got to police the police so to speak and somebody's got to watch after, you know, the transactions that -- that we do on a day to day basis and your watchful eye has -- is appreciated, and -- and we will be missing you.

Mr. Hinely said, thank you.

Chairman Scott said, okay. Anybody else? Okay. Thanks, Roy.

Mr. Hinely said, thank you, sir.

Chairman Scott said, appreciate it. [Applause.]

Chairman Scott said, Mr. Manager, we still have that proverbial lamp that we've got to present. Roy, you can't leave just yet.

County Manager Smith said, yeah.

Commissioner Brady said, someone needs to tell me what the significance of that lamp is.

County Manager Smith said, look, nobody ever could tell me, so I said it's the light unto your way, unto your future path.

Commissioner Brady said, okay.

County Manager Smith said, so that's the best I can do. So here you go.

Mr. Hinely said, thank you.

Commissioner Center said, Mr. Abolt had a side business of lamps.

Commissioner Brady said, I'd rather have a watch.

Commissioner Farrell said, somebody around here is making money on these things.

County Manager Smith said, we told him we may call him every once in a while.

[Applause.]

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### **3 CHATHAM COUNTY SHERIFF'S OFFICE TRANSITIONAL PROGRAM, INMATE REINTEGRATION AND WORK RELEASE (SHERIFF HARRIS WILL BE THE PRESENTER).**

Chairman Scott said, okay. Next on our proclamation and special presentation, I'm going to recognize our Sheriff, Sheriff Roy Harris and a return appearance by our former public information officer, Pete Nichols, to assist his new boss.

Commissioner Center said, I thought that was Dick Cheney.

Sheriff Roy Harris said, good morning everybody. I'm sorry Roy Hinely left, 'cause I was very enthused to hear that he thought what he did was fun. When you're sitting on the other side, it was not so much fun, and Director Ragan said we needed to get some t-shirts made up, I survived a Roy Hinely audit. But --

Chairman Scott said, that's a good thing.

Sheriff Harris said, in -- in all seriousness, he did an excellent job with -- with what he did making sure everybody was following their policy and procedure. I'd like to call up three of our people that work on what we're going to be talking about, Angela Dorsey, our program manager; April Jackson, our corrections transitional coordinator; and Mr. Rodney Sprauve, to come up with me. They wanted to be here when we talked about this program in case a question was asked that I didn't know the answer to, they said I would make something up, and they -- they wanted the whole truth to get out here. If you see before you there -- what we're talking about this morning is a -- is a program that we've had for a number of years, and it has not been as successful as we saw in other agencies around the State of Georgia and around the country, and we wanted to come forward and enlighten this Commission on what we have done to improve this program because it is a valuable program for our inmates and our community.

Sheriff Harris said, now the purpose of this program is as you see on the slide is training, job placement, life skills, pro-social attitudes, and success with emphasis on substance abuse reduction, and we're giving our inmates marketable skills, such as ServSafe, which is a -- a food handling certification where they can get a job in -- in a restaurant or any place that has to handle food. We also have our dog training program which all of you are -- are very aware of. Next slide, Pete.

Sheriff Harris said, the issues we've been having is the -- as I said, the traditional program was not as successful as we had hoped, so we contract -- contracted outside work release programs that we had at the time was not meeting our expectations, so we decided to change the way we did this. What we found was issues with the program was the history of substance abuse, untreated alcohol and drug abuse were causing us problems. History of trauma, undiagnosed or undetected mental health issues, and refusal or lack of treatment was another issue. Next, certainly one you're familiar with, lack of education. None or sketchy work history, no defined skill set, lacking a driver's license or a car to get to and from their work, and history of criminal behavior.

Sheriff Harris said, so we -- we came up with a plan to change the program from traditional work release to a transitional program in order to meet the needs of the inmates. When we meet the needs of the inmates, we're meeting the needs of our community. We identified existing programs and modified these to better serve the inmates, to allow the inmates to participate in more than one program, which prior to this was not allowed, and give them an incentive to participate -- to participate in our transitional programs.

Sheriff Harris said, so where are we going with this? We hired our in-house correction transitional coordinator, which we reclassified a position for, so this is not a new position. It does not cost us any more money. That was February a year ago. We reclassified two recreational specialists and retrained them to do this. Again, not new positions. And we hired a part-time consultant to manage the outside work release program, that's Mr. Sprauve. Our inmate programs: substance abuse program is a 28-day program; Operation New Hope, which is a four-week program. We have a new group of dogs coming in for the men inmates next Monday. The female inmates have theirs, and they're about to cycle out of the program, so they will be starting over with a new set of dogs within a few weeks. As you know, we've had over a -- about a 95 percent adoption rate with these dogs that are graduates of that program.

Sheriff Harris said, ServSafe certification. We mentioned that earlier. This is a -- a vital part of it. GED prep and testing. We at one time had a -- a group that was charging us a large amount of money that were not certified, so we went and contracted with Savannah Tech to come in and provide certified GED training and testing for us. The good deal about this is if the inmate gets released prior to finishing that, they can on their own go back to Savannah Tech, finish that up and get that GED. And then we've got our outside work release preparation, which these men and women you see here do to prepare that inmate to go to work. There are very strict rules. They go out and visit where the inmates are working to make sure that the -- the manager understand the rules the inmates have to abide by, and they vet these inmates that -- we don't have violent offenders out working in our community. We have a lot of non-violent offenders in our facility all the time. Some have jobs when they come, some could find jobs, so we're looking for every opportunity to help them.

[NOTE: A short video was shown.]

Sheriff Harris said, okay. What are we doing? Pre-employment training, resume writing and mock interviews. We actually have business people volunteer their time to come in and do mock interviews with inmates. Tomorrow is what we call super Saturday, where we'll have 125 volunteer come to our training facility to re -- receive their annual training on jail safety, rules and regulations. We'll -- they will be there all day long getting this training, and we'll feed them a -- a good meal. We have on the job training, life skills training, and marketable certifications that we're able to give these. Our outside work release program, and we've got two kinds we're going to talk about, the outside one, last year we had 83 total participants, average time to obtain employment was 14 days. Court ordered participants were 41, so we doubled what the courts had ordered with volunteers to come into the program. Our recidivism rate was 35 percent that did not re-offend, and average time in the program, 90 days. Remember, most of our inmates are there for short periods of time, so it's -- it's great to have where we can give them that opportunity while they're there.

Sheriff Harris said, now if we look at inmate workers, we've always had inmate workers at the facility. Before February of 2015, the inmate workers had to either choose to work at the facility for a small stipend or participate in a program. They work mostly during the day, so they could not go to programs. What staff had suggested, and we changed where -- was that we would offer programs for inmates at nighttime and allow them to work, which is a bo -- a benefit. So last year we had 2672 total participants. The kitchen was 759; laundry 420; landscaping 362, and you go down the list to see the number of people that's working in there, so this is a -- a benefit to the inmates and to our facility. If we had to contract out grounds keepings for that -- the facility itself or the range, if we had to contract night sanitation and clean up or what they do down at the courthouse, that would be a phenomenal amount of money that we're saving by utilizing the skills of our inmates. We have inmates at the facility work with our engineers to keep the electrical, the sprinklers, all of these things up, so they're working there at a great savings to the citizens of this county.

Sheriff Harris said, now what's changed? Through successful substance abuse programs, the inmates are able to be one of the first to be selected for inside and outside work. Creative sentencing has now allowed outside work release participants the opportunity to work during the day and complete court-mandated substance abuse programs in the afternoon. Yes, it's -- it's more work for our people to do, but we're doing what is the best thing here. Now, they can also complete voluntary substance abuse programs in the afternoon.

Sheriff Harris said, again, what's changed, Operation New Hope, which you're familiar with. They go through four weeks of training with the animals. This is in conjunction with the Humane Society and this program's a win/win. It gives back to the community in two different ways. It not only -- not only helps the inmates, but it helps the dogs, and it helps the Humane Society keeping the number of dogs that they have to destroy down. And if you've ever been around anyone with the Humane Society, you know how badly that affects them. They feel like that is a -- a tremendous loss.

Sheriff Harris said, transition workers can participate in Safe Serve -- ServSafe certifications as we've mentioned, and we're working with industrial kitchens and restaurants and 55 of the 92 percent -- participants have received certification, which is a 60 percent success rate, which means they can get a job when they get out. You see a slide of our industrial kitchen. That's -- this is the one at the jail and our laundry. And I remember some of you came on a tour out there, in fact, Commissioner Stone was about to get into one of the -- I tried to get her to get into one of the dryers, and we were going to turn it on to take her for a spin, but she wouldn't let me talk her in to that. But they're -- -- they're pretty big, aren't they Commissioner?

Commissioner Stone said, yes they are.

Sheriff Harris said, what's changed? Night substance abuse program allows participants to work during the day and complete mandated or voluntary classes. So we've added that. What are going -- where are we going in the future? We want to incorporate night GED literacy programs. We're doing it in the day time now, but we need to start doing it at night. We need to establish an apprenticeship data base to document the hours of training for our internal work force, incorporate both day and night anger management courses. You will see in this year's budget coming up, we are asking for money to hire a group of local churches that run a very good anger management program that we would like to bring to our facility to help these young men and women try to overcome the issues that they're facing. We want to establish parenting and -- and fatherhood components in this, and we want to form additional county partnerships.

Sheriff Harris said, we've got to create incentives to steer the detainee population towards voluntary participation in constructive programs, to include both vocational training, substance abuse, educational opportunities and re-entry services. A lot of this we're looking at, I -- I am on the U.S. Attorney's re-entry committee which the metro police department and several other agencies are on. So we're looking at what they're doing, and we're trying to do it on a local level 'cause we have far more inmates coming and going at our facility than they do. And our inmates are typically local inmates. They were born and raised here, and they remain here. Many of them have been in and out of that jail multiple times, and that's a cycle that we are trying to stop with these programs.

Sheriff Harris said, secondly we want the academic component in there, indoor and outdoor assignments for constructive training. Most -- theme three we're talking about motivating staff and service providers to seek out and collaborate with community-based support services which are low cost or no cost. That's bringing in our churches, other support. There's a lot of different agencies and groups here that are doing things to help people, but we're not all interconnected. And when you go to some of these meetings, and they ask around to fill out what are you doing? Tremendous amount of folks wanting to help, but we've got to interconnect them in this where we're all going for the same mission.

Sheriff Harris said, next we have a slide, Winslow. Winslow was a dog that graduated from the program out of the last men's cycle. The staff decided that they wanted to keep Winslow and train him as a PTSD dog to help the inmates. Beyond that, Winslow is going to help our employees. Now, Winslow sleeps out -- out in one of the hubs in a unit, and when I was down there recently visiting, I saw a number of employees come by that just stopped and wanted to pet Winslow. He's one of the most mild-mannered dogs you will ever see, and Winslow's the white one on the left. So I think this will be a benefit not only to our inmates but also to our employees.

[NOTE: A short video was shown.]

Sheriff Harris said, well, obviously, we're having some difficulty with that slide, but this is a participant that was in the program that was hired by the Humane Society when he left our facility.

Mr. Sprauve said, Michael -- Michael Polite.

Sheriff Harris said, yes, sir. Come on.

Mr. Sprauve said, I'll just tell you what -- what's going on here. So we interviewed Michael Polite. Michael Polite was in the work-release program initially. He let us know through the staff that he really had a real love for animals, a love for dogs, and so we got him an interview with the Humane Society. He went to the first interview, did a great job, they called him back to a second interview. After the second interview he was hired. He's now working there full-time through the work release program.

Sheriff Harris said, so another success story. Do you want to add to that either one of you? Come on up.

Commissioner Center said, no.

Sheriff Harris said, okay. I won't put you on the spot. Basically, that is a recap of the program, of what we've been doing. I wanted to make you aware of that. I know many of you are personally interested in how this works and this will give you an up to date on it. Any questions?

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

Commissioner Center said, thank you Sheriff Harris. It's very good. And I noticed -- you and I both attended a -- I don't know if it was this Monday or last week, I'm losing count for days, the U.S. Attorney's program on re-entry.

Sheriff Harris said, yes, sir.

Commissioner Center said, with someone from the State, and -- and what I noticed there, and I see here is I didn't see military recruiters. Should we reach out to them? I mean not only for people who are coming out, may be eligible as -- as a military job, and also so that our SCMPD can talk to these -- these children who are shooting each other around the streets, maybe they would be interested in military. But maybe we should actually involve our military recruiters in these re-entry programs.

Sheriff Harris said, that's a good idea. I had not thought about that, but we certainly can do it. We -- we love the military because we're recruiting from them when people are getting out. We're going to every job fair in Georgia, South Carolina and North Florida currently when military bases hold them, and I am proud to say that last Friday we swore in 19 new correctional officers, and I reviewed the backgrounds on 19 or 20 more yesterday that will be in the final phases, so that's going to help us greatly with our shortfalls, and I certainly thank your support in what you did allowing us to raise our entry level salary, but that is just a start. We certainly need to support our men and women at the Sheriff's office, and we need to continue to be able to get their salary level up. When we're doing exit interviews when people leave, that is the number one thing they're talking about is -- is the salary, which is different from what many of us were trained 20 years ago, when you talked about Maslow's theory of hierarchy and -- and the other theories that we had. Times have changed, and we've got to address those changes.

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

Commissioner Holmes said, Mr. Harris, your new program that you're putting in, are they new or they've been in the system before?

Sheriff Harris said, this -- this program?

Commissioner Holmes said, yes.

Sheriff Harris said, work release has been around for a number of years, however, it was not very successful, and this group you're seeing here have worked with our judges considerably, meeting with them. One of the problems we saw was that if a person was in the program, their purge amount, what they had to pay, fines or if it was child support or whatever it was, was higher than someone who was not in the program.

Commissioner Holmes said, mm-hmm.

Sheriff Harris said, that was a problem, 'cause inmates would say, why should I go work if I got to pay double or triple what I pay if I just sit there at the jail.

Commissioner Holmes said, mm-hmm.

Sheriff Harris said, so thanks to these people, they've gone down and -- and met with all of the judges trying to change that. Said we've got to have some parity here. But doing these night based programs where they can go work in the day and come back and participate is a benefit. And that was just a change in the way we did business. Before they -- they had a choice. You either work in a program or you go to your training or you can work here and get a small amount of money to go -- that they put in their commissary so they can buy snacks or whatever they want while they're there. Here they can do both.

Commissioner Holmes said, your incentives to participate. What kind of incentive do you use?

Sheriff Harris said, to participate?

Commissioner Holmes said, yes.

Sheriff Harris said, I'm going to let Rodney answer that. He's better than me.

Mr. Sprauve said, I mean the real -- the real incentive to participate is the opportunity to change. You know we -- we don't use a carrot and stick approach, so we're not saying to inmates, if you go into this program we'll give you x or y. We'll give you an opportunity to improve your life through a number of different vehicles, and they come to it and they try it. Some do well, some don't. Most do.

Commissioner Holmes said, mm-hmm. Well the word incentive, usually when I see that, I figure someone going to give me something. Okay.

Sheriff Harris said, no, they have to earn what they get.

Commissioner Holmes said, okay. Now, I hear in the public from various parents about the morale of that detention center, and they're not pleased with the service and the attention that they is given when they come out there inquiring about an inmate. Can you elaborate on that a little bit? Because the image is not good, and I was hearing this for quite some time before you got in that position, and I'm still hearing it. So what is it that if a parent go out there to check on a loved one, they come back with bad tastes in their mouth?

Sheriff Harris said, I could not elaborate on that. The parents are not coming to me with the, sir.

Commissioner Holmes said, okay.

Sheriff Harris said, when they do call me, and I have parents call me all the time about a particular problem, we deal with it.

Commissioner Holmes said, mm-hmm.

Sheriff Harris said, and it's usually that my loved one is not getting medical treatment or their pills quickly enough or something along that line. Occasionally it's that an employee was rude to them.

Commissioner Holmes said, okay.

Sheriff Harris said, and we go back and look at the videos, 'cause everything's under video there, and it's usually kind of a -- a half and half thing where an argument got started. We certainly have to maintain order and discipline there, but we do not want to treat any of our citizens badly. No, sir.

Commissioner Holmes said, right. Okay. Thank you.

Chairman Scott said, okay. I've got Commissioner Shabazz of the 5<sup>th</sup> and then Commissioner Stone of the 1<sup>st</sup> in that order.

Commissioner Shabazz said, good morning Sheriff Harris.

Sheriff Harris said, good morning, sir.

Commissioner Shabazz said, who's eligible for this work release program and how long has it been in existence and -- that -- that's the first question. Who's eligible for it?

Sheriff Harris said, again, I'm going to let Rodney handle that part.

Mr. Sprauve said, non -- non-violent offenders for the most part. What we're really trying to do in the -- in the ultimate best case scenario --

Commissioner Shabazz said, mm-hmm.

Mr. Sprauve said, -- identify an inmate who may be able to work as a tan suitor, tan suitor in the facility, working in the kitchen, working in the laundry, some of which you saw in the presentation. And then graduate them from the tan suitor status to the blue suitor status, to a going out into the community to work status. Because we're able to track them along the way.

Commissioner Shabazz said, okay.

Mr. Sprauve said, to determine how they're doing, to determine when and where they might need some corrective action --

Commissioner Shabazz said, right.

Mr. Sprauve said, -- some coaching, some counseling from the team, and over time we make better decisions about who should in fact be given the opportunity to go out into the community.

Commissioner Shabazz said, okay. How long are the work hours, the work days, the work days that they go out? How many days a week?

Mr. Sprauve said, usually five to six days a week, eight hours a day. Normal work shift.

Commissioner Shabazz said, okay. Are these residents -- are the inmates, are they allowed to be compensate -- are they compensated?

Mr. Sprauve said, they are compensated. Oh yeah. When they go out into the community to work a full-time job, yes.

Commissioner Shabazz said, so they are able to retain all the money that they --

Mr. Sprauve said, they don't retain all the money that they have.

Commissioner Shabazz said, okay.

Mr. Sprauve said, for example, somebody who has a child support purge.

Commissioner Shabazz said, mm-hmm.

Mr. Sprauve said, 50 percent of their net income has to go toward paying off that purge because ultimately we're trying to help them get out of jail.

Commissioner Shabazz said, right.

Mr. Sprauve said, and they can't get out of jail without paying the purge. So 50 percent goes toward the purge and a smaller percentage goes toward their participation in the program, because there are expenses involved in them being in the program, and then the remainder they can bank it for when they get out, so they'll have money when they finally get out.

Commissioner Shabazz said, right. Do you have any problems with the companies or partners that -- that partner with you with this program? Do you have problems securing those partners?

Mr. Sprauve said, we don't have problems securing people. You know, it -- it's surprising that most of the people who come through the program and go out and look for work, actually find work within two weeks.

Commissioner Shabazz said, okay.

Mr. Sprauve said, 90 -- more than 90 percent.

Commissioner Shabazz said, right. And my second question is the anger management. You mentioned something about the churches coming in and providing anger management courses.

Sheriff Harris said, yes, sir. That -- that is a course that was offered several years ago. It was not adopted at the time, but I was approached again a few months ago by a group that -- that offers this out on the street and through the churches, and they want to do it inside the facility. However, there are costs associated with it, and that's why we have included it in the budget. I would certainly like to have it available to our inmates.

Commissioner Shabazz said, so, these churches, are they certified?

Sheriff Harris said, yes, sir. They're supposed to be.

Commissioner Shabazz said, okay. Okay.

Sheriff Harris said, and that's something we would -- you know, we would certainly check before we went forward with it.

Commissioner Shabazz said, right.

Mr. Sprauve said, and the other part, if -- if I may, to the anger management, SAMSHA, right, the -- the -- the federal organization, has an anger management program that they will facilitate to non for profits in the community and provide all of the materials for free. So our hope is that these churches will incorporate that effort with a SAMSHA type of -- of resource so that we know we're getting certified training materials, and that they have received the kind of training necessary.

Commissioner Shabazz said, okay. The GED program.

Sheriff Harris said, yes, sir.

Commissioner Shabazz said, how -- how effective is that?

Sheriff Harris said, Angela?

Ms. Angela Dorsey said, good morning.

Commissioner Shabazz said, good morning.

Commissioner Holmes said, good morning.

Commissioner Center said, good morning.

Ms. Dorsey said, the -- we have allowed Savannah Tech to come in and prepare the detainees that are a part of that program to undergo pre-testing and preparation classes for the GED. It has proved very successful. We have a state examiner that's actually a part of Savannah Tech's staffing that comes out to give the GED exam. So we try to keep the inmates engaged in their classes. We have separate classes for the male detainees and the female detainees, and the instructor from Savannah Tech is full-time, and so the concept for the transitional program is basically that we expand what we're doing in the morning to offer those same type of classes in the evening, and so it's going to take more staff to do that, and we do want the inmates to utilize that time while they're in the jail to get their equivalency diploma --

Commissioner Shabazz said, mm-hmm.

