MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON SEPTEMBER 25, 1998, 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 Billy Hair called the meeting to order at 9:00 a.m., Friday, September 25, 1998.

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II. INVOCATION

Chairman Hair said, we're very privileged today to have with us a very, very special guest that's going to give our invocation and also is going to make some comments about Monsignor Bourke, who recently passed away, who was very special to this community. So now we'll call on Bishop Boland to give our invocation.

Bishop Kevin Boland gave the invocation.

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III. PLEDGE OF ALLEGIANCE

All pledged allegiance to the flag of the United States of America.

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IV. ROLL CALL

The Clerk called the roll.

PRESENT:
Dr. Billy B. Hair, Chairman
Dr. Priscilla D. Thomas, Vice Chairman, District Eight (arrived at 9:45 a.m.)
Frank G. Murray, Chairman Pro Tem, District Four
David L. Saussy, District One
Joe Murray Rivers, District Two
Martin S. Jackel, District Three
Harris Odell, Jr., District Five
Ben Price, District Six
Eddie W. DeLoach, District Seven

IN ATTENDANCE:
Russ Abolt, County Manager
R. Jonathan Hart, County Attorney
Sybil E. Tillman, County Clerk

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RECOGNITION OF YOUTH COMMISSIONERS

Chairman Hair said, we also would like to recognize our Youth Commissioners who are present with us this morning. We have Carvell Allen, who is from the Savannah Arts Academy, and we have Alonzo Alston from Country Day, and as we proceed with meeting, if you'd like to comment on anything, please raise your hand and I'll recognize you and we'll hear your input. Thanks for being here.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

None.

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VI. CHAIRMAN'S ITEMS

None.

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VII. COMMISSIONERS' ITEMS

1. UPDATE ON SHERATON PROPERTIES BY BILL FOSTER (COMMISSIONER MURRAY).

Chairman Hair said, Commissioner Murray is going to introduce Mr. Foster, who is going to give us an update on the Sheraton properties.

Commissioner Murray said, Mr. Bill Foster, who is—, I think we're privileged to have him here today, is the gentleman who purchased the Sheraton property on Wilmington Island and who is now renovating part of that, and he wanted to give us an update and also for the community so they will understand what's going on and what to expect out there and those type things. Bill [Foster].

Mr. Bill Foster said, good morning, Mr. Chairman—. Chairman Hair said, good morning. Mr. Foster said, Commissioners and County employees. I appreciate the opportunity to be with y'all this morning. I appreciate the agenda that you were able to get me on in somewhat short notice. We, obviously, will try to be as brief as possible, but please feel free to ask any question you might have on anything that we may not cover or anything that may be on your mind. We actually are proceeding on the Sheraton. We've changed the name of it, as you know, at this time to The Wilmington, which I think is very fitting, and there's a Commissioner from that district that suggested that some time back. You might be able to understand who that could have been, but anyway I think that's a very fitting name and Mike, my son, I think many of you have met, most of you have, but is now proceeding with the actual new clubhouse on the golf course. And for that reason I really think we needed to at least address the Commissioners for one thing in particular and that we've been working to get the hotel on the National Registry. In fact, we've been—, John [Strickland], how long have we been working on that? This is John Strickland, my CPA and my good friend, and we wouldn't be doing this project without John [Strickland]. Mr. Strickland said, we've been working about two months now. Mr. Foster said, we've had the application pretty close to two months, and normally it doesn't take that amount of time, but the committee in Atlanta wanted to come down and visit the hotel, and we met with them last week, and this is the thing—. Several things have troubled us. We obviously had promised the Commission and the community that we would get the building on the National Registry, and I think we need to do that. I honestly do. But they had some other ideas that we went through. We spent the better part of half a day with the group they sent down, an architect—, two architects and an engineer, but in going through various parts of the hotel they had no problem with all of the things that we're prepared to do, or are prepared to do to the hotel. They began to be more concerned about the outbuildings. They initially indicated that they were going to insist that we redo the two hotel buildings. It's typical construction of the Day's Inn type. Many of you are familiar with that. And, of course, both buildings are just incumbent on the property. I immediately told them that just could not be done, and so they were insisting we do the duplex units that are in terrible—, just, you know, actually almost to the point of—, as a matter of fact, not happen at all. It would take really too much money to try to fix those, and we really have got to develop that property. And here's the point I wanted to get to without getting real long. We are—, finally they indicated that we could build something on that property as long as it didn't conflict with the hotel. Obviously, we don't want to do that. We want to preserve the dignity of that hotel and certainly the architectural significance. That was—, we got past that problem, and then—, but not totally. We still have to cross, I think, some deep water to get their total input there as far as qualifying the hotel. The subject then they brought up is they wanted the golf course on the National Registry as well. There are a number of reasons why we don't want to do that, and I really don't think the community would care one way or the other about the golf course, but obviously we already have a—. In fact, when I discussed with them that we already have a clubhouse under construction, they said you mean you're already built on the golf course. I said we didn't intend to put the golf course on the National Registry. So they said, no, it's a Donald [inaudible] golf course, we've got to do that. And, of course, John [Strickland] then interrupted about that time and gave them his feeling about why we may not be able to do that and we did not want to do it. The thing that I want to do is really, and we've looked at it pretty carefully, is to preserve the hotel, but we need to be able to develop the surrounding property so we'll have sufficient income to make the hotel work. The hotel is going to be tough enough to work with those conditions, but if we had to adhere to the requirements, for a better

word, of the National Registry group, then we probably would have a tough time making the hotel work. We don't anticipate, obviously, failing on this venture, and I know the Commission nor the community would want that to happen, but we've got to take [inaudible] of the property as we can for the development of the surrounding properties, and I'm sure earlier developers have told y'all this, and then to make the hotel work, because I don't want to be the next guy who's a loser at that hotel. And I had the opportunity—, I'll tell y'all a quick story. When Danny Falligant closed the loan for us, immediately after I gave him my check and we signed the closing documents he gave me a story of the history of the Sheraton and there have been, I think, eight owners and all of them have gone broke, and I said, Danny [Falligant], you should have given me this before we signed the note. But, anyway, I don't know if you know Danny [Falligant], but he really did, I think, he did that kiddingly. But we'll work real hard to make this community proud of the Sheraton. There's a lot of work to be done there. We anticipate getting starting started right away on the road, and I would think probably in the next ten days to two weeks we should be repairing the roof. We're already making—, we're doing some patch work occasionally that the Sheraton should have done and we would not have had the deterioration we had on the building, but we're continuing to try and patch the roof. If any of you know anything about construction, you know you patch the roof here and it leaks over there. So we've got to go ahead and put the—, and that's all we're doing, chasing leaks. So we've got to put a new roof on it, but I didn't want to do anything in that regard until we got this on the National Registry. But we're having a few problems. They suggested we work also with the local group here who are involved in historic society. We have not contacted them, and perhaps we should have done that earlier out of courtesy, but to be honest, it just didn't occur to me. But we do need your input in that. If you have any thoughts, please let me, and I've been closely in touch with Frank [Murray], since that's in his district, I've talked to Commissioner air and I've talked to Mr. Saussy on a regular basis, and anyway if any of you gentlemen have any thought or question or any suggestion of how we might improve what we're doing, I certainly would welcome that. One other thing that I would like to tell you. We had worked with—, had a meeting with Pat Monahan, who we talked to about perhaps some assistance as far as assistance with the financing, any grant or anything that might help us to make this property work with some idea of it being some easier to do. I have talked to Max Cleland, who holds a fondness of Savannah, as many of our political leaders do, and his Max [Cleland] and his staff have indicated they would work with us to do anything they could to get any grant passed through, but I felt like I didn't want to get in the position without at least having the Board know, and even though we talked to Pat [Monahan], I felt like the Board needed to know that we were pursuing that. So a grant would have to pass through the Commission for the County in order to be able to pass that on to our operation, and in the form of a loan of some sort. Those are the things that would obviously have to be worked out at that point, but I didn't want to be presumptuous enough to assume that the Commission would just endorse whatever we may want to try to do, and that's why I felt like I needed to have some dialogue with the Commission. But we do hope to get a grant of some sort to the County that perhaps that can be worked out there that would be suitable for everyone, and there again I'm hoping that that'll happen. Max [Cleland] tells me and his—, Wayne Howell—, I don't know if any of you know that his Chief of Staff lives here in Savannah. Wayne [Howell] has pledged his support there. We've also been in touch with our—, Newt Gingrich, our Speaker of the House. He's busy with other things right now, I'm told, but anyway that—, he's indicated through his staff that he would assist us in whatever way he could. And I have not talked to Jack Kingston, your Congressman. I know Jack [Kingston] not real well, but I know him well enough to talk with him. I really hope to get his assistance, and I'm sure that would not be a problem.

Mr. Foster said, that's pretty much how I see where we are, and I would certainly entertain any questions anybody might have. I apologize if I'm getting too long with you. Chairman Hair said, thank you, Mr. Foster. We appreciate you bring here today. Does any of the Commissioners have any questions of Mr. Foster? We appreciate very much—. Do you have a question?

Youth Commissioner Alonzo Alston asked, is there any way the project could be self-generated? In similar regards I don't know how it affects the budgeting of the hotel or the ownership thereof, but there was a regatta I believe in '94 or '95. Maybe if that was sponsored again by those same people that you say would permit the grant, that regatta could bring in some profit or income towards the hotel and [inaudible] the renovations or whatever you're trying to get done on the grounds, and therefore promoting the—, that historic register vote.

Mr. Foster said, I would—, I think we'd entertain any thought, any ideas, and I would like to pursue that further. John [Strickland] is a CPA. John has been better—, he's better informed than I am in those categories, but if we could have your thoughts further on that, if John [Strickland] could feel free to call you. Do you have a card or some way we could—? Mr. Alston said, yes, I have a phone number. I don't have a—. Chairman Hair said, we'll get that to you.

Mr. Foster said thank you. Chairman Hair said, thank you. Thank you, Mr. Foster. We appreciate you being here, appreciate the update. Mr. Foster said, thank you for your patience. Chairman Hair said, thank you, sir.

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2. REMEMBERING MONSIGNOR BOURKE (COMMISSIONER JACKEL).

Bishop Boland said, to the County Commissioners and this community, I just want to say a few words of appreciation. First of all for the opportunity to be here this morning and to recognize Monsignor Daniel Joseph Bourke. Monsignor Bourke would be 90--, excuse me, 89 years of age this coming Monday and he was looking forward to celebrating his birthday in Albany, Georgia, where for 50 years or more he would go every year at the time of his birthday because he served in Albany for 12 years and he had developed a coterie of friends, three more of whom also celebrated September birthdays. And for the last 24 years in retirement, and I put that word in quotation, he came back to Savannah to live in retirement, and part of his accomplishments while he was here, for example, he was responsible for building Blessed Sacrament Church at the corner of Victory Drive and Waters Avenue. He was also Comptroller of our Diocese for two years just prior to retirement, but I would say that this community will remember him best for just his visitation of the sick, his taking care of people when they needed him, especially when there was troubles in their families, and two days ago I got an E-mail from Atlanta, I won't mention the name of the family because it's a very common, let's say, Catholic name here in Savannah, but this young lady and her spouse, recently married in the last couple of years, just wanted to thank the Diocese of Savannah for Monsignor Bourke,

who had taken care of five generations of her family, and I thought that was a magnificent accomplishment, and maybe some of you sometimes experienced Monsignor Bourke at a funeral, and depending who the person was who was deceased, he could trace their lineage back three or four generations and tell them about all of what they did when they were little girls and little boys and brought the whole history of their family into the commendation of the particular person that would be—, for whom the Mass was celebrated, the funeral Mass. I'd like to conclude and just in a very public fashion, maybe this is a good place to do it, I'll try to do it other places too, that magnificent coverage of the media, the participation of the public officials of this County at his funeral, the accommodations that were made for the funeral cortege out to the Catholic Cemetery, was just a remarkable expression on behalf of the total community of the goodness in which they held this particular gentleman. He was just one extraordinary. I have known him for 40 years and I did say in one of the newspaper accounts, I have never met anyone who was so multidimensional in his interests, and I know I'm here in the presence of politicians. I regret that you never had the opportunity, Monsignor Bourke was a politician par excellence. He never had to run office I'll grant you, but he had his points of view, especially in regard to Irish politics. He knew it upside down, inside out, even though he left there 65 years ago. I could ask him about a particular gentleman and he would tell me when he was elected, he beat so-and-so, he had this percentage of the vote, and this is what he stands for, and he would tell you whether he liked him or didn't like him. Also, in national politics he was very much kind of a raconteur and could tell you all about it. So my gratitude to the expression of civic sympathy that was extended to the Catholic faith in a special way, and I thought it was very magnificent and I—, on behalf of the Diocese, I just want to express my gratitude. Thank you very much.

Chairman Hair said, thank you very, very much for being here today.

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3. UPDATE ON DRY TRASH PICKUP (COMMISSIONER MURRAY).

County Manager Abolt said, Mr. Chairman, members of the Board, Commissioner Murray has asked for this. Acting Interim Director Robert Drewry is here and can give that report. Robert, please.

Mr. Robert Drewry said, good morning. I'm here to tell you that Tropical Storm Earl has been quite an indoctrination for me. When the storm hit us on the 3rd, we started dry trash pickup immediately on the 4th, just after the storm, and in a little over 15 days we picked up probably 1600, 1700 tons of vegetation debris, and that's not including what we've got stockpiled out at Wilmington Island right now also. And that's very good. I'm very proud of my people for doing that because, relatively speaking, from what I understand from a newspaper article, Savannah has picked up about 300 tons in about half that time, so I feel like we've done extremely well with that. We've been through many areas of the County already. We've gone through Whitfield and Ferguson Avenue, Bona Bella, Burnside Island, Southbridge, most of the areas of Georgetown and Westside. Right now we're moving into and through the Wilmington Island area. We'll probably be there throughout the remaining next week. We've also got crews in on Isle of Hope and Dutch Island right now as we speak, and indications they should be through there by the middle of next week, and of course when I finish those areas, I'll move those resources over to Wilmington Island. So the big question that seems to be on everybody's mind is when we're going to be back to our normal dry trash schedule, and I've been hesitant to pinpoint a date because there is such a volume out there, but it appears that we're going to be back on our normal schedule no later than Monday, the 12th. Probably earlier. I'm counting on it being earlier because the longer I wait to pick up dry trash, debris other than Earl, the more is being pulled to the curb, and it delays my pickups even longer because I've got to be able to get through one route in one day like on a normal schedule. So that's where we're at and that's where I'm expecting to go. I'm available for any questions you might have.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, you said that you plan on being through with all the dry trash pickup then by the 12th. Mr. Drewry said, well, we may still have some piles out there and I'll still have my loaders picking up trash. Commissioner Murray said, I noticed that as you pick it up they put more out, and I understand that—. Mr. Drewry said, right. Commissioner Murray said, but I guess the biggest complaint that I'm getting, and that's why I wanted to do this today so at least we would know and the public would know too what's going on with it, is that their regular dry trash pickup days are not there. Well, I understand why they can't be there until you get everything else picked up, but I think what has happened in most cases as you have picked it up, some of the people put more out there and now they expect that to be picked up, but you can't do it until you get the rest of it. Mr. Drewry said, that's exactly right. Commissioner Murray said, the other question I asked, and I know you just went into this job and, like you said, it's a great way to be indoctrinated. I'm no professional in that, but I would think that if you would go down the major arteries, Johnny Mercer Boulevard and some of your other roads that are major roads, and get that first and work into it, but I think what you said you were doing though is working different crews in different districts—. Mr. Drewry said, different areas. Commissioner Murray said, and evidently that's working also, but I think what's happening in the area that I represent is it's one of the last areas to be picked up and therefore people didn't think it was going to get picked up, and most of them don't have trucks to haul it to the dump themselves, but I appreciate the update and at least now I think we have some idea of when it will be completed and what we can tell the people that are calling now.

County Manager Abolt said, gentlemen, too, as I indicated to you a few days ago, we will give you a report every Monday as to what remains that week and, if you would like, if there's other individuals and neighborhood groups you'd like to have that information forwarded to, we'll gladly do it as well as through Mrs. Griffin make it available to the news media. Chairman Hair said, thank you.

Commissioner Murray said, one other thing I'd really like to comment on, on the Wilmington Island Landfill. I took several loads over there myself after this happened, and the people there couldn't have been better. They got the people in and out. You had traffic backed up all the way down Concord Road at times. They had the people in and out. They had two chippers there with trucks bringing some of the heavier stuff and chipping it, but I think the people at that landfill need to be commended for the job they did under different circumstances than they normally work. Mr. Drewry said, I appreciate that.

Chairman Hair said, thank you, Robert [Drewry]. We appreciate that.

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RECOGNITION OF GUESTS

Chairman Hair said, before we proceed I'd like to recognize my good friend and our Mayor, Floyd Adams, who's in the audience with us, and I'm sure he'll want to speak later when we get to the topics that he's interested in. Commissioner DeLoach said, he's a proponent on this. Chairman Hair said, pardon. Commissioner DeLoach said, he's a proponent on selling the water system, I think. Chairman Hair said, yes, and we have also Alderman Pete Liakakis with us as well. We appreciate y'all being here.

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VIII. TABLED/RECONSIDERED ITEMS

agenda packet. The files are available from the Clerk. Those on which staff is requesting action are indicated by asterisk (*).

*** 1. REQUEST BOARD APPROVE THE FOLLOWING: TRADE CENTER RECONCILIATION AS FOLLOWS: ONE PERCENT SALES TAX ROAD PROGRAM FUND (1985-1993) TRANSFER OF $9,500,000 FROM U.S.80 INTERCHANGE TO THE HUTCHINSON ISLAND INTERCHANGE, $1,000,000 TRANSFER FROM CONTINGENCY TO HUTCHINSON ISLAND INTERCHANGE FOR TRADE CENTER ROADS, AND $3,300,000 FROM CONTINGENCY TO HUTCHINSON ISLAND INTERCHANGE FOR RIVERWALK PROJECT. NOTE: Item was tabled at the meeting of August 28, 1998, to be acted on at meeting of September 25, 1998. (See attached new staff report offering reconciliation.)**

Chairman Hair said, staff has requested that we leave that on the table until the next meet because they still have not gotten word from DOT about some of the factors that relate to that. So we'll leave Item #1 on the table until the next meeting.

ACTION OF THE BOARD:

This item was not placed before the Commissioners for consideration.

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*** 2. REQUEST FOR NEW BEER AND WINE POURING LICENSE FOR 1998. PETITIONER: MATTHEW K. STARLING, D/B/A BONA BELLA MARINA, LOCATED AT 2740 LIVINGSTON AVENUE. *NOTE: Applicant requested item be deferred until September 25, 1998.* [District 3.]**

Chairman Hair said, this second item we are ready to take off the table. The Chair will entertain a motion to take that off the table. Commissioner Price said, so moved. Commissioner Jackel said, second. Chairman Hair said, motion and a second. All those in favor of taking it off the table vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes.

County Manager Abolt said, gentlemen, because of the actions of the Board of Appeals, you may choose if wish to adopt staff's recommendation.

Chairman Hair said, the Chair will entertain a motion to approve. Commissioner Price second. Chairman Hair said, we have a motion and a second. Any discussion? The Clerk said, I'm sorry, I didn't hear the—, who made the motion? Commissioner Jackel said, I'll make the motion. Commissioner Price said, and I'll make the second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

1. Commissioner Price moved to untable this item and place it before the Commissioners for consideration. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

2. Commissioner Jackel moved to approve the request of Matthew K. Starling, d/b/a Bona Bella Marina, located at 2740 Livingston Avenue, for a new beer and wine pouring license for 1998. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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ORDER OF BUSINESS

Chairman Hair said, I'm going to suggest by unanimous consent if there are no objections of the Commissioners that we take the next item, which is Disposition of Water and Sewer, and move it to the end of the morning agenda because that's the one that is going to take a long time and we'll go ahead and dispense with the rest of the agenda and then deal with that. Does anybody object to that? Okay, so with unanimous consent we will do that. Of course the next one [Item #4] deals with the hearing which will be at one o'clock today.

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*** 3. DISPOSITION OF WATER AND SEWER SALE. NOTE: On the 8th of May the Board acknowledged further public input would come at a time when they would be discussing whether or not to accept bids on the disposition. *NOTE: Item was tabled at the meeting of August 28, 1998, to be acted on at meeting of September 25, 1998.***
Commission plans to have a public hearing at this meeting.

Chairman Hair said, we first need to take it off the table. Commissioner Rivers said, so moved. Commissioner Thomas said, second. Chairman Hair said, motion and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, it's off the table.

Chairman Hair said, okay, disposition of water and sewer sale. I would suggest that we're going to have a lot of people that want to speak on this and we'll recognize everybody that wants to speak. Probably the best thing to do would be go ahead and hear from the audience first and then we can ask questions, Commissioners, as they come up. I think that would be the best way to go about this. Commissioner Rivers said, proceed. Chairman Hair said, so we'll just recognize you. I will ask all of those that want to speak come up—, go ahead and get up on the front rows to speed this process up. I would also ask you to be as brief as possible. May sure you take enough time to say what you want to say, but try to be brief because we do have a lot of people that want to speak to this issue. Mr. Bouy, I'll recognize you first. Come to the podium and state your—, all of you please state your name for the record.

Mr. Troy Bouy said, I'm in the developing business and home building business. I'd like to go back on the time of history, which I want to believe that it was in 1972-73, we had two Commissioners who were very excited about the fact that they thought we needed to make this community or this County progress, and that was to go into the sewer and water business because we didn't have any to speak of in the outlying areas. And all I'd like to ask you is to—, if it was so great back in those days with the wisdom of those people, and I have to say Mr. Tom Coleman and Matt Matthews were the two—, one that headed up the committee, co-chaired that committee and wrote what we thought was a very good Commission. I'd just like to ask you gentlemen to give that consideration when you pass your vote of whether you're going to sell it or not sell, and I'd recommend that you do not sell it, and stay in the business and advance the business more than close it out. Chairman Hair said, thank you, Mr. Bouy. Any questions of Mr. Bouy? Thank you very much. Mr. Bouy said, thank you. Chairman Hair said, next person please come forward and state your name for the record.

Ms. Doris Cooley said, I'm Doris Cooley from District Four, and I've been here before. I've talked about this before, and I'm very upset that this is continuing. I don't know why you're doing or want to do this. I'd like to know why this is even on the agenda again because we were here as a group and we didn't want this done, and anything that's going to cost me money and I'm on a fixed income and there's no good reason as far as I know, I'd like to know why. Why is this being considered? Chairman Hair said, well, one reason, we have a letter in front of us today that one of the proposals will actually lower water rates by 10% immediately and will save the taxpayers $750,000 over the next 10 years. Commissioner Price said those are the users, the water users. Ms. Cooley said, I'm going by this card, okay. What I read here does not say it's going to save me one dime. It says the possibility of increased rates and significant on the sewage [sic] rate. This is what I got in my mail and this is what I believe. Now, we talked about this before. There were people here that live in Isle of Hope that had private service at the time and they were very unhappy with their service because things were not being as well as the County does it. The County does a great job, okay, and I don't know why we need to fix something that works so well. I also said before that when you bring in a private agency, they have to make a profit because that's the way it is. That's the American way. If you're private, you're in the business to make money. Now the County, in my opinion, does not have to be in the business of making money. If employees are paid at a fair wage and the service is good, I don't think we need to change it, and we just keep it to same. My taxes just increased and everybody in the County's taxes just increased, and you need to keep in mind what we have to live on. We're not rich. There may be some people, but most of us are not rich people. We do the best we can, and please leave it alone. Chairman Hair said, thank you very much. We appreciate you coming. All right, the next person. Anybody else? Okay.

Ms. Sabrina Kent said, good morning to all of you. I'm Sabrina E. Kent. I represent Planters Commons, Nottingham Drive, Covington Court, and Glen of Robin Hood. As she has said, the young lady just said, we've been there before on this same issue. Again, what's the problem. You know just as well as I know that them cutting our cost is a bunch of bull. There is no way, and if the City takes us over, we've got bigger problems because now there's going to be increase by 50%. They're

getting enough of our money when we come into the City. We've got property out there now that the City don't even want to mess with and it's driving youth out there. You know, you guys are doing an excellent job and you want to break it. I'm failing to understand what the problem is. Why do you want to get rid of something that works? That's like taking prayer out of school and it worked. Now we've got dead children all over the City, but you all want to break the water system and give us a privately owned water system that the young man said the last time that we were hit you get a private water system, you may be taking a shower and suddenly you have no water. Unfortunately, the only bad experience I've had with the County was two weeks ago when the power went out and the generator forgot to jump on and I had shampoo in my hair. I mean, if this is the kind of stuff we're going to experience with a private-owned segment, then we don't need that. We need to stay as we are. Nobody up there can explain to me why we're going to change this. It's not saving us any money. It's going to cost us more money. We have too many people out there that care about their community and care about the County and care about you all apparently. We put you there. So we need you all to work with us. None of you have came [sic] out to say well, we're going to have a meeting with the community people out there to say let's find out what they want, let's find—, let's tell them why we want to do this. Nobody—, I haven't heard from any of you to tell us why you want to do this. But you want to break it and then you lose money or something falls short and then it's like, oh boy, what happened. I think we need to see the big picture before we snap it out. But that's all I have to say at this time, and I will have other questions when we continue. Chairman Hair said, thank you very much. Chairman Hair said, Mr. Pierce, right after this gentleman.

Mr. Toy Davis of Quacco Road, and I've been there 48 years, and I've got two problems because when will we ever get the road surfaced. There are holes all over it from 17 to Pooler, and the other problem I've got is with my property tax. I was paying $3,200 a year and now they've gone up to $7,700. There ain't no way in the world that could be right, is it? From $3,200 to $7,700. I just thought I'd come and—. Chairman Hair said, thank you. Russ [Abolt], could we make sure—, give him a response at least on the road part of it. County Manager Abolt said, sure. Chairman Hair said, we'll get the County Manager—, I think on your property tax question, sir, we all agree with you. I think that's an issue that all of us are concerned about. Mr. Davis asked, well, what can I do about it? Chairman Hair said, well, I think—. Mr. Davis said, I went to the—, I called a man on the tax board and he said ain't nothing you can do about it. Now you've got to pay it. So next year will it go up that much again? I got about 300 acres and I'm going to have to get rid of it. I'm living on a fixed income and there ain't no way to pay that much tax. It's all out of reason. Chairman Hair said, thank you, sir. Thank you for coming. Chairman Hair recognized Mr. Pierce.

Mr. John Saxon [Piccolo] Pierce said, Chairman Hair, [inaudible] sit down and think about selling things. If the private owners [inaudible], we ain't going to have nothing. Y'all going to be—, the poor people drinking water [inaudible]. I drink some water too. [Inaudible.] You the leader or the Chairman and the Chairman is suppose to lead the crowd, and if you don't lead the crowd, how you expect somebody [inaudible] and sit down [inaudible]. You are the leader and I think the people elected y'all to help and to get things done and if you can't get it done, we'll have somebody do it for you. Chairman Hair said, thank you, Mr. Pierce. Anybody else like to speak to the issue?