Ms. Dorsey said, -- while they're with us. So, it's -- it's proven to be a very successful program in the daytime, and we believe it will be as successful in the evening.

Commissioner Shabazz said, right.

Ms. Dorsey said, for the work release participants.

Commissioner Shabazz said, right. Is there -- is it mandatory that all the inmates become involved in some type of activity? Those who are not in the work release program, those who are not in the GED program, I mean what -- what do the other ones do?

Ms. Dorsey said, no, it is not mandatory. Basically, we prefer that the inmates voluntarily participate in these educational programs. It's for their benefit and for their improvement.

Commissioner Shabazz said, right.

Ms. Dorsey said, now there are some mandates for the substance abuse treatment, and of course, the courts are working with us to sentence inmates to undergo that in-house treatment of substance abuse.

Commissioner Shabazz said, right.

Ms. Dorsey said, we rarely have mandates from the courts that they participate in the educational part, however, as a part of the eligibility that Mr. Sprauge [sic] spoke of and -- and shared, if they are going to be in the transitional program, they do have to participate fully, so that's going out, getting jobs, coming back in, taking care of the rules and regulations of their housing, and undergoing their educational programs and their drug treatment programs. So it's all inclusive in the program. That's how the program is designed. There's no court mandate for educational participation.

Commissioner Shabazz said, okay. Mr. Sheriff --

Sheriff Harris said, yes, sir.

Chairman Scott said, no, we have --

Commissioner Shabazz said, I -- I -- I got one more question.

Chairman Scott said, okay.

Commissioner Shabazz said, for those inmates that's not involved in those programs, what are they doing all day?

Sheriff Harris said, some of them are in lock down because they're too uncontrollable to actually get out and be in a program. They're too dangerous to themselves and to others. Others that do not want to participate watch TV or sit around. But we cannot force them to participate in programs.

Commissioner Shabazz said, okay. Thank you.

Sheriff Harris said, yes, sir.

Chairman Scott said, Commissioner Stone of the 1<sup>st</sup>.

Commissioner Stone said, sorry. I really appreciate the fact that all of you are thinking a little more openly about what we are going to -- these problems how -- and how we're going to solve them because eventually people will get out of jail, and that's a good thing, and it's good if they come equipped with the skill and with the recidivism rate being roughly around 35 percent, that's very encouraging. We have got to start thinking about re-entry for citizens into this community so that they can become citizens that can provide for themselves, take care of themselves and be productive. So, I'm very grateful that you all have implemented this program. It's something that I was interested in years ago and want to see this take off. I think it's -- and the New Hope is --

is fantastic. I've talked to people at the Humane Society. They're thrilled, and it gives these animals a second chance as well. So thank you all for your devotion and dedication to programs like this and to helping people come back into society prepared to be productive citizens. I really appreciate it.

Sheriff Harris said, thank you Commissioner .

Chairman Scott said, okay. And thank you, Sheriff, for your presentation.

Sheriff Harris said, thank you.

Commissioner Shabazz said, thank you. Thank you.

Commissioner Center said, thank you.

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#### **4. RECOGNITION OF DONATION OF MEDICAL EQUIPMENT FROM THE GEORGIA PORTS AUTHORITY TO THE SHERIFF'S DEPARTMENT.**

Chairman Scott said, the next item under presentation and special proclamations, I'm going to recognize the County Manger to just talk briefly about item 4, which is the recognition of donation of medical equipment from the Georgia Ports Authority to the Sheriff's Department. Did you want the Sheriff to say anything about that or you or you wanted to?

County Manager Smith said, well, I'll -- I can, but I'd ask the Sheriff, do you have anybody from the Ports? Were they able to come today?

Sheriff Harris said, no, sir. You go ahead.

County Manager Smith said, okay. We were given opportunity, and, you know, when we talk about partnership and of being able to save money, we were given an opportunity through the Ports, Lisa from -- Lanford from the Georgia Ports Authority Purchasing Department contacted me directly about materials that they had from their health facility, which was a portable EKG cart, Pedigo Gurney, a -- a Midmark Gurney, oxygen tank carrying case and a blood drawing chair, things that we knew we used in different parts of the county. So whenever we have offers, I sent the email out, and I thought, okay, you know, somebody will get me something in the next day or two, and before I could even get out of my chair, Sheriff Harris had sent me an email back and said, when do we pick it up? So, anyway, he contacted Lisa. We wanted to give just a -- kind of a -- Mr. Chairman, if you will, a shout out to the Georgia Ports Authority for sharing, for saving us this -- it saved us several thousand dollars in having to purchase equipment, and that just shows a true partnership in a community, so wanted to thank them, and also thank Sheriff Harris for being available and also acquiring the equipment. So a shout out to the ports. That's a true partnership.

Chairman Scott said, okay. Thank you Georgia Ports Authority.

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

Chairman Scott said, now -- next, we don't have any -- any Chairman --

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

Chairman Scott said, -- or Commission items.

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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, we don't have any Tabled items for 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. REQUEST BOARD APPROVAL TO EXTEND THE CHATHAM AREA TRANSIT AUTHORITY'S LINE OF CREDIT THROUGH FEBRUARY 28, 2017.**

Chairman Scott said, that takes us to our Individual Action list. The first item is to request Board approval to extend the Chatham Area Transit Authority's line of credit through February 28, 2017. We have our Assistant County Manager, Ms. Linda Cramer, and we also have the finance director from Chatham Area Transit Authority present to just sort of explain it and walk you through it before we entertain a motion.

Assistant County Manager Linda Cramer said, sorry. We're working on this video, but really basically what's going on is -- with the CAT line of credit, as you know, we came in front of you in December and did a two-month renewal because Wells Fargo had to take a pause due to events at Chatham Area Transit. At -- at this time what we're doing is extending the credit line for a year. Really all the county has to do is approve that extension. There are no further documents to sign other than just to get your approval. Chatham Area Transit had already approved the extension and has been working with Wells Fargo on -- on the renewal. So the renewal would occur at the end of this month. Terri [Harrison] has some information for you. I know last time that she came in front of you, you had a lot of questions on cash flow at Chatham Area Transit and the debt and the term loan and the credit line, and she's going to go through that with you, but what -- what has occurred since December is that the Transit Authority paid that credit line down, so right now the balance is zero. They are going to need to draw on it this year, and -- and Terri will discuss that with you. So she has a little Power Point.

Ms. Terri Harrison said, I'm getting it ready. Good morning.

County Manager Smith said, good morning.

Members of the Board collectively said, good morning.

Ms. Harrison said, so the first slide I have for you basically walks through how we got to where we are today with our line of credit. Some of you will remember back in May of 2013 CAT transitioned from delegated management. At that time it was necessary to increase our line of credit from 1.5 to \$7.5 million to pay some outstanding management fees. Since then we have drawn down and paid down over the years and last December we restructured the debt to pull a majority of it out into a long-term note and only leave the 1.5 in operating funds that we need in an annual cycle in the line of credit piece.

Ms. Harrison said, so you can see from this next slide that the long term note had a balance of 5 million, and we've made two \$1 million payments. The balance now is 3 million, and the line of credit currently has a zero balance. We have made \$4.2 million in reductions in the last 14 months, and we will enjoy 2.7 of permanent reductions. So, this line of credit renewal is just for the operating piece. It will be for one year, and you can see our projected activity brings a zero balance at the end of December. So I can answer any questions.

Chairman Scott said, okay. Anybody have questions of -- of Linda or Terri? Okay. I recognize the Commissioner from the 3<sup>rd</sup> District, Commissioner Center.

Commissioner Center said, and -- and right before that, let me ask you, Mr. County Manager, I notice these TV screens are not working, but the audience can see the slides. Are the people at home seeing --

County Manager Smith said, they can -- yes. You know we're in transition to the new equipment. I sent out a memo to the Board. So everything is going out live.

Commissioner Center said, okay.

County Manager Smith said, but these two screens, as part of the renewal of station, those are not on, but that's -- but everything's out and it's live. We've got everything checked.

Commissioner Center said, all right. Thank you. And -- and Terri, fantastic report. I want to thank Commissioners Stone and Holme -- Holmes for -- for their CAT service on this. Having this line of credit paid down to zero, and I see twice a year or month it has to be down to zero getting the full credit down. I would ask that when -- when y'all talk with the bank, since y'all are so good on the line of credit, maybe you don't need the county's guarantee on the line of credit anymore even though we've guaranteed the other one. Just something to discuss with them.

Ms. Harrison said, yes, sir. We've already had those discussions, and the annual draw down and payment plan that we have projected here will allow the bank to give us this piece of our debt without your guarantee.

Commissioner Center said, in the future?

Ms. Harrison said, in the future, next year. So if we can follow this plan, and we intend to, they'll entertain the opportunity of giving us the line of credit piece without your guarantee. Then, of course, at that time, the long term will be down to two million, and in 2019 will be completely paid off. So --

Commissioner Center said, fantastic news, and I -- and I love to hear it. And also, I again want to point out that we have for vendors and construction and -- and purchasing that we look to local and minorities, give them a -- a leg up. Wells Fargo is a San Francisco bank. Since you're down so low now, maybe there's local banks that -- that we could look at too, and I'd ask y'all to -- to look into that.

Ms. Harrison said, right, and it would involve at this point the county and CAT working together since our debt is -- is tied to the county bank.

Commissioner Center said, right. I understand that, and -- and -- and in particular, local banks will use local attorneys. I notice that they're all using Atlanta attorneys. So I want to look out for the local folk.

Ms. Harrison said, yes, they are, for a fee.

Commissioner Center said, a higher fee than Chatham County, 'cause I've worked in both jurisdictions.

Ms. Harrison said, yes, sir.

Commissioner Center said, thank you.

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

Commissioner Stone said, thank you, Mr. Chairman. Terri, I just want to congratulate you and the staff on this report, and I know it hasn't been easy in light of what has been going on. So, Mr. Chairman, I would make a motion, then, if that's -- if acceptable to approve --

Chairman Scott said, yeah. I -- I will recognize you in just a second.

Commissioner Stone said, okay.

Chairman Scott said, if there are any further questions of Terri before she -- Commissioner --

Commissioner Kicklighter said, I want to --

Chairman Scott said, well Commissioner Farrell has a question, and then I'll recognize Commissioner Kicklighter.

Ms. Harrison said, yes, sir.

Commissioner Farrell said, this is very good news. I've been skeptical in the past, and this is an excellent track record on the handling the finances. I like getting it to zero at least once a year.

Ms. Harrison said, yes, sir. Me too.

Commissioner Farrell said, instead of -- instead of, you know, borrowing from Peter to pay Paul sort of thing. So -- and paying down the -- the long term debt, very encouraging. So, my -- my hats off to you and -- and your organization for -- for handling that in a financially positive manner. Thank you.

Ms. Harrison said, thank you. We continue -- senior leadership continues to work closely with our Board, and the plan is to review all of our contracts, revenue contracts, expenditure contracts, take a hard look at all of our capital projects and make sure that when we move forward we can still do so in a fiscally responsible way.

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

Commissioner Kicklighter said, thank you, Mr. Chairman. I just want to thank you. I think you're doing a great job.

Ms. Harrison said, thank you.

Commissioner Kicklighter said, and I know that I'm usually such -- such an opponent of things like this. You probably about -- wanted to crawl under the podium when I said I wanted to speak, but you're doing a great job, and I was prepared actually to do like I've probably done most times and vote no, but what you're doing is wonderful, and I'll gladly support it. I appreciate it.

Ms. Harrison said, I appreciate it. And it is our plan to work year after year to either lower the need for a line of credit or completely eradicate it as we build our own cash reserves.

Commissioner Kicklighter said, well, thank you very much.

Chairman Scott said, okay. Terri, thank you so much.

Ms. Harrison said, all right.

Chairman Scott said, appreciate your presentation. At this time I'll recognize Commissioner from the 1<sup>st</sup> District, Commissioner Stone for the purpose of making a motion.

Commissioner Stone said, thank you, Mr. Chairman. I move that we approve the line of credit.

Commissioner Holmes said, second.

Chairman Scott said, motion made by Commissioner Stone of the 1<sup>st</sup>. Second was made by Commissioner Holmes of the 2<sup>nd</sup>. Any unreadiness? Any discussion? Hearing none, all in favor of the motion indicate by voting yes, opposed no. The motion carries. And I'm sure Dr. Thomas would have voted yes for it, 'cause I -- she's our other representative on the CAT Board.

Commissioner Center said, I meant to congratulate her too, but she wasn't here, so I --

Chairman Scott said, yeah.

**ACTION OF THE BOARD:**

Commissioner Stone moved for approval to extend the Chatham Area Transit Authority's line of credit through February 28, 2017. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

**AGENDA ITEM: IX-1**  
**AGENDA DATE: February 26, 2016**

**TO:** Board of Commissioners  
**THRU:** Lee Smith, County Manager  
**FROM:** Linda B. Cramer, Assistant County Manager

**ISSUE:**

Request Board approval to extend the Chatham Area Transit Authority's line of credit through February 28, 2017.

**BACKGROUND:**

On August 24, 2007, CAT established a line of credit with Wells Fargo Bank to facilitate cash flow needs. At that time the County and CAT entered into an intergovernmental agreement whereby the county would act as Guarantor for CAT's line of credit. The line of credit offsets cash flow issues related to the timing of property tax payments, grant reimbursements and the monthly expense commitments of the Authority. The line of credit and related agreements have been renewed and amended several times by the involved parties, most recently in December 2015.

**FACTS AND FINDINGS:**

1. CAT has an existing \$1.5 million line of credit with Wells Fargo Bank that expires on February 29, 2016. The line of credit is backed by a guarantee from Chatham County via an Intergovernmental Agreement between CAT and the County. The outstanding balance on the credit line is \$0.
2. On December 18, 2015, the Board approved the guarantee for the current \$1.5 million line of credit.
3. Wells Fargo has offered to extend the credit line for one year through February 28, 2017 and is requesting the County's approval of the extension through formal action of the Board of Commissioners. A copy of Wells Fargo's terms are attached (to the original staff report in the Clerk of Commission's meeting file).
4. The CAT Board approved the line of credit extension on February 16, 2016.
5. No other documents are required by Wells Fargo for the extension.

**POLICY ANALYSIS:**

The Board of Commissioners has guaranteed the CAT line of credit in prior years. The line of credit provides CAT with cash at periods of low revenue collection.

**FUNDING:**

Since the County acts as guarantor, no funding is required unless the Authority defaults. Should that occur, the Board would be asked to approve necessary budget amendments and funding sources to ensure payment of the outstanding debt.

**ALTERNATIVES:**

1. Approval of a one year extension of the Chatham Area Transit Authority line of credit and the County's underlying financial guarantee, under the terms outlined by Wells Fargo Bank N.A. in its proposal of February 5, 2016.
2. Provide other direction.

**RECOMMENDATION:**

Staff recommends Alternative 1.

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**2. BOARD CONSIDERATION OF REQUEST FOR WAIVER OF ANIMAL REGISTRATION LATE FEE OF \$15. PETITIONER: MS. KATHLEEN ANSLEY, 221 FALLIGANT AVENUE, 31410.**

Chairman Scott said, all right. Next item is the Board consideration of the request for waiver of a \$15.00 animal registration late fee. Petitioner is Ms. Kathleen Ansley of 221 Falligant Avenue.

Commissioner Kicklighter said, motion to approve, Mr. Chairman.

Commissioner Farrell said, second.

Chairman Scott said, properly moved by the Commissioner from the 7<sup>th</sup> District, Commissioner Kicklighter; properly second by the Commissioner from the 4<sup>th</sup> District, Commissioner Farrell. Any discussion? Any unreadiness?

Commissioner Stone said, just one statement.

Chairman Scott said, hearing none.

Commissioner Stone said, just one --

Chairman Scott said, one, I'm sorry. We have one unreadiness. Commissioner Stone from the 1<sup>st</sup>.

Commissioner Stone said, one quick comment that I think was discussed in the pre-meeting that we're going to look at these ordinances and possibly make some changes going forward.

County Manager Smith said, we are. As we are taking over animal control, effective July 1<sup>st</sup>, we'll be making some moves of the entire ordinance. Met with our local veterinarians. We'll be talking with all those participating to look at an ordinance that will work across the county and also include fees and just make sure that there are no conflicts in the ordinances. So we'll be doing that over the next six months.

Commissioner Stone said, thank you.

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

Commissioner Shabazz said, Building Safety and Regulatory Services is handling that now?

County Manager Smith said, that's correct.

Commissioner Shabazz said, so why are you changing that?

County Manager Smith said, because right now the -- we really want to have Building Safety concentrate on what they do best, and that's building safety. It was one of those things that just got placed there because, when times were bad. We're centralizing the service now into animal control, and our staff will handle that effective July 1<sup>st</sup> in animal control.

Commissioner Shabazz said, so animal control is going to take that responsibility?

County Manager Smith said, that's correct.

Commissioner Shabazz said, okay.

Commissioner Stone said, that's where it belongs.

Commissioner Shabazz said, thank you. Thank you.

Chairman Scott said, any further unreadiness? If not, all in favor of the motion indicate by voting yes, opposed no. The motion carries. The fee is waived.

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved for approval of waiver of animal registration late fees for Petitioner is Ms. Kathleen Ansley of 221 Falligant Avenue. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

**AGENDA ITEM: IX-2**

**AGENDA DATE: February 26, 2016**

**TO:** Board of Commissioners

**THRU:** Lee Smith, County Manager

**FROM:** Gregori S. Anderson, Director of Building Safety and Regulatory Services

**ISSUE:**

Request for waiver of Animal Registration late fee. Petitioner: **Ms. Kathleen Ansley** located at **221 Falligant Avenue, Savannah, Georgia 31410.**

**FACTS AND FINDINGS:**

1. The County Animal Control Ordinance required that animals be registered either within thirty (30) days of the rabies vaccination date or within thirty (30) days of becoming a resident of Chatham County.
2. The date of the animal vaccination was November 3, 2015. The animal needed to be registered by December 3, 2015 to avoid the \$15.00 late fee. The payment was received by the Department of Building Safety and Regulatory Services on January 6, 2016.
3. The County Ordinance does not grant the staff authority to grant fee waivers.

**FUNDING:**

Not applicable.

**ALTERNATIVES:**

1. Grant late fee waiver request.
2. Deny waiver request.

**POLICY ANALYSIS:**

The County Ordinance does not grant the staff authority to grant fee waivers.

**RECOMMENDATION:**

Board consideration.

District 4

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**3. BOARD CONSIDERATION OF REQUEST FOR WAIVER OF LATE FEES OF \$1,537.50 FOR ALCOHOLIC BEVERAGE LICENSE RENEWAL. PETITIONER: ARTHUR OHMER, D/B/A GILLIGAN'S PARTY BEVERAGE CENTER, LOCATED AT 221 JOHNNY MERCER BOULEVARD, 31410. [DISTRICT 4.]**

Chairman Scott said, the third item on there is the Board consideration of request for waiver of \$1,537.50 in late fees for alcoholic beverage license renewal. The Petitioner: Arthur Ohmer at the Gilligan's Party Beverage Center, located at 221 Johnny Mercer Boulevard. The staff did not make a recommendation that we waive this fee. At this time I'll recognize our Building and Safety and license director.

Mr. Gregori Anderson, Director of Building Safety and Regulatory Services, said, Mr. Chairman, Board of Commissioners, before you is a request to waiver the late fee for the alcoholic beverage renewal. The ordinance currently requires that the late fee be submitted before January 31<sup>st</sup> for the renewal and the application was received in our office on February the 2<sup>nd</sup>. We certainly do not have the -- the authority to waive these fees according to the ordinance. So it's before you now. The -- we have reached out to the applicant, and I believe he may be in the audience today, but it's before you for your consideration.

Chairman Scott said, and before we -- before I entertain a motion, I'm going to see if -- if Mr. Ohmer is in the audience. If so I will call him up to --

Commissioner Center said, Mr. Chairman, point of order. Mr. -- Greg [Anderson] said that the -- that the rule says it has to be submitted by a certain date. Our materials says the rule says it has to be received by a certain date.

Chairman Scott said, yes.

Commissioner Center said, so I wanted to correct that statement.

Chairman Scott said, yes. Counselor, you wanted to say anything to that? It's -- it's received.

County Attorney R. Jonathan Hart said, no. No, sir. That's -- that's a correct statement.

Commissioner Center said, okay.

Chairman Scott said, Mr. Ohmer, you -- I wanted to see if you had any statements to make before we entertain a motion. You have three minutes, sir.

Mr. Arthur Ohmer said, I believe you have seen a letter that I -- I sent in.

Chairman Scott said, yes. Pull -- pull the mikes down just a little bit. Okay.

Mr. Ohmer said, I'm -- I'm assuming that you read the letter that I sent.

Chairman Scott said, yeah. We've seen it.

Mr. Ohmer said, okay. Since I wrote that letter, I was -- I called the man's name, Jim, at the Victory Drive post office, which over sees the Wilmington Island post office. The mail is picked up between 5:30 and 6:00 p.m. and taken to the main post office. Since I put the letter in the mailbox on Sunday, January the 31<sup>st</sup>, it was not picked up until Monday, February the 1<sup>st</sup>, departed for Jacksonville at 8:00 p.m.. It got to the Jacksonville post office around 11:00 p.m. Due to their work load, a lot of their mail does not get postmarked until the following day. Mine was postmarked on February the 2<sup>nd</sup>. The only way it could have been there any sooner would have been for them to pick it up on Sunday, and they don't pick up on Sundays. And the ordinance, I think, that was just referred to is that application has to be made by the 31<sup>st</sup> and receipt of the application is allowed at a later time provided proof of it being in the post office on the 31<sup>st</sup>, which in this case we don't have proof, but in order to be postmarked at 2:00 p.m. on the 2<sup>nd</sup>, it had to arrive in that post office on the 1<sup>st</sup>.

Chairman Scott said, okay.

Mr. Ohmer said, thank you.

Chairman Scott said, Mr. Ohmer, we got a couple questions if you don't mind entertaining them.

Mr. Ohmer said, I have time.

Chairman Scott said, first I have Commissioner Brady of the 6<sup>th</sup> District and then Commissioner Farrell of the 4<sup>th</sup> District, in that order.

Commissioner Brady said, Mr. Ohmer, these are late fees.

Mr. Ohmer said, yes.

Commissioner Brady said, and you had to have known that they were due.

Mr. Ohmer said, for the last 33 years I've known and been on time.

Commissioner Brady said, what happened this time?

Mr. Ohmer said, I have no idea.

Commissioner Brady said, well, and I -- I don't want to be disrespectful in any way, but I do know if you mail something on Sunday, it's not going anywhere.

Mr. Ohmer said, I know that also and forgot it.

Commissioner Brady said, but how long did you know that this particular fee was due prior to you mailing your payment?

Mr. Ohmer said, it was not due prior to me mailing my payment. It was -- it was mailed to me --

Chairman Scott said, but it is an annual renewal.

Mr. Ohmer said, yes. Yes, sir.

Commissioner Brady said, I mean it's kind of like my car insurance. I know it's due on a certain date and I either pay it by phone or I hand carry it to my car insurance. And -- and all bills, you know, in my household are that way. So there's concern for me that -- that -- and I understand, you know, this is a lot of money for somebody. I mean I could buy something for \$1500. But it concerns me that this is an annual fee, and, you know, you mailed it on Sunday, which there's no mail delivery on Sunday, and I understand that you said that you didn't -- you did not know that the mail went through Jacksonville.

Mr. Ohmer said, no, I didn't say that. I know the mail goes through Jacksonville.

Commissioner Brady said, okay. Okay.

Mr. Ohmer said, I mean, I don't think that I said I did not know it goes through Jacksonville. I've known that for a while.

Commissioner Brady said, okay.

Mr. Ohmer said, but I thought that that letter would have been picked up Monday morning, February the 1<sup>st</sup> and postmarked in the post office in Wilmington Island. I did not know that it was not postmarked until it gets to Jacksonville.

Commissioner Brady said, well, but it's not -- I believe the rule is that it's not postmarked, it's when it's received. Is that correct?

County Attorney Hart said, that's correct.

Mr. Ohmer said, if you -- it's just like the office where I would take it if I took it by hand. They're not opened on Sunday either. If I walked in on February the 1<sup>st</sup> and handed it to them, that would be fine, because when you can't pay a payment on a weekend, the next following business day usually the payment is acceptable.

Commissioner Brady said, not the businesses I do work with. The banks will -- I mean, if I've got a Master Card payment due on Sunday, I better pay that on Friday, or I'm going to have a \$25 late fee. I mean, I'm just saying.

Mr. Ohmer said, the State of Georgia, the federal government allows you to pay, if the pay date falls -- if the due date is a Saturday or a Sunday, just like filing your taxes. They're due on the 15<sup>th</sup>. If the 15<sup>th</sup> is a Sunday, postmark 16<sup>th</sup> is acceptable.

Commissioner Brady said, and I understand about taxes. I'm talking about credit cards and -- and -- just any bill that -- that I have to pay. My -- my gas bill. You know, I mean, I -- I can give you a whole list. And -- and I'm not going -- excuse me, as I said, I'm not trying to be disrespectful, I'm just trying to make the point. Thank you.

Mr. Ohmer said, and back -- somebody asked me a question, when I received notice of this payment being due. The letter was received by Chatham County on February the 9<sup>th</sup>, and then I was -- then it was sent back to me one or two days later. It was -- the -- the penalty was not due on the 31<sup>st</sup> or the 1<sup>st</sup>. That was initial renewal application.

Commissioner Kicklighter said, can -- can you repeat that? I didn't understand that. The county received --

Chairman Scott said, no, wait -- wait -- no. No. We have a question from Mr. Farrell -- Commissioner Farrell.

Commissioner Kicklighter said, I just needed that cleared up. I mean --

Chairman Scott said, yeah. And I'll --

Commissioner Kicklighter said, I didn't understand.

Chairman Scott said, I'll -- then I'll get back to you on that.

Commissioner Kicklighter said, thank you.

Chairman Scott said, Commissioner Farrell.

Commissioner Farrell said, thank you. What was the total renewal charge to your company?

Mr. Ohmer said, 3265.

Commissioner Farrell said, okay. And you've been in business since 1983?

Mr. Ohmer said, yes, sir.

Commissioner Farrell said, and have you ever had this issue before where you've been late with your payment to the county?

Mr. Ohmer said, never, and I have receipts of payment, as well as a printout off of the county computer showing payments made on time.

Commissioner Farrell said, okay. So you've been in business 33 years in the county, paying your taxes on time, and you're basically one day late, and you're hit with 1537.50 as a punishment for being one day late. I certainly have been -- I started a business also in 1983 and occasionally -- there's a lot that goes on to running a small business because you have to be the -- all the departments in one, and I'm -- I assume that's kind of how your business is.

Mr. Ohmer said, that's right.

Commissioner Farrell said, and occasionally a person with so many deadlines for employment taxes and withholdings and all the different obligations, that that can slip up on you. So when it comes up for a vote, I'm -- I'm going to support you this one time, and -- because of your contribution to the -- to the county, and -- and -- and my understanding of how difficult it is to own and operate a business for that length of time and -- and stay in the -- in -- in a profitable mode. So, I -- I think being one day late, that's -- that's an awful large slap on the wrist. So I -- that's just how I feel.

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

Commissioner Kicklighter said, thank you, Mr. Chairman. What was the date that you actually received that bill? Do you -- do you have that?

Mr. Ohmer said, back -- back from the county?

Commissioner Kicklighter said, yes, sir.

Commissioner Kicklighter said, I thought I heard you say that.

Mr. Ohmer said, the day that I received it back is -- is not on here.

Commissioner Kicklighter said, okay. What -- what -- okay. What was the due date on the bill?

Mr. Ohmer said, January 31<sup>st</sup>.

Commissioner Kicklighter said, January 31<sup>st</sup>. Okay. What's the date that you dropped it in the mailbox?

Mr. Ohmer said, January 31<sup>st</sup>.

Commissioner Kicklighter said, you were under the impression that just like taxes if it was in the mail by the date that it -- that was it -- you didn't read the fine print, I assume, right?

Mr. Ohmer said, on that particular question, I have discussed that with Mrs. Middleton at the department of safety and regulatory.

Commissioner Kicklighter said, right.

Mr. Ohmer said, and she says that that is right. If it's postmarked.

Commissioner Kicklighter said, okay. But -- so you actually discussed it with someone, even before you --

Mr. Ohmer said, no, this is after I received the notice of the late fee.

Commissioner Kicklighter said, oh. Okay. But I'm saying when -- when you dropped it in the mailbox on the due date, you assumed that it was just like your income taxes, if it was in the mailbox then --

Mr. Ohmer said, that's correct.

Commissioner Kicklighter said, okay. And you've been doing business 33 years?

Mr. Ohmer said, in the liquor business.

Commissioner Kicklighter said, and never -- and never had a -- anything like that?

Mr. Ohmer said, no, because I -- I know when it's due.

Commissioner Kicklighter said, yes, sir.

Mr. Ohmer said, now years ago, I would actually carry it out and pay with a check, and I would do that after 2:00 o'clock because at that time I didn't have enough money to cover the check.

Commissioner Kicklighter said, right. Right.

Mr. Ohmer said, and I'm sort of still in that deal. I like to hang on to my cash as long as I can.

Commissioner Kicklighter said, all right. I understand.

Mr. Ohmer said, and it bit me.

Commissioner Kicklighter said, well, I mean, but you had the understanding, just like your income taxes --

Mr. Ohmer said, that's correct.

Commissioner Kicklighter said, -- that if you put it in the mail that day. I thank you for your 33 years, and, you know, I -- after having a great track record 33 years, and I can understand how there -- I -- I -- there's several bills out there, if it's in the mail the day, postmarked that day then they count it towards it, and I thank you for your years of taxes and everything here in the community, and I'll -- I'll support the reimbursement 'cause \$1500 penalty for not reading the fine print is -- is quite a bit.

Commissioner Center said, motion?

Chairman Scott said, I got --

County Manager Smith said, hmm-mm. I have a comment, Mr. Chairman, when you get a chance.

Chairman Scott said, yeah. I got -- I got a question from Commissioner Stone of the 1<sup>st</sup> District for you Mr. Ohmer.

Commissioner Stone said, Mr. Ohmer, again, I'm -- appreciate you being here, and I'm sorry for this, but I just have a couple questions. You know, because you've been in business for a long time, that every January this is due, correct --

Mr. Ohmer said, yes.

Commissioner Stone said, -- because your -- your license actually expires on December 31<sup>st</sup>, and the county gives you a month to pay for it, correct?

Mr. Ohmer said, I believe that's correct.

Commissioner Stone said, well, I mean, if it expires on the 31<sup>st</sup> of December, and the renewal is due on the 31<sup>st</sup> of January, that gives you 30 days to pay it, correct?

Mr. Ohmer said, correct.

Commissioner Stone said, okay. And to -- I mean to mail something on Sunday and expect it to go somewhere is -- is a little troublesome to me because I know that's not going to happen, and I think most people know that if you mail something on Sunday it's -- it's not going to go anywhere. The only thing that concerns me about this whole issue is the precedent that would be set here for people now to say, okay, that person got -- was forgiven for this fee, and it would be straight across the board. I -- I -- I -- I firmly think that 30 days is plenty of time to submit a renewal. That's just me personally. I know that if I don't pay my bills on time, like Ms. Brady said, you get a late fee, and I actually had a experience recently where I was on a payment plan for a new HVAC and I never even got the first month's installment, so I didn't know what I owed. I called the company, and they said if -- it was actually due today. If you do not get to the bank, then you're going to get a -- you're going to be assessed a huge fee, and I said I never even received the statement. I had to drop everything and get to the bank and make sure that it was taken care of that day because they -- even though I never received it, they were not going to give me any allowances. I didn't even know what I owed. So I went to the bank and asked them. So I -- I -- I think 30 days is plenty of time to submit a payment. That's just me personally.

Chairman Scott said, thank you Mr. Ohmer. Thank you. Now, I'm going to hear from our staff, the County Manager.

County Manager Smith said, yes, sir. In talking and consulting with the County Attorney, the one thing I -- you mentioned precedent. Our only issue is there's nothing in this ordinance that will allow you to waive this.

Commissioner Farrell said, then why is it up there?

County Manager Smith said, nothing in the law that allows you to waive this.

Commissioner Center said, for you to waive it or us to waive it?

County Manager Smith said, for you, as a Board.

Commissioner Kicklighter said, well then why --

Commissioner Farrell said, why are we --

Commissioner Stone said, why is he --

Commissioner Kicklighter said, why is he even on the agenda that gives the impression that we had the -- that authority?

Commissioner Farrell said, yeah. What are we even talking about?

County Manager Smith said, because he asked.

Commissioner Kicklighter said, wow. Did you -- did you understand that legal statement, sir?

Mr. Ohmer said, it's first time I've heard it, but I understand.

Chairman Scott said, Commissioner Kicklighter.

Commissioner Kicklighter said, I'm sorry. Excuse me.

Chairman Scott said, I understand.

Commissioner Kicklighter said, I was out of order. I'll gavel myself. Sorry.

Chairman Scott said, I -- I understand. Mr. Manager.

County Manager Smith said, I -- I didn't set the law.

Chairman Scott said, yeah. Commissioner Kicklighter, you want to make a comment?

Commissioner Kicklighter said, just that --

Commissioner Center said, could you clarify that? Would you have the County Attorney clarify that? Do we or do we not vote?

County Attorney Hart said, it -- it -- sure -- the -- typically we don't waive deadline fees, and you -- and if you got challenged on it and somebody said can you do it, the law is no you can't, okay? Have you ever done it? Yes.

Commissioner Center said, we just did it ten minutes ago.

County Attorney Hart said, you did it -- you did \$15 a minute ago. But that sort of falls in a different category because the person that would have complied and avoided the \$15 for health reason of the animal couldn't comply with that, which makes -- makes some sense.

Chairman Scott said, unusual circumstances.

County Attorney Hart said, you're asking them to do something that is an impossibility for them to do at that point in the application of law. If a citizen requests to come before you, folks, we put it on the agenda. We will -- we will also make a recommendation that we do not comply with that. I do remind you that it is clear that we cannot waive state fees. This is a local fee, but -- but every year we send out tax notices, and every year, it doesn't matter what day we set a deadline day, you've got a couple or 200 or 300 people who are late, one day late, and we have consistently always enforced that. So that's -- that's all I'm -- I'm saying.

Chairman Scott said, and the only thing I will say that you've got three things that you have to consider here. For one, for paying that taxes, you have a 30-day grace period. Secondly, it was postmarked on February 2<sup>nd</sup>. Third, the office didn't receive it until February 9<sup>th</sup>. So, it's a tough justification. It's a tough lift. At this point I'll entertain a motion.

Commissioner Center said, but we -- we do have authority to waive part of it or not? I -- I mean, let me tell you what I --

County Attorney Hart said, legally -- from a pure legal standpoint, no, you don't.

Commissioner Center said, okay. I mean my motion was going to be to waive \$1,037.50 and leave a \$500 fine, but if we don't have the authority to do that, why make the motion?

County Attorney Hart said, that's true. Correct.

Commissioner Center said, so we - -we -- we don't have the authority to waive it?

County Attorney Hart said, no, sir.

Commissioner Kicklighter said, so there's no motion.

Commissioner Center said, then I don't -- I'm not making a motion.

Chairman Scott said, is there a motion?

Commissioner Stone said, if we don't have the authority, should we -- should there be a motion?

Commissioner Kicklighter said, no.

Commissioner Shabazz said, I'll make a motion.

Commissioner Kicklighter said, there -- there shouldn't even be one.

Chairman Scott said, motion.

Commissioner Shabazz said, I make a motion that we deny waiver of this fee.

County Attorney Hart said, you can make that motion.

Chairman Scott said, is there a second?

Commissioner Holmes said, second.

Commissioner Kicklighter said, that -- what?

County Attorney Hart said, not waive.

County Manager Smith said, do not waive.

Commissioner Shabazz said, we don't waive the fee.

Commissioner Kicklighter said, I'd rather just leave it, because we don't -- if we can't vote on it.

Commissioner Shabazz said, we got a second.

Commissioner Kicklighter said, I don't --

County Attorney Hart said, you -- you don't have to take action. If you take no action, you're actually taking action.

Commissioner Kicklighter said, I -- I mean, I know that.

Chairman Scott said, yeah.

County Manager Smith said, not taking action is the same. Yeah.

Commissioner Kicklighter said, but as a symbolic gesture.

Chairman Scott said, okay.

Commissioner Kicklighter said, the man's made it for 33 years.

Chairman Scott said, okay.

Commissioner Kicklighter said, he just took up preaching to --

Commissioner Holmes said, I got the mike?

Chairman Scott said, Commissioner Holmes

Commissioner Holmes said, what -- what -- what I'm hearing is --

Chairman Scott said, 2<sup>nd</sup> District.

Commissioner Holmes said, -- why this shouldn't have been cleared up in our exec session --

Commissioner Center said, pre-session.

Commissioner Kicklighter said, it's not an executive session.

Commissioner Stone said, pre-session.

Commissioner Holmes said, pre-session.

County Attorney Hart said, the question wasn't asked.

County Manager Smith said, no.

Commissioner Holmes said, yeah. This shouldn't have come in this meeting. It should have killed it before it even much got here.

County Attorney Hart said, we can do that in the future. We can do that in the future.

Chairman Scott said, there's a motion on the floor.

Commissioner Holmes said, yeah.

Chairman Scott said, Commissioner Shabazz made a motion.

Commissioner Kicklighter said, I'm going to -- I'm going vote to break the law then, I guess.

Commissioner Holmes said, you need to withdraw your motion.

Commissioner Farrell said, well, I thought it dies without a second.

Chairman Scott said, Commissioner Shabazz --

Commissioner Kicklighter said, who made a second?

Commissioner Farrell said, I said it dies for lack of a second.

Commissioner Holmes said, I made the second.

Chairman Scott said, it dies without a second, therefore the --

Clerk said, Commissioner Holmes made a second.

Commissioner Holmes said, I made the second --

Clerk said, Commissioner Holmes made a second.

Chairman Scott said, -- therefore the fee is not waived.

Commissioner Holmes said, I made the second. You need to withdraw your motion.

Commissioner Kicklighter said, you can withdraw your second and his motion --

Commissioner Holmes said, I withdrawal my second.

Chairman Scott said, okay.

Commissioner Kicklighter said, thank you.

Commissioner Stone said, do you withdrawal your motion?

Commissioner Shabazz said, no.

Chairman Scott said, there's a motion without a second, therefore, the fee is not waived. The fee stands.

**ACTION OF THE BOARD:**

No action was taken by the Board.

**AGENDA ITEM: IX-3**  
**AGENDA DATE: February 26, 2016**

**TO:** Board of Commissioners

**THRU:** Lee Smith, County Manager

**FROM:** Gregori S. Anderson, Director of Building Safety and Regulatory Services

**ISSUE:**

Request for waiver of late fees for Alcoholic Beverage License renewal. Petitioner: **Arthur Ohmer, d/b/a Gilligan's Party Beverage Center** located at **221 Johnny Mercer Boulevard, Savannah, Georgia 31410**.

**FACTS AND FINDINGS:**

1. The County Revenue Ordinance requires that Alcoholic Beverage license renewals be received by January 31 of each year to avoid the late penalty. The late fee is one half of the regularly required fee. The required late fee is \$1,537.50.
2. The renewal application was received by the Building Safety and Regulatory Services Department on February 2, 2016. Since January 31 fell on a Sunday, the renewal date was pushed to February 1, 2016.
3. The departmental staff has no authority to waive late fees.

**FUNDING:**

Not applicable.

**ALTERNATIVES:**

1. Grant late fee waiver request.
2. Deny waiver request.

**POLICY ANALYSIS:**

The County Ordinance does not grant the staff authority to grant fee waivers.

**RECOMMENDATION:**

Board consideration.  
District 4

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**4. BOARD CONSIDERATION OF ABATEMENT OF TAXES FOR TAX YEARS 2012 THROUGH 2015 FOR 209 SALTER STREET, POOLER. [DISTRICT 7.]**

Chairman Scott said, the next item on the agenda is the Board consideration of abatement of taxes for tax years 2012 through 2015 for 209 Salter Street in Pooler. This is a former crack house that was confiscated in a raid by CNT. The reason for asking for the tax abatement is to clear up the tax records and the intent of the county is to quitclaim this property to the City of Pooler.

Commissioner Center said, so moved.

Commissioner Kicklighter said, second.

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

**ACTION OF THE BOARD:**

Commissioner Center moved to approve the abatement of taxes for tax years 2012 through 2015 for 209 Salter Street, Pooler. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

**AGENDA ITEM: IX-4**  
**AGENDA DATE: February 26, 2016**

**TO:** Board of Commissioners

**THRU:** Lee Smith, County Manager

**FROM:** R. Jonathan Hart, County Attorney

**ISSUE:**

To request that the Board consider abatement of taxes for tax years 2012 through 2015 for 209 Salter Street.

**BACKGROUND:**

On December 19, 2011, the District Attorney's Office filed a complaint for forfeiture against the property located at 209 Salter Street, PIN No. 5-0010-07-008A as a result of the property being used to illegally distribute controlled substances. This house is located in the City of Pooler.