Ms. Wilson Huff said, Mr. Chairman and Commissioners, my name is Wilson Huff. I live on Isle of Hope. I need water to live. Y'all obviously do too. You have carafes just to get through this meeting. I expect that for my taxes my governmental will provide certain things to me. I get water, I get police service, I get roads. I don't expect to lose any of those services. As my taxes go up I expect to at least have the things that I need. I can't live without water. I can live without a golf course, I can live without a race track, I can live without a dormitory for out-of-town athletes. I cannot live without water. If you put water in the hands of any private or other pubic non-governmental entity the only reason that entity wants to provide that service to me is to make money off of it, okay. The City of Savannah does all the treatment services for the sewage. Sewage is two-thirds to three-fourths of our water bill. Any private entity that takes that service is going to have to go through the City of Savannah to get that treatment done or to go to huge expense themselves to build and provide treatment plants. They aren't going to do it. There's no way that our sewer service, which is the majority of the water bills, so-called water bill, is going to go anything but up, up, up, up, up. The City provides a sweetheart deal to the County in treating those sewage services now. They will not to any other entity. That's a given. There's no way it's going to do anything but throw us on the mercy of anybody who wants to make a dollar, and I don't believe that that's what we elected you for. I know that's not what I voted for you for, Mr. Murray, and I don't want that to happen. I've spoken with 50 to 60 people in my neighborhood last night and they couldn't be here today, but not a single one of those people wants this sold, and they asked me to express that to you. Chairman Hair said, thank you very much. Anybody else?

Mr. Steve Lynch said, good morning, gentlemen. I'm Steve Lynch. I represent Savannah Manufacturing Company. We're a wholly-owned subsidiary of Hershey Foods Company. We have concerns with supply of waters, rate stability and capital to expand by taking this private. We're not anti-privatization, but we believe that this should continue to be maintain by the County because it impacts jobs and impacts growth. Thank you. Chairman Hair said, thank you, Mr. Lynch. Any questions? Okay, thank you. Anyone else?

Ms. Lucinda Hardy said, good morning, gentlemen and ladies. I'm Lucinda Hardy. I live on Isle of Hope. I have a couple of questions. First, who sent the card out? Chairman Hair said, Mr. Abolt? County Manager Abolt said, County staff. Ms. Hardy said, the County sent the card, okay. Are you required to take bids or did you invite bids? Chairman Hair said, we're not required to take bids. They were invited. Ms. Hardy said, they were invited, okay. I agree with all the remarks by the previous County taxpayers. I would like to add to it that at 1:00 the meeting is to discuss water again, as I understand it, and a very different approach to providing water to the citizens, and I understand there are two bids for our water system. One is by a Savannah man. Anyway, I'm afraid that if you sell our system we may be in worse trouble than we are now, and I please encourage you to keep providing that service to us. Chairman Hair said, thank you, 'mam. I appreciate it. Anybody else?

Ms. Martha Weaver said, my name is Martha Weaver and I'm from the Isle of Hope area. When we moved to Isle of Hope in 1970 in the Wimberly area, we were under a private system. The power would go out, the water would go out. No backup pump. We were delighted when the County took over our water system. The street I live on, Flynn Drive, is promised sewer at our end hopefully by the end of this year by the County. We do not want to be taken over by a private entity. If we have a problem, How do we take our—, how do we address our problems to [sic]. We have no recourse. We can't come up here

and complain to you or to our representative. We are tied. I want to know why you are even considering bids from private people, and who are these companies? Who is behind these companies and why would you be thinking about doing this? I'm very upset. Chairman Hair said, thank you. Anybody else?

Ms. Wilson Huff asked, may I make one other point? Chairman Hair said, certainly. Ms. Huff said, you as a governmental entity have certain standards and requirements that you must operate under in order to provide water and treat water. Private entities that do the same thing do not fall under those same standards. They have some standards, but the standards are less. We would be getting less regulation and less quality in our services if it's not provided by a governmental entity. Chairman Hair said, thank you. Any Commissioners have any questions? Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, not any questions. I have some comments. One of the ladies asked why sell. That's my question too. Why sell? It has been for the last 10 years because it comes up every term that I've served. There's no reason for us to sell our water system. It's all about dollars and what we can get out of it and where we think we can spend that other money is the bottom line. Another lady said something about the higher rates for the City. You're exactly right. If the City has the Chatham County water system, your rates would go up approximately 50%. That's what's happened in other areas of the unincorporated area. You talk about problems, if someone—, if a private sector owns the County's water system, and there are problems right now, there is no where for you to go except to the State. We have no control over that. We cannot franchise nor could we have a water and sewer authority that we can control any part of it unless we own the system. I, too, want to know why do we want to sell the system, and why does it have to keep coming up. Several months ago some of you same people were up here. We had a meeting. There was not one person in the audience at that time that spoke in favor of selling our system. The rates are low right now. It's probably the best rates you get in Chatham County. There's no guarantees if this system is sold. I do not think we need to sell the system. As a matter of fact, I would like to make a motion right now that we do not sell the Chatham County water system. Commissioner Saussy said, second.

Chairman Hair said, we have a motion and a second. Any further discussion of this? Let me ask a question of the Attorney. Just—, since the other hearing is a 1:00, would there be anything wrong with us taking a vote before 1:00? Commissioner Murray said, this is a separate issue. County Attorney Hart said, it's a separate issue. There is some question as whether advertising in the newspaper—. Chairman Hair said, that's the point I was asking you about. County Attorney Hart said, yes, sir, there was an advertising in the newspaper. I don't know that there's a requirement—, the pubic notice requirement was done as a courtesy to the general public—. Chairman Hair asked, so it would be legal to take the vote prior to 1:00? County Attorney Hart said, yes, sir. The safest thing to do would be obviously to go ahead and since you advertised it for 1:00, and have your 1:00 meeting and just take the final vote then.

Commissioner Murray said, excuse me. We advertised the 1:00 meeting for the ASR situation, not for the County sales and services. County Attorney Hart said, yes, sir, but it's my understanding the newspaper was advertised as a 1:00 meeting. There's a difference in timing. Commissioner Murray said, it was on the front of our agenda. County Manager Abolt said, please understand. The County staff did not place what appeared in the margin of the newspaper two days running. That was an error on the part of the newspaper because this has always been two separate issues. Also, if I may, Mr. Chairman, based on the motion. Please understand that the history of this subject starts out from a solicitation on bids, so it is [inaudible], I don't want to presume, but I believe that the action, Commissioner Murray, would deal with, first of all, rejecting the bids. Commissioner Murray said, rejecting the bids. County Manager Abolt said, and the staff would need direction, either we keep it status quo with the County to continue to maintain both, or as we've attempted to craft one of your alternatives would say go forward and then negotiate with two other governments, the City of Savannah and City of Pooler. We just need some closure on that, either just stay in the business or reject and send us forward to negotiate. Commissioner Murray said, I'll reword my motion. That you reject all bids and that we cease the sale of the water system period. County Manager Abolt asked, and sewer too, sir? Commissioner Murray said, water and sewer.

Chairman Hair said, all right. We have a motion. Do we have a second? Commissioner Saussy said, second. Chairman Hair asked, any discussion? Chairman Hair recognized Commissioner Price.

Commissioner Price said, Russ [Abolt], the postcard that everybody and the wording on the postcard itself, who made the determination on how that would be printed and what it would say? County Manager Abolt said, it was done by staff, sir. Commissioner Price asked, who among staff did it? County Manager Abolt said, I believe I know, but I don't want to say with certainty. It would be a combination of a person, I believe, in my office and someone in the Public Works Department. Commissioner Price said, okay. If you read the card, it's very evident that that card was meant to generate the response we got today. It's extremely evident. "There will be a substantial increase in sewage rates." I'm not sure that there will be a substantial increase in sewage rates. I'm not sure that there are certain agencies in place, state-wise and I believe federal-wise, that would prohibit the City from arbitrarily coming in and raising sewage rates up 50%. What interest does the City have in all this? Would the City like to see the County's water and sewer system sold to a private entity? No. The City has a very, a very poignant agenda here, a very specific agenda here. You control water, you control growth, you control a lot of things, and to a large extent this is a control issue. It's whether or not there is going to be competition from the County or whether we're going to agree that the City's going to continue to control the whole water and sewer arrangements in Chatham County. Now you may sit there and say why do you want to sell this system, why would you even entertain the idea of selling the system. One of the reasons is because competition generates prices that normally go lower. The absence of competition is a monopoly. What happens in a monopoly? You can control the prices of anything, whatever you want to do. So we don't have a real genuine, competitive arrangement in Chatham County. Those of you who are on the County water and sewer system, you're less than 5% of the total population. That doesn't diminish your rights or your needs of what you need to have. But I think we have to make a specific decision here, and I don't think the votes are here to sell the system. I really don't. But I think we need to make a decision whether or not we're going to continue to operate a small County water/sewer system or whether we're going to offer the community the competitiveness that it should have in the helping of rates to stay low. You know, the answer to this whole problem was years ago thought of by previous Commissioners, a County-wide Water/Sewer Authority. It's gone nowhere, it's never happened. We tried to make it happen years ago and Frank and Joe and I were on the Commission back years ago, it was one of the items we tried to get through the State Legislature. It

wouldn't go anywhere, couldn't go anywhere. So the reasons why we've entertained the idea of selling the system once again is for competitive reasons. Yes, we could use the money for other very important projects and capital needs that the County has from the sale of the water and sewer system. But the way that this whole thing has been brought about and, Russ [Abolt], I'll tell you this very blatantly, the way that the notices were sent out in a way to bring about the response of—, you've got something here from the County saying you've got something here from the County saying substantial increase in sewage rates. That is just not necessarily the case, and we've misled people, and we've done it in a way to make it politically charged, to make it to the point of having people angry and made again about the idea of this whole thing when I don't think it's all being handled as objectively as it could be, and that's my—, that's my problem with the way staff has handled this.

County Manager Abolt said, if I may please, I apologize if that was the case, and certainly it was never intended. We were trying to err on the side of not putting the County Commission in the position of making a decision and then someone was either at the meeting or reading about it in the paper or seen it in the media, take umbrage with the fact that the decision was made. And, as we said, there may be substantial increase. I stipulate now that there will be substantial—, there will be increases on our system if we continue to run it because of some outstanding costs.

Commissioner Price said, exactly. The increases would happen regardless, but they're not substantial. We recognize the shortfalls in the sewage side of our water and sewer system. We know that we're going to have to possibly increases rates even if we continue to own it. But to come in and to say on a postcard that goes out to all the users, if we sell the system there's going to be substantial increases. That's just not—, that doesn't cut it with me, Russ [Abolt], and this whole—, the way this whole thing has been handled just doesn't cut it and I'm very disappointed in the way it's been handled. County Manager Abolt said, I certainly apologize for it and certainly in retrospect we would have taken it out, but I do want to—, I know I don't have to convince you, there was no attempt to excite. We were trying to err on the side of informing and not exciting. I apologize.

Chairman Hair said, before I recognize [inaudible]—. Commissioner Price said, I accept that. Chairman Hair said, I'd like to ask a more specific question to you, Russ [Abolt]. What was the factual basis for the postcard? Where did you get the factual basis to take that statement that there would be substantial increases? County Manager Abolt said, based on the staff report that you have in front of you and all of the options, and remember the action word is may, if we're not able to satisfactorily resolve certain legal issues, there is a possibility of—. Commissioner Price said, we may get hit by an asterisk—, an asteroid one day. County Manager Abolt said, sir, again, I was apologizing—. Commissioner Price said, we may—, I mean, what's the possibility? County Manager Abolt said, again, sir, I apologize for the way in which this procedure—, it was never intended that way. The intent purely is to identify all the options. I would venture to say that if you were to proceed, On one of the—, On some of the choices you have in front of you and sell it, someone would come up a few months from now and be very upset that somehow someone were [sic] told as to all the options and what the ramifications of the options might be. But I genuinely am apologetic for it. It was not intended to excite.

Chairman Hair said, before I recognize Commissioner Murray, I want to say to the audience. We will recognize everybody, but let's let everybody speak once and then we'll go around the second and third times. I'm sure you will have every opportunity to speak as many times as you want, but I think it's fair to let everybody speak once and then we'll go back the second and third times.

Commissioner Murray said, my only question is, I question the competition aspects that's being discussed. I really don't believe that two different water companies will run two sets of lines through these communities and compete back and forth price-wise. Whoever is in that area is the person that's going to be in that area, and whatever rate they charge, they're going to charge.

Chairman Hair said, at this time I'm going to recognize Mr. Walker. Mr. Walker, would you please come to the podium?

Mr. Jim Walker said, I am Jim Walker. I am the President of TSG, and we are one of the bidders, and I've never seen—, this is three times today where a bid has been screwed up and been totally misrepresented to the public, and that's wrong. We have spent a tremendous amount of money demonstrating our qualifications. We currently manage the Chatham County water system. Is everybody happy or not happy? Several individuals answered no. An unidentified lady said, I've had my water turned off twice by accident because they couldn't read the numbers on the house. Mr. Walker said, that's one of the problems of having the County own the system, control the customer file, control the billing, control the customer service, and we try to operate. We're working a handicap from it. We submitted a bid to you based on the bid documentation. We followed it by the letter. We entered in a bid that says that we will not raise the rates any greater than 2% a year for the next 10 years, and we'll extend it to 20 years. The bottom line is Russ Abolt is correct. You're going to have to raise the sewer price because the utility is losing $400,000. You're subsidizing your sewer rates at $250,000 in 1998. You're walking around and you're saying that it's a profit center. It's not a profit center. We're talking about the City of Savannah is going to stand up and do a 50% surcharge when you demonstrated you legally—, $25,000 in legal bills that says they can't do it. Well, you want to just disregard the law and say, well, they're going to do it anyway. This is a circus.

Commissioner Murray said, I'd just like to respond to that please. Mr. Walker said, I'd like to have John Sprague—. Commissioner Murray said, well, before he does that I'd just like to clarify—. Chairman Hair said, I'm going to recognize Commissioner Murray. Commissioner Murray said, first of all, I didn't say the City was going to raise the rates if you bought the system. I said if the system was owned by the City, they would go up 50% in the unincorporated area. That's where they are today. The other thing is I told you from day one several months ago when you came and talked to me I was not in favor of selling the system and I was not going to support selling the system.

Mr. Walker said, I'm fine with that, sir, and I respect your opinion on that, sir. Commissioner Murray said, well, just be careful how you—. Mr. Walker said, I'm very upset about the way this whole transaction has been administered by the staff. It is—, we have been chasing our tail because of misinformation that has been put in the press, that has been mailed to customers, that has been stated in—, to the media, that is inaccurate, that is false and is totally and has been—, also by the City of Savannah totally for the purposes of cartering this transaction. It's not a straight up deal and it's bad and it's wrong—.

Commissioner Murray said, I for one have been straight up during the whole process. Mr. Walker said, and we incurred a tremendous amount of money just trying to correct the problem.

An unidentified female began speaking from the audience. Chairman Hair said, the Chair is going to recognize—. Let's keep the conversation from the podium to the Commissioners please in a sense of decorum. Chairman Hair recognized Mr. Sprague.
Mr. John Sprague said, my name is John Sprague. I'm attorney with TSG Holdings. I did want to try to clarify the rate issue. Commissioner Price said, John [Sprague], pull the mike up. Chairman Hair said, pull the mike up if you can. Mr. Sprague said, I did want to try to clarify the rate issue. Since the City sent the letter to the County, which was attached as a part of the bid package saying that they may not provide service to a private supplier and we had also heard that the City may well increase the rates by 50% if a private supplier bought the system, we have spent a tremendous amount of time and money trying to track those things down because we did not believe them to be true, and in fact we have found out and spoken with Harold Reheis with EPD that under no circumstances would the City of Savannah be allowed to refuse to provide service to any supplier of the existing customer base where they have capacity, which they do, because there are no other alternatives. They would have to provide that service. There's no question about it. We've spoken with him about it. We have written the Commissioners about that and provided that information. We have also been in contact with the EPA concerning the rate structure. The City was granted about $10,000,000 in grants to help build their sewer system at various times. They are subject to a user charge system. The user charge system is very specific about how it can be administered and how the rates can be charged. They must be based on the cost to provide the service. Those are the only considerations. All the considerations that the City put out in their letter to the County about credit worthiness and qualifications and whether we're going to build the pipes the right size, those are not considerations at all. The fact is we're running the system, we're running it effectively already, providing good service to the County, and we would continue to do that, but the rates must be based on cost. And the other thing that you have to understand and you have to keep in mind is that the County is and should remain the cheapest customer the City has You're a wholesaler. You run—, you have built all the lines to your own customers, you maintain those lines, you operate those lines, and you connect to the City's existing system. It goes and it's treated and the effluent is distributed. The City's other customers, their main customers and they also have other wholesale customers, but their main customer base they provide, they have built many of those lines, they maintain and operate those lines, they bill those customers. The rates to the County can never be higher than any other customer that they charge. It is very clear that they do not have the discretion to charge different rates to municipalities and counties and private suppliers. That is a very clear part of the EPA. We provided that information. We have suggested that the County authorize Mr. Hart to write to Mr. Reheis and to Mr. Haig Farmer [phonetic], who is the National Coordinator for the User Charge System to obtain that information, to provide—, so that you will know yourself whether you have a system you can sell. Whether you decide to sell the system or not, that's information that you need to have. It's very—, there is no question about these issues. The City can alter their rates under certain circumstances, but they can only do so on the basis of cost, not on the basis of who the customer is.

Chairman Hair asked, any questions from the Commissioners? Mr. Sprague said, I guess my point—, my point is also from a notice perspective, I think the notice was very misleading. It was based on information directly contrary to the information we had already provided the County.

Chairman Hair recognized Mr. Michael Brown.

City Manager Michael Brown said, thank you, Mr. Chairman. I think—, you are approaching Noon, so we respect probably the need to have the work session, but on the issue of the rates, the City has, as you know, for a number of years accepted effluent from principally the County and from Thunderbolt and treated that at a rate that was for other governments. We have been telling City—, County staff for a while that really is less our cost, but every year that comes along we do a little increase. I don't think that we tried to signal that that increase would be significant. We don't see where why we would give a private company a rate that's lower than what our actual cost is, and that's basically all we said. I don't—, and I think, Commissioner, we never said, well, we're going to raise it 50% or what—. I think we're on the save wave link. We're saying that Chatham County, our governmental partner, is not the same entity as a private entity. You're a double-A rated county government with a new governmental agreement. You are where you follow and respect the same sorts of policies and procedures and environmental rules. We have that intergovernmental—, the stability of that relationship. We are saying that that would be altered. That was what we tried to say in our letter, and I don't really want to say much more here because I respect your process and I think that your idea of the work session after lunch is a good one. I think there needs to be more public knowledge about water and sewer extension policies and how we're going to prepare for growth, how we're going to meet our environmental responsibilities. Thank you, Mr. Chairman.

Chairman Hair said, thank you, Mr. Brown. I realize that we—. Commissioner Price asked, may I ask a question. Chairman Hair said, I realize that we—. Go ahead, Commissioner Price.

Commissioner Price said, quick question. Difference between what you charge wholesale for the County and what you charge your regular customers for sewage is how much, percentage-wise? Mr. Brown said, I don't know the exact percent. Commissioner Price asked, is it 50%? Mr. Brown said, we charge cost base except to Thunderbolt and Chatham County, and we have charged less than cost. Commissioner Price asked, is it 50% difference? Mr. Brown said, I don't know the exact difference. I think this 50% comes in in that the retail customers outside the City pay 150%. That same relationship does not exist for the wholesale, intergovern—. We had it wrote in our structure that it's for other governments. We didn't—, you know, what do we do when we face a private company that, you know, should we subsidize them. That has been our question. We never though said what we would charge, and I think it would be unfair for us, and I kind of agree with Mr. Sprague, it's got to be cost based. Now I do think the creditworthiness of your customer that's a private outfit and the environmental compliance, those are legitimate issues in deciding what you would charge for a service. Commissioner Price asked, where did we get, Russ [Abolt], the 50% increase—, difference? I've seen it in documents. Commissioner Murray said, the 50% that I was talking about was the people in the unincorporated area—. Commissioner Price said, I understand that, Frank [Murray]. I understand that. Commissioner Murray said, that are on the City's water system. Commissioner Price said, where did we get this substantial increase in sewage that went out on the postcard? Chairman Hair said, that's the

question I asked a while ago. Commissioner Price asked, where did we get that? Was that based on the assumption that the 50% was going to happen?

County Manager Abolt said, I apologize for the implications, but please understand there's no malice or intent to mislead. Staff when they handled it were just trying to put you in the position of not misinforming or trying to slip something by. So let's say there were the votes there to sell the system, come some time next year someone stands up in front of you and says, I didn't go to the hearing, but you didn't tell me there was going to be an increase in rates. We were just trying to—, and the most direct comments I can make are just that. We were trying to put you in the position of avoiding any misleading statement. Obviously, we went too far and I apologize. Chairman Hair said, let me ask you a question, Russ [Abolt]. You just also said in your testimony earlier that it would be—, there's a great likelihood there's going to be an increase if the County keeps the system. Is that correct? County Manager Abolt said, that's correct, sir. Chairman Hair said, did I hear that correct? County Manager Abolt said, yes, sir, that's correct. Chairman Hair asked, would you characterize that increase that the County's going to have to put on these folks anyway as substantial or less than substantial? County Manager Abolt said, it could be a relative thing, sir. I would think anything that approaches double digit, which this may very well, by some will appreciate it as substantial. I don't have the exact figures for you. We've just started reviewing the budget. Chairman Hair said, but what I'm trying to get at is that if you know that the County has to increase rates anyway because we're subsidizing to the tune of $200,000 to $300,000 a year, then I agree totally with Commissioner Price. I think it's very misleading to say that if the systems are sold there's going to be a substantial increase, but not telling the same folks out there that even if it's not sold there's going to be a pretty good increase. I think that's fair. County Manager Abolt said, sir, I don't disagree with you. Chairman Hair said, I just think that's fair. County Manager Abolt said, again, if I may please, I know you understand. I'm apologizing to you for it. Obviously, because of this reaction, just among the Commissioners, we did not meet the mark because in our attempt to satisfy a brief statement that would give you the maximum way of saying here are some of the ramifications, we went too far. If this were to be done again, and I realize it's impossible, we would eliminate the last paragraph off the memo. Period. That's all. Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, let me say one other thing. If we still hold the system, we can regulate it. Commissioner Murray said, that's right. Commissioner Rivers said, if we don't have it, we can't regulate it. Whether we increase, up or down, there still is a limit that we're going to go.

Commissioner Price said, Billy [Hair], just take a vote. Chairman Hair asked, pardon? Commissioner Price said, just take a vote. Commissioner Jackel said, call for the question.

Chairman Hair said, all right. We have a motion on the floor to reject all bids and to cease the sale of the water system. That is the motion as I understand it. Is that correct, Commissioner Murray? All right, any further discussion? County Manager Abolt said, and sewer. Chairman Hair said, all those in favor vote yes, opposed vote no. County Manager Abolt said, and sewer. Chairman Hair asked, pardon? Commissioner Murray said, and sewer. Chairman Hair said, and sewer. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Murray, Odell and Thomas voted in favor of the motion. Commissioners Price and DeLoach voted in opposition. The motion carried by a vote of seven to two.

ACTION OF THE BOARD:

1. Commissioner Rivers moved to untable this item and place it before the Commissioners for consideration. Commissioner Thomas seconded the motion and it carried unanimously.

2. Commissioner Murray moved that the County not sell its water and sewer systems. Commissioner Saussy seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Murray, Odell and Thomas voted in favor of the motion. Commissioners Price and DeLoach voted in opposition. The motion carried by a vote of seven to two.

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* **4. CHANGE IN DATE OF HEARING ON WATER SUPPLY OPTIONS (COMMISSIONER MURRAY).**
NOTE: Item was tabled at the meeting of August 28, 1998, to be acted on at meeting of September 25, 1998. Board has set hearing for 1:00 p.m. today. **(See attached agenda and report from MPC staff.**

Chairman Hair said, before we begin with the first representative, we've had a request from Mr. Walker as a point of personal privilege to say—, to speak for one minute, and I'm going to allow him to do so.

Mr. Jim Walker said, thank you, Mr. Chairman, and I'll keep it less than a minute. I just want to apologize for any remarks I made earlier. If I offended any of the Commissioners, that was not my intent. I was frustrated because we felt we weren't given a fair due process, and I apologize to anyone I may I have offended.

Chairman Hair said, thank you, Mr. Walker. All right, the first presentation is going to be from a TSG representative, Mr. Gregory Tate.

Mr. Gregory Tate said, thank you. I have some slides I would like to show the Commission. Just by way of a quick introduction, the purpose of this workshop or work session, as I understand it, is informational purpose on aquifer storage and recovery. The subject we're going to deal with then is aquifer storage and recovery, a proven tool for Georgia's coastal water resources. We are blessed here on the coast with an abundance of water resources. Rainfall about 55 inches, some of the largest rivers on the Eastern Seaboard, the Savannah River flowing an average annual flow of 7,600 million gallons per day, 7 billion gallons per day on the average, the Ogeechee River, 1.5 billion gallons per day, and the Altamaha River, 8.8 billion gallons per day, and we're also blessed with the Floridian Aquifer. We sit on top of one of the largest and perhaps the most

prolific aquifer in the United States. What this—, the problem is that while we have all this water, we don't always have it where we need it and in the location that we need it and when we need it. It occurs sometimes and leaves us high and dry in others. People have always sought to store water for dry times. In the very beginning, gourds, urns, canteens were used to store water. Later, with the Romans, aqueducts, cisterns, and [inaudible] were developed. If you see a trend here, we're always looking at municipalities, cities and groups of people, individuals' homes, we're always looking to store water for times when it's try. Well, as municipalities became more sophisticated, we developed reservoirs, bigger storage means. Elevated tanks, some as big as a million gallons hung in the air, and ground level tanks, some as big as 10 million gallons of storage, but the storage of water in mass is always, always costly and often difficult. Consider this. Just when water is needed the most, that's when we're in a drought and that's when our rivers are flowing low. And storage in reservoirs, if we could capture that water out of the river and store it in a reservoir, it's unfortunately very damaging to the ecosystem. It's costly. They're difficult, reservoirs are difficult to manage. One little factor here that I think surprises a lot of people is that if we could not get water out of the aquifer on a given day, if we could not get water out of the river on a given day, how long could our water supply system provide water. How much time. And I've asked this question blindly of others, and I've heard answers all the way for a week to several months. Well, the fact of it is, that it is rare to find a community that can supply water more than a day's time. As a matter of fact, most would be like a half a day's supply. So you see that mass storage of water, while it may be very important, it has up to this point been very difficult to do.

Well, that brings us to aquifer storage and recovery. Let me just put up a very quick definition. Aquifer storage and recovery is the storage of treated water in a suitable aquifer through a well, through one well during times when water is available or when water is abundant, and it's the recovery of that same water, out of that same location, from that same well, not another well, not somewhere else, but that same well when it's needed to meet peak or emergency or long-term demand. I've got a picture here which I think will give you a good idea of what aquifer storage and recovery is really about. This is a system that's conceptualized—, this is a picture conceptualized off of a system in South Florida. It's one of the oldest and largest, most mature ASR systems in the country. It's been in operation 15 or 20 years, I've forgotten exactly. They have 9 wells, 9 aquifer storage and recovery wells, they have a water treatment plant that draws water, as you see, out of a surface water. That's the Peace River. They have—, the water treatment plant is a 12 million gallon a day treatment plant, and a river about one-third the size of the Ogeechee River. They have at this point about 2 billion gallons of treated water stored below the site. For the most part, well, I would say virtually all of that water is stored in a footprint that takes up no more than the 20 acres of plant site that is occupied by this facility. They're in the process of expanding that system. They're going to double the number of ASR wells, and they're going to double—, in fact, I think they're going to more than double the treatment plant size, again, in a river one-third the size of the Ogeechee River.