On December 15, 2014, Superior Court Judge Louisa Abbot entered an order vesting the property at 209 Salter Street to the Chatham-Savannah Counter Narcotics Team.

**FACTS AND FINDINGS:**

1. To request that the Board abate taxes for tax years 2012 through 2015 for 209 Salter Street to include any late penalties or interest owed.
2. On December 19, 2011, the District Attorney's Office filed a complaint for forfeiture against the property located at 209 Salter Street, PIN No. 5-0010-07-008A as a result of the property being used to illegally distribute controlled substances.
3. On December 15, 2014, Superior Court Judge Louisa Abbot entered an order vesting the property at 209 Salter Street to the Chatham-Savannah Counter Narcotics Team.
4. The Board of Commissioners previously voted to give this property to the City of Pooler for use by first responders for training.

**FUNDING:**

N/A

**POLICY ANALYSIS:**

It is in the best interest of the citizens of Chatham County to have property taxes as outlined herein abated.

**ALTERNATIVES:**

1. The Commission should authorize the abatement of taxes for tax years 2012 through 2015 for 209 Salter Street, including any late penalties or interest owed.
2. The Commission should not authorize the abatement of taxes for tax years 2012 through 2015 for 209 Salter Street, including any late penalties or interest owed.

**RECOMMENDATION:**

Alternative 1

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**5. BOARD ADOPTION OF POLICE MERGER AGREEMENT AS PASSED BY THE CITY OF SAVANNAH AT THEIR SPECIAL CALLED MEETING OF FEBRUARY 22, 2016.**

Chairman Scott said, the next item is the Board adoption of the police merger agreement as passed by the City of Savannah at their special called meeting on February 22, 2016. At this point I'm going to ask that the Commission take a five-minute recess so we can see if we can get Dr. Thomas on the phone before we continue discussion. Any objection?

Commissioner Center said, no objection.

Chairman Scott said, hearing none, we are in a five-minute recess, please.

[NOTE: Board recessed at 11:10 in order to get Commissioner Thomas on the phone for the police merger discussion. Board reconvened at 11:19.]

Chairman Scott said, okay, at this time, in order to get the proceeding moving, and then we'll have an explanation from the attorney and discussion, I'm going to recognize the Commissioner from the 3<sup>rd</sup> District for the purpose of making a motion,

Commissioner Center said, thank you, Mr. Chairman.

Chairman Scott said, I'm going to recognize the Commissioner from the 3<sup>rd</sup> District for the purpose of making a motion.

Commissioner Center said, thank you, Mr. Chairman. I move that we adopt the police merger agreement as passed by the City of Savannah at their special called meeting of February 22, 2016.

Commissioner Holmes said, and I second it.

Chairman Scott said, properly moved and second that we adopt the police merger agreement as passed by the City of Savannah at their special called meeting on February 22<sup>nd</sup>, 2016, and at this time I was going to recognize the County Attorney for a brief ex -- explanation, and then after that I'll open it up to members of the Commission for any unreadiness or discussion.

County Attorney Hart said, okay. Good morning. September the 11<sup>th</sup>, 2015, the -- this Commission took a vote on a proposal to the City in regard to the police merger, and that passed -- vote passed in the positive. I don't need to spend a whole lot of time about what happened after that because I think that history serves no real purpose here today and can be confusing. Suffice it to say on February the 22<sup>nd</sup>, 2016, the City of Savannah passed a police merger and sent it over here for y'all to act upon. The basis of that to a large extent, probably 90 percent at least, 95 percent, was the language that this Commission voted upon and approved in the September 11<sup>th</sup>, 2015 agreement.

County Attorney Hart said, however, there were changes on the February 22<sup>nd</sup> agreement, 2016, which the City did pass, and in your staff report, we have outlined those, and there -- there -- there are not many of them. Number one they took the agreement and made it run from January 1, 2016 through December 31, 2020. Okay? That's basically a four-year agreement as opposed -- five-year agreement as opposed to the original ten-year in the -- in the last agreement. It also had some language changes that strengthened the ability of the Mayor and the Chairman to designate an Alderman or a Commissioner to attend the policy committee meeting in their stead if they had -- could not be there for a meeting, and it also called upon and strengthened the fact that the policy committee needed to meet at least quarterly to discuss matters pertaining to police policy. Now that does not mean it can't be -- meet more regular than that, it means it shall meet.

County Attorney Hart said, the staff committee also recommended and this document still recommends -- it is still driven to be an evidence-based formula in an effort to check the delivery of services based on some matrix that would be indicative of where the services are being provided and give you a basis of -- upon which to make a cost allocation. Those recommendations survive. Also surviving is going out and getting an outside expert mutually agreeable to come in and help you develop those matrix and make a recommendation concerning some type of cost evidence-based formula. That is still in the document. It's -- and -- and in the interim, we found a number of people who would be -- groups that would be well-qualified to help you with that. The main thing that is somewhat different in this --

Chairman Scott said, and also, Jon, to add on that evidence-base, it also said that we would have that information in by the end of March in 2017.

County Attorney Hart said, correct.

Chairman Scott said, at that time is when we would implement the evidence-based formula.

County Attorney Hart said, correct. And --

Chairman Scott said, and I'm also advocating at that time if there are any -- any additional amendments, that would be the time in which to make them.

County Attorney Hart said, that -- that certainly could be the case because you do have the right to mutually amend the agreement. The cost allocation formula -- or how we're going to pay for this for the next two years, there's been much discussion about that. Your September the 11<sup>th</sup>, 2015 agreement said basically for the first two years you're going to pay 14,154 --

Commissioner Center said, 14 million.

County Attorney Hart said, 14 million -- I wish it was 14,000, right? 14,154,780 for the first two years on an annual basis. This -- this cost allocation formula has -- is -- is a compromise position. In -- in essence, you will be paying the equivalent of 13,100 -- 100 -- \$13,100,000 over two year increments, but because of budget issues and the fact that you've gone ahead and -- and already established a budget and the City of Savannah is operating under an established budget, the first year the county's going to pay \$14,154,780 or what the old agreement said, but you will come back the second year and adjust downward from there and make a payment of \$12,045,220, which is basically the difference to get it back to the margin amount of 13.1.

County Attorney Hart said, the Chief will be required to keep accurate records, work records, on his officers within the jurisdictions. There's a strong statement in the agreement concerning the preference to have beats located within singular jurisdictions. Quite frankly, we're in a situation now where most of the beats are in singular jurisdictions. There's three or four of them that are not. I think by redrafting some things -- redrawing lines after you get your evidence-based expert in, most of those will -- will -- will be able to be totally singular. The only place I can see where that might be a little bit difference is that area where there's the coming together of unincorporated county, Pooler, and the City of Savannah because the jurisdictional lines there are sort of zig zag out there.

County Attorney Hart said, there's also going to be a requirement that we use some technology in order to install into all the vehicles by August 31<sup>st</sup>, 2016, the ability to record the location of police vehicles, and that certainly ought to do away with the issue of, you know, where the services are being provided, and whether there was actually people in that particular beat at whatever particular time is -- is the subject question. How -- whether -- whether that technology will have to be tailored or -- or upgrades be made to it to help with our evidence-based formula, that's something we'll just have to deal with with the expert. Also of importance, there's been a lot -- a disagreement as to the amount of which the county should or should not fund in the past and various things that perhaps the city ought to pay back under this agreement to the county or give credits to. The -- all those claims under the 2003 agreement would be considered resolved, done away with, let's not talk about it any more. We agree to move on to the new agreement.

County Attorney Hart said, the number of replacement vehicles is essentially unchanged, however, they --we are going to require that the GPS tracking, so there's going to be a cost associated with that. One of the provisions that I think will probably hopefully never be used if this agreement is agreed upon, is either party can terminate the agreement after December the 31<sup>st</sup> 2017, and you only require a six-month notice.

Chairman Scott said, okay.

County Attorney Hart said, those are basically -- those are the only changes that we were able to find, and we've examined it fairly close -- very closely. And the remainder of the agreement as to the language that -- that this Commission has already previously approved.

Chairman Scott said, okay. We have a motion and a second, now I'm ready for unreadiness, and Commissioner Brady of the 6<sup>th</sup> District was the first to ask to be recognized, and I recognize Commissioner Brady from the 6<sup>th</sup>.

Commissioner Brady said, Jon, if -- in the event this consultant comes back and says -- you know, makes some recommendations. An example would be, you know, more partnership involving selecting a chief of police or something like that, could we do it at that time because he's making the recommendation?

County Attorney Hart said, sure you could. It -- you know, this -- even if you adopt this agreement today, if the two parties get together, the City and Savannah -- the City of Savannah and the county and both -- both body politics are willing to modify the agreement, example, the purchase of cars, okay? We've got a baseline purchase of cars to make sure that we've got a fleet, but what if we all of the sudden need to add 20 cars? And maybe 15 of the cars need to be in the city and five of them need to be in the county. That's certainly something you can come back and amend and modify. At the same time, parties would have the right to disagree about that. In that case the baseline language of the agreement would stay the same. But we're bringing in this -- bringing in this group to help us come up with an evidence-based management of -- of services, and certainly if -- if there are other items that can make the agreement stronger or better, I would -- I would certainly think that would be worthy of consideration.

Commissioner Brady said, and who's paying for the GPS tracking systems?

County Attorney Hart said, that's going to be a cost that's -- that -- that's going to be incurred. I -- I don't know the details on how --

County Manager Smith said, we don't have a formula on it yet.

County Attorney Hart said, we don't have a formula on it yet.

Chairman Scott said, the -- the -- the city is supposed to be paying for the existing cars. When we -- we have coming this year 40 new cars, and we will have those installed, 'cause we usually --

County Manager Smith said, we outfit them fully.

Chairman Scott said, -- install all the equipment. We outfit our cars, and so we will pay for the installation of the GPS in our cars.

County Attorney Hart said, it will be a in -- and -- and remember each group is going to own -- the city is going to own it's cars, the county's going to own it's cars. So --

Chairman Scott said, and -- and let me add that we -- we own approximately 135 cars.

County Attorney Hart said, the cost of that 15 years ago would have been a significant number, but it's like everything else, it's -- over the years, GPS technology's been around now for a while, so --

Commissioner Brady said, is that the black box that's on the back fender? What is that?

County Manager Smith said, well, a lot of the -- a lot of the GPS data now is just built into the mobile data terminal, so it's just -- and I know I've got Assistant Chief Tolbert here, but a lot of it's just the mobile data terminals as we install them, and they have that built into it.

Assistant Chief Julie Tolbert said, yes.

Commissioner Brady said, what is that black box?

County Attorney Hart said, it's -- it's very -- it would be very similar to what we use for our Mosquito Control spray trucks. If you want to know what time the Mosquito Control came by your house on Tuesday night, --

County Manager Smith said, it's there.

Chairman Scott said, we can go back and document it.

County Attorney Hart said, -- we can punch it up, and we can tell you down to the exact second what time it drove by.

Commissioner Brady said, well, I -- I drove behind a police officer this past weekend, and he had this black box that was about this big --

Commissioner Kicklighter said, it's radar detectors. I mean that's --

Commissioner Brady said, and then it had another black box next to it.

Assistant Chief Tolbert said, that's the automatic tag reader.

County Manager Smith said, those are the tag readers.

Commissioner Brady said, oh. Oh. Okay.

Chairman Scott said, okay.

Commissioner Brady said, how can you read a tag from behind his car?

Assistant Chief Tolbert said, we have them up front and in the back. So --

Chairman Scott said, some cars have tags on the front from out of state.

County Manager Smith said, yeah.

Commissioner Brady said, yeah, but we don't.

Chairman Scott said, yeah.

Commissioner Brady said, okay. At least I know what it is now.

Chairman Scott said, Commiss -- any further questions, Commissioner Brady?

Commissioner Brady said, no, sir.

Chairman Scott said, Commissioner Stone of the 1<sup>st</sup>.

Commissioner Stone said, thank you, Mr. Chairman. Is there a possibility with us purchasing these vehicles that the GPS could be before August? I mean, I'm certainly interested to -- to learn where these vehicles are.

Chairman Scott said, but -- let me -- let me tell you this --

Commissioner Stone said, and where our officers are.

Chairman Scott said, -- that we just had 27 cars, according to our Assistant County Manager, delivered like at the end of the year,.

County Manager Smith said, mm-hmm.

Chairman Scott said, and then we've got 40 more --

County Manager Smith said, on the way.

Chairman Scott said, that's in the pipeline that you've already approved. And those cars, and I inquired about what type of vehicles they are, and -- and they are the Chevrolets, and they will be easy to adopt because they've -- they come with Wi-fi. And so, it -- it shouldn't be a major -- and we'll -- we'll make sure that we get on that right away.

Commissioner Stone said, okay. Because I think that when we go to the evidence-based formula, this is going to be extremely important that we have all this equipment, and the sooner we get it, the better. The second

thing, and I think Commissioner Brady already asked this question, but -- so at the time of when the consultants come in and we go to this evidence-based formula, we can amend this agreement for example, I think, what she was referring to is hiring and firing of the chief if the consultants agree that it should be done by both, then it could be amended at that time?

County Attorney Hart said, certainly, if that's the will of both sides.

Chairman Scott said, yes. I -- I would say that we -- that we will be mandated or we will have to amend the agreement in March of 2017 based on the evidence-based formula. It will have to be amended at that time.

Commissioner Stone said, you know, I -- this -- this brings a point. I'm very sorry in 2003 when this merger first was put together that a consulting team didn't come on board and bring out some of these issues, but here we are, and I think it's a very pro-active stance to get a consultant -- to hire a consultant to bring here that this is what they do all over the country, and -- and they can recognize what needs to be done and what does not need to be done in an intergovernmental agreement such as this. Thank you.

Chairman Scott said, thank you. Any other Commissioner? Commissioner Kicklighter of the 7<sup>th</sup> District.

Commissioner Kicklighter said, thank you, Mr. Chairman. Some of the Commissioners actually had the opportunity to have discussions with some of Savannah's newly elected officials prior to them taking office with regards to the police department. I will say for the record that the discussions were very informal, no quorum was ever in attendance, no sunshine laws were broken, and in fact the discussions were much like the ones that take place at Savannah-Chatham Day in Atlanta, where and which individuals, not quorums gather and discuss issues in a very informal setting. Having said that, I'll tell you that I left the discussions excited, optimistic, and with two things of understanding basically. Number one, it was understood that the people in attendance could not speak for their entire Board. Number two, the people in the discussions all agreed to all things in this offer, with one exception. We all agreed that in order to be a truly merged department, that the policy committee would have to have the hiring and firing of the police chief ability, and we agreed that that was the only way that it could be a truly merged police department. I commend everyone in -- in attendance for coming up with the financially responsible, holding accountable, the GPS, everything -- everything in here's great, but why is it important? Why is that the key factor in my opinion?

Commissioner Kicklighter said, well, throughout the years since the merger, since I was the only one that voted against it back then, I've watched the County Manager over and over get upset because the City Manager would walk in and tell him a police chief was being -- was leaving, and they'd walk in and tell him that they were hiring one and the Manager felt irrelevant I guess you'd say, because the wording in the current agreement that we've been working on states that the County Manger will consult with the City Manager on hiring and firing of a police chief. Low and behold that language remained in this proposal here, although all in agreement stated that to be truly merged, the police [sic] committee should do the hiring and firing.

Commissioner Kicklighter said, another example of this can be found in a letter dated February 24<sup>th</sup>, 2016 from our County Manager to Stephanie Cutter, I guess the current manager. I'm going to highlight a couple of things. I was not sure if you were aware of the following situation with your purchasing department. We have been contacted by at least one vendor located in Chatham County, as well as being in the jurisdiction of the Savannah-Chatham Metropolitan Police Department, that they are not being allowed to bid on this particular issue of uniforms. I am formally, underline, highlight, requesting as County Manager that the City of Savannah allow bidding be open to all county vendors in situations such as this where county funds are utilized. If this thing's done right today, which it can be done right today, this man that we've hired to run day to day operations will no longer have to request that the right thing be done. He will have a seat at the table, an equal opportunity to ensure the public and the citizens, the 87,000 people that we're actually voting about here today, that we are -- have the ability to ensure and enforce the right things happen.

Commissioner Kicklighter said, under the current agreement, the Manager has to formally request things from the Manager, and he or she says yes or no to our Manager. Under the proposed agreement, same exact thing. That's not the way it should be; that's not what we agreed on, but I can't blame the Mayor and Council for sending everything we discussed and wanted except for the one major item because this body has caved since 2003. We're one amendment away from having a truly merged police department that will be the benefit -- the 87,000 people of the unincorporated area, as well as the hundred and some thousand in the City of Savannah equally. There's many good things in this agreement, and we now have the chance to be and example for the entire country and finally treat the 87,000 people in the unincorporated areas as equals by truly merging this department. The good thing is it reduced cost right up front. It's evidence-based funding will be in place; staff committee will meet once a month with consultant to establish beats, precincts, etcetera, and they'll have to recommend for the evidence-based funding. Hopefully, the beats will be redrawn. We'll have the GPS systems in there, but the bad is right in the language where it says that both Managers shall jointly consult and confer on hiring and firing the chief, but the City Manager has final decision over hiring and firing of the chief.

Commissioner Kicklighter said, ultimately this one sentence in this agreement makes this a police for hire situation once again. There's not a doubt in my mind that we made it very clear in the meeting with these newly elected officials that we could stand a police department alone for less money, operate it more efficiently, but that we were more than willing to be a good neighbor and stay in an agreement as long as it no longer was subsidized by the tax payers that we were representing on this, and that they were treated -- and that they had a seat at the table as far as running their department. This could simply be the best merger and a real merger, the merger I was looking for back in 2002 when I supported the concept of a merger before it was rammed

through. All we have to do is -- excuse me, make the motion with the following amendment, paragraph 5 -- page 5, paragraph 4, section number 2(a) titled Selection, Salary, Employment and Removal of Chief shall be amended to remove the following language and/or sentence: the City Manager shall have final decision-making authority as to the selection and removal of the chief. Replace that sentence with the following language and/or sentence: the policy committee, as defined on page 3, paragraph (c) titled Policy Committee and Elected Officials, shall have final decision-making authority as to the selection and removal of the chief.

Commissioner Kicklighter said, one sentence change, and we've got a true merger, and we have finally, since 2003, treated the 87,000 residents in the unincorporated area as equals with the citizens in Savannah. I say we approve the agreement with an amendment, send it back, we're that close and these people agreed to this before they sent that, but they -- they -- they -- in their guts they've watched this body cave over and over and over, and that's what they're expecting out of us today. They're expecting cowards that's not going to stand up for what's right, and -- and we have a chance right now to set it straight once and for all. And I -- I mean as much as I admire your politics, Mr. Chairman, I don't see what's actually funny about what I'm saying. This has been tearing me up since 2003. These people have been mistreated, and we have a chance to finally treat these people as equals, and that's not too much to ask. I don't want more; I don't want less; just a merger is equal treatment of the two bodies that merge. This right now, without that sentence removed and replaced is police for hire, and that's an -- a continuance of that, and with a lot more accountability, but it's still police for hire, and the citizens that we represent will not have elected representation although they'll have the taxation. So I ask y'all one more time. It's not bad to -- I don't want to vote no. This is good. We should vote yes with an amendment, send it back to them, and let's do the thing right and let's be the example for the country. Instead of having it 99 percent as far as writing goes, but the one thing missing is the absolute key ingredient for what makes up a truly merged department. And -- and we can have it all. We've just got to have the courage to just simply send it back to them with the amendment. And that's -- that's it. I just hope we'll do the right thing and not -- not bow down because that's exactly what they were expecting us to do, and we just need to send it back. Thank you.

Chairman Scott said, thank you, Commissioner. Anybody else have any comments or any unreadiness? I recognize the Commissioner from the 5<sup>th</sup> District, Commissioner Shabazz for the purpose of a comment.

Commissioner Shabazz said, thank you, Chairman. Ever since we've been having these negotiations and discussions about the police merger, I've always been in favor of the city and county continuing to have this agreement -- intergovernmental agreement, but right now I'm just feeling just very suspect of the whole thing now because of secret meetings that were going on that I had no knowledge about, and also not including in this policy Chatham County -- Savannah-Chatham Police policy committee where it consists of the County Manager, the City Manager, the Chairman and the Mayor, and when asking the County Manager and City Manager were they present in these meetings? No. But certain individuals have taken it upon themselves to meet without others knowing about it -- other Commissioners knowing about it, other Alderman knowing about these meetings, and they say that we've got together and we've decided. Well, the we doesn't include all, and it cer -- it seems like there are certain individuals that's taken it upon themself to speak for this entire Board, and I'm just -- I'm very dissatisfied with that. Whenever a Commissioner come up with a document and produce a document and try to get it pushed on without anybody knowing about it. So I had to express that today, and I'm very suspect of this whole process now. Thank you.