A couple of quick points to make. They store their water in three different zones of the Floridian Aquifer. One is a shallow zone of the Floridian Aquifer, the drinking water aquifer then. A second is a lower zone which is also a drinking water aquifer that requires some treatment, and a third zone is a non-drinking water aquifer. All these units reside within the Floridian Aquifer. All these units are characterized by a confined layer as you see here, upper and lower. Now this is simplified for presentation purposes, but essentially what we do with aquifer storage and recovery in a confined, just as one of the units, the upper, lower or middle of the Floridian Aquifer, we pump in treated water and we displace native water, and over a period of several test cycles, maybe as many as six or eight test cycles, we rinse out a volume, represented by this blue area, rinse out a volume of the native formation so that that water is displaced by treated water, and then we recover that water at a later date. You'll see a little bit of mixing here on the fringes of this bubble, but essentially the water is all contained in the darker area, and with very rare exceptions on the number of sites across the United States, virtually all the water is recovered. One hundred percent of the water placed in the ground is recovered.

So ASR is interesting. ASR may, in fact, be pretty doggone good. But why do we really need to use it? Aquifer storage and recovery stores water when it's most abundant and because of that it protects streams during low flow. Think of this for a moment. We have without our power right now to take water only when it's most available and bypass low flows in our coastal rivers. Essentially all the comments I've heard, all the concerns I've heard about taking water out of our coastal rivers concerns those low flows, those environmentally critical time periods when we'd like not to take water out of those rivers. For the first time we have a tool that can approve a tool that can take care of that for us. You're going to hear later about conservation of water. Aquifer storage and recovery has been welcomed across the United States and in fact worldwide as a great conservation measure for ground water. Every drop of water that we take from the river and store for later use is a drop of water, is a gallon of water that we don't have to take out of the aquifer. So ASR conserves.

And, last, ASR reduces the cost of water to the consumer. Let me give you a quick analogy on that. You've got a hot water heater and you've got a small heating coil at the bottom of that fairly large reservoir, 40 to 50 gallon reservoir. The reason you do that is because you only use hot water a couple of times during the day, and that hot water—, that little coil down there is heating all day long storing that hot water for those couple of times that you need it. Well, if you didn't have that reservoir, that 40 or 50 gallons of water stored, you'd need to build one heck of a large coil, and it would be one heck of an expensive coil. It would be larger than would otherwise be needed. Take that analogy and apply it to aquifer storage and recovery. With ASR we're able to downsize treatment works so that they're, figuratively speaking, just a little tiny coil and we store the water on the side. Now, the alternative is to build a massive treatment plant with no storage. That little analogy, that's why aquifer storage and recovery is such a powerful tool for economics to bring lower cost water to the consumer. In addition, the cost of storage, just look at the cost of storage alone. For the first time, we have at our disposal a means to store water in mass at a very low cost. If you had a quarter of a million dollars to spend on storage and you had to buy elevated storage, you could reasonably expect to get about a quarter of a million gallons of storage, those elevated tanks you see around the city. If you were going to spend that money on ground storage, you'd get a little more return for your money. You might get about a half a million gallons stored, but look at this. If you spent that same quarter of a million dollars on storage—, we're not talking about treatment, we're not talking about any other cost whatever, just buying storage. You could reasonably expect, and the data shows throughout the United States, you could store 200 million gallons for that same amount of money. That's huge.

All right, ASR may be good, but we don't want to be the guinea pig here in Georgia. Well, I'm happy to report you don't need to be. Aquifer storage and recovery is widely used in the United States. I want to point out a couple of examples here. First,

this is the Peace River system I spoke about a moment ago, and right above that is the Manatee County system, both of which are in the Floridian Aquifer. One quick glance at this and you see that where aquifer storage and recovery has been developed, you seem to find a cluster of aquifer storage and recovery projects, and the reason is people don't want to be the guinea pig. They say, you know, I don't want to be the first one, but when a system goes in, neighbors look over their shoulder and say, wow, this is good, we need this for our community. And that's why you see aquifer storage and recovery developed in clusters in Florida, South Carolina, California, Texas, New Jersey, and throughout the other states you see represented there. Here is the Beaufort/Jasper water/sewer authority system, which I believe if they're not injecting water yet—, well, I believe they are in fact injecting treated Savannah River water into the Floridian Aquifer across the river. Here's the Mt. Pleasant waterworks system right outside of Charleston, a system I was involved with a couple of years ago. They store water in a shallow limestone aquifer. North Carolina is just getting into the game now and Greenville on the coast. Aquifer storage and recovery is rapidly becoming a technology that cannot be ignored. In fact, while I put that slide away I'll make the point that it's really gotten to the point in Florida where you don't build a water treatment plant without putting in aquifer storage and recovery. It's that common, it's that accepted in Florida.

One of the concerns that I've heard raised, and I want to be responsive to that, is that we need to wait until the science is in. Well, I'm hoping Dr. McLemore will speak to this quite a bit more, but groundwater science is a well-established science. There are hundreds of textbooks, there are people who make a career, people who get their Ph.D. in groundwater science. Aquifer storage and recovery is a branch of that science. It is well founded in science. Aquifer storage and recovery's success in the Floridian Aquifer just points that up even further. There are scores of successful projects around the world. It's being used successfully in Australia, Great Britain, several other locations in Europe actually, the Middle East, Pacific Rim and, of course, the widest use is being made of it here in the United States. There are international symposiums, which is a dedicated function of aquifer storage and recovery. Aquifer storage and recovery wasn't invented yesterday. This is solid science.

And, last, textbooks and handbooks document ASR technology specifically. Great body of sciences of already present, and when you hear about the state in the water resources plan, they're considering aquifer storage and recovery. They're not going to reinvent aquifer storage and recovery, they're not going to invent the science. That's already been done. What they're going to do is decide where aquifer storage and recovery could be applied in Georgia. Just leave it at that for that point.

The nature of aquifer storage and recovery makes contamination a non-issue. I want to address this head on. It's one of the concerns I hear over and over again. The same water that we're going to store in the ground is the same water that is delivered out of our treatment works. This is the same water we wake up to in the morning and get a glassful of it and drink it without hesitation. If we're concerned about putting it in the ground, why aren't we concerned about putting our glass under the tap and taking that drink of water? Only treated drinking water is stored. That's the law. Only treated drinking water is stored. It's a very heavily regulated activity. Only trained and licensed operators produce water. I heard it said this morning that private water utilities don't have to meet the same standards. Well, unfortunately, that's not true—, actually, fortunately, that is true. The water treatment business is very heavily regulated. The EPA strictly regulates hundreds of water quality parameters, which every water provider must meet. As I showed you on the drawing a while ago, storage is local and it's confined in the formation. There's a big misconception about what the aquifer is and isn't. I've heard it expressed that there's a great river of water that's moving below our community and we either tap it or it's gone. Well, actually, the water resides in a formation more like a sponge. In the absence of another pumping influence, that water does not move. Well, it moves inches per year, and that's why aquifer storage and recovery is successful across the country because you put the water in and it stays there until you withdraw it. If it moved away, you wouldn't see those hundreds of dots on the map that I showed you a while ago.

Last, I'll just leave you with this point on this slide. Scores of communities, states and utilities throughout the United States and abroad use aquifer storage and recovery with confidence. This is—, the city is rightfully proud of it's 50-year record with the I&D plant. I applaud them for it, but I don't think it's fair to speak with confidence about your 50-year record and then the next day say, well, I'm really concerned that tomorrow is the day I may [inaudible]. I don't think that's going to happen. I don't think they think it's going to happen, and I don't think any of those hundred or so dots across the map think it's going to happen.

I hope, Bill [McLemore], I'm maybe putting words in your mouth here, but perhaps you'll have a chance to expand on this a little later, Dr. McLemore. ASR is carefully regulated by EPA and the State. Underground injection control permitting is a process that's well documented. I's already been done in the State. It hasn't been applied to ASR in this State, but it's a EPA process that's well documented. There are well construction permits, well construction standards. There are well head facilities that will need to be permitted. There is an operating permit that is required. [Inaudible] that require on-going and continuous permit purview.

I'll leave you with this final slide. ASR for the record. ASR was developed in the same aquifer that we enjoy here, the Floridian Aquifer. All those sites you saw in Florida, they were developed in the Floridian Aquifer. People who are familiar with aquifer storage and recovery are familiar with the Floridian Aquifer. There are almost a hundred systems in operation or development in the United States right now. Many of them are in the Floridian Aquifer, our same aquifer. No state, out of all those states you saw on there, no state has ever refused an aquifer storage and recovery permit, and I don't believe it will happen here. I respect the right of everyone to question this, become familiar with it, have your concerns answered and be comfortable with it, but I'm confident that when all the information is on the table, the right decision will be made.

Finally, I'll leave you with this last thought. No ASR project has ever failed. I don't think you can say that about—, there's just very few other activities and engineering endeavors in the world you can say that about. It's got a stellar record, and I think we'll keep that great record. I'll look forward to answering questions.

Chairman Hair said, thank you, Mr. Tate. I think it would be appropriate for us to withhold our questions until we've heard everybody and then we'll address questions at the end. Our next presenter will be Dr. Bill McLemore, who's a State Geologist. He's from the Georgia Environmental Protection Division.

Dr. Bill McLemore said, some of the things that Greg [Tate] says I'll elaborate on a little bit more, and some of the other information presents some of the results of our own studies and our own evaluation. Again, aquifer storage and recovery and I work for the Georgia Environmental Protection Division. Let's define aquifer storage again. It's basically the storage of water in an aquifer. When water is plentiful, you pump it down a well and then you recover exactly the same water when water is scare, pump it out of the same well. It's not a new technology. I've been aware of it for 20-plus years. When the issue of aquifer storage came up in the State of Georgia, the Director of EPD asked me to follow up with other states, to gather all the information that I could, and provide him with a technical assessment of ASR projects elsewhere in the country. The first question that we really want to ask is, is it technically feasible and is it currently being utilized? The map that I have here is a little bit earlier than the one Greg [Tate] showed, it's about four years ago, but again you can see there are a number of places where aquifer storage has been considered and developed, and we'll talk about the one in North Georgia in just a little bit.

The following is a typical ASR well. Basically, we drill a large diameter well through the confining unit. You pace it off until you get to the porous zone and then you can inject water into a lower zone. It's relatively simple technology and typically the water goes in the same well and comes out the same well. One of the things that we did is we contacted every East Coast state in the country where ASR is practiced and solicit their assessment of what they thought of it, and every one of them was asked the same question: Is it environmentally sound? It was unanimous of all the states that we talked to. I talked to New Jersey, Virginia, Florida, South Carolina and Connecticut, and the comment was made, we don't think it's a big deal from an environmental point of view, we think it's environmentally benign, and we don't have a problem with it, and they were somewhat amazed that some people in Georgia did have a problem with it. We also contacted the State of California where ASR is used to prevent salt water intrusion. We asked that those agencies provide us with the technical report which we have reviewed. ASR is used in California specifically to create barriers for salt water intrusion.

One of the things that we also wanted to do was to take a look at the Beaufort/Jasper water authority, which has a permit under consideration. We reviewed the consultant's report and we also asked the USGS to model the proposed impact of that proposed operation on Georgia. We've completed that analysis and I've provided my information to the Director and also to Harry Jue. The company that's doing it is technically competent. There's no problem [inaudible]. It's supported by the people of the State of South Carolina, and USGS modeling indicates it will have no impact on the City of Savannah. Nevertheless, we thought it would be appropriate that Beaufort/Jasper have a few precautionary elements in their permit, and we asked that they limit the injection to 100 million gallons of water per day at any one time and to monitor the water so they could—, on the very unlikely chance that some sort of pollution were to get in there. They have agreed to do that.

Where would ASR be relevant to Georgia? These are some of the applications that might be relevant to the State of Georgia: Store water seasonally and recover the water, to create underground water banks that you could use during times of high demand, to restore groundwater level particularly in some places where the aquifer might be depleted and saltwater intrusion. Aquifer storage can also improve well field production, [inaudible] the expansion of expensive surface water treatment systems and store reclaimed water for other use. ASR was briefly considered in the late 80's up in Cobb County, but it was not pursued very far simply due to the low porousity of the aquifers in that part of the State. It was just geologically infeasible. ASR has been discussed in Coastal Georgia, but EPD has not received a permit application, and if we were to receive a permit application, it would have to be accompanied by extensive geological investigation, which will involve drilling wells, performing geological studies, geological [inaudible] monitoring. Th time it takes in South Carolina from initial conception to permit approval, including these type of studies, is the order of two-plus years. Again, we have not received any permit applications.

What are the real world environmental problems that could come out of [inaudible]? Something could go wrong. You could inject [inaudible]. People are human. There's no documented examples of this ever occurring, but you have to assume that somewhere something might break down. So that's a possibility. If you pump water in the ground, you're going to change the formation of pressures and you could [inaudible]. You can change the direction of groundwater flow, and as you change the chemistry of the water with the injected water going in, some wells may clog up, and if you are in a zone that has faults or fractures, it might induce micro earthquakes. That would not be an issue in Savannah, it might be an issue in Brunswick.

The legal authority under which the State of Georgia to regular it would come under EPD underground injection control program that is a federal program that the state has. It's federally delegated through [inaudible]. Georgia has ample legal authority to deny an ASR for environmental reasons or permit ASR as an environmentally sound matter.

A little bit about the UIC program. Since '84 we've issued 87 permits covering over 1400 injection wells. If there's ever been an environmental problem [inaudible] injection wells. All of them actually improved the environment. Some examples of some of the UIC projects, in Gordon County, which is in Northwest Georgia, we used injection to prevent sink holes and once the injection wells went in, the sink hole problem went away. So that's an example where we used the injection to benefit the environment. Also, in Savannah currently there are two wells injecting two and a half million gallons of uncontaminated water. One of the injection wells is just a couple of hundred yards from here, and these wells help maintain the aquifer pressure and slow salt water intrusion. There have been comments made that these wells provide a pathway for pollution. I guess that is theoretically possible. It would probably be highly unlikely. The State of Georgia rules specifically prohibit the injection of hazardous waste as a matter of policy in Georgia's EPA approved groundwater management plan, injection of any waste would not be permitted. I'll be happy to answer any questions.

An unidentified gentleman asked, I'd like to know how you're going to keep radioactive pollution from the Savannah River site coming down the river? I know you can't prevent it from coming down the river, but how are you going to keep that out of the stored water? Dr. McLemore said, it's my understanding that the water that's under—, that even Jasper is injecting into the

ground, they are analyzing the tritium and they have done an analysis of the amount of time that it would take tritium to move, assuming that it's at the drinking water standard, the EPA standard, move it from their site to the center of the Savannah cone depression, you're talking a couple of hundred years. We expressed that concern to them and they agreed to put a monitoring well in there in their injection facility in Savannah, so in the highly unlikely event that were it to get in there, Georgia would have a couple of hundred years—, excuse me, South Carolina would have a couple of hundred years to fix the problem before it got to Georgia. The unidentified gentleman said, if it's detected. Dr. McLemore said, first of all, tritium is a relatively simple thing to detect and it is a relatively simple analysis. You can detect it at very low levels. Also, tritium radioactively decays. At a couple of hundred years, that's going to decay so much that by the time ever got to Georgia, it would be innocuous. The unidentified gentleman asked, is it worth the risk of actually putting it in the ground through this process because there is a risk. Once it gets in the aquifer, we won't be able to get it out and we'll be drinking it. Dr. McLemore said, well, at the radioactive decay rate that comes from, you know, a Beaufort/Jasper water authority, by the time it got to Savannah, you know, you won't be able to measure it. You've got to remember that there's tritium in a lot of water that you're drinking now. They [inaudible] bombs for a number of years and that tritium spread all over the world, so you're not picking up an inherent risk that you didn't already have. The unidentified gentleman said, well, we'd certainly get a lot more of it. Dr. McLemore said, well, I disagree with you on that. Again, the water that moves down the Savannah River generally does not contain excessive levels of tritium. It's being used by—, you know, it's being pumped [inaudible]. The unidentified gentleman asked, don't we have more because of the Savannah River Site though? Dr. McLemore said, you have some from up in the upper reaches of it, but again there's not too much coming down stream. Now, there have been local discharges of it from—. The unidentified gentleman said, accidents.. Dr. McLemore said, accidents.

Mr. Tate said, if I can make a few very quick points about the Beaufort/Jasper system. First off, they've been given a clean bill of health routinely by EPA and they go to great extent—, great lengths to monitor tritium in Beaufort/Jasper water system. Secondly, the very nature of aquifer storage recovery allows you to turn your plant off. If you see—, and that's one of the reat environmental benefits. If you see a problem with the upstream water quality, for the first time you'll have the ability to just flip the switches and let that go by.

Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, you mentioned that you have two wells now that are pumping back to aquifer, injection wells that are pumping back into the aquifer now that the two slow-down salt water intrusion—. Dr. McLemore said, that's correct. Commissioner DeLoach asked, where are they located? Dr. McLemore said, one of them is Savannah Electric & Power and one is right there at the end of the entertainment district down by the river, and then one is up at Port Wentworth. Commissioner DeLoach asked who operates those? Dr. McLemore said, Savannah Electric & Power. It's non-contact cooling water. Essentially, what they do is pump the water out of the ground, run it through a heat exchanger, run it back down in the ground, and there are no known problems with this operation. It's been ongoing for 20 years. Commissioner DeLoach asked, so we've been doing it for 20 years, doing what we're talking about doing today. Okay.

Chairman Hair said, thank you, Dr. McLemore. We may have some questions for you later. Mayor, I'm sorry I didn't see you. Dr. McLemore, Mayor Adams has a question for you, sir.

Mayor Floyd Adams asked, is it surface water going to ground water? Is ground water going into surface water? Dr. McLemore said, no. In Savannah it's ground water—. Chairman Hair said, it's not treated as the same water going [inaudible].

Alderman Pete Liakakis said, Dr. McLemore, you stated that maybe tritium or those hazardous wastes comes from Savannah River Plant. You see, we're a little different than those other hundred places around the country because we have the Savannah River Plant, and in 1991 they had an accident at the plant and what happened, they called the water experts and said there's no problem, but we found out there was a problem and what a couple of industries had to do in Savannah was stop using the water. Now my problem is with this, and I'm sure a lot of other people too, you have a hazardous waste. Just this Wednesday they have a problem with tritium and they called Beaufort County and they also called our water person and told them that they had a problem with the tritium but what they were going to do with it is to let it come out in a small amount and we wont' have any problem. Now they told us before back in 1991 it wasn't a problem, but it was a problem when it got into the system in the Savannah, Georgia, area in the industrial plant. We have other hazardous wastes and there can be an accident because in addition to tritium there are other nuclear wastes that accidents could happen, come down in the water, and if the monitoring system is not working properly and it get into our aquifer, then how do we know. We don't have the scientific data yet on this particular aquifer that all of that nuclear waste could not contaminate and give us a problem in our water system and the aquifer.
Dr. McLemore said, well, all drinking water systems in this country are monitored, and that comment could be made with regard to any of them that use surface water or ground water. There are many other pollutants besides the elements like your tritium. Those are some of the easier ones to monitor. Yet all drinking water systems, and the larger they are the more frequently they're monitored, so that comment could be made about any drinking water systems in this country. Alderman Liakakis said, but we don't have the Savannah River Plant all over the country, Doctor, is what I'm stating and we could have hazardous waste to get into the water in the Savannah River and we have a problem—, we could have a problem with our aquifer. Dr. McLemore said, while there are not nuclear facilities upgrading from all drinking water systems, lots of other pollutant sources [inaudible] from these, and many of these are much more noxious than the radioactive element. The single biggest groundwater pollution problem in Georgia is basically a feed lot near Albany, and basically you're talking about the waste material from animals.

Chairman Hair said, Dr. McLemore, rather than—, I think it unfair to the other presenters. I think we need to limit our questions to each presenter so that everybody gets a chance to present and then we can ask any questions that we want to. I think it's unfair to the later presenters if we take up a lot of time—. Rep. Mueller, I'm going to recognize her and Commissioner Saussy and then I'm going to cut the questioning until we get through the others. Rep. Mueller said, I can wait on mine. Chairman Hair said, okay. Commissioner Saussy, go ahead and ask your question.

Commissioner Saussy said, I just wondered. We're taking water out of the river right now, and the Savannah [inaudible] plant. If you have a spill or whatever, y'all have got the same problem. What do we do with that? It's polluted. Do y'all control it? City Manager Brown said, what we're not doing right now is pumping that into the groundwater resource. [Inaudible]. Chairman Hair said, but the answer was that you could switch it off. City Manager Brown said, well, you could switch it off, but the question is [inaudible] if you have some type of contamination.

Chairman Hair said, I want to recognize the Dean of our Delegation, Rep. Mueller. We're glad to have you with us.

The next presenter is going to be Camile Ransom, South Carolina Department of Health and Environmental Control (DHEC). I spoke last month and mentioned that South Carolina presently operates three ASR systems, and we have a fourth system with the Beaufort/Jasper Water Authority that is in the process of receiving a permit to operate, and I believe today they are undergoing certain tests to operate the system. I just wanted to reiterate some of my past comments that South Carolina stands ready to assist Georgia and the City of Savannah with any information that we have learned in the past. Certainly, since I was hear last month you've heard from Dr. McLemore that he has met with our agency and during that time we shared what knowledge we had and we will continue to share any knowledge or offer any assistance that we can. While we don't have a recommendation to Georgia or the City of Savannah as to which direction you may choose to go, we certainly can offer an arm in this type of technology. I want to also mention in closing that about six months ago we formed a little group of utility managers in the low country of South Carolina and the City of Savannah. Harry Jue represents the City of Savannah on this group. We had our first meeting in May and the purpose was to bring utility managers together to look at the scope of our water resources in the area, the directions that we needed to go in the future, what kind of problems we are facing, and what sort of technologies offer solutions to these problems and how are we all going to interface with each other down the road to continue to supply water to a growing population. We have a second meeting that is scheduled at the Beaufort/ Jasper Water Authority's office in Beaufort. It will be in October. Hopefully Harry Jue will be able to attend that meeting as well. The focus of that meeting will be the Beaufort/Jasper Water Authority's system, so we will have an opportunity to visit the system, look at some of the details that has been taking place, and certainly if at that time there are any continuing questions that we can help out with, we certainly convey those to Mr. Jue and hopefully he will come back with some answers. Thank you very much. Chairman Hair said, than you, Mr. Ransom.

Chairman Hair said, we will next have a presentation from the City of Savannah, Mayor Adams and Mr. Brown, the City Manager.

Mayor Adams said, David, to answer your question, we have reinstalled our own monitoring system up the Savannah River that gives two to three days notice and we can flip the switch like we did in 1991. That spill shut down the entire Savannah plant for almost seven days. The other aspect of the situation is that we don't take any of our well water and [inaudible] to the ground. Chatham County does not have any water deficiency. We have a good water supply. We have an adequate supply of water in Chatham County and we're very proud of it. The State of South Carolina sued us and caused a moratorium to be had on Chatham County, Effingham County and Bryan County. Those are concerns that I have. Michael [Brown] has all the technical knowledge. I'd also like to recognize Alderman Ellis Cook and Pete Liakakis, who also represent the City of Savannah. We thank you for your kindness in allowing us to make this presentation today, and I thank you for all the work you've done especially for the bank shell today. We appreciate that as well.

City Manager Michael Brown said, we have our differences, but I think we all know we have a clear obligation to provide a sustainable water source for existing residents, existing businesses and businesses for the future. I really do think that's what this is all about. We think, as the Mayor said, that we have done that with you through the umbrella of the water plan, which is what we were following. We think we should use caution for several reasons. First of all, if you look at the places in Florida and elsewhere where this has been used, it was a we don't have any other choice issue. Often they have rivers with such low flows that they didn't really have any choice. If you look back at our history, this community has gone through a succession every since it was founded of trying to find the best water source, and in many areas we've had significant health problems because of not having the right source. So we think the caution should come in to truly find this sustainable long term. It can be basically said to us, you may run out of water in 200 years and salt water may be here, let's use caution, and I guess we're saying that's the same thing that ought to be used now. There's nothing necessarily wrong with ASR. Let us use caution as we move forward to determine if it is a tool we should use. It might be, but certainly we should carefully address these issues of management and contamination. We're going to have to begin this watershed protection with our neighbors in Effingham County and other areas. We do think maybe it could be of some use in the future, but the state analysis that's undergoing, the [inaudible], that should be the umbrella in my opinion. Some things have always been said in our water discussions that I think we ought to try to clear up. We believe we have been proactive in providing water for this community, and that we don't have a supply problem as a problem of how to get it from the areas where the service now exists to the areas that are developing. Often times, Commissioner DeLoach, it's been said that we use this as a tool for the City. If we have, we've not been very skillful at it because many of the areas that we now serve were done proactively by the City. Georgetown, Dutch Island, Gateway, Wilmington Island, all of those systems would not be in existence today if the City hadn't proactively planned, financed, constructed and operated systems that have been for the benefit of everybody in Chatham County. We have done that on a cost basis and, yes, it can be expensive. I think we all know providing water and sewer out there is not the same thing as running an electrical line over ground. We have not used the City system to subsidize the City operation or to unfairly have unincorporated residents subsidize City residents. In fact, I think it can be argued the opposite to some degree has occurred because we have to use the ability of our 60,000 customers who consume about 80 million gallons of water a day. We use that financial capacity and that operating capacity to help make these extensions out into the unincorporated areas. We think that the best way to approach this problem is to do some good science, to look at our aquifer now that we have additional surface water capacity. It will be available in the Spring, 12½ million gallons for redundancy and new growth. It will be there in the Spring, and we should use this capacity that we have created to open a study window, an analysis window to monitor DHEC as they—, what they do in Beaufort/Jasper, to participate with the rest of Coastal Georgia as they finish their water plans, to do the science that EPD is now helping to sponsor, and then we can look at ASR as one potential tool to help fix or adjust our problems for the long haul, and a lot of education needs to be done. I really believe that one of our biggest problems is too many of our residents simply don't understand what happens when they turn on that faucet. They do not understand how critical this line water and surface

water resources are to our industries. We are major water consumers. We need to look at conservation. Hutchinson Island is a great example because we are using those methods to use treated effluent water to help provide that development, irrigation and the surface water system is expanded and that water will be going to Hutchinson Island, so that is the kind of partnership that we should be engaged in. It will be very successful. We are very excited about, so I guess I would just end with the same point, which is, let us be cautious and let us have a dialogue about the expenses, the opportunities and the risks and when this system—, many people think that the City should take on some gigantic risks. They think you should. I know they have come to you and they say you run my water and sewer and then I'll do a development. We think that everybody should know what those risks are with their eyes open. So please as we work together on this problem, let us use some caution and thoughtfulness and let us all learn together about how we can supply the County.