Chairman Scott said, okay. Any further -- any further comments? You know you only get two bites of the apple, and I was going to come back to you for your motion. Okay, and you can just say whatever you want at that time. Commissioner Farrell of the 4<sup>th</sup>.

Commissioner Farrell said, this merger agreement has -- has been kicked around for as many years as -- as I can remember, and in the last couple of months it's -- it's moved in a more favorable light for the county residents, The -- the potential is there with -- to -- to make this a -- a fair in a financial situation, and a fair in a coverage situation. But I do see the wisdom in Commissioner Kicklighter's suggestion that -- that the county is in the best position if we have an equal say in the hiring of the police chief so that whoever that police chief is, they know that it's a -- they're covering two different jurisdictions, the City of Savannah, and the unincorporated area, not that they might possibly get the idea that they answer to the City of Savannah and upon request, if it suits them, they can work for the county and handle whatever situations may be out there. It just puts the county residents in a better position to know that the police chief answers equally to both Managers of these great bodies that encompass the vast majority of the land mass and the population of Chatham County. That's all.

Chairman Scott said, okay. Anybody else have any comments?

Commissioner Center said, I -- Mr. Chairman, I don't mind ceding to -- to Commissioner Kicklighter first. I wanted to --

Chairman Scott said, well, I'm -- I'm -- I'm going -- I'm going to recognize Commissioner Kicklighter in just a minute if nobody else have any comments.

Commissioner Center said, I want to have a comment after that.

Chairman Scott said, Commissioner did you -- did you want to put your statement in the form of a motion before we move on?

Commissioner Kicklighter said, can I do that or would I -- I would have to ask them to accept an amendment, right?

County Attorney Hart said, you got to make a motion to amend.

Chairman Scott said, you've got to make a motion to amend.

County Attorney Hart said, and you got to have a second to your motion to amend, and then we'd have to dispose of the motion to amend before we voted on the main motion.

Chairman Scott said, yeah. And then you got to have five votes. Yeah. So we're -- we're going to perfect it now. So if you have an amendment, now is the time to offer it.

Commissioner Kicklighter said, thank you, Mr. Chairman. At this time I'd like to make a motion to add the following -- following amendment to the proposed agreement. Paragraph -- I mean, excuse me, page five, paragraph number 4, section --section number 2(a) titled, Selection, Salary, Employment and Removal of Chief shall be amended to remove the following language and/or sentence: the City Manager shall have final decision-making authority as to the selection and removal of the chief. And replace that sentence with the following language and/or sentence: the policy committee, as defined on page 3, paragraph (c), titled Policy and Committee and Elected Officials, shall have final decision-making authority as to the selection and removal of the chief.

Commissioner Farrell said, I'll second your motion.

Chairman Scott said, been properly moved and second, and we'll have to vote on this amendment before we move forward.

County Manager Smith said, I wanted to make sure I explained that to her.

Chairman Scott said, and is there any discussion on the amendment? Any unreadiness on the amendment.

Commissioner Kicklighter said, has she been on the phone?

Chairman Scott said, yes. Dr. Thomas is there.

County Manager Smith said, she is, and since it's hard to hear, I was telling her that there was an amendment to the motion of the agreement.

Chairman Scott said, Dr. Thomas do you want to make any comments before we vote on this amendment?

Commissioner Thomas said, my only -- thank you Mr. Chairman, members of the Commission, sorry I could not be with you in person. What I would like to -- for this Board to do is to make sure that we are considering, you know, the entire population of the city and -- and the county, that we are supposed to be, you know, really looking at all of our citizens and making sure that we are taking care of their needs, and that's where I am at this point, and I really am ready to vote.

Chairman Scott said, okay. Thank you so much for joining us, and I appreciate your willingness to allow us to include you in this process.

Commissioner Thomas said, right. And I would like to vote for the -- the action -- motion to approve it.

Chairman Scott said, okay. And before we vote on this amendment, let me -- if there are no further comments on it, let me just say that the Chair recommend that we vote no on this amendment and that we proceed to the motion that was made and second that we approve the police merger agreement that was adopted by the City of Savannah at its meeting on February 22<sup>nd</sup>, 2016. Now --

Commissioner Thomas said, that's correct.

Chairman Scott said, -- at this time, all in favor of amending the agreement will vote yes, opposed no, and Dr. Thomas I'll get back to you in just a few minutes for you to record yours. How do you wish to vote, Dr. Thomas, on the amendment?

Commissioner Thomas said, yes.

County Manager Smith said, this is on the amendment, not the original agreement.

Commissioner Kicklighter said, well, do we -- do we really have to go there? I mean, do -- what if she mashed her button sitting here? Either she understands from watching it or she don't.

Commissioner Thomas said, I -- I want to vote no on --

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

Commissioner Kicklighter said, are we telling her how to vote?

Commissioner Center said, no, no, no.

Commissioner Thomas said, I want to vote no -- I want to vote yes.

Commissioner Center said, point of order, Mr. Chairman. The --

Chairman Scott said, Dr. Thomas vote yes. The motion to amend fail on a vote of three to five. And now -- now we move -- now we move to the regular agreement. The amendment failed.

County Attorney Hart said, main -- main -- main motion.

Chairman Scott said, at this point --

Commissioner Brady said, Mr. Chairman, point of order?

Chairman Scott said, yes.

Commissioner Brady said, I believe that the vote for Dr. Thomas was recorded incorrectly. She said that she was voting yes for the amendment.

Chairman Scott said, the -- the Clerk has that in her notes.

Clerk said, that is what I have.

Commissioner Brady said, okay.

Chairman Scott said, the Clerk has it.

Commissioner Farrell said, three yeses and six nos.

Chairman Scott said, I said it was three yeses, five nos.

Commissioner Shabazz said, mm-hmm.

Commissioner Stone said, yes.

Commissioner Brady said, okay.

Chairman Scott said, that's what I announced. Three to five, lost. Okay?

Commissioner Farrell said, three to six.

Commissioner Center said, right.

Chairman Scott said, yeah. Three to six.

Commissioner Shabazz said, all right.

Chairman Scott said, yes, I -- we recorded her properly. Now I'm going to -- if there's no further comment, I'm going to recognize Commissioner Center, and then I'm going to make some comments at the end, and then we're going to vote. Anybody else want to be recognized on this?

Commissioner Kicklighter said, I do.

Chairman Scott said, Commissioner Kicklighter.

Commissioner Kicklighter said, I -- I will after he's --

Chairman Scott said, he asked if he could --

Commissioner Kicklighter said, oh, okay. All right.

Chairman Scott said, he'd already put in that request. I'm sorry.

Commissioner Kicklighter said, I would just like to say that --

Commissioner Thomas said, Mr. Chairman, for clarification.

Chairman Scott said, yes.

Commissioner Thomas said, clarification.

Chairman Scott said, go ahead, Dr. Thomas.

Commissioner Thomas said, clarification, please tell me -- I'm -- I'm having a little difficulty hearing, you know, what you're saying on the vote.

Chairman Scott said, yeah, the -- we just defeated an amendment offered by Commissioner Kicklighter on a vote of three to six, and we recorded you voting with Commissioner Kicklighter in the affirmative for that amendment.

Commissioner Thomas said, uh-huh.

Chairman Scott said, okay.

Commissioner Thomas said, okay.

Chairman Scott said, and now we're getting --

Commissioner Thomas said, well, I was --

Chairman Scott said, go ahead.

Commissioner Thomas said, okay. I want to vote with the majority to move -- move this county forward, the majority.

Chairman Scott said, okay.

Commissioner Thomas said, whatever -- whatever that is.

Chairman Scott said, okay. And now we're getting ready to --

Commissioner Thomas said, I'm in an awkward position right now, you know, it's kind of hard for me to hear.

Chairman Scott said, okay. And the Clerk is -- the Clerk is making -- is including your comments in the minutes.

Commissioner Kicklighter said, this is all going to go in my book one day.

Chairman Scott said, okay. Now we recognize Commissioner Kicklighter for comments or unreadiness on the amendment -- not on the amendment but on the agreement.

Commissioner Kicklighter said, thank you, Mr. Chairman. I want to commend the majority on here for initially showing courage that brought us to a point in which you are about to prove -- I'm -- you're about to approve a much better deal than was previously settled on by a few, however, I -- I -- I must express my disappointment that you're stopping one inch shy of having the perfect agreement, and -- and it's the -- it's the largest component of a merged department. You're this close to doing 87,000 people right, and -- that close. Just do the right thing. We're so close. All you got to do is send it back. Those guys agreed to it. They agreed to it, but I don't blame them for sending it over like they did, because this body has a history of caving in. Now's not the time to cave. Now's the time to -- we've got everything we needed for a fair agreement except that one key component now, and we stick that in there, and we have something fair for all citizens throughout the City of Savannah and the unincorporated areas. We're that close, guys, and I just -- I -- I -- I -- I can't imagine the pressures or whatever that -- that some of you probably received, but simply doing the right thing on this -- there can't even be anybody that lives in Savannah watching this that would think there's a problem with having equal treatment. I mean, that's all that I'm requesting here is equal treatment. There is nothing wrong in this world with wanting to be treated equally, and because people live in one section, that does not give us the right to treat them like the red-headed step children for some reason.

Commissioner Thomas said, when did we vote?

Commissioner Kicklighter said, and that's what's been taking place, and we have a chance now to actually treat them right. We can set it straight just by sending it back with approval with that -- with one little change in it as far as the hiring and firing. They're there. They understand all too well that they need this merger to remain in tact, and that we don't need it to remain in tact. That we're being the goodwill government body neighbor by agreeing to stay in here basically, and all we need is equal treatment for our citizens. So, I hope y'all can find the -- I know you're good people, I just hope you can find the courage to finish this thing out right. You've come a long ways, and now's not the time. We're on the five-yard line. It's not time to fall down and fumble the ball. You're that close. And that's it.

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

Commissioner Brady said, well, I -- and I have a question. I was not at any of those meetings because you can't have a quorum, and we were not going to violate the law, but I need to ask, you know, Commissioner Stone,

Commissioner Center, Commissioner Farrell, did you ever see or hear them say that they agreed to, you know, let us have as much control over the chief of -- hiring and firing of the chief of police? Did y'all ever hear them say that in these little meetings y'all had?

Commissioner Center said, Mr. Chairman, may I respond?

Chairman Scott said, somebody will have to respond besides the Chair.

Commissioner Center said, okay. Thank you.

Commissioner Stone said, I'll be happy to.

Commissioner Center said, let -- if -- if I -- if I may?

Chairman Scott said, go ahead, Commissioner Center.

Commissioner Center said, that -- that was discussed. I don't remember the city side ever saying they would agree to that, Dean -- Commissioner Kicklighter says he remembers they agreed to it. I know it was discussed. I know for me personally, I had conceded that point way back in September, and it was not a make or break. I don't remember the city side ever saying that they would agree to that. I know we did discuss it.

Commissioner Stone said, I'll say that during the -- what I --

Chairman Scott said, Commissioner Stone of the 1<sup>st</sup>.

Commissioner Stone said, I'm sorry, Mr. Chairman. What I recall is it being discussed and the city side saying that the chief could not respond to two entities, that he would need to respond to one entity. And my understanding of this with the hiring of a consultant, if they see that as an issue, then that will be addressed a year from now, and that's what I've understood. And I know it was discussed in the beginning, and I know it was a -- a -- a point that we brought up that we would like, but I don't remember them actually conceding to it. I remember them taking it under advisement. That's all I remember.

Commissioner Kicklighter said, Farrell.

Chairman Scott said, okay. At this time --

Commissioner Kicklighter said, I need to answer too.

Chairman Scott said, at this time -- go ahead. You were at the meeting.

Commissioner Kicklighter said, I would like to say to be a little more specific, if y'all can't recall it coming down to how many people would be on the committee to do the hiring.

Commissioner Stone said, I do remember that.

Commissioner Kicklighter said, that -- that the argument with them at that point was -- I can't even believe what I'm hearing now, that -- my recommendation was the Manager, the Chairman, the Manager and the Savannah Mayor. Their hang up was we've got to have a tie breaking vote. Then we all, finally, after back and forth quite a bit, decided the tie would be fine on it because we couldn't figure out who to place in. I mean, as far as the structure, I recall exactly what you're saying, but my understanding of that was the placement of how the entire thing is placed, which is worded in this agreement under paragraph --

Chairman Scott said, Commissioner --

Commissioner Kicklighter said, it's worded -- please let me clarify, Mr. Chairman, on this.

Chairman Scott said, yeah, I -- I just want --

Commissioner Kicklighter said, where it says the final sentence where it says the chief will be a city -- unclassified employee and occupy a city position as head of the MPC [sic] acting in accordance with the charter, policies, rules, regulations of the city. That's what that meant as a -- yes, technically, he as the entire police department will fall under the City of Savannah, but the hiring and firing of this police chief was specifically addressed and left the meeting with that understanding, and then it comes out in this form --

Chairman Scott said, Commissioner Brady, did that answer your question?

Commissioner Brady said, well, I have -- I have one bit of clarification.

Commissioner Kicklighter said, don't you remember?

Commissioner Brady said, was there an expectation for you to see the language in this document say that this -- the city and the county would work together in hiring a -- and firing a police chief. Was there an expectation that that was going to be in this agreement?

Chairman Scott said, it was not my understanding when I met with the Mayor to discuss it prior to the city vote.

Commissioner Brady said, well, I'm -- I'm asking them because they were at this -- these -- these meetings. I wasn't there. So --

Chairman Scott said, Commissioner Kicklighter says yes.

Commissioner Brady said, I mean -- I mean, he's fired up about it.

Chairman Scott said, he says -- he says yes, and the two of them have already responded as no.

Commissioner Farrell said, my -- my recollection is the same as Dean's that we -- we batted it back and forth and never really resolved it, but I would say that there was an expectation that there would be more say so from the county than going back to 2003 and the old language.

Chairman Scott said, okay. You got two different opinions --

Commissioner Thomas said, is there a way I could ask a question?

Chairman Scott said, yes, but I wanted to clarify Commissioner Brady's concerns. So you've got two and two.

Commissioner Thomas said, 'cause I -- 'cause I want to make --

Chairman Scott said, go ahead, Dr. Thomas.

Commissioner Thomas said, I want to make sure my vote is clarified, Mr. Chairman. I want to make sure that my vote is clarified.

Chairman Scott said, yeah. We haven't voted yet. I -- I --

Commissioner Thomas said, so we -- we have not voted yet?

Chairman Scott said, no. I'm going -- I'm going -- I'm going to call on and recognize you personally to vote however you please when we get to that point.

Commissioner Kicklighter said, Mr. -- Mr. -- Mr. Chairman, if I may, please?

Commissioner Thomas said, okay. And I want to make sure that the -- the vote is showing so I can see who's voting for what.

Chairman Scott said, okay. We're -- we're going to put it on the board.

Commissioner Thomas said, thank you.

Chairman Scott said, all right. At this time I'm going to recognize Commissioner Holmes, who had his hand up.

Commissioner Holmes said, thank you, Mr. Chairman. I'm glad that Commissioner Dean realize that we've been on this a long time, and we have worked, worked, worked, along with the city, the city working with us, but it ain't been in a good harmony as we wanted it. But as I look back at working this hard and this long for a merger between the city and county, and as you stated, Dean, we want inch from a perfect merger. Why would we not pass this as is? And we have a clause in here that moving forward that can be brought up, discussed, with the policy committee?

Commissioner Kicklighter said, may -- may I answer that question, please?

Commissioner Holmes said, yes.

Commissioner Kicklighter said, the -- the -- the reason -- the reason why --

Chairman Scott said, Commissioner Kicklighter, you're not recognized just yet. Go ahead.

Commissioner Holmes said, and what -- what -- what I'm looking at, I don't want to play ping pong with this any more. We have played ping pong with a very critical decision that all of us have to make, and if I'm getting 99 percent of what I want and cannot be patient to move this forward in the future for negotiation, then I'm really being too -- too forceful to get what I want. Your words of selecting what you identifying us by -- and your first statement you said we cowards.

Commissioner Kicklighter said, no, I didn't say you are cowards.

Commissioner Holmes said, then -- yes, you did, Dean.

Commissioner Kicklighter said, I said let's not be cowards.

Chairman Scott said, this -- this is not a debate.

Commissioner Holmes said, it's -- it's not, and I'm -- I'm just --

Chairman Scott said, and Commissioner Holmes has the floor.

Commissioner Holmes said, -- I'm just repeating what you -- what you --

Chairman Scott said, I'm just -- I'm just saying that Commissioner Holmes have the floor, and he has a right to make his statement. Go ahead, Commissioner Holmes.

Commissioner Holmes said, and -- and -- and -- and -- and -- and -- and I listen at the word cowardly, but you see all of us have the right to one vote. And then you said do the right thing. Well what determine me from doing the right thing in my vote may not be the same thing that determine you with your vote. So because if I vote one way, that mean I'm doing wrong? You have to -- you -- you -- you -- you -- your choices of word here -- and the next thing you said is we're caving in. Well I don't think this Board is caving in. I think this Board is really open. We open to negotionable. We have did everything we can do along with the city to move this forward, and -- and Dean, I know you're a starch-hearted man. I respect your judgment on things, but I want you to be very clear and look at what have done. Tony [Center] have done a -- a great job, not representing us, but representing hisself.

Chairman Scott said, are you in reference to Commissioner Center?

Commissioner Holmes said, he represent -- Center, I meant, have did a good job of doing what he can do, and Dean I remember you brought in a proposal for the same merger, and we looked at it, but it didn't go forward. He just another Commissioner that did the same thing, but then we looking at it and it's moving forward. So I'm asking you to really be more -- more leanorous to -- to -- to what you're saying and trying to hold us up. Of course, you can't hold it up now, it already been voted in. But let's be on board with this together. Let's -- let's -- let's -- let this year be a good year for us.

Chairman Scott said, are you through Commissioner?

Commissioner Holmes said, yes, I'm through.

Chairman Scott said, Commissioner Center of the 3<sup>rd</sup>.

Commissioner Center said, thank you very much, Mr. Chairman. I want to touch on three points. First, everyone has to realize that this County Commission is in a type of hybrid position. The City of Savannah represents only the City of Savannah residents. This Commission represents City of Savannah residents and the unincorporated area residents with respect to this. We also represent other municipalities. Our vote and our determination and our consideration has to consider not only particularly the unincorporated areas who don't have their own government, but we also represent the City of Savannah citizens. So we're in a different position when we're kind of in one way negotiating partially against ourselves when we negotiate. So it puts us in a very special and sensitive situation that we have to acknowledge and look out for both areas within our own means.

Commissioner Center said, secondly, I want to talk about the process. We've heard a lot of upset comments about the process from City Aldermen. We've heard today that Commissioner Shabazz is upset about the process, but I want to explain the process. The public at home will see, I'm holding up a blue book. Every Tuesday before our Commission meetings the Commissioners get this book. And in this book is the various items that we're going to vote for that Friday. Some of us never know what items have been discussed until we get this book. We don't know what the contract we're going to vote on; we don't know what business we're going to vote on until we get this book. Then we ask questions of staff during that three weeks [sic]. We call the Chair, if he has more comments, and when this -- the items in this book appear before us on Friday, we negotiate it, we discuss it, we change it if we want, we pass it or we don't pass it. And that's the way it's done with every single item that comes before us. This police merger agreement is no different than any other item. You get your book, and now we have the opportunity to discuss it. Focusing on the process of how it got to us while everyone's right -- entitled -- or entitled to look into that is not really the key question because how it got to us is not so important as what's before us.

Commissioner Center said, Commissioners go to the neighborhood meetings and they hear from their constituents and they talk with their constituents without including other Commissioners. They discuss ideas with their constituents without including other Commissioners, and they bring their desires and their wishes and the programs they want passed by this Commission before us without including every single Commissioner in the generation of those ideas, just because they felt it was better for their District or for the county. And we discuss it and we vote on it in open, in public, on TV, as we're doing now. And the process for this police merger agreement was done the exact same way. I want to offer kudos to the vity administration for listening to Commissioners face to face. For almost two years, we broke down with -- with proposals going back and forth, disagreements going back and forth, Commissioners, Aldermen, leaders being upset not knowing where we were. Commissioners and Aldermen talked face to face in this process. I give kudos to the vity administration,

particularly the newly elected officials for being willing to meet with Commissioners, and I give special recommendation and thank yous and kudos to Commissioners Kicklighter and Farrell, who sat in on this. Those have been, as I've said in the past, the two hardest charging champions of the SSD's interest, and the fact that they sat down and were willing to talk with certain Aldermen in the city and those Aldermen's willingness to hear their positions and to reach an agreement which encompass much of what they wanted or some of what they wanted, I think is great for this community.

Commissioner Center said, this is one incident where government actually worked. Will this police agreement work? Will it help? We don't know, but the process on getting here worked. Elected officials talked to each other. Elected officials threw out ideas. Elected officials challenged those ideas, disagreed with those ideas, but we reached a document that the city and it's -- it's their offer, the city voted on and offered it to us, but here's where people truly compromise, and from the very beginning we recognized we're human beings. We're not perfect, so certainly any agreement we reach is not going to be perfect, but we can't reach perfection. We reached a political compromise where both sides gave and took until we reached this. So I ask us not to focus on the process, because whatever the process was, the document is before you today, and Mr. Chairman has been extremely gracious in allowing more than two opportunities as restricted by Robert's Rules of Order to let everybody have their say. We're debating it, whether you want to pass it or not.

Commissioner Center said, in addition to what -- and I ask you to focus on this document as -- as Commissioner Kicklighter has said, it is one sentence away from perfection. That's pretty good. Commissioner Holmes pointed that out too, when he followed up on those words. We're one sentence away. If we had that one sentence, I'm convinced we'd have a nine nothing vote from this Commissioner to approve this proposal, and I wanted to point out in addition to the items that the City [sic] Attorney read that were in this proposal and highlighted, while it will not be as -- or as -- as Commissioner Kicklighter doesn't claim it to be a merger, I don't want to hang up on that word. The language in this agreement says that the Metropolitan Police Department will be a joint instrument of the city and the county. Whether you want to call it a merger, an agreement for higher, it is a joint instrument. It's jointly owned by us and jointly owned by them. If we have to go our separate way in the future, there's no new police department being set up because this is our police department.

Commissioner Center said, and this is big, the staff committee, which is going to work with the consultant on the evidence-based formula, and I believe Commissioner Stone assisted on this, must provide at least monthly updates. The Commission wants to be kept informed of what staff is doing along the way. Commissioner Farrell insisted on this portion, and it's in there. The city has to share data with us. We have complained and heard from our staff that we're not getting data from the city. Well, under this agreement, if the city asks for police data from the chief, the chief has to copy us on the response and vice versa. If we request police data from the city, they have to give it to us. Everybody had a little bit of push and pull on this, and I think it's amazing we got to this point. Two years, 18 months, whatever, of agony. Even the newspaper reporters are tired of -- and the media reporters are tired of covering this issue. The citizens want to move on, and we've got an agreement no matter whether you're happy or unhappy with the process, it's one inch, one sentence from a nine nothing vote.

Commissioner Center said, the city gave a lot. We gave a lot, particularly on the police chief hiring, Commissioner Kicklighter. It's time to move forward and do what's best for the entire community, and that's why I moved for this, that's why many of us got involved, because the -- the system was not moving fast enough and we wanted it resolved. I think you've got a darn good agreement. You've got enough words in this that you can continue working with the city and make changes if necessary, and I also think we need to give this different administration a chance and not say they're going to be just like every other administration in our view, and I strongly support it, and I thank everyone for their input in it, and I appreciate and understand everyone's vote no matter how they vote, and I respect it. But I ask all of us, I would love to have a nine nothing vote and support this agreement. Thank you, Mr. Chairman.

Chairman Scott said, let me just saying in closing before we vote is that I was aware of the meetings that was going on between the newly elected members of City Council and members of our County Commission. I cautioned two of our County Commissioners to make certain that they did not participate in a meeting with a quorum because it would be illegal. I think meetings of this nature are fraught with danger. There are not good not takings. There are no official documents, and if there was a misunderstanding of what was expected in the agreement, that you would somewhat expect. Once the -- a -- a proposed commitment and agreement among members of the Commission and City Council, I then had a meeting with the Mayor and his point person on police policy, along with Commissioner Center. Prior to that we sent the agreement to our County Attorney office to make sure that the language was something that we could accept. We agreed to this agreement, and I urge you to support it, and I recommend that we vote yes, and there will be ample time in the future for amendments. With that, I call the question.

Commissioner Kicklighter said, Mr. Chairman, may -- since my name was mentioned -- may I please make a statement?

Chairman Scott said, for those who are in favor -- those -- those who are in favor of the motion vote yes, opposed no. Dr. Thomas?

Commissioner Thomas said, I vote yes, Mr. Chairman.

Chairman Scott said, Dr. Thomas vote, yes.

Commissioner Kicklighter said, oh, my God, once again. I'm the only one again?

Chairman Scott said, the agreement passed.

Commissioner Kicklighter said, sir, with all due respect, could I please make one quick statement?

Chairman Scott said, eight to one.

Commissioner Kicklighter said, and that's not slamming anybody.

Chairman Scott said, eight to one.

Commissioner Kicklighter said, it will explain one thing.

Chairman Scott said, yes. The motion carries. I'll recognize you now on a point of personal privilege, Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. I just want to apologize to Commissioner Holmes if my word choices offended him, and you asked and then Commissioner Center eluded to the fact of why stop if you're an inch away? Since you were a football coach, Coach, I'm going to put it in football terms. If Savannah and us, if we were actually two football teams, Savannah up until right then was winning the game by one touchdown. We were on the one inch line. Y'all just took a knee. Y'all didn't tie the game. You did not equal the score. You settled with a loss because you didn't take that inch, sir. That's why. This group just took a knee before they tied the score. Settling for less for the people we represent in my opinion is a travesty, so, it's -- but that's my opinion. And I appreciate this, and I respect everybody up here, and your opinions, but that's why I wouldn't take a knee on the one inch line. I like to at least equal the score. That's all I wanted for the people I represent is equality.

Chairman Scott said, okay.

**ACTION OF THE BOARD:**

- a. Commissioner Kicklighter moved to add the following amendment to the proposed agreement: Page five, paragraph number 4, section 2(a) titled, Selection, Salary, Employment and Removal of Chief, shall be amended to remove the following language and/or sentence: the City Manager shall have final decision-making authority as to the selection and removal of the chief. That sentence shall be replaced with the following language and/or sentence the policy committee as defined on page 3, paragraph (c), titled Policy and Committee and Elected Officials, shall have final decision-making authority as to the selection and removal of the chief. Commissioner Farrell seconded the motion and it failed in a 6-3 vote with Chairman Scott and Commissioners Stone, Holmes, Center, Shabazz and Brady voting no, and Commissioners Farrell, Kicklighter and Thomas voting yes. [NOTE: Commissioner Thomas requested to change her vote to vote with the majority. The vote was already recorded and Commissioner Thomas' vote was cast in favor of the amendment and remains in the record as such.]
- b. Commissioner Center moved for adoption of the police merger agreement as passed by the City of Savannah at their special called meeting of February 22, 2016. Commissioner Holmes seconded the motion and it carried in an 8-1 vote with Chairman Scott and Commissioners Stone, Holmes, Center, Farrell, Shabazz, Brady and Thomas voting yes and Commissioner Kicklighter voting no.

**AGENDA ITEM: IX-5**

**AGENDA DATE: February 26, 2016**

**TO:** Board of Commissioners

**THRU:** Lee Smith, County Manager

**FROM:** R. Jonathan Hart, County Attorney

**ISSUE:**

Board adoption of the police merger agreement as passed by the City of Savannah at their special called meeting of February 22, 2016.

**BACKGROUND:**

In 2003, Chatham County and the City of Savannah merged the Savannah Police Department and the Chatham County Police Department. Since 2013 both governing authorities have attempted to negotiate a new contract that funds the merged force. On September 11, 2015, the Board of Commissioners voted and passed an agreement and sent it to the city for consideration. On February 22, 2016, the City of Savannah approved the attached contract for the Board of Commissioners' consideration.

**FACTS AND FINDINGS:**

The County and City have shared numerous proposals regarding police services in Chatham County. The contract passed by the city on February 22, 2016 differs in the following manners:

1. The term of this agreement is from January 1, 2016 through December 31, 2020.
2. The Mayor and Chairman may designate an Alderman or Commissioner to act in their stead at mandatory quarterly police policy committee meetings.
3. The Staff Committee shall recommend an evidence-based formula for funding MPD based upon the recommendation and findings of the law enforcement consultant, which shall be applied retroactively to January 1, 2016.
4. The Cost Allocation Formula has changed. Instead of paying \$14,154,780 per annum for the first two years, the county will pay \$13,100,000 per year. However, since the county and city allotted for the higher sum in the 2016 budgets, the county will pay \$14,154,780 in the first year. In the second calendar year, the county will pay \$12,045,220 to recoup the difference.
5. The Chief will keep accurate records of time worked by officers within each jurisdiction. It is preferred that beats not cross jurisdictional lines, but technology will be installed on all vehicles before August 31, 2016 to record the location of police vehicles.
6. Both parties agree to waive all claims for payments pursuant to the 2003 agreement.
7. The number of replacement vehicles remains unchanged, but both parties agree that all replacement vehicles will contain GPS tracking capabilities/mobile data terminals.
8. Either party may terminate the agreement after December 31, 2017 with six months written notice to the other party.

**FUNDING:**

Funding for the SCMPD is provided in the fiscal year 2016 Special Service District Fund in the amount of \$14,154,780.

**POLICY ANALYSIS:**

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

**ALTERNATIVES:**

1. Board approve the Intergovernmental Agreement concerning Savannah-Chatham Metropolitan Police Department as approved by the City of Savannah.
2. Provide other direction.

**RECOMMENDATION:**

Staff recommends approval of alternative 1.

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## **6 CNT MONTHLY REPORT GIVEN VERBALLY BY DIRECTOR RAGAN.**

Chairman Scott said, next we will have our monthly report from our CNT Director, Director Ragan, who I'm sure enjoyed the exchange.

CNT Director D. Everett Ragan said, always like to watch government at work. You always learn something.

Chairman Scott said, thank you Dr. Thomas for your participation.

Director Ragan said, may -- may inspire me to go into politics after I retire.

Commissioner Farrell said, I'm sure.

Director Ragan said, I -- you -- you can believe that. I would say good morning Ladies and Gentlemen, but it is good afternoon. So, a quick -- I'll just be very quick today. Month of January, our -- our monthly report, 59 initial cases. You can look at the agency assists and see our -- our -- what we do for other agencies around, it's forensics with cell phones, marijuana testing, warrant service, narcotics testing for drug identification for -- for other agencies, so not only do we do street work, we do a lot of -- of -- of everything else to help -- to help our people within the county. \$61,173 worth of drugs seized off the streets for the month. A majority of that, and you will see in my -- my quick Power Point is the -- is the increase of heroin again that we have in our community, not only nationwide, but it is -- it is hitting Chatham County pretty hard.

Director Ragan said, three weapons received -- recovered, 14 people arrested. Out of the 14 people, ten were from Savannah, two Pooler, one Ellabell and one Richmond Hill. We adopted cases from both Bryan County and Garden City PDs. Drug complaints, we received 27, and we assigned 26 for the month. The other pages, quick pages are the actual District stats from each of your individual Districts of information, drug complaints that we got in. Hours expended in the precincts so far, again, it's -- most of the time we were spent in the Central Precincts, and again expended in municipalities, for the first month was 1750 hours for the City of Savannah and the rest of the breakdown is pretty much equal between the other municipalities and unincor -- unincorporated area.

Director Ragan said, again, on just one quick significant event, but I'll talk more about it when I do the -- do -- do the Power Point, which I'll do now. If anybody has any questions over the monthly report, please? Thank you.

Chairman Scott said, any questions? So far?

Director Ragan said, so far?

Chairman Scott said, carry on.

Director Ragan said, just carry on, thank you, sir. Quick -- real quick on the -- our -- our Power Point this year -- this month, sometimes you trip and fall. Executed a search warrant in the 800 block of East 40<sup>th</sup> Street found marijuana, LSD and Xanax inside the residence. Recovered over 100 -- over \$1,000. In that investigation, we purchased LSD and marijuana from -- from two men, both were arrested. You see the little funny stickers there, those are the -- remember in the -- in the 60s we had sugar cubes with acid, LSD on them, now they get to have little cute stickers and everything else that they can put on their tongue, so those stickers contain LSD. Derenne Avenue January 29<sup>th</sup>, over one point -- right at 1.1 pounds of heroin. Largest seizure in CNT history of heroin. Imagine that it takes -- let's see you got 28 grams makes one ounce, and of course 16 ounces make a pound and there you got like 17 point something ounces there. For heroin to be treated as a trafficking charge, a trafficking charge of heroin, which is a -- stiffer sentence, mandatory minimums come in to play, it only takes four grams. So imagine what type of dealer this individual was when we recovered over one pound of heroin from him. This is the same heroin you -- you see. The little -- the little packing up next to it, that's a drug identification kit, that we'll take a pinch off the little -- off the -- off the heroin, put it in there, determine what type of drug it is, and as you -- you have a clear reaction there for the heroin. And again that's just -- that was in the paper.

Director Ragan said, rise and shine CNT style. Again it shows CNT and all our municipalities. This one occurred in Thunderbolt. Again, information on heroin dealing in Thunderbolt. We charged the individual with thirteen different felonies and possession of a firearm by a convicted felon. During the course of this investigation not only did we buy heroin from the individual -- individual, but we also bought guns from the individual, so he was selling guns and heroin, and we always love it when we can get a gun charge involved because that is added time to him. Individual where we take him federally, and the added gun charge will -- will en -- enhance his penalty by five more years in the federal penitentiary when you're mixing guns and drugs.

Director Ragan said, we -- I talk -- I talk about heroin a lot. Of course it's one of our major problems now. We look -- we look at some of the symptoms, what you get when you're dealing with heroin addicts. You get the droopy eye lids, on the nod, stuporous lethargic behavior, drowsiness, depressed reflexes, low, raspy voices, dry mouth, facial itching, euphoria, you get the needle tracks on the arms. You -- we've seen them coming in now needle tracks between toes, on the arms, all over parts of the body when they're shooting up so much. Abscesses is where the needles go in and they get infected. Burnt fingers from the freebasing of the heroin. That will actually burn your fingers when it gets real hot. Pin point pupils, runny nose, nasal redness, lower sensation of pain. Heroin, the duration takes usually about a four or six hours euphoria you get on a dose of heroin.

Director Ragan said, if you don't get it -- another fix in six to twelve hours you start showing signs of withdrawal. Withdrawal symptoms last -- peak between 24 and 72 hours, and they generally disappear after about 10 days. You -- symptom withdrawals, agitation, stomach muscle cramps, muscle pain, dilated pupils, yawning, sneezing, vomiting, goose bumps, diarrhea, insomnia, alternating chills and sweating, depression, and loss of appetite. Heroin methods of use, the -- the most common method and one that they use to get the heroin into their blood stream quickest is the needle. They can snort it or they can smoke it.

Director Ragan said, we'll look at the different types. You can see you got Asian heroin, that's just a close up of the grainy type material. You got the black tar heroin, and we -- we recover in different forms. Recover it in a powder. You can get it in a capsules, lysine bags, depends on who's marketing it, and how they want to package it. Again, more samples there's a off-white powder and then a white powder form. Common names for heroin are the Mexican brown, Persian, black tar - most pure, 70 to 90 percent pure, China White, red rock or average. Back in the past, the heroin was coming out of -- everybody's heard -- if you ever watch the old Bruce Lee movies and everything else, some of the old -- old movies, always talking about the golden triangle and things like that, and fighting drug dealers with the opium trade, Afghanistan, Thailand, places like that. Now the -- most of the heroin that's coming through the United States is coming up through Mexico. A lot of the cocaine manufacturers in Columbia and South America have turned to the use of heroin -- not heroin -- not use of heroin, producing heroin. It's coming up through Mexico, across the border, back packs, everything else. Generally now we -- two places we're getting it from, out of New York and out of Atlanta. So we're main distributed -- distributed for the southeast Georgia. So -- any questions?

Chairman Scott said, any questions? You did such a thorough --

Commissioner Farrell said, I was out -- I was out talking to my wife, could you start over? I'm just kidding.

Chairman Scott said, you did just a thorough job this -- this time around.

Director Ragan said, you want to put that in the form -- you want to put that in the form of a motion?

Commissioner Farrell said, well, they might vote in the affirmative. You better watch out.

Chairman Scott said, thank you so much.

Director Ragan said, yes, sir.

Commissioner Center said, thank you.

#### **ACTION OF THE BOARD:**

For Information only.

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

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### **X. ACTION CALENDAR**

<p>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.</p>
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Chairman Scott said, next up on the agenda is the Action Calendar. At this time I'll enter -- I'll entertain a motion, and then we'll have discussion.

Commissioner Brady said, I move we -- Mr. Chairman, I move we approve the Action Calendar.

Commissioner Stone said, second.

Chairman Scott said, properly moved and second. There was some indication in the pre-meeting of some discussion on some items. So at this time any discussion?

Commissioner Center said, yes, sir.

Chairman Scott said, I recognize Commissioner Center of the 3<sup>rd</sup>.

Commissioner Center said, and -- and the County Attorney may have to help me on this. I -- I was looking at items four and five, which appear to be very similar requests, but on the one item four these are -- it says paving and street drainage will be maintained by the county, and the one in item five it says paving and drainage improvement --

County Attorney Hart said, I'm not with -- I'm not with you.

Chairman Scott said, Action Calendar.

Commissioner Center said, okay. We're talking about items four and five on the Action Calendar, which are similar requests to a -- on sub -- to a --

County Attorney Hart said, mine shows Coleman Engineering Company for developer for --

County Manager Smith said, Quality Homes.

Commissioner Center said, right Quality Homes and number five is EMC. They're requesting some approvals. What I'm saying, when I looked in the material in item four --

County Manager Smith said, mm-hmm.

Commissioner Center said, under Facts and Findings the first paragraph is paving and street drainage will be maintained by the county. When I looked on item five, the first paragraph under Facts and Findings, paving and drainage improvements will be maintained by the Homeowners' Association.

County Manager Smith said, mm-hmm.

Commissioner Center said, my question is why in one incidence does the county pay for the paving and -- and drainage and the other one is the homeowners?

County Attorney Hart said, okay. All right. I'm with you.

County Manager Smith said, yeah.

Commissioner Center said, okay.

County Attorney Hart said, under our subdivision ordinance, if you just have a flat out lateral subdivision with lots in it, the subdivision ordinance requires you to build everything to county specs insofar as the roads. Okay? And we have a one year bonding period that once we go through and do the -- the -- the checklist and make sure they are in compliance, they have to maintain it for one year and then as part of the subdivision approval, they turn the streets over to us for access and maintenance. So we accept that, okay? Under the second situation, you're really talking about either a town home development or a condominium type development in which you will have common area and common area usually includes all the parking, all the paving and all that area in front. It's still considered a common area of the condominium and not a public area of the condominium, so that they will be responsible for maintaining their own parking. We -- we do not accept pavement of property owned by private citizens. Most homeowners' associations with the exception of one that we've had has wanted to maintain that within their homeowners' association in case they wanted to put up a security fence or they want to have their homeowners' association rules about people coming in and visiting and parking. It gives them more enforcement and more control, and at the same time, as long as they do that, they get to pay for the up keep.

Commissioner Center said, so normally as a county we'd do it, but when they want to accept it and do it themselves, they do it.

County Attorney Hart said, correct.

Commissioner Center said, okay.

County Attorney Hart said, it's kind of like the Landings for example. You -- that's one of the few subdivisions in the county in which all the roads are owned by the association because they -- they want to -- most gated communities end up doing that.

Commissioner Center said, okay. Thank you very much. Thank you, Mr. Chairman.

Chairman Scott said, okay. If no further discussion, all in favor of approval of the Action Calendar indicate by voting yes, opposed no. The Action Calendar is approved.

**ACTION OF THE BOARD:**

Commissioner Brady moved to approve all items on the Action Calendar, Items 1 through 7 and under Item 7 Items A through D. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; Commissioner Kicklighter was not present for the vote.]

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

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- 1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF FEBRUARY 12, 2016, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Brady moved to approve the minutes of the regular meeting of February 12, 2016, as mailed. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; Commissioner Kicklighter was not present for the vote.]

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- 2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD FEBRUARY 4, 2016 THROUGH FEBRUARY 17, 2016.**

**ACTION OF THE BOARD:**

Commissioner Brady moved to authorize the Finance Director to pay the claims against the County for the period of February 4, 2016 through February 17, 2016, in the amount of \$8,748,358. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; Commissioner Kicklighter was not present for the vote.]

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- 3. REQUEST BOARD APPROVAL TO DISPENSE ALCOHOLIC BEVERAGES (BEER) FOR A SPECIAL EVENT AT BYNUH'S FIELD AT BETHESDA ACADEMY, 9520 FERGUSON AVENUE. PETITIONER: ROBERT EARL HARMAN, JR., FOR SAVANNAH SCOTTISH GAMES. THE EVENT WILL BE HELD MAY 7, 2016.  
[DISTRICT 1.]**

**ACTION OF THE BOARD:**

Commissioner Brady moved for Board approval to dispense alcoholic beverages (beer) at 9520 Ferguson Avenue for the Savannah Scottish games which will be held May 7, 2016. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; Commissioner Kicklighter was not present for the vote.]