Commissioner Jackel asked, when you put this 12.5 million gallons on line, did y'all ever consider using ASR and maybe only having capacity for 7 or 8 million, as I understand the analogy that he was talking about with the hot water heater? City Manager Brown said, yes, we have thought about ASR at the time that we dealt with the industries on it. We don't think it is exactly applicable on the Savannah because, as Mr. Tate's charts show, we have gigantic flows on that river and we have gigantic daily production, 60 million gallons a day. So it's not a matter of trying to reach a peak flow. We have a fairly constant demand flow. It is intriguing so that if we have some sort of environmental blip coming down the river, there's no doubt that might be of help, but right now injecting it into the ground every day isn't going to help. It's really a peaking issue when you have a river with low flow and demand that doesn't match that flow very well each day. Commissioner Jackel said, but even in their peaks during the day, you could store water at night and then draw it out during the day use. City Manager Brown said, as I said, there's overall during that 24-hour period with these industries, they're not running in gigantic peaks. They're pretty much running at a constant output every single day of the year. In fact, traditionally, the only time they would literally shut down is Christmas week and all the rest of the time their flows are pretty much the same. It's got some potential, but in our case with the significant flows on the river and the significant demand by the industry, it isn't a matter of building a 3 mgd plant and then producing 60 million out of that aquifer. It is a matter of having the 60 million every day.

Chairman Hair said, I apologize for not recognizing you, Ellis [Cook]. You must be losing weight, I just didn't see you back there.

Alderman Ellis Cook said, thank you. I was listening to the gentleman from TSG that made the first presentation's comments and what I heard was we are one of the most, and I'll use the word he used, prolific water suppliers in the nation already in Savannah, in this area, and so the reason that he pointed out the rest of these ASR plants was because they do not have the flows or the water supply. If we had a problem in Savannah with water supply, you know, I'd say let's consider this, but there's no need for it. We're bringing on 12½ million gallons a day to supply to industry so they won't have to take so much out of the ground, and it's just not necessary. If we had a problem I'd say look into it, but we don't have a problem.

Chairman Hair said, thank you, Mr. Cook. Of course, I think if you talk to some of the Westside municipalities, I think it's not so much just a matter of supply, it's also a matter of, quite frankly, of control and I think that's also the issue that plays into this equation.

A presentations was made by Ms. Gwen McKee, representing the Coastal Environmental Organization.

Ms. Mary Elfner, who said her job is to educate and get people into dialogues of what conversation is and what our water supply is all about also made a presentation.

Rep. Anne Mueller said, I'd like to know the effect that this will have of withdrawing river water on the estuaries and breeding grounds for shrimp and crabs and so forth and so on. I keep hearing it's not going to have an effect, but I don't really believe that. I don't know if any studies have been made or not along these lines, and on the coast it's very important if we do something to harm the place where the shrimp, crab and so forth breed, then what's going to happen to that industry. I've had a lot of calls from people in Darien and areas like that that depend upon this type industry for their livelihood, and they're quite concerned. I've never gotten an answer and just the fact that it's not going to hurt is not a proper answer as far as I'm concerned. I'd like to see some statistics on it and I have not. Until I can see something like that I am totally opposed to this whole idea. Can somebody answer that?

Mr. Tate said, there's a study underway right now from the Skidaway Island Marine Institute that will go a long way to answer your question. I've been advised that some of the information is here. The State's Coastal Resources Division has got a significant amount of research that shows that when flows in the rivers can be maintained at a minimum of 30% of their average annual flow, fish, shrimp, crabs, can be maintained in a healthy state. That's in black and white. What ASR allows you to do is bypass flows that are low. When flows are low, we simply stop withdrawing. It is ASR that will allow us to protect those resources. Few people would argue that we're going to be forced more and more to drink surface water. It's just in the cards. Because of that trend towards surface water, I think you'll be looking for tools which help us protect the environment, like ASR.

Rep. Mueller asked, don't you think we should wait until the study is complete before we start talking—. Mr. Tate said, the studies are—. Rep. Mueller said, you said they're doing a study on the effect. It hasn't been done apparently. Mr. Tate said, I think this publication is in a—. Rep. Mueller said, well, if it isn't here. [Inaudible] is one thing, here is another. Mr. Tate said, the study I referred to, Coastal Resources, that's already out. I can give you a copy of that. Rep. Mueller said, I understood at one time you were talking about the Savannah, Altamaha and Ogeechee Rivers. Mr. Tate said, right. Rep. Mueller said, now the last I hear [inaudible], he was talking only about the Ogeechee. I believe it's the most sensitive of the rivers. Mr. Tate said, that's correct, which is why we like to use ASR to protect the Ogeechee River during withdrawals, but portions of western Chatham County that are not easily reached by the Savannah River, and those are limited to economy scale. There's a limit to how far we can pump water. Some resource of water to preserve the economics of water should be provided from that western area. Rep. Mueller said, I guess what's bothering me, you're talking about protecting, but yet you're withdrawing. How is that protecting it when you're getting water when it's going to affect the breeding grounds? If you're taking it out, you're making it lower. Mr. Tate said, we're withdrawing water when it is in great abundance. There are times when the Ogeechee

River flows three and four times the average daily flow. Rep. Mueller said, one thing I have had concern about is the fact that I don't think EPD has been a good steward on the Ogeechee. We've had them come down and look at it and tell us it's not polluted where we can see that it is polluted. I guess that's another concern of mine in letting this happen when I don't think they're doing a good job of protecting the Ogeechee right now. This has been an ongoing thing and, also, talking about South Carolina, I spoke with Harold Reheis the night we had the meeting and he said that he was involved in a compact, which I understand is important, but my concern is every river does not come out of Atlanta, and I think people have that idea, but he was involved in a compact. I noticed in the paper a couple of days ago they still haven't decided on that compact between Alabama, Florida and Georgia, and until they get that water situation settled, I don't want them fiddle-faddling with mine down here. They haven't gotten that one settled yet, so down come down here and start messing with one when you haven't gotten the other one settled. Mr. Tate said, let me put a question to you. Which scenario would you be more comfortable with, drawing a community water supply from the Ogeechee and having that there as a reason for EPD to pay more attention to the Ogeechee River, or having it be ignored—. I shouldn't say ignored, that's a pretty powerful term, but perhaps not getting the attention it deserves. I think the fact of having a community supply on the Ogeechee River would demand the attention we would all like to see be given to the Ogeechee. Rep. Mueller said, well, we have people discharging into the Ogeechee right now and it's not being—, not having anybody pay attention to it, so I don't know that withdrawing's going to make them pay any more attention than discharge, and that's been my concern. I'm kind of like some of these others who have said right now we don't have a problem. I just hate to see something done until we have a—, for me anyway, a little bit more information and I particularly want more information on the estuaries because we have people down below us who totally depend on their livelihood from fish and shrimp. Mr. Tate said, I will provide you with the report. Also, I do know the 30% number is well documented.

Chairman Hair said, I feel compelled to say this, especially after what we went through this morning, I just believe that all of us should be proud of what's going on this afternoon. I think we're talking about a very important issue, an issue that could get very, very emotional, and I think we're doing it in a calm, rational atmosphere with many of the stakeholders present, and I would like to commend all of you and my fellow Commissioners. I think this is the way we solve problems, we do it in a calm, rational environment. Everybody has a chance to say their peace as to the questions, and I would like to commend all of you the way you've conducted yourselves thus far in this work session. Anybody that would like to speak and then anybody who's already spoken would have an opportunity to come around any time they want to speak, but let's—, anybody that has not spoken. Let's get those folks up first. Come forward and state you name for the record.

Mr. Bill Ford, Executive Director of the Coastal Conservation Association said, we pretty much concur with these reservations that's been stated by those people so far and support the City in what they're doing. We have two questions. I'm concerned about fresh water going in the aquifer—, treated water. I'm sorry, and what effect will the ground strata have on the water once it gets in there. The other thing that I haven't heard yet is that once water is taken out of the—, natural water that's in the ground and that's been pumped out and you've had other water put in under pressure, as that water is taken back out, what effect will that have on the strata rock or those underground aquifers once it has been emptied? We are on record not supporting this at this time.

Chairman Hair asked, can I ask you a question, sir? You probably represent a lot of people that have reservations, but after hearing what you've heard today where it's been done across the country and it's been done successfully, does that in any way diminish your reservation? It seems to me that would. Does it not and if not, why not? Mr. Ford said, I guess one thing that we would be concerned about in different areas of the country that our ground is different than the ground in South Carolina and ground in California and ground in California and ground in Florida. The underground strata of the rock and things of this nature. I guess we'd be concerned at comparisons there. I'll have to admit they have sold me a little bit, but by and large I guess the EPD has made a study or so they say. I've attended meetings of this nature starting back June a year ago, and then I didn't get satisfaction. I didn't hear what EPD has done effectively as far as studies are concerned. I made a suggestion at the meeting at Savannah Tech that maybe we need an independent study by members of the County, the City, EPD, private organizations like ours, CEO, and so on to look at this to get a broader based look at how this is going to affect us. We've heard from TSG and EPD. Maybe we should hear from others too.

Ms. Judy Jennings said, I've heard some things today and I really don't understand what the need is and if anybody would address that, I'd really love to hear their answer.

Chairman Hair said, I think one of the needs I've heard is in terms of long-term supply, I think the Mayor and the City Manager talked about maybe an adequate supply currently, but I think it's incumbent upon all of us to maybe look at the long term, looking at alternative for long-terms in terms of meeting the supply. Certainly today may be okay, but what about five years from now, ten years from now, particularly as those of us who are actively involved in recruiting new industry to Chatham County. That's one of the first questions almost any industry asks me is water supply. I terms of growing the County, which means growing the tax base, which means that it takes the pressure off the individual homeowner for taxes, that we have to consider that as well. We've actually had some companies tell us we didn't even make the first cut in terms of locating in Chatham County because we couldn't meet the water supply, these very heavy, water-intensive industries. So talk to Mr. Knowlton and I think he will tell you there are some. Ms. Jennings asked, are those industries interested in the Ogeechee River? Chairman Hair said, I think they're just interesting in having their water supply needs met. They don't care where it comes from I don't think, in most cases. They obviously want it at a lower cost. That's just my personal opinion.

Mr. Arnold Ellison, Executive Vice President of TSG, said, I'd lie to correct some of the misconceptions and make sure everybody understands what TSG is trying to do. We have applications for three water treatment plants on the three rivers in Coastal Georgia, but today's subject is ASR, and the only place that we are looking for ASR and feel the need for it is on the Ogeechee River and that is because of the low flow situation. As Greg Tate indicated, the environmental protection aspect of ASR is to do that very thing, is to protect the estuary, to protect that river and everything—, the environment around that river. If there is a need for water for future development, then there will be a need to develop that resource. If there is no need for development, if growth does not occur, then the plant won't be built. I wanted everybody to understand that we are looking to try to provide a resource and prepared to provide that so that if the development of the area is going to happen, as projections have been made that it will, then we will be there. Another point to be made of injecting treated drinking water

into the aquifer, I don't know if you've picked up the fine points in the presentations, the Floridian Aquifer is stratified and it has what is referred to as the upper Floridian, the middle Floridian, and each of those stratas have different qualities of water. The other Floridian is where we get our drinking water from. The lower Floridian is brackish. What we are talking about is putting water into the lower Floridian, so we're not talking about putting water into our drinking water supply. From an engineering standpoint, whenever you build a water treatment plant—, surface water, you have to generally build to a specification that says you've got to accommodate the peak period. The Floridian Aquifer is an extensive aquifer that covers most of the State of Florida, all of Coastal Georgia and goes into South Carolina. There is a tremendous amount of information already available to pattern after as we start looking and make an application and do all of the testing work that has to be done before we could ever get a permit. What is the need? The need for the water is growth is going to occur. The City of Brunswick has lost a lot of growth potential because of not having a water supply.

Mr. Ellison said, I'd like to make one further comment in relation to what the City is saying versus what I have just said, Where the City is dealing with a water treatment plant that is serving industry, yes. Their average daily flow is very close to their peak daily flow because they are dealing with customers that basically have 24-hour a day, 7-day week operation. As they get into extending surface water into communities for drinking water, domestic drinking water, that is where they will start having seasonal fluctuations where they have referred to we have built redundancy. That redundancy will not be necessary.

Chairman Hair said, before we go further, I'd like to recognize—, we've just had join us, we're very privileged to have with us, we have the Republican nominee for Governor for the State of Georgia, Guy Milner, who is accompanied Senator Eric Johnson. Would you come forward. Mr. Milner said, this is where the rubber meets the road. This is government in action and y'all are dealing with some important issues. I want t be that our Commission is fully aware, the ad valorem tax that I want to eliminate will be revenue neutral. It won't cost this County one dollar. You'll be reimbursed for what the citizens have now been paying on car taxes, you'll be reimbursed from the State. So Chatham County won't lose one dollar. Secondly, I'd like to commend you on the initiatives that you've done in tourism. It's an important part of our State growth plan and I applaud what is happening here. I saw one of the movies that has been made here recently and there's a lot of good stuff that's happening in this part of our State. And then, thirdly, I mentioned today at a Chamber meeting where I met early before lunch with some Chamber leadership that I plan, if I'm elected—, in my company I always felt that I learned more when I was out on the street with the customer than I did when I was in the headquarters of the business. I want to spend one day every month, the say day by the way, maybe it's the second Tuesday, maybe it's the first Monday, maybe it's the third Wednesday, but it's predicably to our Commission members and our citizens here, you'll know the day and I'll be here having the Governor's business being conducted from Savannah. I believe it's important that the Governor also do this in the Southwest part of the State and so I'll be doing that in Albany. So I'll be taking my business for that day to Savannah. I'll be here at 7:30 in the morning, I'll leave about 9:00 that evening and my wife, as Governor, will be right here predictably one day every single month so that I can listen, so that I can attend some meetings, so that I can get beat up on on some issues from time to time that come up—. Chairman Hair said, we'll share that with you. Mr. Milner said, folks will have a lot of accessibility in terms of the Governor's office. Thank you for letting me sit in.

Chairman Hair said, thank you very much, Mr. Milner. We appreciate you being here. Before we go forward I'd also like to recognize—, you know, we should have these meetings more often, we get all these dignitaries. It's been a long time since we've had this many dignitaries at a County Commission meeting. We have Rep. Burke Day who has joined us. Feel free to comment any time you'd like to. Rep. Day said, you really don't mean that. Chairman Hair said, well, I might have to give you a time limit because you and I talk quite often and both of us like to talk, so we might have to put a time limit on Burke [Day]. Commissioner Saussy said, don't forget the Senator. Chairman Hair said, Senator, I recognized you earlier. Would you like to say anything? Sen. Johnson said, I think you have important business. Get back to it. Chairman Hair said, thank you. We'll see you gentlemen later tonight. Any other dignitaries that I've missed? Chairman Hair recognized Mayor Adams.

Mayor Adams said, I want to correct some statements in reference to bringing industry. The City of Savannah has provided water readily to any candidate who has ever come to our City, but let me give you some background and facts. South Carolina sued the State of Georgia and came in here with a moratorium and behind that suit EPD came in here and told the City of Savannah that within the next three to five years you're going to have to drop water consumption by 30%. They also told Union Camp and all the other industries the same situation. The City bit the bullet and said we're going to spend $17 million to expand our plant to meet the demands of industry in this community and also have additional supply for residential customers. Phase Two of that will expand another 12 million to bring us up to eventually 75 million gallons a day. The City of Savannah had made that commitment not only in drinking water, but expanding our wastewater treatment plant to accommodate all the industry that wants to come in this community and regardless of what Mr. Knowlton said, just ask him if Crossroads wouldn't be there what industry would you have in this community. So we've done that pledge. My fellow councilmen voted to put this money out there. The citizens of Savannah are paying for this, helpfully with the people of the unincorporated areas who buy water from the City, but most is going to growth. We're paying for the bond issue but most of that bond issue is going to be paid by the industry and the City of Savannah because we want industry in this community. So regardless of what Mr. Knowlton may tell you, we have done what we're supposed to do in this community and we will continue to do it. Thank you.

Chairman Hair said, thank you, Mayor. We appreciate that comment.

Mr. Ron Weaver said, I believe understand the good doctor to say there were no applications into the EPD. Mr. Ellison said, I understand said he has two applications in. That's what my question was. Chairman Hair said, let's see if we can clarify—. Dr. McLemore you said there were none currently? Dr. McLemore said, there are no ASR applications. Mr. Ellison said, that is correct. We have made applications for the three water treatment plants, but not with ASR. We are working on a supplemental application on ASR for the Ogeechee plant. Mr. Weaver said, the second thing, the gentleman over there, you mentioned that we were going to take out of the same place we were putting it back into it. Mr. Ellison said, you misunderstood me. What I was trying to distinguish, we are going to put it into the lower Floridian and we will withdraw it from the lower Floridian. We are not putting it into what we are using as drinking water out of the upper Floridian.

Mr. Fred Nadelman said, I with the Citizens for Clean Air and Water. I'd like to express my concern about the lack of knowledge we have about the amount of radioactivity flowing down from the Savannah River Site into the Savannah River in relation to our proposal to actually put that same water in the ground for drinking water. We don't know how well the proposal to inject water into our ground will also be able to clean that water of radioactivity. How competent are the people going to be to clean our water? This is what we don't know.

Commissioner DeLoach said, I just want to answer that question. They are not talking about using ASR from the Savannah River. They are talking about using that at the Ogeechee River where there is no tritium coming down the river. The only think they're talking about as far as the Savannah River is concerned is a treatment plant located there, just like you've got with the City of Savannah and from SEPCO and two or three other places. They're just talking about a treatment plant there, not pumping into the ground at the Savannah River, only at the Ogeechee River where there's a question of flow. That's the only place they're talking about ASR at the present time that I understand. Chairman Hair said, that is correct.

Commissioner Murray said, I appreciate the fact that we've had people from all sides of the issue come up today. I think each one of us have our own opinions about what is right and what is wrong with this whole system, but at least we've been able to discuss it and we've been able to listen. I've got some information I didn't have before, and I know the intent was to get this information out, but there are some other issue out there. One of them is the fact that we as a County Commission can only submit a resolution to the State supporting or not supporting ASR. The water plan that's been created in Chatham County, which was done by Chatham County, the City of Savannah and all the municipalities. If I'm not mistaken, from a legal standpoint, just the Chatham County cannot change that water plan. It has to be done by all groups working together and go back through the process again. Is that correct? County Attorney Hart said, if you're going to change the plan it needs input from the others. Commissioner Murray said, the reason I say that, a month or so ago the Commission voted to amend the water plan. We cannot do that without the support and approval of the rest of the municipalities. Chairman Hair asked, did we vote to amend it or vote to start the amendment process. County Attorney Hart said, I think the Commission voted—, I'm relying on my memory, but I think the Commission said they're going to support the consideration of alternative sources of water treatment within the plan. I don't know that it designated ASR specifically. Commissioner Murray said, so for any of that to happen, it still has to go back through that process again.

Commissioner Jackel said, I think we need to think long term in our water needs. As this area grows and the whole region grows, we need to pass beyond just what the City and County and private enterprise could do here. We need to look at it as multi-county and even across state lines if we're going to solve our future needs and I think we're certainly taking a step in the right direction right now. Solution to the future growth that I see happening here is to expand outside the county into a larger region to help solve our water problems.

Chairman Hair asked, anyone else like to make any statement or final comment?

Mr. Tate said, I want to say—, I ask you to please disregard TSG in this argument, this debate, this issue. Aquifer storage and recovery is too important a tool for our coastal water resources to let it be [inaudible] because of what some other differences. I think the tool can help the coast meet it's environmental needs.

Chairman Hair asked, anyone else? Again, I want to thank everyone for coming.

Ms. Doris Cooley said, I kind of resent the remark he just made. It's like we all—, we don't get him and if we don't agree with Mr. Tate, then we just don't get it. Well, some of us may not, but I feel like it's an insult as citizens of this County and I just need to say that.

Chairman Hair said, thank you very much. Again thanks everyone for coming. It's been helpful I think. It certainly has been to me, and I appreciate everyone's contribution.

ACTION OF THE BOARD:

No action of the Board was required at this time.

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*** 5. REQUEST BOARD DIRECTION REGARDING CONSOLIDATION OF RECREATION DEPARTMENT WITH CITY OF SAVANNAH.** ***NOTE: Item was tabled at the meeting of September 11, 1998.*** **Commission wishes to address this during your budget and goal session on the 28th of September.**

Chairman Hair said, Item #5 of course is the—, regarding consolidation and we're going to discuss that at our workshop on Monday.

ACTION OF THE BOARD:

This item was not placed before the Commissioners for consideration.

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*** 6. PURCHASING ITEM O: ANNUAL CONTRACT, WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR TERMS, TO PRISON HEALTH SERVICES, INC., TO PROVIDE INMATE HEALTH CARE FOR THE CHATHAM COUNTY DETENTION CENTER; $139,544/MONTH.** ***NOTE: Item was tabled at the meeting of September 11, 1998.***

Commissioner Rivers said, Mr. Chairman, I have some folks that have not arrived yet that had some questions in regard to this, and if we can hold that for a moment until they get here I would appreciate it. Chairman Hair asked, does anybody object? [NOTE: No objection was voiced by the Commissioners.] Chairman Hair said, by unanimous consent we'll delay that. If you'll let me know, Commissioner Rivers—, let me know—.

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Chairman Hair asked, Mr. Sheriff, would you like to open it up?

Sheriff Al St. Lawrence said, well, Mr. Chairman, what we're recommending is the low bidder. We had four bidders. The base price from the low bidder to the second bidder was $183,000 more a year. The third low bidder was $214,000 more a year and the number four low bidder was almost $600,000 a year. We are simply recommending the low bid, which is the present company we have, but they are the low bidders on the contract. In addition to that, the $600,000, that should take into consideration the per diem cost for inmates over 1200. The base price is based on 1200 inmates. At a per diem cost, the low bidder was $1.77 a day per inmate over 1200 and the fourth low bidder was $1.84 a day. Now 7¢ a day don't sound like much, but if you're running 1350 inmates, that's a lot of money. But that's basically—, and we're recommending the low bidder. By far they're not even close in price, the next three low bidders. The question was raised last time about a pre-bid conference. We had a pre-bid conference. They were told what the companies—, all four were told what the present staffing was. They were allowed to ask the questions they wanted to. We're not in bid. We've had no objections from the second or third low bidder. I understand the objection is from the fourth low bidder. So, that's where we're at.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I've got just a couple of questions. The low bidder, the amount of money on the initial bid was $1.2 million. Does that square with your numbers? Sheriff St. Lawrence said, no, it doesn't. The $1.6—. Commissioner Odell said, $1.6. Sheriff St. Lawrence said, yes. Commissioner Odell asked, but the initial bid was not $1.2? Commissioner Rivers said, let me—, I'm going to clear that up for you. Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, if we can, Commissioner Odell, what I would like to do since Correctional Healthcare Solutions had a problem with the bid, and going back over this whole thing, I see a lot of discrepancies in it, so if we can let them proceed, Mr. Chairman, if you would allow them to proceed to voice their opinions and then we can look at it a little closer. Chairman Hair said, I think that would be appropriate at this time.

Commissioner DeLoach asked, can I ask just one—. Chairman Hair asked, who represent—? Commissioner Price said, Billy [Hair], can we—. Chairman Hair recognized Commissioner DeLoach. Commissioner DeLoach said, I didn't hear the difference in the bid—. Chairman Hair asked, the amount of money? Commissioner DeLoach said, I don't know the gentleman—, I don't know the group that's coming up, but what's the difference in the bid that they proposed and the bid that we received? Chairman Hair said, I think it's a million—. Sheriff St. Lawrence said, $569,000. Chairman Hair asked, total? Sheriff St. Lawrence said, plus higher per diem.

Commissioner Price said, Russ [Abolt]. Chairman Hair said, so it's 500—. Commissioner Price said, getting back to the tab question. We're missing number six—. County Manager Abolt said, no, sir. It's there. Commissioner Price said, on tabled items. County Manager Abolt said, it's there. It's under five. Commissioner Price asked, where's the meat on this discussion? County Manager Abolt said, I have number five right there. The tab should have been number six. It's number five. Commissioner Price said, okay. Thank you.

Chairman Hair said, we appreciate you being here. We ask that you state your name for the record as you speak.

Dr. Lomax said, thank you. Commissioner Price said, I don't see anything, Russ [Abolt]. Chairman Hair said, I'm sorry, sir. Dr. Lomax said, my name Walter P. Lomax, Jr. Chairman Hair said, okay. Commissioner Rivers said, and we're going to correct that, Mr. Chairman. It's not five. It's about three hundred and some odd thousand if we're looking at their bid. But then there are others that bidded, that there was differential, and my question is I want to look at this total thing because there's a lot—, I see a lot of discrepancies. Chairman Hair said, okay. Proceed, sir.

Dr. Lomax said, first, let me thank you for giving us the opportunity to come here this morning. We're located in Pennsylvania, Correctional Healthcare Solutions. If I can just give you a brief background a brief second about my background. I'm a physician by training and after I finished my medical training in Philadelphia I opened up a series of medical centers around Philadelphia to serve the under-served areas and we were very successful in attracting 22 physicians and, as a result of that, the city voted to ask us to help them recruit physicians for the prison system back in 1983, and that was our first entre into the prison industry. What differentiates us, I think, from the rest of the companies is that we're physician owned and we've practiced for 40 years providing services in under-served areas around Philadelphia. We're now expanded—, our company has expanded to 14 states, 55 sites, and we look forward to being able to bring our expertise to the City of Savannah. Now just for the record, I want to tell you that we've won major contracts in Atlanta, Fulton County, last year and in Allegheny County, Pittsburgh, neither one of which we were the lowest bidder, but we have very, very good references from both of those counties with the source that we provide. We are certain that if given the opportunity to compare apples to apples, we can compete on any basis, price-wise, service-wise. What did, I think, I'll let Bill Alexander speak to a little bit further is to give you what we felt was needed to provide the best services, and oft times the best service is not the cheapest services. So on that I'd like to introduce you to Bill Alexander, who's our regional manager out of Atlanta, Georgia.

Mr. Bill Alexander said, thank you, and good morning, Mr. Chairman and Commissioners. The program that we put together was a quality program based on the information that we had. In reviewing the pricing subsequent to the approval for the Commission, the biggest difference between the low bidder and our bid was in the staffing. We were not given the exact number of staffing to bid on. Each offerer was left to determine on his own what the staffing needed to be. The information that was given to us was a list of staffing people that totaled some 36 people that in my mind and in my calculations was far in excess of what was actually needed in the facility. Consequently, we bidded an appropriate staffing and a staffing level that will clearly meet the demands of not only the facility today, but the facility tomorrow, and we recognize that the increase in the prison population continues to grow.