**AGENDA ITEM: X-3**  
**AGENDA DATE: February 26, 2016**

**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 beverages for a special event in Chatham County on May 7, 2016.

**FACTS AND FINDINGS:**

1. **Savannah Scottish Games**, a non-profit organization, through applicant **Robert Earl Harman, Jr.**, has filed a Special Event Application for a fundraiser to be held on Bynuh's Field at Bethesda Academy (9520 Ferguson Avenue). The applicant has the intent to dispense alcoholic beverages (beer only) at the event.
2. Section 16-134(4) of the Chatham County Business/Occupational Tax Ordinance requires approval of the County Commissioners to issue a temporary permit to dispense alcoholic beverages in conjunction with a special event.
3. The ordinance grants the Board of Commissioners discretion to allow the consumption of alcoholic beverages in conjunction with a special event.

**ALTERNATIVES:**

1. Grant permit to allow the dispensing and consumption of alcoholic beverages in conjunction with the requested special event on Bynuh's Field at Bethesda Academy.
2. Deny Permit.
3. Provide direction to staff.

**POLICY ANALYSIS:**

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

**RECOMMENDATION:**

Approve Alternative #1.

District 1.

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4. **COLEMAN COMPANY, INC., ENGINEER FOR THE DEVELOPER, KONTER QUALITY HOMES, REQUESTS THAT THE COUNTY ACCEPT THE DEDICATED IMPROVEMENTS FOR COUNTY MAINTENANCE OF DERRICK LANDING PHASE ONE SUBDIVISION, TERMINATE THE TWELVE MONTH WARRANTY PERIOD FOR THE SUBDIVISION IMPROVEMENTS AND RELEASE THE FINANCIAL AGREEMENT.  
[DISTRICT 5.]**

**ACTION OF THE BOARD:**

Commissioner Brady moved to approve the request from Coleman Company, Inc., engineer for the developer, Konter Quality Homes, that the county accept the dedicated improvements for county maintenance of Derrick Landing Phase One subdivision, terminate the twelve-month warranty period for the subdivision improvements and release the financial agreement. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; Commissioner Kicklighter was not present for the vote.]

**AGENDA ITEM: X-4**  
**AGENDA DATE: February 26, 2016**

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

**ISSUE:**

To accept the dedicated improvements for County maintenance of Derrick Landing Phase One subdivision, terminate the twelve-month warranty period for the subdivision improvements and release the financial guarantee.

**BACKGROUND:**

The engineer, Coleman Company, Inc., requests for the developer, Konter Quality Homes, that the County accept the dedicated improvements for maintenance, terminate the twelve-month warranty period for the subdivision improvements and release the financial guarantee.

**FACTS AND FINDINGS:**

1. Derrick Landing is a single-family residential subdivision located on Derrick Inn Road. Phase One of Derrick Landing consists of 35 lots on 9.14 acres. Paving and street drainage will be maintained by the County. Water and sanitary sewer are owned and maintained by Consolidated Utilities.
2. The warranty period was initiated on January 16, 2015. Staff inspected the subdivision improvements at the end of the twelve-month warranty period on February 16, 2016. The improvements were found to be acceptable.
3. The developer submitted a cash bond in the amount of \$98,500.00 as a Maintenance Security per the Chatham County Subdivision Regulations. The Maintenance Security allowed the developer to subdivide 100% of the lots in Phase One before the twelve-month warranty period expired.
4. Georgia Power installed five streetlights for Derrick Landing Phase One. The initial assessment per lot will be \$26.00 (Street Lighting Rate 01). The assessment is collected by Chatham County to maintain the streetlights.

**ALTERNATIVES:**

1. Board approve acceptance of the dedicated improvements for County maintenance of Derrick Landing Phase One subdivision, terminate the twelve-month warranty period and release the financial guarantee.
2. To not approve the request.

**POLICY ANALYSIS:**

This action is consistent with the subdivision regulations.

**RECOMMENDATION:**

That the Board adopt Alternative No. 1.  
District 5

Prepared by: Chris Rains

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5. **EMC ENGINEERING SERVICES, INC., SURVEYOR FOR THE DEVELOPER, SIMCOE INVESTMENT GROUP, LLC, REQUESTS THAT THE COUNTY APPROVE THE FINAL PLAT FOR RECORDING, ACCEPT THE SUBDIVISION CONSTRUCTION AGREEMENT AND WAVE THE REQUIREMENT FOR A STREETLIGHT ASSESSMENT DISTRICT FOR MOSSWOOD, PHASE 4-B-1. [DISTRICT 5.]**

**ACTION OF THE BOARD:**

Commissioner Brady moved for approval of the request of EMC Engineering Services, Inc., surveyor for the developer, Simcoe Investment Group, LLC, that the county approve the final plat for recording, accept the subdivision construction agreement and waive the requirement for a streetlight assessment district for Mosswood, Phase 4-B-1. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; Commissioner Kicklighter was not present for the vote.]

**AGENDA ITEM: X-5**  
**AGENDA DATE: February 26, 2016**

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

**ISSUE:**

To record the subdivision plat for Mosswood, Phase 4-B-1, accept the Subdivision Construction Agreement and waive the requirement for a streetlight assessment district.

**BACKGROUND:**

The surveyor, EMC Engineering Services, Inc., requests for the developer, Simcoe Investment Group, LLC, that the County approve the final plat for recording, accept the Subdivision Construction Agreement and waive the requirement for a streetlight assessment district for Mosswood Phase 4-B-1.

**FACTS AND FINDINGS:**

1. Mosswood is a private single-family subdivision located on Burton Road. Phase 4-B-1 of Mosswood consists of 10 new lots on 2.825 acres. Paving and drainage improvements will be maintained by the Mosswood Homeowners' Association. Water and sewer will be maintained by Consolidated Utilities, Inc.
2. The developer withheld 50% of the total available lots (10 out of 20 total lots labeled as "Parcel A1, Parcel "B" and "Pt. Of Tract 2-A-2B" on the plat), of the Mosswood Phase 4-B as per the Chatham County Subdivision Regulations. The developer can subdivide up to 90% of the lots once the subdivision construction improvements have been installed and approved. The remaining 10% of the total lots cannot be further subdivided until the 12-month warranty period expires.
3. The developer requests that the Board waive the requirement for a streetlight assessment district. Georgia Power will install the streetlights and the Homeowners' Association will maintain them. The Board previously approved waiving the streetlight assessment for Mosswood, Phase 4-A.
4. An Environmental Site Assessment was previously conducted on the subdivision in accordance with the Subdivision Ordinance. No environmentally unsafe conditions were found on the site.

**ALTERNATIVES:**

1. To record the subdivision plat for Mosswood, Phase 4-B-1, accept the Subdivision Construction Agreement and waive the requirement for a streetlight assessment district.
2. To not approve the request.

**POLICY ANALYSIS:**

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

**RECOMMENDATION:**

That the Board adopt Alternative 1.  
 District 5

Prepared by: Chris Rains

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6. **REQUEST BOARD APPROVAL FOR THE CHAIRMAN TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE CITY OF BLOOMINGDALE (CITY) AND THE GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT) FOR THE CITY'S UTILITY RELOCATIONS REQUIRED FOR THE CONSTRUCTION OF THE JIMMY DELOACH PARKWAY AT U.S. 80 INTERCHANGE PROJECT.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Brady moved for approval for the Chairman to execute a Memorandum of Understanding (MOU) with the City of Bloomingdale (City) and the Georgia Department of Transportation (GDOT) for the City's utility relocations required for the construction of the Jimmy DeLoach Parkway at U.S. 80 Interchange project. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; Commissioner Kicklighter was not present for the vote.]

**AGENDA ITEM: X-6**  
**AGENDA DATE: February 26, 2016**

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

**ISSUE:**

To authorize the Chairman to execute a Memorandum of Understanding (MOU) with the City of Bloomingdale (City) and the Georgia Department of Transportation (GDOT) for the City's utility relocations required for the construction of the Jimmy DeLoach Parkway at U.S. 80 Interchange project.

**BACKGROUND:**

Chatham County is sponsoring the preliminary engineering for the Jimmy DeLoach Parkway at U.S. 80 Interchange Project. The City has water and sanitary sewer facilities that are in conflict with construction and that are required to be relocated. GDOT is funding construction in Fiscal Year 2018 in the amount of \$20,800,000.

**FACTS AND FINDINGS:**

1. Chatham County entered into a Project Framework Agreement (PFA) with GDOT on March 8, 2012. The PFA states that Chatham County is responsible for all reimbursable utility relocation costs.
2. The City provided documentation to demonstrate prior rights for their water and sanitary sewer facilities, making the City's utility relocation expenses eligible for reimbursement.
3. The MOU will allow for the City's utility relocations to be part of the construction contract that will be let by GDOT.
4. The MOU was reviewed and approved by the County Attorney as to legal form.

**ALTERNATIVES:**

1. To authorize the Chairman to execute a Memorandum of Understanding (MOU) with the City of Bloomingdale (City) and the Georgia Department of Transportation (GDOT) for the City's utility relocations required for the construction of the Jimmy DeLoach Parkway at U.S. 80 Interchange project.
2. To not authorize the Memorandum of Understanding.

**FUNDING:**

No funds are required at this time.

**POLICY ANALYSIS:**

The Board must approve all Intergovernmental Agreements.

**RECOMMENDATION:**

To approve Alternative No. 1.  
District 7

Prepared by: Nathaniel Panther, P.E.

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7. **REQUEST BOARD APPROVAL TO AWARD BIDS AS FOLLOWS: (Please note that new purchase thresholds of \$25,000 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 \$25,000 or more have been enacted; however, contracts and change orders of a lesser amount still will appear.) Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Brady was not present; Commissioner Kicklighter was not present for the vote.]

**AGENDA ITEM: X-7 A-D**

**AGENDA DATE: February 26, 2016**

**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 \$23,000 annual contract with renewal options for four (4) additional one (1) year terms to Claim Technologies, Inc., to provide professional health claims audit services.

**BACKGROUND:** Chatham County's health insurance plan is self-funded and administered by Blue Cross Blue Shield of Georgia (BCBSGA), which processes and pays claims under the plan. Chatham County's agreement with BCBSGA authorizes the performance of professional audits. These annual audits are necessary to ensure claims are being paid in a timely and compliant manner.

**FACTS AND FINDINGS:**

1. To ensure that medical claims are processed and paid accurately, ensure compliance with industry standards, and safeguard County financial assets, Staff believes that an annual health claims audit is necessary and prudent.
2. The objectives of the audit will be to verify the accuracy of BCBSGA's claim process and procedures and to ensure that claims are being paid accurately.
3. A Request for Proposals (RFP) to provide health claims audit services was issued and publicly advertised. Proposals were received from five (5) firms. The proposals were scored by the evaluation committee selected for this project, and Claim Technologies, Inc., was the highest scoring firm. (See attached matrix page 3 for scoring details).
4. Claim Technologies, Inc., has been providing audit services to self-funded clients since 1993 and has vast experience with BCBSGA and public sector clients.
5. Claim Technologies, Inc., has submitted an all-inclusive fee proposal of \$23,000 per year, with a rate guarantee for years 2-5.
6. Staff recommends that a contract be awarded to Claim Technologies, Inc., based on the highest number of points received in accordance with the criteria in the RFP.

**FUNDING:** Health Insurance Fund  
(6509110 - 52.12001)

**ALTERNATIVES:**

1. Board approval to award a \$23,000 annual contract with renewal options for four (4) additional one (1) year terms to Claim Technologies, Inc., to provide professional health claims audit services.
2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to award essential service contracts to the firm that provides the best combination of service and fee.

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

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

**ITEM B**

**ISSUE:** Request Board approval of Change Order No. 1 to the annual contract with Dorsey Tire Company, Inc., to provide truck and heavy equipment tires and services for Fleet Operations.

**BACKGROUND:** On October 11, 2013, the Board approved the award of an annual contract with renewal options for four (4) additional one (1) year terms, to Dorsey Tire Company to provide truck and heavy equipment tires and services.

**FACTS AND FINDINGS:**

1. Dorsey Tire Company provided notification of price changes associated with the State of Georgia contract price increase. This is the first price increase Dorsey has requested of the County. As a result Dorsey Tire Company is requesting the price increase of the items below. Dorsey Tire Company has provided documentation to support the manufacturer imposed price increase. Price changes will be effective March 1, 2016.
2. New Pricing will be as follows:

Item Number	Description	Old Price	New Price
3	11R22.5 - 14 ply lug tire	\$279.63	\$314.26
4	11R22.5 - 14 ply highway tire	\$270.60	\$284.04
5	425x65R22.5 road range tire	\$433.90	\$465.84
6	385x65R22.5 road range tire	\$402.57	\$427.89
7	315X80R22.5 tire	\$339.90	\$470.95
10	11R24.5 lug tire	\$312.17	\$331.97
13	11R22.5 - 16 ply tire	\$271.78	\$292.68

3. Staff believes the request for the County to contractually recognize the State of Georgia price increase to be fair and reasonable.

**FUNDING:** •General Fund/M & O - Various  
•SSD - Various

**ALTERNATIVES:**

1. Board approval of Change Order No. 1 to the annual contract with Dorsey Tire Company, Inc., to provide truck and heavy equipment tires and services for Fleet Operations.
2. Provide staff other direction.

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

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

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

**ITEM C**

**ISSUE:** Request Board approval of a \$500 Change Order No. 1, to the construction contract with PINCO to recognize a change in the control box size for the upgrade of the sanitary sewer lift station at Lake Mayer Community Park.

**BACKGROUND:** On November 6, 2015, the Board approved a construction contract to PINCO to upgrade the sanitary sewer lift station at Lake Mayer Community Park for Public Works and Park Services.

**FACTS AND FINDINGS:**

1. Project specifications were for a single-phase control box, all existing documentation and the existing control box cabinet indicated that the existing control box being replaced was single-phase.
2. During construction it was discovered that the lift station pumps were all three-phase.
3. In order for the sanitary lift station to function, the control box must match the pumps.
4. Contract history is as follows:

Original Contract Amount (11-06-15)	\$ 45,000
Change Order No. 1 (pending)	\$ 500
Revised Contract Amount	\$ 45,500

**FUNDING:** CIP - Parks and Recreation-Lake Mayer Sewer Lift Station Replacement  
(3506100 - 52.22001 - 35031047)

**ALTERNATIVES:**

1. Board approval of a \$500 Change Order No. 1, to the construction contract with PINCO to recognize a change in the control box size for the upgrade of the sanitary sewer lift station at Lake Mayer Community Park.
2. Provide staff other direction.

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

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

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

**ITEM D**

**ISSUE:** Request Board approval of a \$218,898 replacement purchase of a Case excavator from Border Equipment Company, Pooler, GA, for Public Works and Park Services and declare an older unit as surplus and authorize the sale through an auction or to dispose as scrap material.

**BACKGROUND:** The new excavator will be utilized by Public Works and Park Services for the canal maintenance program.

**FACTS AND FINDINGS:**

1. An Invitation to Bid was publicly advertised and opened on December 8, 2015. Responses are as follows:

<u>Bidder</u>	<u>Manufacturer</u>	<u>Bid</u>
Border Equipment Co. Pooler, GA	Case	\$218,898
Grove River Leasing, Inc. Richmond Hill, GA	Hyundai	\$224,945
ASC Construction Equipment Savannah, GA	Volvo	\$231,326
Flint Equipment Co. Savannah, GA	John Deere	\$240,000

2. The purchase of the this excavator will replace an over 20 year old excavator with high hours. The excavator to be declared surplus is:

<u>Unit #</u>	<u>Description</u>	<u>VIN #</u>
86	1997 John Deere Excavator	050340

3. Staff believes the total cost of \$218,898 to be fair and reasonable.

**FUNDING:** CIP - Public Works  
(3504100 - 54.25001 - 35030232)

**ALTERNATIVES:**

1. Board approval of a \$218,898 replacement purchase of a Case excavator from Border Equipment Company, Pooler, GA, for Public Works and Park Services and declare an older unit as surplus and authorize the sale through an auction or to dispose as scrap material.
2. Provide staff other direction.

**POLICY ANALYSIS:** It is consistent with Board policy to award purchases to the lowest bidder who meets specifications.

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

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

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. ADOPTION OF AN EMERGENCY MANAGEMENT (CEMA) ORDINANCE TO SET COMMUNITY OPERATIONAL STANDARDS IN COMPLIANCE WITH STATE LAW AND LOCAL AGREEMENTS.**

Chairman Scott said, we have a -- a First Reader, and that's the adoption of an Emergency Management Ordinance to set community operational standards in compliance with State Law and local agreements. This is the First Reader. We'll have our CNT [sic] director and a more thorough discussion when we do a second reading, unless there's some questions now.

**AGENDA ITEM: XI-1**  
**AGENDA DATE: February 26, 2016**

**TO:** Board of Commissioners  
**THRU:** Lee Smith, County Manager  
**FROM:** R. Jonathan Hart, County Attorney

**ISSUE:**  
Request approval of an emergency management (CEMA) ordinance to set community operational standards in compliance with state law and local agreements.

**BACKGROUND:**  
Chatham County Emergency Management currently operates a state certified emergency management program that enjoys county wide jurisdiction during declared emergencies. State law requires all municipalities to participate in a county certified emergency management program. Should a municipality not participate, that governing authority would not be entitled to state and federal funds for disaster relief.

The ordinance before the Board is vastly unchanged with the exception of reflecting the above-outlined funding restrictions.

Also, the Chairman has executed previously authorized intergovernmental agreements that bring all of the municipalities within the County into compliance with the state mandated law.

**FACTS AND FINDINGS:**  
Chatham County contracts for the delivery of emergency management services in times of declared emergencies pursuant to intergovernmental agreements. The ordinance will provide standards that may

be used in times of disaster to ensure the County is prepared for disasters and eligible for state and federal disaster relief funding.

**POLICY ANALYSIS:**

Chatham County has undertaken to establish an Emergency Management program through this ordinance to protect the public health and safety and promote the general welfare of its citizens.

As this is an ordinance, it will require two readings.

**FUNDING:**

N/A

**ALTERNATIVES:**

1. Adopt ordinance.
2. Do not adopt ordinance.

**RECOMMENDATION:**

Adopt ordinance.

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**XII. SECOND READINGS**

1. **AMENDMENT TO THE CHATHAM COUNTY REVENUE ORDINANCE: TO REVISE ARTICLE R, SECTION 1 OF THE CHATHAM COUNTY REVENUE ORDINANCE TO REFLECT A REDUCTION IN THE LAND DISTURBING ACTIVITY FEES FOR COMMERCIAL DEVELOPMENT.**

Chairman Scott said, hearing none, we'll go to Second Readers. Amendment to the Chatham County Revenue Ordinance: to revise Article R, Section 1 of the Chatham County Revenue Ordinance to reflect a reduction in the Land Disturbing Activity Fee for commercial development.

Commissioner Farrell said, so moved.

Commissioner Center said, second.

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

**ACTION OF THE BOARD:**

Commissioner Farrell moved to amend the Chatham County Revenue Ordinance: to revise Article R, Section 1 of the Chatham County Revenue Ordinance to reflect a reduction in the Land Disturbing Activity Fee for commercial development. Commissioner Center seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; Commissioner Kicklighter was not present for the vote.]

**AGENDA ITEM: ~~XI-1~~**

**AGENDA DATE: February 12, 2016**

**AGENDA ITEM: XII-1**

**AGENDA DATE: February 26, 2016**

**TO:** Board of Commissioners

**THRU:** Lee Smith, County Manager

**FROM:** Leon Davenport, P.E., County Engineer  
Linda Cramer, Assistant County Manager

**ISSUE:**

To revise Article R, Section 1 of the Chatham County Revenue Ordinance to reflect a reduction in the Land Disturbing Activity Fees for commercial development.

**BACKGROUND:**

The Land Disturbing Activity (LDA) fees are collected to fund the cost of providing construction plan review and inspection services necessary to implement and enforce the County's LDA Ordinance, Storm Water Management Ordinance, the Soil Erosion and Sedimentation Control Ordinance, the Floodplain Damage Prevention Ordinance and Engineering Design Standards.

**FACTS AND FINDINGS:**

1. The LDA fees have recently received much scrutiny from the development community. Chatham County's LDA fees are greater than those in surrounding communities, which subsidize permitting implementation and enforcement with other fund sources. Developers are considering annexation as a means to reduce development costs. To avoid annexation of large developments and to protect the tax base of Unincorporated Chatham County, staff proposes the reduction in fees, but cautions that it may result in revenues insufficient to cover the cost of services and subsidization through County general funds.
2. The proposed changes will reduce the fees for commercial (other than single family residential) development and reduce the maximum fee charged. Staff proposes the following revisions to paragraphs b and c Article R, Section 1 of the Revenue Ordinance:
  - b. Other than Single Family Residential Land Disturbing Activities Development Permit: Two thousand dollars (\$2,000) base charge, plus ~~three thousand dollars (\$3,000)~~ **two hundred and fifty dollars (\$250)** per disturbed acre or any pro-rated portion thereof. The total Land Disturbing Activity (LDA) fee cannot exceed ~~\$150,000~~ **sixteen thousand dollars (\$16,000)** for a project that is to be completed within two years from the date of issuance of the Development Permit. For a project that lasts more than two years the LDA fee shall be an additional one ~~thousand~~ **hundred** dollars **(\$100)** ~~(\$1,000)~~ per disturbed acre, initially permitted, or any pro-rated portion thereof.
  - c. Other than Single Family Residential Land Disturbing Activities Clearing and/or Grading Permit: Two thousand dollars (\$2,000) base charge, plus one ~~thousand~~ **hundred** dollars ~~(\$1,000)~~ **(\$100)** per disturbed acre of any pro-rated portion thereof.

**ALTERNATIVES:**

1. To revise Article R, Section 1 of the Chatham County Revenue Ordinance to reflect a reduction in the Land Disturbing Activity Fees for commercial development.
2. To not approve the revision.

**FUNDING:**

Not applicable.

**POLICY ANALYSIS:**

The Board must approve amendments to the Revenue Ordinance.

Districts: All

Prepared by: Suzanne Cooler, P.E.

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**2. AMENDMENTS TO THE BUILDING (CONSTRUCTION) REGULATIONS ORDINANCE. THE AMENDMENTS INCLUDE ALIGNMENT WITH STATE ADOPTED CODES, REFERENCE TO THE COUNTY REVENUE ORDINANCE AND ACKNOWLEDGMENT OF THE CURRENT DEPARTMENTAL NAME.**

Chairman Scott said, the second item under Second Reading, is to amend the Building and construction and Regulation Ordinance. The amendment include alignment with the state-adopted codes, reference to the County Revenue Ordinance and acknowledgment of the current department name. We have a staff member here to speak on this if there's any -- if anybody needs any explanation. If not, I'll entertain a motion.

Commissioner Center said, so moved.

Chairman Scott said, properly moved and --

Commissioner Shabazz said, second.

Chairman Scott said, -- second.

Commissioner Stone said, second.

Chairman Scott said, any discussion? Hearing none, all in favor indicate by voting yes, opposed no. Okay. Motion carries.

**ACTION OF THE BOARD:**

Commissioner Center moved to amend the Building (construction) and Regulation Ordinance. The amendment includes alignment with state-adopted codes, reference to the County Revenue Ordinance and acknowledgment of the current department name. Commissioner Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; Commissioner Kicklighter was not present for the vote.]

**AGENDA ITEM: ~~XI-2~~**

**AGENDA DATE: ~~February 12, 2016~~**

**AGENDA ITEM: XI-2**

**AGENDA DATE: February 26, 2016**

**TO:** Board of Commissioners  
**THRU:** Lee Smith, County Manager  
**FROM:** Gregori S. Anderson, Dep't Building Safety & Regulatory Services

**ISSUE:**

Amendments to the Building (construction) Regulations Ordinance.

**BACKGROUND:**

The construction codes program for Georgia is administered with the Department of Community Affairs (DCA). The DCA adopts the mandatory construction codes and their amendments.

**FACTS AND FINDINGS:**

1. The proposed ordinance amendments include alignment with the State adopted codes, reference to the County revenue ordinance, and acknowledgment of the current departmental name.
2. Alignment with the revenue ordinance will locate current fees in one document eliminating the need for coordination and potential confusion when fees are changed.
3. The proposed amendments have been reviewed by the County Attorney for content.

**FUNDING:**

Not applicable.

**ALTERNATIVES:**

1. Approve proposed amendments.
2. Provide direction to staff.

**POLICY ANALYSIS:**

The proposed amendments represent a comprehensive update of the Building (construction) Regulations ordinance. The amended ordinance will be more in alignment with the State construction code program and eliminate potential local conflicts.

Reference to the revised County revenue will place the permit fee schedule in a single document and allow better efficiency during fee changes.

The departmental name was modified to fully encompass the services rendered to the public. The proposed amended language acknowledges that name modification.

**RECOMMENDATION**

Alternative #1, approve proposed amendments.

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**XIII. INFORMATION ITEMS**

Chairman Scott said, the rest of it is informational, but before -- and I'm going to recognize the Manager in just a second, but before we recognize the Manager, I wanted just to acknowledge the passing of State Representative Bob Bryant. Bob was an unusual and extraordinary person. He served his country in the

military. Upon his retirement he took a job as a disc jockey, and you could hear him for years on the airwaves of this community. He later got involved in city government in Garden City, and from there he went on to serve in the State legislature for 12 years. And at this time I would ask that we would just take a moment of silence in memory and to honor the passing of state representative Bob Bryant.

[NOTE: A moment of silence was had in honor of State Representative Bob Bryant.]

Chairman Scott said, amen.

Commissioner Center said, amen.

Chairman Scott said, at this time I recognize the County Manager for informational and -- purposes and announcements.

County Manager Smith said, yes, sir. As we agreed at the last meeting, Monday, February 29<sup>th</sup>, which is this coming Monday, we will be at the Savannah International Trade Center and Convention Center as a Board and staff, and I've got the draft, we'll hand to you. First we will have -- we've actually hired an expert who works in several states that will be giving the Robert's Rules over view, and then we have -- will be talking about duties and responsibilities of the Board, County Manager and County Attorney. We'll be doing a full review of road projects in Chatham County, SPLOST update and newsletter, Public Works expansion of roadway maintenance. We've been talking about and expanding our mowing and contracting with GDOT. We will be talking about the Parks and Recreation Strategic Plan effort and the next steps on that. We'll be talking about flood zoning, building codes, processes and some new initiatives that we're working on together, which I think you'll find interesting. Give you a legislative update both state and federal. I'll be giving a Manager's update, and we'll be giving you an update on our -- some of our media events by Catherine Neal. And that starts at 8:30 with a light breakfast, and the workshop starts at 9:00 a.m., and we will be ending approximately at 3:30.

Commissioner Brady said, good Lord.

County Manager Smith said, and we'll feed you lunch, too. So.

Chairman Scott said, I -- I think that was a you go.

Commissioner Farrell said, was that a comment or a suggestion?

Chairman Scott said, I think that was you go, man. But let me also announce that we're going to have a ground breaking for our Whitefield Avenue precinct on March 2<sup>nd</sup> at 10:00 a.m., and all interested parties are certainly invited. We will turn some dirt. We've gone out for bids. The bids have come in. And we will be rewarding [sic] the contract at our first meeting in March. And this is a SPLOST project, fully paid for with the county share of SPLOST dollars. And so I just wanted to make that announcement. I know everybody has it on their calendar. March 2<sup>nd</sup>, 10:30 [sic] a.m. at the precinct site just below Hesse school on the left-hand side, just beyond the ramp onto the Truman. And this is a -- a precinct that will serve all the island areas, including Dutch, Isle of Hope, Burnside, the Skidaway Island communities, which includes the Landings, South Harbor, and Modena, and -- and the areas that are not a portion of those island communities that fall in that category. The precinct will be -- in terms of functional space, will be identical to our island precinct. It will be position -- positioned different and may look different but it will be -- the functional space is the same, and we will make sure that it -- that the exterior and all will be brick and fit into the neighborhood and it will be an attractive addition, and we look forward to the ground breaking, and hopefully, within 30 days of breaking ground that you will see construction activities on that site. And with that --

Commissioner Stone said, hallelujah.

Chairman Scott said, -- I recognize Commissioner Farrell with some comments.

Commissioner Farrell said, could -- could -- could you explain to the public the hurricane worthiness of this construction that we're getting ready to start out there?

Chairman Scott said, yes. Yes. The only -- the only real difference in this and the Wilmington Island, this building will be built to a Category 3 or -- is that correct? To a Category 3 hurricane. So it should be able to withstand a major hurricane.

Commissioner Farrell said, that -- that wouldn't be a difference, that would be a similarity.

Chairman Scott said, is -- is the islands -- is two or three?

County Attorney Hart said, yes. Three.

County Manager Smith said, three.

Commissioner Farrell said, three.

Chairman Scott said, it's three as well. Okay. Thank you. Yeah. So -- so that's -- that's good news for that.

**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: February 26, 2016**

**List of Purchasing Items between \$2,500 and \$24,999  
That Do Not Require Board Approval**

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
100 tons of infield clay for Jim Golden Complex and Charlie Brooks	Public Works and Park Services	Glasscock Company, Inc.	\$4,100	General Fund/M&O - Recreation
Redesign website and allow website to host tax payments	Tax Commissioner	Calhoun Software Solutions, LLC	\$3,000	General Fund/M&O - Tax Commissioner
February 2016 tax sale advertisements	Tax Commissioner	Shivers Trading / Operating Company	\$4,790	General Fund/M&O - Tax Commissioner
Commercial riding lawnmower	Facilities Maintenance	Andy's Lawn Machinery, Inc.	\$4,759	General Fund/M&O - Facilities Maintenance
Annual fire alarm testing for the J. Tom Coleman Courthouse	Facilities Maintenance	Southeastern Business Machines, Inc.	\$5,378	General Fund/M&O - Facilities Maintenance
80 tons of asphalt hot mix and supplies	Public Works and Park Services	Preferred Materials, Inc.	\$4,800	SSD - Public Works
80 tons of asphalt hot mix and supplies	Public Works and Park Services	Carroll & Carroll, Inc.	\$4,800	SSD - Public Works
Reflective safety tape for County vehicles	Occupational Safety	Gail Force Films, LLC	\$15,900	Occupational Safety
Two (2) electronic tablets for Occupational Safety	I.C.S.	Zones, Inc.	\$3,470	Occupational Safety
Portable appliance that allows the merging of live video switching, broadcasting graphics, virtual sets, special effects, audio mixing, recording, social media publishing and web streaming	County Manager	Amitrace Computer Systems, Inc.	\$11,995	SPLOST (2008-2014) - Courthouse Project

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Drug terminator that allows safe and proper destruction of property/drugs	C.N.T.	Elastec, Inc.	\$4,250	C.N.T. - Confiscated Funds
30 office chairs	C.N.T.	VIP Printing & Office Supply	\$7,791	General Fund/M&O - C.N.T.
20 tons of industrial grade sand	Mosquito Control	Standard Sand & Silica Co., Inc.	\$4,200	General Fund/M&O - Mosquito Control
3 Motorola radios and accessories for the Sheriff's Office	I.C.S.	Motorola Solutions, Inc.	\$15,532	General Fund/M&O - Sheriff
Promotional items for "Drug Free"	Sheriff's Dept.	4Imprint, Inc.	\$2,500	50% Drug Surcharge Sheriff's
Intercom Exchange and master station with video	Detention Center	Montgomery Technology Systems, LLC.	\$3,892	General Fund/M&O - Detention Center
Accident repair to unit #R767 - Sheriff's Ford F150	Fleet Operations	A & L Autobody, Inc.	\$3,271	General Fund/M&O - Fleet Operations
Accident repair to unit #836 - Metro Ford Crown Victorian	Fleet Operations	Rainbow Paint & Body, Inc.	\$5,021	General Fund/M&O - Fleet Operations
Repair of rear end to unit #208 - Public Works Tractor	Fleet Operations	Powertrain, Inc.	\$6,783	General Fund/M&O - Fleet Operations
Annual software maintenance for electronic collections	C.N.T.	N. Harris Computer Corporation D/B/A Global Software	\$4,200	General Fund/M&O - C.N.T.

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### 3. ROADS AND DRAINAGE REPORTS.

#### ACTION OF THE BOARD:

A status report was attached as information.

**AGENDA ITEM: XIII-3 ROADS**  
**AGENDA DATE: February 26, 2016**

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

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

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

#### **FACTS AND FINDING:**

1. Jimmy Deloach Parkway Extension and Interchange of Jimmy Deloach Parkway at U.S. 80. Design is on-going. Right of way (ROW) acquisition for both projects underway. Notice to Proceed with ROW acquisition issued October 3, 2014 for Extension project and notice to proceed with ROW acquisition issued March 12, 2015 for the Interchange project. Projects to be let together for construction by GDOT in Fiscal Year 2018.
2. Bay Street Widening. Notice to proceed issued to Reeves Construction on December 22, 2015. Estimated construction completion is October 31, 2018.

3. SR 307 Widening from US 17 to I-16. GDOT accepted for ownership and maintenance the entire project. Project is complete and closed out.
4. Islands Expressway Bridge Replacement. Environmental document approved on May 26, 2015. ROW authorization issued June 24, 2015. ROW acquisition underway. GDOT funding construction in Fiscal Year 2017.
5. SR 25 at Pipemakers Canal. Board approved design contract with Moffatt & Nichol at their meeting November 6, 2015. Preliminary design underway.
6. SR 21 at Pipemakers Canal. Board approved design contract with Moffatt & Nichol at their meeting December 18, 2015. Preliminary design underway.
7. Interstate 16 @ SR307. Lump sum operational and safety improvement project. Chatham County is sponsoring preliminary engineering and GDOT is funding right of way and construction. No PFA required because preliminary engineering is locally funded.
8. Local Roads under Construction.
  - a. Road Resurfacing.
    - I. Construction is substantially complete for road resurfacing of 1.5 miles of roadway including Diana Drive, Michael Court, Bellview Drive, McLeod Street, West Fox Chase Road, Legacy Boulevard, Gamble Road, Adams Avenue, LaRoche Avenue and Pine Barren Road.
    - II. Construction is substantially complete for road resurfacing for 3.1 miles of roadway including Crossover Lane, Golden Isles Way, Hampshire Road, Off Shore Road, Old Dock Road, Olde Towne Road, Penn Waller Road, Riverside Drive and Teakwood Drive. Construction underway.
    - III. Staff developing bid documents for approximately 1.5 miles of road resurfacing for Grove Point Road from King George Boulevard to Shore Road. Staff anticipates construction in the Summer of 2016.
    - IV. Staff developing bid documents for approximately 5.0 miles of road resurfacing to include Al Henderson Boulevard, White Ibis Lane, Zipperer Road, Junco Way, Finn Circle, Sugar Mill Drive, Saint Ives Drive, Valhalla Drive, Hopeton Court and Frontage Road (connects Al Henderson Boulevard). Staff anticipates construction in Summer 2016.
  - b. Fairwind Road. Board awarded a construction contract to Sitework Construction, LLC on December 18, 2015. Construction underway.
9. Local Road Projects under Design.
  - a. Benton Boulevard. Project will extend two lanes of Benton Boulevard north from its existing terminus at Highlands Boulevard to State Route 30. Public Information Open House held May 5, 2015. Preliminary plans under review by staff.
  - b. Quacco Road. Concept phase including traffic counts, database preparation and concept development complete. Staff negotiating scope and fee with Moffatt & Nichol for Preliminary Design, Right of Way plans and Final Design phases underway.
  - c. Skidaway Road. Project will provide improvements along Skidaway Road from Montgomery Cross Road to Ferguson Avenue. ROW plans are complete and ROW acquisition is underway.
  - d. Diamond Causeway at McWhorter/Green Island Roads. Preliminary design to upgrade the intersection to a roundabout underway. Public Information Open House for the project will be held March 8, 2016 at the Skidaway Island Presbyterian Church from 4:00 p.m. to 6:00 p.m. The church is located at 50 Diamond Causeway, at the corner of State Park Road.
  - e. Hill Road. Dirt road paving project. ROW plans are complete and ROW acquisition is underway. Final plans are under review.
  - f. Bradley Point Sidewalk Improvements. Concept development complete. Preliminary plans and environmental permitting underway for the preferred alternative based on comments in support of the alternative received from the March 3<sup>rd</sup>, 2015 meeting.

- g. Canebrake Road Improvement Project. Preliminary design underway for extension of the Coastal Georgia Greenway on the southside of Canebrake Road, a 5-ft sidewalk on the northside of Canebrake Road and pavement widening to provide two 11-ft travel lanes.
- h. Truman Linear Park Trail, Phase 2-A. Revised concept report submitted to GDOT on January 12, 2016. Public Information Open House held December 3, 2015.
- i. Crisp and Fisher Street Improvements. Dirt road paving project. Preliminary design by staff is underway.
- j. Garrard Avenue Improvements. Project will provide improvements along Garrard and Lane Avenue from Chatham Parkway to Gamble Road. Preliminary design by staff underway.

**RECOMMENDATION:** For information.  
Districts All

**AGENDA ITEM: XIII-3 DRAINAGE**  
**AGENDA DATE: February 26, 2016**

**TO:** Board of Commissioners

**THRU:** Lee Smith, County Manager

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

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

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

**FACTS AND FINDING:**

1. Ashley Road Outfall Drainage Improvements. The project will improve a drainage system from the Ashley Road cul-de-sac. Design work is underway.
2. Gateway-Henderson Drainage Improvements. The project will improve portions of the drainage system in the northeast quadrant of I-95 and SR 204. The project includes construction of maintenance access and drainage improvements. Design work and permitting underway.
3. Norwood Drainage Outfalls. The project will improve drainage capacity and access for maintenance for two drainage outfalls from Norwood Avenue. Construction of improvements is complete at Norwood Place. Design work, permitting, and acquisitions are underway for the outfall near Skidaway Road.
4. Louis Mills/Redgate Canal. The project will correct inadequate drainage capacity and the lack of maintenance access to the canal. The Board approved a construction contract and work began in December. Construction should be complete by June 2016.
5. Ferguson-Winterberry Outfall Drainage Improvements. The project will improve drainage and provide access for maintenance for the Remington Canal from Ferguson Road to the outfall at Moon River. The outfall passes through the Winterberry private development. Design work is underway.
6. Shipyard-Beaulieu Area. The project will improve drainage capacity and access for maintenance. Design of a project to expand and relocate an existing outfall channel is underway.
7. Little Hurst Canal. The project will improve drainage capacity and access for maintenance along the canal. Field surveying and wetland delineation are complete. Design of improvements at the CSX and State Route 21 crossings is underway.
8. Willow Lakes Drainage Improvements. The project will relieve internal drainage issues within the Willow Lakes subdivision. The project will increase the storage capacity of the pond by lowering the existing water elevation. Design work is underway.
9. Wahlstrom Road Drainage Improvements. The project will relocate a part of a drainage system located on private property into the County right-of-way and an acquired drainage easement. Construction is underway with completion anticipated by April 2016.

10. Vidalia Road Canal Drainage Improvements. The project will improve conveyance and obtain easements for access and maintenance. Design and permitting is complete. Bids were received in December and a contract for construction approved at the January 15, 2016 meeting. Work is expected to be complete by September 2016.

11. Concord Road Drainage Improvements. The project will include the replacement of the existing open channel along Concord Road with a closed system and improvements to the outfall system along Penn Waller. Design is underway.

12. Tiana Circle Drainage Improvements. The project will reconstruct a segment of the existing roadway which has settled and improve the drainage system to eliminate chronic street ponding. The Board approved a construction contract in December 2015. Work began in February 2016 and should be completed by August 2016.

13. Pipemakers Canal Tidegate Monitoring Improvements. The project will install new gauges and other equipment to monitor water levels and flow rates and detect blockages impacting the operation of the tidegates. Design is underway.

**RECOMMENDATION:** For information.  
Districts: All

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## **EXECUTIVE SESSION**

Chairman Scott said, and -- and the only other thing, we -- we have need for an executive session, personnel and legal.

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

Commissioner Stone said, second.

Chairman Scott said, properly moved and second. Any discussion? Hearing none, all in favor of the motion indicate by voting yes, opposed no. We will now recess to executive session.

### **ACTION OF THE BOARD:**

Commissioner Center moved to recess to executive session for the purpose of litigation and personnel. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; Commissioner Kicklighter was not present for the vote; Commissioner Shabazz did not cast a vote.]

The Board recessed at approximately 12:40 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 Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Kicklighter and Thomas were not present.]

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2. **APPOINTMENTS  
BOARD OF TAX ASSESSORS**

**ACTION OF THE BOARD:**

Commissioner Holmes moved to appoint Betty Washington Ellington to the Board of Tax Assessors. Her term is set to expire June 27, 2019. Commissioner Shabazz seconded the motion and it carried unanimously. [NOTE: Commissioners Kicklighter and Thomas were not present.]

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**ADJOURNMENT**

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 1:05 p.m.

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**APPROVED: THIS \_\_\_\_\_ DAY OF MARCH, 2016.**

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

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