Chairman Hair said, I want to make sure I understand what you just said. Did you say that the request listed 36 position. Your bid included more or less than 36? Mr. Alexander said, less than 36. Chairman Hair asked, if it included less than 36, why is it more money? Mr. Alexander said, because that—, because the incumbent either deliberately misled the purchasing officer in putting the RFP together to list 36 people when in actuality there had to be less. There has to be less people employed in the facility, and I have done my homework to know that there's only about 19 rather than 36. Chairman Hair said, I understand that, but if you're bidding less than 36, why are you high? If you're bidding fewer people than the low bidder bid—? Mr. Alexander said, no, no, no, no. The low bidder bid less people, but they misled us by believing—, by putting these names on the list to show us that there 36 people and the understanding that—. Chairman Hair asked, did you bid 36, that's what you bid? Mr. Alexander said, no, I didn't bid 36. Chairman Hair asked, how many did you bid? Mr. Alexander said, 26. Chairman Hair said, 26—. Mr. Alexander said, 26. Chairman Hair asked, and the low bidder bid how many? Mr. Alexander said, 19. Chairman Hair said, so there's 7 positions different? Mr. Alexander said, right. Chairman Hair said, okay. Thank you. I just wanted to make sure I understood what you said.

Commissioner Odell said, but my concern too is that the mix of the people determine the amount. Mr. Alexander said, that is also correct. Yes. Commissioner Odell said, if you go with all aides versus going with a recommended mix of RN's—. Mr. Alexander said, yes. Commissioner Odell said, then the impact is—. Mr. Alexander said, it's financially—, it's there. Commissioner Odell said, that RN's, because of their training, education and other opportunities and market pressure, demand more money than someone who just walked out of high school. Mr. Alexander said, absolutely. Commissioner Odell said, with no training. Mr. Alexander said, that's true. Commissioner Odell said, so what you're saying in essence is that there was no clarification given as to the mix because if you look, and I would, at the mixture of RN's, it ranges from the low bidder having two RN's, which to me says that they're not going to be able to provide coverage either on weekends or not a full-time position, 24-hour position. Mr. Alexander said, that is absolutely correct. Commissioner Odell said, it ranges from 2 RN's to 6.8 RN's. Mr. Alexander said, that is correct. Commissioner Odell said, so as far as clarity as to what was being bidded on, there was absolutely no clarity as to the mix of positions, and that drives the cost of the proposal. Mr. Alexander said, absolutely. And in sheer fairness, there needs to—, the playing field needs to be level. The jail should be specific—. Commissioner DeLoach said, I'll just wait. Mr. Alexander said, okay. Needs to be specific to what the staffing is desired [sic]. I can tell you with the staffing that is in place there now, with the lack of RN coverage, and our proposal, for example, has an RN on every single shift to ensure quality care delivery versus the incumbent's proposal having only two RN's in the entire facility for seven days a week. Commissioner Odell said, right. You know, and just because I worked in hospital administration during my—, when I didn't have grey hair in my nose, this—, our jail is certified. Is that true? Mr. Alexander said, yes, it is. Commissioner Odell said, and the health care services therefore are in compliance with a governmental associational body that has determined that we meet the standards to be deemed as certified. Is that true? Mr. Alexander said, that is correct. Commissioner Odell said, now if you take that body and you look at the information that all of its membership provides as to staffing, and that is RN population per 1,000 inmates, then I would conclude that it is not a total of two as the low bidder has submitted. Mr. Alexander said, I would concur—. Commissioner Odell asked, is that a reasonable assessment? Mr. Alexander said, I concur with that fully. Commissioner Odell said, I'm sorry. Go ahead. Mr. Alexander said, other inequities, I'm sure, include physician time. We recommended that the physician spend a minimum, a minimum of 12—, I mean, of 20 hours a week in the facility. The current provider is only providing 12 hours a week in the facility. That tells me that the physician sick call, or physician present, is very limited, which increases risk on the health care of the population that will necessitate outside referrals and visits to the community hospital because the physician isn't present. Other areas that we looked at and thought there was a need of quality improvement include everything from the medical records department where they only have one person to—, understanding that the records are—, area is running out of room and space, and we felt that computerizing those records would certainly be in the best interest of the County. Therefore, we put a records clerk in there. The dentist, for example, we noted that there's not a dental assistant in the pro forma for the dentist. The dental assistant and the dentist go together like ham and eggs. It makes the dentist far more efficient to have an assistant to assist him with the delivery of those services, and all of these things is what drives our cost. But ours is a quality program and a program that guarantees that the care that's delivered there is deserving and merits the—, and meets the demands of the population.

Chairman Hair said, thank you, sir. Any questions from the Commissioners? Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, as I understand your bid, your bid is $157,460 a month. Mr. Alexander said, yes, sir. Commissioner Jackel said, alright. And for that you're able to have an additional eight physicians and four RN's plus the dental assistant—? Mr. Alexander said, yes, sir. Commissioner Jackel said, for that differential? Mr. Alexander said, yes, sir. Commissioner Jackel said, well, like the other was having two and they're having six, so there's a difference of four. So you're able to provide four RN's and an additional eight physicians and a dental assistant for—. Commissioner DeLoach said, don't do math, Martin [Jackel]. Commissioner Jackel said, $18,000 or something like that difference in the contract. Mr. Alexander said, I trust your math, sir. Commissioner DeLoach said, don't. Don't do that.

Sheriff St. Lawrence said, Commissioner Jackel, you're looking at the wrong figure. It's $186,000 on their bid. Commissioner Murray said, 186 is theirs. Sheriff St. Lawrence said, on their bid. The 157 is the third low bidder. Commissioner Jackel said, okay. Alright, so then we're talking about $40,000 above and that's going to cover the cost of six physicians, four RN's and a dental assistant, an additional seven people, and we can get quality people for that difference? Commissioner DeLoach said, yes. Commissioner Rivers said, you also—, there's a differential in that bid, they also ask an ophthalmologist, which

was also not included in any other bid, but it was asked for. Commissioner Saussy said, an optometrist. Commissioner Rivers said, an optometrist. That's what they asked for? Chairman Hair asked, that was in the specifications, Commissioner Rivers? Commissioner Rivers said, according to—, that should have been in the specs since it wasn't--, as they referred to me that it wasn't suppose to be in there. Mr. Alexander said, an optometrist was asked for in the proposal, and we put that particular position in the proposal. Subsequent in the orals I learned that that was an error and it should not have been in there. But, then again, I have costed that and put it in my proposal based on the RFP. Chairman Hair asked, so does that mean that if you were awarded the bid you would reduce your bid by that amount? Mr. Alexander said, if that was the wish of the County, yes. Chairman Hair asked, any other questions—, Commissioner Odell.

Commissioner Odell said, just one or two. Having been in health care, I know that one of the renown physicians in America Dr. Lomax, and—. Dr. Lomax said, thank you, sir. Commissioner Odell said, and it is a pleasure seeing you again. I hear you speak at numerous seminars. It is important to know that across the street from our jail is the Youth Detention Center. Dr. Lomax said, yes. Commissioner Odell said, and for the State of Georgia do you know who has the contract for health services for the Youth Detention? Dr. Lomax said, our company does, Correctional Healthcare Solutions. I think we have 30 sites in the State of Georgia. Mr. Alexander said, 30 sites. Dr. Lomax said, 30 sites in the State of Georgia, and right in the local area we have Darien, a site in Darien, the youth facility across from Savannah, we also are in the Folkston, Georgia, private prison in Folkston, Georgia, Waycross, Georgia, and just throughout the State of Georgia. We have a substantial presence here in Georgia to include a corporate officer here in the State.

Mr. Alexander said, and I can assure you, if we were given—, if we had been able to match apple to apple, we would have been able to compete or even come lower, but we weren't given specific numbers to bid on. We were given a range and we picked a range that gave us $350,000 more, but given the opportunity to compete, we could have done the same thing, for sure.

Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, I was talking to Martin [Jackel] on this earlier and was talking to Harris [Odell] about—, I call it an inside bid. I know it's really not an inside bid, but I just said that. The person's there doing the work, he knows what he needs. If I'm coming in and bidding something and it's not an apples and apples thing as far as when you're bidding services, it's your determination of what constitutes a quality job when you're bidding services, which we bid the same. I determine whether I need this or you determine what you need. Okay, you throw it out on the table, that's what we end up with. I realize your bid's, you know, higher than the rest of them. You felt like this was what was needed. We presently are using this service that we have. I have—, we are accredited. We have not had any problems that I know of, and I don't see how we can change if the bid is lower and the services have been adequate. I appreciate your concern for the need for additional people. I'm not questioning that. What I do see is I see a lower bid from a person who's given quality service based on not only the recommendation from the police force, but accreditation from the prison services. So I don't see how we can change.

Commissioner Jackel said, explain the difference what you voted this morning and how you're vote—, talking about voting. Commissioner DeLoach said, I can tell you, I can tell you the difference. Commissioner Jackel said, explain that to me. Commissioner DeLoach said, all right, let me explain it to you. The difference in—. Commissioner Jackel said, so I can understand. Commissioner DeLoach said, okay. The difference in a bid, when you've got a contract bid you've got specific things written down, I need 10 2-by-4's, to make it simple. Okay, I need 10 2-by-4's. I understand what 10 2-by-4's are, but if they go out there and they look at a complex, like I have to do on a—, take Memorial Hospital or take Candler or take your yard. I look at it. They say, what is it going to take to do this service here? I say, well, I'm going to need this man for this many hours to do this service. Now somebody else can walk in the door and say, hey, I don't need that. I'm going to get a larger piece of equipment and I'm going to use less people. So, I don't need that many people. So he cuts my price, he kicks my behind, and I figure out well I've done something wrong here because I got under-bidded, but he's doing a good job. He's using different equipment. That's up to him. He's doing a good job so why, why rock the boat. That's the difference in it. It's not apples and apples there. There is not apples and apples unless—, as far as a service is. There is apples and apples when it comes to construction because you've got X-amount of things going in to determine exactly what you end up with. Dr. Lomax said, Commissioner DeLoach. [Unintelligible comments when several Commissioners began speaking at the same time.]

Chairman Hair said I also want to comment. Go ahead. Finish up and then—. Commissioner DeLoach said, okay, I'm finished. Chairman Hair said, go ahead and follow up and then I'll—.

Commissioner Odell asked, may I ask just a follow-up to Eddie [DeLoach], and, granted, if you're comparing apples to apples then that's a fair assessment. But if you're the inside company and you said you need 36 people—. No, let me finish my question. Commissioner DeLoach said, let me add to that. You say 36. They listed 36 people. They could have had 36 people there and they could have had 10 of them for five minutes. That's not their business to determine whether these gentlemen figure out whether they've got 10 people there for five minutes. It's their job to determine how many people they need. That's—, I mean, you could list 200 people on there and they could all walk through the door—. Commissioner Odell said, yes, but following up—. Commissioner DeLoach said, in the service business—. Commissioner Odell said, on Martin's [Jackel] question to you, and that question is, as it relates to Tatemville, we found that there was maybe the appearance of an irregularity. What do you think about listing an ophthalmologist, an optometrist, and when that person was in fact—, they bidded on it. No one else did. Do you think that that is a substantial deviation from the bid specs as leaving our a sub-pump on the Tatemville project was? Commissioner DeLoach said, when it is specifically called for. Let's take the Tatemville Center there, In the Tatemville it was specifically called for. The needed to put it in there. If the optometrist was specifically called for, they needed to put it in there. Now if—, my question as far—, and the bid process shows this. Our bid process shows this, if there's an error of omission based on not understanding or you missed out or you left something out, you have a right to question that bid and you have a right to say, hey, I put this optometrist in here, just like they've done. I've put it in here. That's not the correct number. I'm going to take it out when I do this bid with you, and you can go—, and they can legally do that and there's nothing we can do about it because it's an exception, but if it's called for, everybody bids on it and

it's not an exception, but obviously if other people didn't bid on it, so it was for some reason one group out of five bidded on it, it seems odd to me that that one group had it and the other four didn't. Chairman Hair said, let me—. Commissioner Saussy said, we don't know what the other group [unintelligible comments when several Commissioners were speaking at the same time.] Commissioner DeLoach said, they might have it in there for all I know.

Chairman Hair said, let me—, I'm going to ask a question of staff before we proceed. Who wrote these specifications? County Manager Abolt said, Mr. Lynch and the Sheriff's office, I believe. Chairman Hair asked, Mr. Lynch, can you tell me who wrote these specifications? Mr. Lynch said, yes, sir. Specifically, with input from the Sheriff's Department, sir, Cathy White, who's our Senior Contracts Administrator in Purchasing. Chairman Hair said, you know, I have a real concern. This is the second time this morning—. Commissioner Thomas said, that's right. Chairman Hair said, that we have basically the same problem where we have specs written so convoluted that we can't determine as nine elected officials whether somebody is low bid or not. This is not rocket science. You know, it seems to me it ought to be easy to determine who is the low bidder, but if somebody is bidding 26 positions and somebody is bidding 19 positions, I mean, how can that be—, how can that be apples and apples? Mr. Lynch said, sir, this is a request for proposal in which the service desired was defined. Commissioner Odell asked, by whom? Mr. Lynch said, this did not—. By the Sheriff's Department, by the our person—. Commissioner Odell said, the current provider. Mr. Lynch asked, sir? Commissioner Odell said, the current provider. Mr. Lynch said, not to my knowledge, but I'm sure they provided input. I am not aware of that. Commissioner Odell said, so the bidders develop the specifications for others to bid on. Mr. Lynch said, no. In this case it was written right in this building based on input from the Sheriff's Department. The point I'm making, and I think this is an important point, is that this is not an invitation for bids. It is a request for proposal to provide professional services. Chairman Hair said, I clearly understand that, but I still think that we have to give enough specificity so that we know if we're comparing A and B, we've got to be able to know we're comparing the same thing. Commissioner Thomas said, exactly. Chairman Hair said, and right now, I can tell you, you know, I don't know if I'm comparing the same thing with these two bids. I'd like to ask the Sheriff a question. Mr. Lynch said, yes, sir. Chairman Hair asked, Sheriff, do you believe that the current low bidder, with I think a staffing of 19 and correct me if I'm wrong. Isn't that what they bid, 19 people? Commissioner Odell said, it is. Chairman Hair asked, are you convinced as the Sheriff of this County that you can provide adequate health care for inmates with 19 people versus the 26, is that correct—, the 26 votes that they're going to provide, and let me ask you a follow-up question and then you can answer both at the same time. Is—, would the health service to inmates be substantially better with 26 people than with the 19 people?

Sheriff St. Lawrence said, I think the present bidder we have has done an excellent job. These people's references have checked out very well. We're talking about a low bidder. We had a pre-bid conference. It's 36 they're talking about in the total—, that was 36 but those are—, some of those people are part time people. Like somebody said a while ago, five minutes or whatever. Everybody in the pre-bid conference was told, answered all their questions, they bid and we only had four bidders, okay. I'm very satisfied with the service we're getting. They may provide a better service, but I want to tell you something. I'm giving these inmates enough now. It's going to cost $1.6 million next year to provide them with health care. And if there's anyway I could do it, I'd do it lower than that because they get excellent health care, but I'm not going to give them an optometrist and everything else unless they can figure out someway in the contract that they can do it. We're doing enough for them now.

Commissioner Rivers said, I've got a staff—, Sheriff? Sheriff St. Lawrence said, yes, sir. Commissioner Rivers said, I've got a staffing chart here for 36. Now if I was bidding and you gave me a staffing chart with 36 people, I would want to know what it curtailed. There's nothing on this list that say full time, part time or anything of that nature. On this list there are a number of RN's on here. On your current bid I only see two RN's. I don't see weekend coverage for RN's. There are a lot of things, discrepancies in this bidding process that I see, and I'm talking about all of the other bidders, all of the other bidders. Now we're talking about faults. Let's go back to 1995. We have $1.2 million that was bidded on this contract. Actual paid in 1997 was $1.6 million. Why the dispersion? This year here we'll end up paying almost the same thing. So am I to look at a low ball and then an increase? Sheriff St. Lawrence said, can't do nothing about the per diem cost. It runs on the base price of X-dollars per inmate. I can't do anything until this year on the catastrophic illnesses. Now in this contract this year we'll no longer be responsible for catastrophic illnesses over so much money. That's included in the contracts this year, and we're—, what we're trying to do is be more firm with our budget, and we've been able to be in the past because of per diem and catastrophic illnesses and other things. Commissioner Rivers said, all right, in your—, you've got in the staffing, in the proposal that was submitted by the low bidder, you've got two RN's. Are those two RN's adequate to cover totally everything? They don't say weekends, so you're going to be void of RN's on weekends. Sheriff St. Lawrence said, [inaudible] they've been involved more in this process that I have, if you can hold your questions.

Major McArthur Holmes said, good morning. This process included a request for proposal. In that request for proposal it was asked that a basic level of service be provided for inmate care at the Chatham County Detention Center. It was basically left up to those persons that were bidding to make their proposals as to how many people they needed to perform those particular functions. When the bids came out, the figures that we have, PHS, which is the present provider, bidded an FTE, full time employees, of 19.95. Correctional Healthcare Solutions, theirs was 27.25. Commissioner Rivers said, I've got that. My question to you is that here all of the bidders, every bidder—, one bidder bid 6.8, one bidder bid 6.2 RN's, the other bid 6.2 RN's, and here we've got the low bidder with 2 RN's. Why that discrepancy? Now you talk about a bid being—, and I'm looking at the scores here and I'm looking at response to bid and I'm looking at quality of care. How are you going to give quality care when you've got 2 RN's versus 6 RN's? Major Holmes said, I was getting around that, Commissioner Murray [sic].

Commissioner Odell asked, what if they had no RN's? Get around to that. What if they said—. Major Holmes said, then I've have a problem with no RN's because the RN's have the specific duty that they must perform. Commissioner Odell said, listen to me, Major. Here's the problem. The problem is that the number of staffing and the mix of the staffing drives numbers. Do you agree with that? Major Holmes said, yes. Commissioner Odell asked, and do you agree that when you leave the people, the bidders to guesstimate as to what is needed, then if the low bid is the driving factor, there would be some people who would say, let's tie the inmates to a stump and provide nothing but aspirin. There will be some people who will say let's not provide [inaudible] drugs. My question and my problem with this process is, understand me clearly, the provider who has the contract should not be the one to determine the quality of services. We should, our staff, you, the Sheriff's Department, we should have said, we want X-number of RN's. We didn't say that. There are people who bid two,

six, six—, everybody except the guy who got the contract said six. Commissioner Thomas said, exactly. Commissioner Odell asked, what is up with that? Can that be home cooking? We talk about playing on an even playing field. You can never get in the game if you don't know what the game is. My point is as a County Commissioner it is our obligation to ensure that we're bidding on apples and apples. We did not do it here. We can sweeten it anyway we want to, we can run Majors, Lieutenants, Captains in, and they can give us all the yadda-yadda they want to. The end result is someone who bidded on the contract had the inside information and the information given to everyone else was so insufficient, so lacking as to be confusing. Now that to me is unjust and unfair. This is no one's private little kitty that they have a right to play with. This is no one's private little kitty. Major Holmes said, Commissioner Odell, I guess my answer to that would have to be that we left that up to the individual companies. Commissioner Odell asked, why? Major Holmes said, now to resolve that then we would have to go through and do an assessment and say, okay, we want this amount of nurses, this amount of LPN's, this amount of doctors, or this amount of physician's assistants, and that way, it's the only way we can get true apples to apples and oranges to oranges. Commissioner Odell asked, is it your testimony, your statement that that is not what is needed? If we're just looking at for us to make a determination, what is needed and then have people to bid on that with the understanding that if the population goes up and the per diem therefore is going up, that we simply throw vague numbers out. We don't know what is right. Major Holmes said, what we did was we asked for a basic level of service which we felt was constitutional and met the medical needs of the facility, and what happened here was that this company, and I would love to have the staffing level that they have. It came down to the matter of cost. In the other areas of the process they did very well. As a matter of fact, in one or two areas they exceeded. The big factor was the area of pricing. When we looked at the area of pricing, there was—, from my figures I'm showing a $568,000 difference, and that—, because of that, it meant that—. Commissioner Odell said, thank you. Major, I understand what you're saying. I've read the report three times. Wouldn't you agree with me that the way the numbers were submitted, that those on the inside had a better understanding and that we did not pare it down and we did not make a personal determination as to what we deem quality? Wouldn't you agree with that statement? Major Holmes said, we left that up to the professionals. Commissioner Odell said, so what you're saying is that we do not have, or the—. Strike that. If you left that to the professionals, is it also your statement that the professionals drew up the request for proposal? Major Holmes said, no, no, no. What we did was we told them we wanted a, a—, an LPN for every unit, we told them we wanted a doctor there, we wanted a dentist there—. Commissioner Odell said, listen to me, Major. That's not my question. My question is you're saying that you left the proposal as to what Chatham County should have, should be up to the professionals. Is that the statement you made? Major Holmes said, what I say is that when we drafted the request for proposal, we left it up to the individual bidders as to what level of coverage they thought was necessary.

Commissioner Rivers asked, where is that at in the—. Major Holmes said, that is in the request for proposal. Commissioner Rivers asked, where's it at? Major Holmes said, I have part of—. Sheriff St. Lawrence said, Commissioner Murray [sic], it has to do with the basic 1200 inmates and their bids for 1200 inmates and what would be over that. Now as Commissioner DeLoach said a while ago, if you're a contractor and you're going to build a house, you're going to figure out what you need to build that house, but these people in the health care, as the others, you tell them that the basic service is going to be for 1200 inmates and that you need an LPN in every unit and this and that, then they should be able to come up with a cost figure is all I'm saying. Commissioner Rivers said, okay. But did you tell them that specifically or did you give them this sheet with 36 people on it and basically right here I see at least four RN's on here. If this is your present staffing, I see four RN's on here. So why the deviation in your contract? Sheriff St. Lawrence said, I wasn't in the pre-bid conference, but Major Holmes—. Commissioner Rivers said, but here—, is this the present staffing, 36 people? Sheriff St. Lawrence said, there's some—, there are part-time people involved. Commissioner Rivers said, I don't care whether they're part time or regular time. You've got 36 people here and you've got at least four RN's here. Major Holmes said, that is not the present staff. Commissioner Rivers said, okay, well, then this is misleading because this is what these people had and it's misleading. Major Holmes said, we received the document I think a few weeks ago when this issue came up and I think it's 30 staff people, 15 full-time and the additionals are part-time. Commissioner Rivers said, we'll I've got 36—, I'm counting 36 here, and this is misleading. If you were more specific, and I think you should have been more specific with this. I don't want to see this cost escalate once this bid come in. I don't think you had a fair playing field here, and that's what I'm saying to you. That's all I'm saying to you.

Mr. Calvin Rodwell [phonetic] said, Commissioner and to the entire Commission. What we want to say—, I'm Calvin Rodwell with Correctional Healthcare Solutions. You've heard what Major Holmes has said. CHS is one of the finest companies in this country that provides this service. Dr. Lomax is an African-American businessman who's just been stellar. He last—, your facility is already accredited. The bottom line from our perspective is just this. If in turn it is the fact that all they want is 19, we know, and I think it's very clear, it's clear to us and I hope it's clear to you, that the way the process went, we could not—, we didn't really know exactly what that number was to be as it relates to full-time staff, but if it was the fact that the County wanted just 19, just 20, we can provide that service for just 19, just 20, at the cost that it should be provided for based upon—, and what I'm saying to you is this. If there's a difference of $550,000 or we have to take out eight people, we take out seven people, CHS can do that and we can show you unequivocally that we can meet the low bidder at the cost level and there may be a possibility we could possibly get lower if it is just the fact that they just want 19 people. But take this into consideration. What our company has done is that what we've said to you is this, based upon our experience and as we've already stated, in the State of Georgia we're operating 32 facilities. Based upon our experience, based upon the national association that brings forth the accreditation, we have said it would take 26 people, and if you went with us you would get that level, that higher level of staffing, you would get that around-the-clock staffing, seven days a week, and you would be actually putting in a better service. But if it is just based on cost, just on M-O-N-E-Y, all we would have to do is take the number out that we would agree upon and we would give you a number that would work based on cost, if that's the way the County wants to—.

Chairman Hair said, okay, before I recognize Commissioner Price and then Commissioner DeLoach, I'd like to make a statement. There is no way that we can sit up here today and make an intelligent decision between two bids when one company is bidding 19 and one is bidding 26. There's also no way that you can say truthfully that if you take the 19 that you're taking the lower bid because you may not be taking the lower bid because you don't know what you're comparing it against. The only way to know that would be for the other company to also bid 19 people. So it would be wrong to say if we voted the staff recommendation that we would be taking the lower bid. I'm not sure we would be taking the lower bid at all. But the problem I've got, Russ [Abolt], is that I am very frustrated and concerned that we're in this position because we shouldn't be in this

position. That we've got two contracts out there that there is no way that intelligent people can tell if we're comparing apples and apples, and I think that whatever decision we were to make today would be highly suspect because we don't know the facts. And I'm deeply concerned that we get two contractors that supposedly are reading the exact same document from our Purchasing Office and one bids 26 and one bids 19. How can they be reading from the same page? I don't understand that. Commissioner Rivers said, Mr. Chairman. Chairman Hair said, I'd like to understand that at some point in the future. Commissioner Price and then Commissioner DeLoach and then Commissioner Jackel. Commissioner DeLoach said, Commissioner Thomas, Mrs. Priscilla.

Commissioner Price said, one of the problems I think that we need to recognize is that the Sheriff's office, Al [St. Lawrence] himself, is not in the position to be able to determine on his own how many doctors, how many nurses, how many assistants, how many dentists, how many all of that should be. I couldn't do it. I couldn't go out there and say the population is 1200 prisoners, I know exactly what it is. So on the one hand I can understand how they bid it and why they bid it the way they did. They're asking the professionals, this is the population of X-number of prisoners, how many professionals do we need to handle this. Now if you're saying that information was given, on the other hand, out that was not completely a fair playing field, you know, talking about numbers of staff that you're bidding with and all that, then I can understand where you're coming from. I can understand what you mean by that, and I do think, Billy [Hair], you're right. Whatever decision we would make today would be suspect. But I'll say this. We can't sit here today and know what really is needed out there unless somebody from the health care industry, and I'm not talking necessarily any of the bidders, but somebody comes in and does a staffing assessment. That's the only way that I think that we're going to be able to specifically go out and say this is what we need if we have somebody doing that staffing. Chairman Hair said, well, that needs to be done by somebody objective that's not bidding on the project. Commissioner Price said, that's my point. That's exactly what I mean. Somebody who's not bidding on the project or on the proposal needs to come in and give us an assessment of the correct level of staffing that's needed for the inmates out there. That's what needs to be done before we can go forward. And I don't know what that cost would be to do that assessment, I don't know who could do that, but I would move that we—. Mr. Alexander said, there are a—, there's a governing body that can do that for you. Commissioner Price said, I would move that, to put this motion on the floor, I move that we reject all bids and that we look at a staffing assessment, that we do a staffing assessment for the prison to see how many professional medical individuals we need out there. Chairman Hair said, by someone who is not going to bid on the project. Commissioner Price said, by somebody who is not going to be bidding or would have any indirect—. Chairman Hair said, relationship. Mr. Alexander said, there is a governing body that will do that for you, the National Commission for Correctional Health Care. That Commission can come in and assess your facility and tell you exactly what the appropriate staffing should be.

Chairman Hair said, okay, we have a motion on the floor. Do I have a second? Commissioner Saussy said, second. Chairman Hair said, second, I have a second. Any discussion on the motion? Commissioner DeLoach said, I want to, yes—. Chairman Hair said, okay, Commissioner DeLoach and then Commissioner Jackel and Commissioner Murray. Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, Dr. Lomax, you're well known, you've got a lot of places that y'all are already in. Have y'all ever gone into a location and developed a plan for inmate care or for a detention center or did the State, or did anybody you went to say this is what we want, how much is it going to cost? How do you go about developing a program that you specifically do? Dr. Lomax said, there's two things. One is a request for bid. A request for bid tells me exactly what they want and then you just bid on a price. Commissioner DeLoach said, okay, now—. Dr. Lomax said, secondly, there's a request for proposal. Commissioner DeLoach said, okay. Dr. Lomax said, in which you are given the opportunity to sort of expand and use your best judgment, but you can't go get an RFP and then be held to the lowest price. An RFP tells you, we want you to expand and tell us what you need, but that's the thing, and then when you do that you say, well, we're accepting lowest price. That's an RFB, that's a request for bid. Commissioner DeLoach said, all right, there's two things here. What did we go out for? Commissioner Saussy said, RFP. Chairman Hair said, RFP. Mr. Lynch said, we went out, sir, with a request for proposal. Inherent in the request for proposal is a consideration both qualitative factors. It was done by the evaluation committee, and in consideration of the price. The price is not the sole determinate. It is a factor which was, if I recall this one, about 30 points out of 160, somewhere in that area. An RFP considers both. Further an RFP does not tell the professional respondents how many people they are to provide. Instead, it indicates a general level of service and permits the professional to use his or her competence to determine the number of people and things of that—. Commissioner DeLoach said, hold that right there. Dr. Lomax, have you ever got a request for proposal that outlined specifically just what George [Lynch] was talking about right then? Dr. Lomax said, yes, we have. Commissioner DeLoach asked, you have? Dr. Lomax said, yes, and we've won the contracts without being the lowest bid, without being the lowest price. Commissioner DeLoach said, that's fine, but my point is, and the point I'm making in all this, as far as the number of people that it takes to staff this, many times people go to the professionals, like yourself, to determine what is actually needed for a location. Now I don't even know who this group is, the ones that's there now. I don't —, I wasn't in this fight originally. What I do understand is that these folks bidded before and they got the contract based on what they determined was what was adequate out there. Now, they did their service, they've done their service, they've been there. I don't know how long they've been there. How long have they been there? Commissioner Odell said, 10 years. Commissioner Rivers said, 10 years. Commissioner DeLoach said, 10 years—. Commissioner Rivers said, six at the present facility. Commissioner DeLoach said, okay. Well, they've been there six years, and nobody's had any problem. We've got accreditation. Everything seems to be rocking along just fine. Now, we go out for request for proposal. You have determined it needs to be 27 people. You didn't look at that list of names. They can hand you 36 people or they can hand you a whole list of 200. You're smart enough to know what it takes to go in there, and I know that. That list didn't mean anything to y'all. Y'all have been in the bid process. You know about getting smoke blowed [sic] at you. So you know going in what it really takes to run that place or what you feel like it takes. Dr. Lomax said, [inaudible] as the incumbent who's there providing the service. Commissioner DeLoach said, well, obviously the incumbent has the benefit, you know—. Dr. Lomax said, absolutely. Commissioner DeLoach said, because he's been there. There's no doubt. But you have been an incumbent in bids and you have been a respondent in bids, so both processes work. I mean, you've been both sides of the fence. You've been on the inside bidding and you've been on the outside bidding. I know. I mean, as well known as you are and the services y'all provide, y'all always had to compete for bids and y'all have won bids even with a higher price. So my point is, and I don't even know who these people are, but we're "doing a good job," it's been an adequate job. Has anybody heard anything about the services that they're providing? Commissioner Rivers said, early on

we did, and you always get frivolous suits coming from—, medical suits. You're going to get that [inaudible]. Commissioner DeLoach said, okay, so you hear it once in a while. Commissioner Rivers said, no, not once in a while. You get a whole lot of them, and I imagine if they were in there—, if they were in there, you'd probably get a whole lot of them. Commissioner DeLoach said, yes, I've got a bad tooth and all that. Mr. Alexander said, there is a correlation between adequate staffing and litigation, I can assure you. Commissioner DeLoach said, yes, but my point in all of it is that when you determine a proposal goes out, or a request for proposal, and you've done them a hundred times, you do what you feel like is adequate. That other group did what they felt like was adequate. It doesn't matter if there's 36 on that list or there's 200 people on that list, that had nothing to do with you proposal. Dr. Lomax said, the other group they knew what was adequate staffing because they were there. The other group bid what they knew—. Commissioner DeLoach said, that's fine, but my point is you didn't—. Dr. Lomax said, we were guessing. We weren't guessing exactly, we were basing it on the numbers that were given to us, which were inaccurate. Commissioner DeLoach said, you've been on the—, all right, let me—, you know, you can't play that side of the fence if you're an incumbent in the bid, and you've been an incumbent whenever you had the job and somebody's bidding against you. You didn't go out and just write down an entire list and told them how many hours this person worked and what we needed and all that whenever somebody came up with [sic] you and asked for a request for proposal.

Mr. Rodwell said, but, Commissioner DeLoach—. Commissioner DeLoach said, sure. Mr. Rodwell said, in focusing in on costs, and if you are the incumbent and staff that's in the jail—. Commissioner DeLoach said, understand, we're not focusing on costs though. I want to make that clear. Mr. Rodwell said, no, no. I want to ask you a question. Commissioner DeLoach said, I want you to understand, that's not my question. It is not a request—, it's a concern of cost. It's a concern of service provided at a cost. That's the difference in what we're talking about. Mr. Rodwell, it's like what you said earlier, and I understand the business aspect, the bottom line is if the company that's there knows the number, staff knows their number, why not say that number. Then the bottom line—, nobody's running around trying to find out what's the number. Commissioner DeLoach asked, why? Mr. Rodwell said, no, let me finish. Because the bottom line is, what it comes down to, then you're trying to get a better cost. If I know it's 19 and you gave me a list of 36 people without telling me the level of staff, full-time/part-time, the assumption was made on our behalf that there were 36 people working in that facility, okay. So when we bidded it, we bidded it at 27. We were believing that we were coming down 9 staff people. Based upon our experience, this was going to be adequate staff. If you knew it, why not say it? Now—. Mr. Alexander said, or not say it at all. Mr. Rodwell said, right, and then if it was only 19 that was needed and, as the Sheriff has said, the cost is escalating. We know what the problem is nationally that's going on in jails. Costs are escalating. If it is 19 and you're looking for the best buy for your buck, then say it's 19 and let a company like CHS, let a company like PHS, CMS and others that competed for it give you their best price at what they can provide the service for at the number of people that you already know because, as they've already stated, they've been there 10 years, they've had good service from this firm. So, unequivocally, they knew. So why not state it? And you Commissions have said today, and I respect you for the strong position that you take because you have seen that they were major inadequacies here. Just state it. That's all we were asking. If you had stated it and if it really was cost, but as Dr. Lomax said, we based it upon our professional experience—. Commissioner DeLoach said, okay. Mr. Rodwell said, and we provide these services in jails a lot larger than the one here in Chatham County. Commissioner DeLoach said, sure. Mr. Rodwell said, okay, and based upon that experience we gave you the better level of staffing, but the best cost that we could squeak out in lieu of the fact that we had 36 names on a document, and I would have had more respect for those that were issuing that statement, all they had to say 36, this name part-time, this name part-time, this name full-time, this individual LPN, this individual aide, this individual RN, this individual PA. It would have been a lot easier and we would not have been here today. But the reality of it is, I think that the Commissioners are very clear on what the problem was and what we have seen, and that's the only reason why we issued this because this—, we could have sat back and just walked away, but we decided, we said no, we're not going to do it. We've tried for this contract for three time already. Three times we've been here, and this time we said no, we're going to step up and we're going to—, we want people to know the inadequacies that are going on with this process. Commissioner DeLoach said, okay.

Commissioner Rivers said, let me say—, Mr. Chairman. Chairman Hair said, let him finish real quickly, and then let's stay with the order, Commissioner Rivers. Go ahead.

Commissioner DeLoach said, if you had, as you say, bidded on the services that were provided, why didn't you bid 36 names if they had 36 names? Why didn't you do that—, no, let me finish. Mr. Rodwell said, okay. Commissioner DeLoach asked, why didn't you bid 36? You say that it was grossly inadequate because they had 36 names there and you went in there and you decided it would be 27. Why, why did you bid 27 when we specifically, if you're saying you went by that list, which I know you did not. You would not go by that list and then turn around and cut your list. You would not go with that rate there when you know you don't need that many, and you've been in the business, you know what's going on and you know, beyond a shadow of a doubt that that was not the adequate—, I mean, that was not the staffing on there. That was the people that worked there. You know how that works, just like I know how that works, and the fact of it is—. Mr. Rodwell said, I didn't know. Commissioner DeLoach said, you've got—. You have been in a number of facilities. Dr. Lomax, I would assume, would know then. When you bid—. Dr. Lomax asked, how would you know that? How would you know that? Commissioner DeLoach asked, how would I know that? Dr. Lomax said, yes. Commissioner DeLoach said, when I bid a service, just like you did and just like you cut that 36 to 27, you walked in that front door, you said this is what I need to give these people quality service. Dr. Lomax said, and that's what we did. Commissioner DeLoach said, exactly, okay. That other group, regardless of how many—, if they had a hundred people on that list, when those people walked in that door, they looked through that front door and they said I need 19 people. That was their choice. It was your choice to go with 27. There is no—, when you do services, it's a subjective approach to it. There is no concrete way that you can come up with a specific number unless you go for a bid for service, but this was not a bid for service, this was a bid proposal—, this was a proposal—. Mr. Lynch said, request for proposal. Commissioner DeLoach said, request for proposal and there's a large difference there.

Commissioner Thomas said, Mr. Chairman. Chairman Hair said, Commissioner—. Commissioner Rivers said, I call the question. Commissioner Thomas said, Mr. Chairman, I'm going to have something to say before you close the question—, I mean, before you call for the question. Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, I've been trying to get in here for a long time. Much has been said as to what I wanted to say, but I want to say this. We are not here to badger this company or any other company, but, you know, the red flag has been raised, whether you like it or not. There are some concerns and we need to deal with these concerns. We can't keep putting them under the rug, you know, because I'm tired of having to listen to the same things come up constantly with these different proposals. Whether you like it or not, whether you like it or not. The one before that, there were concerns. So now we're having these problems. I mean, that means we need to look further and try to solve them so that we won't have to deal with this kind of thing every time we have a proposal on the—, before us. Chairman Hair said, okay. Commissioner Thomas said, so now all I'm saying is that we need to get a hold on this thing so that we won't have to take up this much time for future proposals that come before us.

Chairman Hair said, I totally agree with you, Dr. Thomas. I don't think there's any question about that. We have—. Do you want to call the question? Commissioner Rivers said, I yield to—. Chairman Hair said, let's just yield for—, he wants a quick comment. Chairman Hair recognized Commissioner Murray. Commissioner Saussy said, I want to ask a question.

Commissioner Murray asked, isn't there a federal document or federal law out somewhere that states the bare minimum of medical services, health services that have to be provided to the inmates? Sheriff St. Lawrence said, there's standards. Commissioner Murray asked, and are we right now or in the past have we been doing the minimum or have we been doing more than the minimum? Sheriff St. Lawrence said, I think we've been doing at least the minimum. Major Holmes said, we're doing at least the minimum, exceeding the—, exceeding the standards. Commissioner Murray said, well, I would—, I personally would rather see not doing any more than we have to and keep it the bare minimum the law says we have to do. I don't think we should be spending this kind of money period on inmates that have committed the crimes in this community. I know if they've got something wrong, we need to take care of it, but some of those people go back and forth for that reason, for the medical assistance they get, and I just would much rather see if the vote's going to be to throw all the bids out and we come back, but they—, of course, that's your call, but I'd just much rather see us do the bare minimum that we have to by law.

Chairman Hair said, Commissioner Saussy and then we'll call the question.

Commissioner Saussy said, yes. George [Lynch], I want to know the difference between an RFI, an RFP and a bid. Mr. Lynch said, okay, sir. An RFI is a request for information. This is usually issued, seldom more than a page in length, saying, hey, we're interested in obtaining this equipment, this service, and we're trying to find out who in the marketplace is interested and considers itself capable of providing it, come back and give us information. That's a plumbing of the market. It doesn't require detail. Fundamentally, it's so you know who to go out and send RFP's to or invitations for bid. That's an RFI. A request for proposal is typically used when you are seeking a professional service, medical, legal, architect, engineer. That goes out and tries to say what the service is you want. It does not, and I emphasize this point, say and you will do it with this number of people or this cad system or anything else. It says this is the service we want, you professionals come in and tell us. The way we typically work ours is to have two parts. One part, and this has the bulk of the points, as it did in this case, is the qualitative portion. This is when the firm comes in and it identifies its past experience, it identifies the staffing in terms of qualification and leadership that it will have. It may give information as to its methodology. That's evaluated and that evaluation is subjective. There's no other way to do it. In this particular case, on this one the breakout was 85 points maximum for the qualitative side and that covered quality of the response to the RFP, the corporate experience, the corporate capability and references. CHS, your firm, sir, got 72.4% out of 85. PHS, the incumbent firm, got 77.43 out of 85. In the interviews, that was another possible 15 points, 15 points maximum, 13.8 points for PHS, 11.4 for CHS, and then finally you consider, after your interviews, after your qualitative assessment, on the prestated formula basis, the fee that is offered. In terms of fee, PHS's was 139,544, CHS's was 186,949. Under the formula, 15 or maximum points, as the low to PHS 9.9 to CHS. Then those are totaled and the total points came out to 106 to 93. Now that's your RFP and the way the scoring is worked. When you go out for a bid, a bid is where you go out and say how much for a car where you can be buying precisely what you want. Here are blueprints and specs to build a building or a road or what have you, and the response to that as long as the firm is responsive, you base your selection there not on the subjective evaluation and interview and cost, but if it's a responsive firm, since they're all bidding on the same thing, you base it on the price. So those are the three. I hope I—, I'm sorry to have taken so long to answer your question. Commissioner Saussy said, no, that's fine. The point is and I think where a lot of this confusion is coming from is the RFP frankly I think should not be bid on, because that to me is getting information—. Mr. Lynch said, it wasn't, sir. Commissioner Saussy said, well, in this instance I think it was and I think that's where the confusion is coming from because they weren't bidding on the same thing. Mr. Lynch said, sir, the—, again, with an RFP you're asking for a service. The service is pretty well understood, I think, in terms of what you want in service. How they respond to that, whether they need five nurses or ten nurses to provide it, is up to that firm as long as they can meet your basic service requirements in an RFP. The fee proposal, which, as I say, constitutes 15 out of 115 points, is certainly a factor, but predominantly the emphasis is on capability to satisfy the requirement for service. So fee is a portion, but it is sure as heck not the only portion.

Chairman Hair asked, does that satisfy your question? Commissioner—, I'm going to recognize Youth Commissioner Alonzo [Alston] just for a quick question and then we'll vote.

Youth Commissioner Alston said, if how we're doing this is causing repetitive problems, then there is obviously a problem with the method that needs to be—, that needs to be intelligently reviewed or revised. We should go to the length to make all requests, whether it be for information, proposal or bid, this—, we should make them more specific. We should take that responsibility away from the companies. Therefore, there won't be any confusion once it comes back to the Commission. If we do that we are leaving ourselves with the problem of wasting time and the money and cost differential because in both situations it's not apples and apples. We're running into the problem of whether it's health care services or if it's supplies or a change in construction. It's the same basic method that has the problem. This is one of the few times that I've sat in on one of these meetings, and this is—, and to a certain degree disturbing. The processes that you've gone over are comfortable, they have their own time-worn efficiency, but they're not concrete. It's as simple as a matter of changing the specifics and when we're asking for each individual process [inaudible].

Chairman Hair said, thank you, Mr. Alston. We appreciate your comments. Commissioner Odell asked, does this kid live in the Fifth District? Mr. Lynch said, sir, I thought he did. Chairman Hair said, okay, we have a call for the question. Does anybody need us to—, restate your motion, Ben [Price], to make sure everybody knows what you're voting on.

Mr. Lynch asked, may I interject one thing, sir? Chairman Hair said, quickly. Quickly. Mr. Lynch said, the contract expires the 30th of September. Commissioner Rivers said, we can take care of that. Chairman Hair asked, would you add to your motion that the contract with the current provider be extended until this process is—? Commissioner Price said, yes.

Chairman Hair said, all right. Restate your motion, Ben [Price], so that we know—. Commissioner Price said, as best I can. Reject all bids, that we go out and we do a staffing assessment, we find an independent entity to do the staffing assessment in a timely manner, and that there be no conflicts of interests indirectly with whoever with that, and then once we have the staffing assessment prepared or brought back to us, we can then turn around and go out for bids with that. Chairman Hair said, and that the current contract be—. Commissioner Price said, and the current contract be extended. Chairman Hair said, all right, all those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Murray, Odell, Price and Thomas voted in favor of the motion. Commissioner DeLoach voted in opposition. The motion carried by a vote of eight to one.

ACTION OF THE BOARD:

Commissioner Price moved to reject all bids to provide health care services for the Chatham County Detention Center and that we obtain a staffing assessment, to be performed by an independent agency and in a timely manner, to determine how many personnel are needed at the prison, and that the current contract with Prison Health Services, Inc., be extended until this matter is resolved. Commissioner Saussy seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Murray, Odell, Price and Thomas voted in favor of the motion. Commissioner DeLoach voted in opposition. The motion carried by a vote of eight to one.

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*** 7. PURCHASING ITEM Q: CONTRACT FOR THE DESIGN AND CONSTRUCTION OF THE TATEMVILLE COMMUNITY CENTER AND PAVILION, TO HAYNES-ROBINSON, PC OF SAVANNAH AND HARRY MOSES CONSTRUCTION COMPANY OF VIDALIA; $459,872. *NOTE: Item was tabled at the meeting of September 11, 1998.* (See attached report from County Attorney.)**

Chairman Hair said, the Chair will entertain a motion to take that off the table. Commissioner Odell said, so moved. Commissioner Price said, second. Chairman Hair said, we have a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, now the Chair will entertain any motions, but I think this item does need some discussion. I certainly have some problems with it myself.

County Manager Abolt said, you may not—. [Inaudible] we'd like from the County Attorney, sir, before you go any further. Chairman Hair said, okay, you have in your packet a letter from the County Attorney, but I will recognize Mr. Hart at this time to make any opening comments he'd like to make on this issue.

County Attorney Hart said, the only opening comment that I really have in regard to the situation, I think the letter pretty much speaks for itself for the County to take the position that it has taken in regard to the bids and make the adjustment, should it choose to do that. At the same time, as far as the bid procedure goes, the Commission is within its discretion to reject all bids, and that would have to be all bids. So, along those lines—. There is also a question as to—, you also have the right to hear from anyone, if you so elect or choose to hear from somebody. If they appear before the Commission and you want to hear from them, you have the right to hear from them. That's totally a discretionary action on your part. However, our bidding procedure does set forth a means of a person protesting a bid. Number one, they have to go to Mr. Lynch and protest that bid. From that, the procedure spells out that if they do not have the grievance remedy to their satisfaction, the County Manager under our Purchasing Ordinance has the right to decide disputes, and from there, if their grievance is not met, at that juncture they have the right to appear before the Commission and ask that their grievance be addressed in that fashion. There has not been—, that protocol has not been followed past Mr. Lynch. The County Manager has not, in fact, ruled on that. So if you're going to address a specific grievance, it probably should go before the County Manager under our bid procedure first prior to being entertained by the Commission. That does not mean the Commission does not have the right to hear from people if it so elects to do so.

Chairman Hair said, okay, thank you, Mr. Hart. Before I recognize Commissioner Odell and then Commissioner Murray, I would like to say I have carefully reviewed the attorney's opinion. I've got some real problems with this. The attorney has ruled that the renegotiation with the apparent low bidder did not materially affect the bid, which is technically true, but it just seems to me it's unfair to take the low bidder, who already knows what the next low bid is, and then negotiate with him because it's obvious that he knows what number he's got to beat, and I just have some real problems with this and I really think the proper action today after full discussion would be to reject all bids and rebid this. So, Commissioner Odell.

Commissioner Odell said, Jon [Hart], just a couple of questions. The first one being, am I reading your letter to Russ [Abolt] when you say that the bid process that we followed on the Tatemville project was consistent with what you perceived the law to be? County Attorney Hart said, well, it's a good question, Commissioner Odell. The Georgia statutes were written on bid procedures for counties, oh, 20-25 years ago, and with the advent of design/build contracts some of the other statutes don't fit as nice as you would like them to fit in a design/build concept, and as you are aware, a design/build concept is where it has benefits to the County from the standpoint that it's a fast-track construction process and it also makes the design take into consideration the cost at the time that the factor's being built and puts the architect and the contractor in a team type of

arrangement where they bring the whole project to the County and the County gets a flat price for the design and the build, and that's great. That's a wonderful situation. However, the bid process gets to be a little more complicated from the standpoint that the County will go out and get an independent architect to come up with a conceptual plan for the project. That conceptual plan is put out and then bid by the parties. There is not a finished contract with all the design at that point, so your contracting office is going to have to have some flexibility if we're going to continue to use design/build programs to adjust things because you don't have the completed design. That's all I'm saying. Commissioner Odell said, I'm not [inaudible]. I take what you say to mean that there were no violations of the law in the process as in regard to Tatemville? County Attorney Hart said, from a procedural standpoint within our situation, yes, sir. If we have—, our Purchasing Ordinance provides that it has to be prejudicial to the County. There are means for amending the bids, there are means for modifying the bids, and within the parameters of that sections technically we can do that. Now whether you choose to do that as a policy is another matter. Commissioner Odell said, right, I understand what you're saying, but I guess publicly what I'm trying to get a yes on is that the procedure the County followed was in compliance with your perception of the existing law and the policy. Is that true? County Attorney Hart said, yes, sir. Commissioner Odell asked, additionally, if there is an argument or a disagreement from the individuals who did not receive the bid award, that the process for that administratively is through the County Manager? County Attorney Hart said, and then if that is not resolution, back to you folks. Yes, sir. Commissioner Odell said, and your understanding—, and I would ask the County Manager his understanding for having the law instituted is to go from concept of the project to having the project built in a shorter period of time. Is that generally—? County Attorney Hart said, the design/build, yes, sir, that's one of the—, you know, there are exceptions, but that's generally one of the reasons you enter that type of contract. Commissioner Odell said, so if you don't have a violation and the process is not been followed, and the delay in awarding the bid to the lowest bidder with the adjustment will substantially delay the institution of construction of the Tatemville Community Center? County Attorney Hart said, I wouldn't know how to answer the last part. There would be some delay, whether it's substantial I guess depends on—. Commissioner Odell said, I'm not asking that you assume that you're going to be the expert in construction. Just as a matter of common sense, if all of the bids are thrown out and we have to go back through a second bid process, wouldn't you agree that just logically that that's going to increase the time for—, the time construction is completed? County Attorney Hart said, from X to X-plus something, yes, sir. Commissioner Odell said, thank you.

Chairman Hair said, Commissioner Murray and then Commissioner DeLoach.

Commissioner Murray said, I just feel like that even though you say that we meet all the legal criteria that we're sending the wrong message out to people that are bidding on these jobs under the type construction that we've got based on the fact that what we're telling them is it's okay to leave out major items that have to be in that construction for it to work and then come back to the table after you know everybody else's bid and say, well, I can add those items for X-amount of dollars, and I just don't think that's right. And to answer Commissioner Odell's question, yes, it will take longer to go through the process to see actual construction out there, but I'd much rather take the little bit longer in the process to make sure that what we do we have done fairly with everybody involved in it, and I'd like to make a motion that we reject all the bids.

Chairman Hair asked, does that motion have a second? Commissioner Price said, second. Chairman Hair said, we have a motion and a second. We'll still have further discussion of that motion. Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, okay. Mr. George [Lynch]? Mr. Lynch said, yes, sir. Commissioner DeLoach asked, based on the bid that you sent out, request for proposal—. Mr. Lynch said, invitation for bid in this case, sir. Commissioner DeLoach said, right. Okay, based on that that you sent out, the item—, let's just take one specific item. The sewer system hookup that's in question. Based on your proposal that you sent out, did you say in that proposal that that was an item that had to be in the bid? Yes or no. Mr. Lynch said, no. Commissioner DeLoach asked, no? Mr. Lynch said, would be the answer. Again, let me, if I may. Commissioner DeLoach said, it's either a yes or a no if it's in there. Mr. Lynch said, no, it was not. Commissioner DeLoach said, okay. Tell me why it's not in there so—, because we have a question concerning items that were specifically supposed to be in the bid because I don't think the procedure is wrong. I think the design and build procedure is correct. I bid on contracts pretty regular. If a design and build contract is out for bid and everything is set in stone, such as whether we're going to have this type sewer system and you'd better bid on it or you don't get accepted to the bid process, as long as all the items are covered and there's no—, and anyone who does anything other than bid on that, they're thrown out, then this procedure will work because after you get the bid and after you get the low bidder, you can do anything to the contract you want to do because it's a design and build, but at that point everybody has an equal standing in the procedure. Now that's where we erred here if we have erred. That is the question that is in front of us right here. Did, in fact, was there five or six items that were listed as you could not have an exception to the bid? Were they actually listed and other people put those in those bids and in fact the low bidder did not put those in the bid and you by procedure gave him an op—, not questioning whether it was right or wrong, just the fact that you had to have then, you went back and said what will it cost to do that. If between the time that you put the bid out and you said these are no exceptions, if everybody did it and the person who put the low bid in did not do it, then that bid should have been rejected period. And that's where we are right now. We've got to—, the question I've got for you is in fact those exceptions that you added later, were they in fact in the original bid as part of the bid, and there should be no exceptions to that bid. The only way that this is going to be an equal bid is that everybody bidded [sic] equally, and that is the question. Those items that were added later, weren't they an exception in that bid? Mr. Lynch said, there was one substantive exception, sir. Commissioner DeLoach said, okay, but—, no. All right, if there was one, if there was a half of one, if there was a piece of one, it does not matter. You cannot make an exception on a bid and keep it, let it stand. It cannot stand unless it's equal to all parties. Is there an exception to this bid? Yes or no, based on the procedures that we follow, and a design and build procedure is an excellent way to bid. Awesome way, excellent. I mean, every—, there's nothing wrong with the procedure and there's nothing wrong with our procedure unless we make exceptions after the bid, and that's where we are right now. Is there an exception after the bid that was outlined in the bid that there could be no exception? Yes or no? Mr. Lynch said, the answer to that one, sir, is the exception was taken when the sealed bid was submitted. There were some seven that we listed. One was substantive. That involved a grinder pump. Now—. Commissioner DeLoach said, now you say grinder pump. What I'm asking you again is was that supposed to be in the bid? Yes or no? Is it part of the original bid request? Mr. Lynch said, the—, I would have to check that specific question on that and go back to it. Commissioner DeLoach said, this is the crux of the whole matter right here, Mr. George [Lynch]. This is whether this thing is—, it's not a question of whether this process is legal. This process is legal. This

process is firm and it's a good process unless you, after the fact of accepting the bids, make an exception that all people did not get to respond to, and that's where we are. Now, if that—, if you need a copy of the contract to question whether that was supposed to be in that contract, then we can get a copy of the contract right here. I think I need to know that. Mr. Lynch said, the point that I would like to make, sir, when we go for a design/build you do not have final construction drawings. That is part of what you're bidding in the design portion of design/build. Commissioner DeLoach said, let me make a comment on that though. I don't care if you're asking for a ball and you want to sell basketballs. It does not matter. If you write up a spec and that spec outlines specifically what those people ask for and what they're supposed to bid on, if there's an exception and it's not noted before the bids are opened and it's not brought forth in front of everyone who is in the room, there is no way that that bid can be accepted as a legal bid. Now that's where we are. It doesn't matter, you know, it doesn't matter about design or anything else. We need to know the procedure is clean. Mr. Lynch said, I totally agree with you, sir. The exception was taken not after the bids were open, but in the sealed bid. There were some seven that were listed. One, the grinder pump type thing, had substance. It was not for clarification. It was not saying, hey, there may be a better way. It simply wasn't there. That is very much the same way with the previous bid that we had on the 14th for the Islands Expressway, which—, not Islands Expressway, Islands Community Center, which was indeed awarded to Scott Barnard and DMK. They omitted from their bid the connection to the water and sewer source. That was an omission that was clearly needed. As indicated in our recommendation to you, our view was that the 38,000 additional dollars which DMK and L. Scott Barnard, Architect, came in with, which ended up saving the County in excess of $120,000, compared to the other [inaudible] reasonable. We applied exactly the same approach in this case. It was a smaller amount. It had been defined. Neither Scott Barnard nor, in this case, Bill Haynes, are trying to rook us. You do not have, unfortunately, when you go design/build, firm construction drawings available. That comes in the next part. The way we got the concept plan developed was for Patrick Shay to come up with a concept plan to try to keep people within general parameters to try to avoid a situation where you had somebody wanting to offer you a Taj Mahal design/build and somebody wanting to offer you a prefab building. Excellent job as always by Patrick [Shay]. However, it is not the firm drawings that you have when you go out after an architect has designed it and you build the construction. Was that exception made? Yes, as so noted. Was indeed the price to make that a part of it fair and reasonable at $16,000? My associates who know more about that than I do assure me it is, just as we felt the same opportunity and for the same reason it was extended to Barnard/DMK on the Islands Expressway [sic] was indeed worthwhile. Commissioner DeLoach said, okay. Mr. Lynch said, thank you, sir.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I think what we need to do is to put this to rest, and for those people in the Fifth District when you have your neighborhood association meetings, I'll be happy to explain the process. I don't think we need to take the time here. The primary concern is that the bid process, there are apparently some exceptions, and I don't think that it is the place to have the feeling of unfairness to be generalized when you're delving out public money. I think there's sufficient votes to reject the bid. I want to say that I think that our staff has always done an excellent job, and if there was any errors of omission, that those are unintentional, and I think we've move quickly to rebid it so that—, the people in Tatemville had their funds requested or approved before those on Wilmington Island, but yet we're moving a lost faster on the Wilmington Island project than we are on Tatemville. I draw no conclusions to that other than that is a fact, and I would ask staff that whatever we need to do to rebid it to make certain that all of the questions and concerns regarding this bid are not questions and concerns when we go to the unsealing on the second occasion and that we can get this project on the way, off the drawing board, and get people utilizing the services. With that I'll call the question.

Chairman Hair said, we have a call for the question. The motion is to reject all bids. Commissioner Jackel said, would—. Chairman Hair said, the motion is to reject. If you make a very brief comment. Mr. Scott Barnard said, and only to that motion. Chairman Hair said, to reject all bids.

Mr. Scott Barnard said, if I may go and read the County's Procurement Ordinance that deals with—. Chairman Hair said, we understand the ordinance, Mr. Barnard. We understand the ordinance. Mr. Barnard said, the County—, I have to take exception with what the County Attorney says because he quoted it incorrectly. With all due respect, I think there was a misquote, and it clearly says—. Commissioner Odell said, I'm not certain that this accomplishes—. Mr. Barnard said, my objective is not to throw out all bids because the procurement process—. Chairman Hair said, that's the [inaudible]. Mr. Barnard said, you should not. Chairman Hair said, but the motion—. Mr. Barnard said, you should not, and that's why I want to speak to that because it says clearly that you should throw out only the non-responsive bid. If it didn't say that, I would not be hear.

Chairman Hair recognized County Attorney Hart. County Attorney Hart said, Mr. Chairman, y'all do not have to find it non-responsive to the bid, and I don't think you're doing that. You're rejecting all your bids. You've already had a ruling from your contract officer that he found the bid to be responsive. Now if Mr. Scott Barnard has a different opinion about that, he has a right to have that opinion, but your contract compliance officer has already said that he felt the bid was compliant. Now I recognize that this body may have a different view of that or, as a policy matter, may wish to reject all bids, and you're right to do that, but that is not an issue—. Chairman Hair said, we have the right to reject all bids without cause. County Attorney Hart said, yes, sir. Chairman Hair said, so we don't need a cause to reject all bids. That's clearly in the law. Mr. Barnard said, if it was not responsive, it says here, you don't—. Chairman Hair said, we have the right to reject all bids regardless of whether they're responsive or not. That's clearly in the law that we have the right—. The motion on the floor is to reject all bids, which is clearly a legal motion. We have the right to do that regardless of what happened. Okay, so that's the motion on the floor. Mr. Barnard said, for the sake of time we were just offering an option to this. Chairman Hair said, thank you.

Chairman Hair said, we've had a call for the question so we do have to vote on this issue. All those in favor of rejecting the bids vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Murray, Odell, Price, DeLoach and Thomas voted in favor of the motion. Commissioner Jackel voted in opposition. The motion carried by a vote of eight to one. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

1. Commissioner Odell moved to untable this item and place it before the Commissioners for consideration. Commissioner Price seconded the motion and it carried unanimously.

2. Commissioner Murray moved to reject all bids for the design and construction of the Tatemville Community Center and Pavilion. Commissioner Price seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Murray, Odell, Price, DeLoach and Thomas voted in favor of the motion. Commissioner Jackel voted in opposition. The motion carried by a vote of seven to two.

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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 APPROVE THE FOLLOWING: A GENERAL FUND M&O BUDGET AMENDMENT TO RECOGNIZE AN $8,000 SAVANNAH HOCKEY & SKATING ASSOCIATION DONATION TO ASSIST WITH THE CONSTRUCTION OF THE OUTDOOR HOCKEY/SKATING FACILITY LOCATED AT LAKE MAYER COMMUNITY PARK, A $6,000 INCREASE IN JUVENILE COURT'S COUNCIL OF JUVENILE COURT JUDGES PURCHASE OF SERVICES GRANT AND AN ADDITIONAL TRANSFER IN THE AMOUNT OF $12,750 FROM ONE PERCENT SALES TAX EXTENSION FUND (1993-1998) FOR ASSISTANT COUNTY MANAGER'S TIME ON PROJECTS TO BE APPROPRIATED TO COUNTY MANAGER'S DEPARTMENT FOR OFFICE EQUIPMENT, CONTINGENCY TRANSFERS OF $6,000 FOR PURCHASE OF COTS APPROVED ON OCTOBER 10, 1997, FOR C.E.M.A.'S SPECIAL NEEDS PROGRAM AND $16,690 FOR TERMINAL PAY FOR DISTRICT ATTORNEY'S OFFICE, INTRA-DEPARTMENTAL TRANSFERS OF $4,550 WITHIN LIBRARY SALARIES TO FUND BUDGETED DIFFERENCE FOR FIVE STATE-FUNDED LIBRARIAN POSITIONS AND $3,000 FROM ANIMAL CONTROL MAINTENANCE AND REPAIRS TO OVERTIME; CONFISCATED FUNDS SPECIAL REVENUE FUND CNT CONTINGENCY TRANSFERS OF $81,400 FOR AUDIO AND VISUAL TECHNICAL EQUIPMENT AND $1,760 FOR UNDERCOVER HOLSTERS; A CAPITAL IMPROVEMENT FUND/SSD CONTINGENCY TRANSFER OF $16,000 TO COUNTY ENGINEER FOR EQUIPMENT; A ONE PERCENT SALES TAX EXTENSION FUND (1993-1998) CONTINGENCY TRANSFER OF $12,750 FOR TRANSFER TO GENERAL FUND M&O.

Chairman Hair said, the Chair will entertain a motion. Commissioner Thomas said, I move for approval, Mr. Chairman. Chairman Hair asked, do I have a second? Commissioner Price said, second. Chairman Hair said, second. I have a question and then I'll recognize Commissioner Murray. Russ [Abolt], on—, explain the $12,750 fund for Assistant County Manager's time. County Manager Abolt said, in fact, sir, and in budget Mr. Monahan's time is almost completely consumed by the Trade Center and we, when I give you my budget proposal for this year, did not account for any of that, and we have been able to legitimately say that when the need arises we can transfer money in from the—. Chairman Hair asked, this is a transfer, but it did not raise—, this does not raise his salary $12,750? County Manager Abolt said, oh, no, sir. This is for equipment. This is for computers and a copy machine. Chairman Hair said, okay. County Manager Abolt said, it's a legitimate charge against the project because, in effect, we're not—. Chairman Hair asked, but you're charting his time? County Manager Abolt said, yes. What happened is—, yes, sir. That's exactly what we're doing. He—, the budget was put together as if M&O paid a hundred percent of his time. Chairman Hair asked, so you're transferring—? County Manager Abolt said, yes, sir. Chairman Hair asked, this portion of his salary to the Trade Center as opposed to M&O? Okay, I understand now. County Manager Abolt said, that's correct. The equipment being purchased—. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, well, that was one of the questions I had. The other one was on the transfer of the $16,000 to Engineer for equipment. What type of equipment? County Manager Abolt said, fax machines and a copy machine, sir, I believe. Yes, sir, it's fax—, excuse me, wide format copier and fax machine. Commissioner Murray said, alright, and this $12,750, the last item on there, is that just put back money into the—. County Manager Abolt said, that just puts it in the other fund, just like the Chairman is saying. You're moving it from one pocket to another pocket.

Chairman Hair asked, any other questions? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Odell and DeLoach were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the following: A General Fund M&O Budget Amendment to recognize an $8,000 Savannah Hockey & Skating Association donation to assist with the construction of the outdoor Hockey/Skating facility located at Lake Mayer Community Park, a $6,000 increase in Juvenile Court's Council of Juvenile Court Judges Purchase of Services Grant and an additional transfer in the amount of $12,750 from One Percent Sales Tax Extension Fund (1993-1998) for Assistant County Manager's time on projects to be appropriated to County Manager's Department for office equipment, Contingency transfers of $6,000 for purchase of cots approved on October 10, 1997, for C.E.M.A.'s Special Needs Program

and $16,690 for terminal pay for District Attorney's Office, intra-departmental transfers of $4,550 within Library salaries to fund budgeted difference for five State-funded librarian positions and $3,000 from Animal Control Maintenance and Repairs to Overtime; Confiscated Funds Special Revenue Fund CNT Contingency transfers of $81,400 for audio and visual technical equipment and $1,760 for undercover holsters; a Capital Improvement Fund/SSD Contingency transfer of $16,000 to County Engineer for equipment; a One Percent Sales Tax Extension Fund (1993-1998) Contingency transfer of $12,750 for transfer to General Fund M&O. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Odell and DeLoach were not present.]

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2. PERMANENT BAND SHELL HISTORY AND PLAN OF ACTION.

County Manager Abolt said, Mr. Chairman, to present this Mr. Monahan is available, and I'll ask him to come forward, but essentially we're responding to those who testified for you a number of weeks ago raising the concern as to whether or not the current plans to build a concert facility at the Trade Center were consistent with the intent of the vote in 1993 when the subject of a bandshell was raised. Mr. Monahan, along with Mr. Newton and others, have presented possibly more than you ever wanted to know about the project, but it goes back to Leadership Savannah, the analysis of several sites as well as comments from MPC staff on those sites. You have a variety of options starting on number page three of the staff report. Essentially, the two options that we feel that you have an opportunity to pursue, if you wish, which really preserve all of the possibilities between now and the actual completion of the Trade Center and possible selection of another site for the bandshell deal with waiting until the Spring of next year when we have the audit on this year's expenditures, the possibility of accumulating sufficient money from interest earnings to cover the cost of a bandshell, which in the ballot measure was anticipated to be $700,000, and our current—, which is really the revisiting of analysis done a few years ago, it was felt that that amount of money was about 50% light. As far as the ability to deliver the project, you could in effect wait until then. In the interim, use a little bit of the Contingency that remains to employ the services of an architect to do some further work on what they refer to as the technical parameters of such a project, and then deal with the issue of site. That is your option. And the other one would be to continue to allow the type of open-air facility at the Trade Center to be part of that budget and not lose the particular appeal of the river front exposure on the north side of the river, as envisioned by the designers and as in the past recommended by Leadership Savannah and then adopted by the previous Board as to appropriate use of the money. I don't believe in our review of this we can find anything that might cause us to be concerned as to the legitimacy of the decisions made to date. There was nothing improper about them. All issues were discussed in full and with ample discussion by all interested parties as to how the money should be used. We came up with what we think collectively, with the concurrence of the previous County Commissioner, with a somewhat Solomon-like decision. If that is not satisfactory and there's a desire to do something that more resembles a traditional bandshell, then we give you those options. When we do talk though about the current SPLOST Contingency, I must remind you that we're closely shepherding that money because you do have at least tacitly made commitments to do something more with Mother Matilda Beasley Park, plus in your comments and discussion with the Tax Commissioner, you're very anxious, as is he, to proceed with the construction of a satellite type facility on the Southside.

Chairman Hair asked, okay, any questions of the Manager before we—?

Commissioner Price said, so, Russ [Abolt], what you're saying basically is to keep it at the same place, same site location, but go in and make improvements to it to—. County Manager Abolt said, no, sir. No, sir. What I'm saying, I'm trying to give you all your options. That's what I'm trying to make, I don't want to say, the decision easy for you, but if there is some sentiment on this Board that you want to do more than what you have on the north side of the river, then in effect I give you an option, but that option is not fully funded now. I say definitely. I think it would not be a prudent use of the investment of time, design and prior decisions of this body to proceed with something on that side of the river, to pull it back. Commissioner Price said, well, I feel like we don't need to pull anything back from the Trade Center right now. County Manager Abolt said, and that's part of the recommendation. Commissioner Price said, what I think we need to decide on is if we're going to go out and look for funds and find money to do something within—, on the south side of the river. County Manager Abolt said, yes, sir. Commissioner Price said, something that—. County Manager Abolt said, and I'm preserving that option for you. What I'm doing is, and I'm betting on interest earnings, and I'll tell you up front I've got none [inaudible]. I don't have the money in the bank to show you right now. What I'm saying is you can spend a little bit of the money that was left over after our last audit and employ the services of an architect to do these technical parameters, look more at the sites that were developed by Leadership Savannah, analyzed by MPC. Put yourself in a position that come the Spring of the year when there is the audit for this current year and we know full well whether or not there's additional earnings under SPLOST interest, to devote that money, but it will not be $700,000, given our estimates right now because a few—, well, a couple of years ago the analysis was that that $700,000 allocation was woefully inadequate to do a permanent bandshell, a fixed facility of some height and mass. So we're probably looking in the neighborhood of about a million and a half. I'm saying to give you the maximum amount of options, is spend a little bit of the Contingency for the technical services to do an analysis to do some further work on you [sic], wait until Spring of the year, see if the money's there, and if you still have the motivation and the desire to build a permanent bandshell beyond what has already been committed to, then you would have that option to present it. Commissioner Price said, you're saying ask the Leadership Savannah Committee to decide what features and some other stuff that—. County Manager Abolt said, totally democratic. Commissioner Price said, I'm not sure that this committee, Dana [Braun], help me with this, is still in existence. It was a committee of a current class of Leadership Savannah at that time, and I'm not sure whether it's still actively meeting or whether or not that would be even the route that those who are on that committee would want to see us go. Can you speak to that, Dana [Braun]?

Mr. Dana Braun said, I don't want to speak entirely and commit for the so-called committee. Commissioner Price said, right. Mr. Braun said, it was a committee from, I think, from 1992 to 1993 class of Leadership Savannah; however, to come back to the group that were involved with that committee that what happened to the bandshell, where is it, I think if there's a commitment from this Board, this body, to follow through with Alternative #1, then certainly Alternative #2, it is never the desire of this committee in reconvening to do any harm to the Trade Center. It is just the primary question, where is the bandshell

that we envisioned and we believe the taxpayers envisioned when they voted for the construction of a bandshell. If the—, and I have utmost faith in Mr. Abolt and—, to Russ [Abolt], and more faith in Mr. Monahan in his—, to both in their financial abilities and if they are saying that it looks like the money will be there and that we can use it for a real bandshell, as Mr. Abolt calls it, a traditional bandshell, which I think the voters envisioned, then we would be fine with #1 and #2 as the—. Commissioner Price said, staff recommendation. Mr. Braun said, the staff recommends, but our concern would be that yes, would be real dollars there for the construction of a real bandshell, and it has never been at this—, this reconvened committee, we're not getting at this point into the issue of location. We just want to see a bandshell and we would be glad to reconvene and make suggestions or recommendations regarding the site, which I think would be the ultimate decision for y'all. Commissioner Price said, that would be my question, Russ [Abolt]. Is that your recommendation that they come back with other site locations or is it something that you want us to take a look at as a Board? County Manager Abolt said, well, sir, obviously when it's all over, you'll let the Board look at it probably. I have to be very frank with you and appreciate the kind comments of Attorney Braun, and I know you remember specifically, Commissioner Price, because you chaired the meeting, the interest, the leadership, truly—, no pun intended—, of that group of folks back that were in the class of Leadership Savannah, was welcome because this was one of those issues that wasn't being resolved quickly and there were still so many decisions that had to be made. So when Alderman Cook came forward representing Leadership Savannah and made the presentation and we did the analysis, it seemed like something that was not only well justified, but quite timely. But it was done with full concurrence of the elected body, namely the County Commission, so I would assume if you give us the okay on #1 and #2, whatever is forthcoming, whether it's from the previous class of Leadership Savannah, this one, or some other group, we want first of all you to approve and agree to who the membership would be, but more importantly once the results are forthcoming, you have to get involved in it. Commissioner Price said, let me follow up, Billy [Hair], and then I'll be finished. You're saying that that committee can still be used—. Mr. Braun said, yes. Commissioner Price said, it's still in place. If that's the case, I have no problem with going back to that same committee we used before. And with that I'll make the motion that we approve staff's recommendation, which is adopt Alternatives #1 and #2. Commissioner DeLoach said, second. Commissioner Thomas said, second.

Chairman Hair said, I have a question. Russ [Abolt], what happened to the original $700,000 that was in the sales tax referendum for the bandshell? County Manager Abolt said, it went to the river front development on the Trade Center, which was to have this public feature, this public venue. It would accomplish the same thing without a hood. Chairman Hair said, so somebody made a decision to do that, right. County Manager Abolt said, the County Commission did. Chairman Hair said, the Commission made the decision. Commissioner DeLoach said, on the recommendation from—. Mr. Abolt said, yes, Leadership—. Commissioner Price said, I had—, Billy [Hair], I had reservations at the time. I went along with the—. Commissioner DeLoach said, on a recommendation. Commissioner Price said, the decision. Commissioner DeLoach said, approval. Commissioner Price said, I didn't oppose it, but I did ask questions at the time about we don't actually have a shell [inaudible]. Commissioner DeLoach said, he did. Chairman Hair said, you know, I think we have an—, I think we have a legal and a moral obligation to build a bandshell and I think we have to do that. Commissioner Price said, that's what this is. Chairman Hair said, I think we said that to the voters. I don't think, however, we necessarily have an obligation to build it there. It seems to me for the benefit of the majority of the citizens of this County, it would benefit us to look at alternatives to maybe cooperating with the City of Savannah and possibly locating this at a different location and maybe joint funding this with the City of Savannah and maybe actually making it a much better facility than it was originally entitled to be, and I would hate for us to lose sight of that and to lose that option. Commissioner Price said, nothing—, nothing of the motion or what staff's recommending takes anything away from what you're saying, Billy [Hair]. My understand is it leaves all the options open. Chairman Hair asked, would that include—. County Manager Abolt said, yes, sir. Chairman Hair asked, would that include the option I just gave? County Manager Abolt said, if the money's not there or if the design, the concept, the technical grammar, to use the term in the staff report, far exceed the money, you may look at a variety of ways to fund it. Chairman Hair said, okay. Any other—, Commissioner Rivers.

Commissioner Rivers asked, Mr. Manager, how are we looking on the Trade Center as far as time wise? Are we coming in on schedule? County Manager Abolt said, beneficial occupancy the end of 1999, the first convention, if you will, in March of 2000. Commissioner Rivers asked, is it an impossibility that we can recoup any savings out of that? County Manager Abolt said, well, you just have the reconciliation. It's too early to talk about that. We're talking here, sir, not about that. We're talking about the lag time in projects under construction, the lead of which is the Trade Center, taking those monies that may very well be there and evidenced in the audit in the Spring of next year and using them as you've done before. I give you an example, you awarded a community center on Wilmington—, on Whitemarsh Island, you talked about Tatemville, those were not envisioned in your sales tax vote of 1993, but because of the savings, you were able to use them for the purpose intended. Commissioner Rivers said, I understand. I understand what you're saying from our supplement interest income. County Manager Abolt said, that's correct. Commissioner Rivers said, what I'm talking about is cost. We came in under cost on the jail. Is there any possibility that we may come in under cost and there will be some savings at the Trade Center? County Manager Abolt said, we've never visited that—. Commissioner DeLoach said, $300 million [sic]. Chairman Hair said, we've already added $3 million, Commissioner Rivers. I think that's highly unlikely. County Manager Abolt said, it's too early to talk about that until the project is nearer completion.

Commissioner Price said, I call the question. Chairman Hair said, we have a—. Mr. Ken Earls said, tell us exactly what #1 and #2 are. Chairman Hair said, I'll be happy to—. Mr. Earls said, thank you. Chairman Hair said, read those. Alternative 1: That the Board, pending available funds based on an audited reconciliation of the 1% SPLOST Contingency in Spring, 1999, consider the following plan of action that would construct a bandshell as provided in the "technical parameters" of the Leadership Savannah committee (i.e. 40 foot by 40 foot stage, 25 foot high hard cover, wings, orchestra pit, loading docks, concession, bathrooms, sound and lighting): 1a. Appropriate funds from 1% SPLOST Contingency to start selection of an architect to begin preliminary design work of a bandshell in accordance with the plan of "technical parameters." 1b. Use 1% SPLOST Contingency to provide funding of the bandshell, as provided in the "technical parameters" of the Leadership Savannah committee. 1c. Ask the Leadership Savannah committee to review its site criteria again, working in concert with the MPC staff, and make a recommendation to the Board of Commissioners. This would be for a location "to serve a minimum of 8,000 people," including adequate parking and access. 1d. Ask the Leadership Savannah committee to decide what features of the bandshell can be omitted so that the project budget can be maintained (i.e. reducing size of dressing room and production office, concession area or public and performer's restrooms), or provide additional funds from 1%

SPLOST Contingency. Commissioner Price said, and #2. Chairman Hair said, and #2 is Alternative 2: That the Board leave the project, as now designed and included in construction documents, as part of the Trade Center river front plaza. That's the motion.

Chairman Hair said, we have a motion and a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you. Mr. Braun said, thank you, Dr. Hair. Chairman Hair said, thank you.

ACTION OF THE BOARD:

Commissioner Price moved to approve Alternatives#1 and #2 of staff's recommendation as follows: Alternative 1: That the Board, pending available funds based on an audited reconciliation of the 1% SPLOST Contingency in Spring, 1999, consider the following plan of action that would construct a bandshell as provided in the "technical parameters" of the Leadership Savannah committee (i.e. 40 foot by 40 foot stage, 25 foot high hard cover, wings, orchestra pit, loading docks, concession, bathrooms, sound and lighting): 1a. Appropriate funds from 1% SPLOST Contingency to start selection of an architect to begin preliminary design work of a bandshell in accordance with the plan of "technical parameters." 1b. Use 1% SPLOST Contingency to provide funding of the bandshell, as provided in the "technical parameters" of the Leadership Savannah committee. 1c. Ask the Leadership Savannah committee to review its site criteria again, working in concert with the MPC staff, and make a recommendation to the Board of Commissioners. This would be for a location "to serve a minimum of 8,000 people," including adequate parking and access. 1d. Ask the Leadership Savannah committee to decide what features of the bandshell can be omitted so that the project budget can be maintained (i.e. reducing size of dressing room and production office, concession area or public and performer's restrooms), or provide additional funds from 1% SPLOST Contingency. Alternative 2: That the Board leave the project, as now designed and included in construction documents, as part of the Trade Center river front plaza. Commissioners DeLoach and Thomas seconded the motion and it carried unanimously.

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ORDER OF BUSINESS

Chairman Hair said, we now, I think, are ready, Commissioner Rivers says we're ready to deal with the item that we postponed, which was to deal with prison health contract.

[NOTE: Item VIII-6 was heard at this point on the agenda.]

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3. REQUEST BOARD APPROVAL TO WAIVE THE 90-DAY HIRING FREEZE AND AUTHORIZE HUMAN RESOURCES TO ADVERTISE POSITIONS THAT THE DEPARTMENT DEEMS MORE COST EFFICIENT TO FILL.

- **INSPECTIONS - CODES INSPECTOR I (ONE POSITION)**
- **DISTRICT ATTORNEY - ADMINISTRATIVE ASSISTANT II (ONE POSITION)**
- **FINANCE - ACCOUNTING SUPERVISOR (ONE POSITION) AND ANY RESULTING VACANCY**

Chairman Hair said, the Chair will entertain a motion. Commissioner Thomas said, move for approval. Chairman Hair asked, do I have a second? Commissioner Saussy said, second. Chairman Hair said, second. Commissioner Murray has a quick question.

Commissioner Murray said, no, not a quick question. It's the same comment I make every time we do this. I don't ever see us asking questions about these hiring freezes or anything else. We just continue to vote in favor of them.

Chairman Hair said, okay. All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Price, DeLoach and Thomas voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Odell was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Thomas moved to waive the 90-day hiring freeze and authorize Human Resources to advertise the following positions: Inspections - Codes Inspector I (one position), District Attorney - Administrative Assistant II (one position), and Finance - Accounting Supervisor (one position) and any resulting vacancy. Commissioner Saussy seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Price, DeLoach and Thomas voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Odell was not present.]

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X. ACTION CALENDAR

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

Chairman Hair said, Commissioner Price wants to pull Item 4. Who else wants to pull something? Commissioner Jackel said, I have a whole stack. Chairman Hair said, oh, I'm sure you do, Commissioner Jackel. You always do. I'm not surprised in the least. Commissioner Jackel said, we've got F. Chairman Hair said, okay, F. Commissioner Jackel said, G. Chairman Hair said, wait a minute. Go slow here. E? Commissioner Jackel said, G. Chairman Hair said, G. Commissioner Jackel said, J, O, S—. Chairman Hair said, O and what else? Commissioner Murray said, you should just call what you don't—. Commissioner Jackel said, S, T—. Chairman Hair asked, S and T? Commissioner DeLoach said, U, V. Commissioner Jackel said, U, V, W, 6-F. Chairman Hair said, when you pull them off we really can't. We've got to have them individually. Commissioner Jackel said, 6-F. Chairman Hair said, wait a minute. You had V, not W, or did you pull W too? Commissioner Jackel said, yes, V, W. Chairman Hair said, W too? Commissioner Jackel said, yes. Chairman Hair asked, and what else? Commissioner Jackel said, G. Commissioner Murray said, I thought you already pulled G. Chairman Hair said, yes, you've already pulled G. Commissioner Jackel said, but it's 6-G. Chairman Hair said, well, it is—, there's only one G. Commissioner Jackel said, no, no. It's Item X-6-G is what it says on—. Commissioner Price said, Item 10? Chairman Hair said, Item 10 there's not—. Commissioner Jackel said, page 34, look at page 34. Chairman Hair asked, 34? I don't have a 34. Commissioner Murray said, he's looking at the write-ups. Chairman Hair said, you've got to look at your agenda. You've got to go back to the agenda, Commissioner Jackel. You can't go by—, you've already pulled G. Commissioner Jackel said, all right, G and J then. Chairman Hair said, we've got G and we've got J. Commissioner Jackel said, okay, we're good to go then.

Commissioner Price said, I move for approval of the balance of the Action Calendar. Commissioner Thomas said, second. Chairman Hair said, motion and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Odell was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Price moved that the Action Calendar be approved in its entirety with the exception of Items 4, 6-F, 6-G, 6-J, 6-O, 6-S, 6-T, 6-U, 6-V and 6-W. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

[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 OF THE REGULAR MEETING ON SEPTEMBER 11, 1998, AS MAILED.

ACTION OF THE BOARD:

Commissioner Price moved to approve the minutes of the regular meeting on September 11, 1998, as mailed. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD SEPTEMBER 3 THROUGH SEPTEMBER 16, 1998.

ACTION OF THE BOARD:

Commissioner Price moved that the Finance Director is authorized to pay claims for the period September 3, 1998, through September 16, 1998, in the amount of $4,191,184. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

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3. REQUEST BOARD APPROVAL TO ACCEPT TIC'S VOLUNTARY, FREE OFFER TO ASSIST WITH COMPLETION OF THE FIRING RANGE AT SHERIFF'S DEPARTMENT COMPLEX.

ACTION OF THE BOARD:

Commissioner Price moved to accept TIC's voluntary, free offer to assist with completion of the firing range at Sheriff's Department Complex. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

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4. REQUEST BOARD AUTHORIZE A PROGRAM OF SPECIAL PROMOTIONS AT HENDERSON GOLF CLUB TO MARKET TO EMPLOYEES OF LARGE COMPANIES, INCLUDING CHATHAM COUNTY.

Chairman Hair recognized Commissioner Price.

Commissioner Price said, it's my understanding with this is that we're going to go out and talk to specific corporations with large employee bases and offer them some kind of discounted green fee arrangement to promote the increase in revenues for the golf course. Do we have anybody here—, I mean, Russ [Abolt], my problem with this is when it was originally explained to me, and I've got the original memo, this was going to be for the corporations on a seasonal basis, on a month-to-month basis or what have you, maybe for several weeks a time, but for County employees we were going to have a permanent discount for being able to go out and play golf and my, you know, my wallet would love that. I play golf out there three or four times a month, but I don't think that it's fair for the County employees to benefit on a continual basis when you will have other corporations that might have this benefit, but only for periods of time, weeks or months. County Manager Abolt said, if I may, I can respond to it. Commissioner Price said, I would like to hear that. County Manager Abolt said, in the same spirit of an item that Commissioner Saussy brought relative to the Aquatic Center, and it was consistent with the desire, at least in that one particular service, to recognize this benefit, you know, could be appreciated by County employees at no particular risk of creating hard feelings, this issue, as again you correctly cited, was precipitated in one of my site visits when I was out visiting the Counter Narcotic Team and one of the employees said, hey, the Board did something real nice for the Aquatic Center, how about this individual who would like to play golf? I said we'd be glad to look at it. So we looked at it and came back and this is it. It's purely your discretion. If you do not want to afford it to County employees, that is your choice. Mr. Monahan was just trying to marry it up with the promotional program overall, but there's no question that we are following the lead based on what was done at the Aquatic Center in saying, yes, in the case of County employees they might be treated in a fashion different than other employee bases. That's the truth.

Chairman Hair asked, any other questions, Commissioner Price? Commissioner DeLoach said, with that information I'm going to move for approval. Commissioner Price said, I am going to vote against this. Chairman Hair said, we have a motion to approve. Commissioner Jackel said, I'll second. Chairman Hair said, second. Any further discussion? All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Odell, DeLoach and Thomas voted in favor of the motion. Commissioners Murray and Price voted in opposition. The motion carried by a vote of seven to two. [NOTE: Commissioner Odell was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner DeLoach moved to authorize a program of special promotions at Henderson Golf Club to market to employees of large companies, including Chatham County. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

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5. REQUEST BOARD ADOPT A RESOLUTION RECOMMENDING THAT THE STATE PROPERTIES COMMISSION ALLOW PRIVATE UTILITIES WITHIN THE EASEMENT AREAS GRANTED TO CHATHAM COUNTY BENEATH THE SAVANNAH RIVER FOR THE EXTENSION OF UTILITIES TO HUTCHINSON ISLAND.

ACTION OF THE BOARD:

Commissioner Price moved to adopt a resolution recommending that the State Properties Commission allow private utilities within the easement areas granted to Chatham County beneath the Savannah River for the extension of utilities to Hutchinson Island. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

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

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. Declare Police vehicle as surplus and authorize disposal as scrap metal	Police	N/A	N/A	Revenue producing

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
B. Annual contract, with two renewal options, for paging services	•Sheriff •Detention Center	Metrocall	$5,768.40	•General Fund/M&O - Sheriff ($2,884.20) •General Fund/M&O - Detention Center ($2,884.20)
C. Declare various vehicles and heavy equipment as surplus and authorize disposal through a public auction	Purchasing	N/A	N/A	Revenue producing
D. 2,000 gallons of "Biomist 4+4"	Mosquito Control	Clarke Mosquito Control Products (sole source)	$61,000	General Fund/M&O - Mosquito Control
E. Thirty (30) gallons of Altosid	Mosquito Control	Adapco, Inc. (sole source)	$23,085	General Fund/M&O - Mosquito Control
F. Change order No. 9 to the professional services contract for the Pipemakers Canal, to include additional topo-graphic mapping	Engineering	EMC Engineering	$88,445	1998 Capital Improvement Drainage Program
G. Change order No. 10 to the professional services contract for the Pipemakers Canal, to include additional soil engineering work	Engineering	EMC Engineering	$42,249	1998 Capital Improvement Drainage Program
H. Contract for selection and pur-chase of advertising services	Public Works	Robertson and Markowitz Advertising and Public Relations, Inc.	Not to exceed $16,000	Solid Waste Restricted Revenue Account
I. Confirmation of annual cellular telephone service agreement	•Sheriff •Detention Center	Cellular One of Savannah	$11,388	•General Fund/M&O-Sheriff($5,694) •General Fund/M&O-Detention Center ($5,694)
J. Change Order No. 2 to the contract for paving S.R. 204 and King George Boulevard, for additional storm drain pipe and sand-loaded attenuators	SPLOST	APAC-Georgia, Inc.	$14,020	SPLOST (1985-1993)-S.R. 204/King George Boulevard
K. Annual contract, with renewal options for two additional one-year terms, for uniforms and uniform accessories	•Police •Sheriff •Detention Center	•West Chatham Warning Devices •Frank's Uniforms by Patrick •Fund Mr. Monahan Express •American Uniform	Varies	•SSD - Police •General Fund/M&O-Sheriff •General Fund/M&O-Detention

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
L. Change Order No. 3 to the contract for lawn care service, to include the Aquatic Center	Aquatic Center	Charlie's Lawn Care (MBE)	$145 per event	•SSD - Police •General Fund/M&O-Sheriff •General Fund/M&O-Detention Center
M. Annual contract, with renewal options for two additional one-year terms, for service uniforms, civilian clothing and jackets	•Sheriff •Detention Center •Police	•Uniforms by Patrick •Frank's Uniforms •West Chatham Warning Devices	Varies	•General Fund/M&O-Sheriff •General Fund/M&O-Detention Center •SSD - Police
N. Computer equipment for the CAD system	Police	Dell Marketing (state contract)	$31,100	E911 Telephone System
O. One (1) Ford Taurus station wagon	Public Works	J.C. Lewis Ford	$16,388.10	CIP - Vehicle Replacement Fund

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
P. Annual contract for "as needed, funds available" police sedans	Fleet Operations	J.C. Lewis Ford	$19,609.75	CIP-Vehicle Replacement Fund
Q. Six (6) Ford Expeditions	Sheriff	J.C. Lewis Ford	$160,548.72	CIP-Sheriff's K-9 Grant
R. Ten (10) roll off waste containers	Public Works	Consolidated Disposal Systems	$39,190	Solid Waste Enterprise Fund - Restricted Expenditure
S. Confirmation of Change Order No. 31 to the Trade Center architect/ engineering contract for additional boundary survey/ site engineering services	SPLOST	TVS&A	$93,000	SPLOST (1993-1998) - Trade Center (pending budget transfer at 10/9/98 meeting)
T. Confirmation of Change Order No. 32 to the Trade Center architect/ engineering contract for additional services involving relocation of the West Square/Entry Road	SPLOST	TVS&A	$21,010	SPLOST (1993-1998) - Trade Center (pending budget transfer at 10/9/98 meeting)
U. Confirmation of Change Order No. 33 to the Trade Center architect/ engineering contract for additional civil engineering services to cope with site conditions	SPLOST	TVS&A	$12,715	SPLOST (1993-1998) - Trade Center (pending budget transfer at 10/9/98 meeting)
V. Confirmation of Change Order No. 34 to the contract for necessary redesign of the Trade Center to remain within the established budget contained in GMP Change Order No. 10	SPLOST	TVS&A	$1,000,000 (Funds allocated in GMP Change Order No. 10)	SPLOST (1993-1998) -Trade Center. (funds are available within GMP Change Order No. 10) (Pending deductive change order to MTCB)
W. Confirmation of Change Order No. 35 for Trade Center design and engineering to provide additional engineering services for dredge and fill revisions	SPLOST	TVS&A	$26,907	SPLOST (1993-1998) - Trade Center (pending budget transfer at 10/9/98 meeting)

Items 1-6, Except 4, 6-F, G, J, O, S, T, U, V and W:

Commissioner Price moved to approve Item 6 of the Action Calendar in its entirety except Items 6-F, 6-G, 6-J, 6-O, 6-S, 6-T, 6-U, 6-V and 6-W. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

Item 6-F:

Change order No. 9 to the professional services contract for the Pipemakers Canal, to include additional topographic mapping. The department's Engineering and the source is EMC Engineering and the amount is $88,445, and the source of funding is the 1998 Capital Improvement Drainage Program.

Chairman Hair recognized Commissioner Jackel. Commissioner DeLoach said, this is an RFP.

Commissioner Jackel said, I don't understand why we start off with an original contract on 8/9/96 and we have $38,000 and now we're up to, with all these change orders, up to $390,000. Mr. Lynch said, sir, let me explain that. County Manager Abolt said, let me explain it, George [Lynch]. This goes beyond George's—, this goes back when the County Commission prior to the SPLOST vote wanted to do something significant for drainage. You eked a very [inaudible] three million dollars and change one budget year when you didn't really have it, and you said, by golly, it's been raining like crazy and you wanted to do something. So you identified some priority drainage areas. At that time it was Mr. McKenzie. He came in and said these are the priority drainage areas, and we said, okay, we'll start with what little change we have in our jeans to do something, and in doing that we fully disclosed to you all that it would be kind of feeling our way as we go along. So different engineers were selected initially envisioning a very small project, that's all the money we had. Along comes the very sound approval of the SPLOST vote by the electorate and we said, hey, what we have out there now we're not going to throw it away. We don't want to build something and then come back in and we start collecting the money 1 October 1998 and have something that's a waste of money. So Mr. McKenzie came forward, you all gave us the okay, you said okay, as long as you allow us to be flexible in change orders, we'll expand to meet the revenue. That's why on all these drainage projects you're going to see very a non-traditional number of change orders because we moved from something like this that we could afford now to something quite larger and we're asking for the consulting services, professional services to expand that need.

Mr. Lynch said, sir, let me add one further point, if I could. We came before the Board and pointed out that in many of the areas that we were going to there had not been surveys, there had not been characterizations of the water flow through the canal, et cetera. We specifically told the Board that these could be obtained and be obtained at a low price, however, we could not, until we understood the hydragraphics and the layout ask engineering firms to come in with fee proposals to design a fix. We didn't know what had to be fixed. As a consequence, the Board approved going ahead with a two part deal. You first award to the guy based on a fee for studying the hydragraphics. You then come back after that's understood with fee proposals for the actual design and engineering, and that was specifically approved by the Board.

Commissioner DeLoach said, I make a motion for approval. Commissioner Price said, second. Chairman Hair said, we have a motion to approve and a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes

Item 6-G:

Change Order No. 10 to the professional services contract for the Pipemakers Canal, to include additional soil engineering work, Engineering, EMC Engineering, $42,249, and the source of funding is 1998 Capital Improvement Drainage Program.

Commissioner Jackel asked, and that—, we've basically got the same thing? Commissioner Saussy said, same thing. Mr. Lynch said, yes, sir. Commissioner Jackel said, I move for approval. Commissioner Price said, second. Chairman Hair said, I have a motion and a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

Item 6-J:

Change Order No. 2 to the contract for paving S.R. 204 and King George Boulevard, for additional storm drain pipe and sand-loaded attenuators, Department is SPLOST, the source is APAC-Georgia, the amount is $14,020, and the source of funding is SPLOST (1995-1993), S.R.204/King George Boulevard.

Commissioner Jackel said, all right, this one we went from $766,000. The first change order was $123,000, the second change order pending is $14,000. I mean, this—, this thing's increasing by about 25%. Why are we up 25% from where we started. Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, I'll have to defer to the County Engineer. Commissioner Price said, it has a lot to do—. Chairman Hair said, Mr. Bungard. Commissioner Price said, come on up, Al [Bungard]. County Manager Abolt said, this has been a project that's kind of been in process for a long time. It started out as a very small TSM project. I believe it got bigger as the problems grew and the level of sensitivity grew. Commissioner Price said, drainage problems are more severe than what we originally thought they were in that area. County Manager Abolt said, that's part of it, yes, sir. Commissioner Price said, that's the general answer. Chairman Hair said, go ahead, Mr. Bungard.

Mr. Al Bungard said, the first one had to deal with a lot of those problems with the drainage on the southern side, and a lot of that was being reimbursed for by Gus Bell. He put up a bond for that. It incorporates the right turn lane that's coming out of Forest Cove. The second one here is two-part, and that is there was an error in the plans on the slopes, so they forgot to extend the pipe where the slope of the road comes out farther, and the second part was an omission by GDOT and I intend

to get the money for that from them. The new requirement is that when you have these construction sections, you have to have these attenuators out there.

Commissioner Jackel said, okay, thank you. I'll move for approval then. Chairman Hair said, we have a motion. Do we have a second? Commissioner Saussy said, second.

Commissioner Price asked, Al [Bungard], any idea when they'll finish that project? Mr. Bungard said, well, I have a revised schedule. We have another problem. Because of that slope there's a right-of-way problem that affects Piggly-Wiggly. We had a meeting last week with EMC and we're going to try to acquire the additional 10 feet to fix that problem and get that back started.

Chairman Hair said, motion and a second. Mr. Bungard said, short answer, I'm looking in November. Commissioner Price said, finish it by November is what [inaudible]. Commissioner Price said, finish it by November. Mr. Bungard said, yes, sir. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Commissioner DeLoach said, that's November of 2000. Commissioner Price said, it'd better be '98.

Item 6-O:

One (1) Ford Taurus station wagon. The department is Public Works, source is J. C. Lewis Ford, amount is $16,388.10, and the funding from CIP-Vehicle Replacement Fund. Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I just wanted to comment this. I'm so proud of what we're doing here I can't hardly stand it. The Chairman and I particularly pushed for this. We wanted to give a preference to local people. We were sick and tired of our local dealers—, someone out of town bidding $50 less and walking off with the bid and not giving our local people this Item O. What we have put up has worked to perfection. Our local dealer has met the low bid and now has the contract price, and whenever we can I'm pushing that we deal with our people, and this is what we've accomplished and we have a right to be—, all of us, to be proud. Commissioner Thomas said, great. That's great.

Chairman Hair said, I totally agree with you, Commissioner Jackel. Also, P and Q, also the same situation. Commissioner Jackel said, that's exactly why I had—, I just think I pulled O. Chairman Hair said, right. Commissioner Jackel said, P and Q for the same situation, and I'm glad to see us working and our money is staying here in the County, and that's great.

Chairman Hair recognized Commissioner Odell. Chairman Hair said, just very quickly, I think each one of the Commissioners supported it, not just Martin [Jackel]. Commissioner Jackel said, right, right, right. Oh, I agree, we all should be proud. Right, right.

Chairman Hair said, okay all those in favor vote yes, opposed vote no. The Clerk said, we don't have a motion yet. Commissioner Price said, move for approval. Commissioner Saussy and Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Th emotion carried unanimously. Chairman Hair said, the motion passes.

Items 6-S, 6-T, 6-U, 6-V, and 6-W

S. Confirmation of Change Order No. 31 to the Trade Center architect/engineering contract for additional boundary survey/site engineering services. The department is SPLOST, source is TVS&A, amount is $93,000, and the source of funding is 1993-1998 Trade Center Budget Transfer.

Mr. Pat Monahan said, if I may, I'll try to address all of these change orders at the same time. Chairman Hair said, let's find out what his question is first. Commissioner Jackel said, that's the question. Why are we—? Mr. Monahan said, the change orders are basically—. Commissioner Jackel asked, and how much more additional money? Mr. Monahan said, okay. The change orders are basically in three areas. One is—, the first change order relates to the boundary survey, and you have to understand that Hutchinson Island, the property that the County has, we have platted it and it's been surveyed, but there's a question about a portion of the boundary that relates to the Trade Center and to the hotel. This is an effort to get that straightened out. You have to understand that was unchartered territory over there so to speak and there has been some confusion exactly where the boundary surveys are. We've had three different engineering firms take a look at it and there's a difference of opinion of exactly where the boundaries go. It's been quite a frustrating process for the County staff because this has been going on for well over two years and we still don't have the boundary issue resolved. The other one, and if you would like, I can pass this picture around to explain the change orders related to site conditions, and there are a number of those. As you might recall, when the Commission changed—, when the Commission decided to lower the building, it took the water feature that was on the northern end of the property and converted that into parking. We have funded a very conventional way of removing the material and then disposing of the material by manual, by manual means. Since then we have been looking at some engineering solutions perhaps that will save us upwards of $800,000 to $900,000 by doing it in a different manner, and we have authorized Engineering Services to explore that. The particular savings there would then go into additional improvements within the building, such as returning a number of those items that the Commission approved as priorities, and finally the last one, the big one, the million dollar change order is for the redesign services that the Commission approved. That has already been funded. That is part of the guaranteed maximum price contract. What this does is it recognizes there's an increase in the architect's contract and it comes out of the guaranteed maximum price so we will get a credit back on the guaranteed maximum price in exchange for that being part of the architect's contract. That was contemplated from the very beginning. That's not a change from anything that the Board previously approved.

Commissioner Jackel said, all right. So this $1,000,000 is not actually costing us $1,000,000? Mr. Monahan said, no, it is not. It's coming out of the guaranteed maximum. For example, the guaranteed maximum price to Maritime Trade Center Builders is $74,477,000. In actuality, the County will only pay Maritime Trade Center Builders $73,477,000. This $1,000,000 then goes into pay for the architectural services. Commissioner Jackel said, in these items we have $93,000, $21,000,

$12,000, the million we've already discussed in detail, and the $26,000. Is this an appropriate change order structure for a project of this size? Do you think we're in—. Mr. Monahan said, this predates—. Commissioner Jackel said, I know change is to be expected, but are we within the norm that one would expect for this project? Mr. Monahan said, I would say we're at—, let me put this in two categories. The first is related to site. Now this predates your being on the Commission, but when the Commission started the Trade Center project, we had not selected Hutchinson Island, so the initial contract for the architectural services did not include any site services whatsoever. Commissioner Jackel said, okay. Mr. Monahan said, and I will add to that a little appendix. Hutchinson Island has been a difficult site to deal with. There have just been a lot of conditions over there. Because it's on the river front, because it has sloops involved that has caused extra requirements than would be normal, but to put that in context, I don't think it would have been any differently if that site had been next to the Marriott Hotel. We probably would have faced similar issues because it's a river front site and there are just some unique aspects to it. The other is the redesign services because of the delay in the project. You add those two together, yes, we are probably—, we are probably high, but that's to be expected because of the delays in the project and the unusual site conditions.

Chairman Hair asked, any other questions, Commissioner Jackel? Commissioner Jackel said, no. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, so these—, all these figures are adding that much—, except for $1,000,000, is being added to the Trade Center budget. Is that what you're saying? Mr. Monahan said, yes, sir, to the design—, to the design side, not to the construction, but to the design specifically for engineering work. Commissioner Murray said, and this—, all this money is coming from where? Mr. Monahan said, SPLOST Contingency. If you add it all up, it should be about $150,000.

Chairman Hair said, okay, I'm going to read the other four for the record, Commissioner Jackel, if it's okay with you, and then we'll have one motion to approve all five. Commissioner Jackel said, sure.

T. Confirmation of Change Order No. 32 to the Trade Center architect/engineering contract for additional services involving relocation of the West Square/Entry Road, SPLOST, TVS&A, $21,010.

U. Confirmation of Change Order No. 33 to the Trade Center architect/engineering contract for additional civil engineering services to cope with site conditions, SPLOST, TVS&A, $12,715.

V. Confirmation of Change Order No. 34 to the contract for necessary redesign of the Trade Center to remain within the established budget contained in GMP Change Order No. 10, SPLOST, TVS&A, 1,000,000.

W. Confirmation of Change Order No. 35 for Trade Center design and engineering to provide additional engineering services for dredge and fill revisions, SPLOST, TVS&A, $26,907.

Commissioner Price said, I move for approval. Chairman Hair said, I have a motion. Do I have a second. Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Odell, Price, DeLoach and Thomas voted in favor of the motion. Commissioners Murray voted in opposition. The motion carried by a vote of eight to one. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

1. Commissioner Price moved to approve the Item 6 of the Action Calendar in its entirety except Items 6-F, 6-G, 6-J, 6-O, 6-S, 6-T, 6-U, 6-V and 6-W. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

2. Commissioner DeLoach moved to approve Item 6-F. Commissioner Price seconded the motion and it carried unanimously.

3. Commissioner Jackel moved to approve Item 6-G. Commissioner Price seconded the motion and it carried unanimously.

4. Commissioner Jackel moved to approve Item 6-J. Commissioner Saussy seconded the motion and it carried unanimously.

5. Commissioner Price moved to approve Item 6-O. Commissioners Saussy and Thomas seconded the motion and it carried unanimously.

6. Commissioner Price moved to approve Items 6-S, 6-T, 6-U, 6-V and 6-W. Commissioners Saussy and Thomas seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Odell, Price, DeLoach and Thomas voted in favor of the motion. Commissioners Murray voted in opposition. The motion carried by a vote of eight to one.

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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.

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.

None.

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XII. SECOND READINGS

1. PETITIONER, LAWRENCE E. MADISON, AGENT (FOR EDWARD COHEN, LISA GOLDSTEIN AND DEBORAH COHEN, OWNERS), IS REQUESTING THAT AN ELEVEN ACRE TRACT OF LAND LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF U.S. 17 SOUTH AND DEAN FOREST ROAD BE REZONED FROM R-A (RESIDENTIAL-AGRICULTURE) TO A P-B (PLANNED BUSINESS) ZONING CLASSIFICATION IN ORDER TO ALLOW COMMERCIAL DEVELOPMENT. THE MPC RECOMMENDED DENIAL OF A P-B BUT APPROVAL OF A P-B-C ZONING CLASSIFICATION.
MPC FILE NO. 98-12282-C
[DISTRICT 8.]

Mr. Bill Saxman said, in summary, the petitioner is asking for 11 acres to be rezoned from the current Agriculture-Residential to a business classification. There is no specific use intended, or at least it was not when it came before the MPC. The Planning Commission, in looking at the request, finds that the property is bounded on three sides by a business classification, but the Land Use Plan for that area recommends more of a retail orientation than a heavy business, so the Planning Commission has recommended an alternate P-B-C classification, and the Land Use Plan does call for the balance of the adjoining properties to be zoned P-B-C once that plan comes before the Commissioners. So the Planning Commission did recommend an alternate P-B-C classification. If I recall correctly, the applicant really had no problem with it. They were just trying to get the property zoned commercial so they could market it.

Chairman Hair asked, any questions from the Commissioners on this? Commissioner DeLoach said, that area—. Commissioner Jackel said, move for approval. Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach asked is that where that—, is that where the Red Car business is? Mr. Saxman said, that's back in behind it. It's on the north side of Silk Hope Road. Commissioner Price said, it's a disco back here. Mr. Saxman said, the reason we recommended not to go with a B classification was because it would allow those salvage yards to be right on 17. The land use elements call for 17 to be more of a retail corridor than a heavy commercial.

Commissioner Price said, move for approval. Chairman Hair said, I have a motion to approval. Commissioner DeLoach said, second. Chairman Hair said, second. Commissioner Jackel asked, and that is approval with the P-B-C? Is that what we're approving? Mr. Saxman said, right. Chairman Hair said, the motion is to approve P-B-C. All right, we have a motion and a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Price moved to **deny** the petition of Lawrence E. Madison, Agent (for Edward Cohen, Lisa Goldstein and Deborah Cohen, Owners), requesting that an 11-acre tract of land located at the northwest corner of the intersection of U.S. 17 South and Dean Forest Road be rezoned from R-A (Residential-Agriculture) to a P-B (Planned Business) zoning classification in order to allow commercial development, and **approve** the MPC recommendation of a P-B-C zoning classification. Commissioner DeLoach seconded the motion and it carried unanimously.

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2. AMENDMENT TO THE CHATHAM COUNTY SUBDIVISION REGULATIONS TO CREATE SECTION 808 TO ACKNOWLEDGE ADOPTION OF THE CHATHAM COUNTY OPEN SPACE MAINTENANCE ASSESSMENT ORDINANCE. THE MPC RECOMMENDED APPROVAL.
MPC FILE NO. 98-12297-C
[NO DISTRICT/TEXT AMENDMENT/UNINCORPORATED AREA.]

Commissioner DeLoach said, I make a motion to approve. Commissioner Thomas said, second. Chairman Hair said, I have a motion and a second. Any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously.

ACTION OF THE BOARD:

Commissioner DeLoach moved to approve the amendment to the Chatham County Subdivision Regulations to create Section 808 to acknowledge adoption of the Chatham County Open Space Maintenance Assessment Ordinance. Commissioner Thomas seconded the motion and it carried unanimously.

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XIII. INFORMATION CALENDAR

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

ACTION OF THE BOARD:

Report received as information.

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2. LIST OF PURCHASING ITEMS BETWEEN $2,500 AND $9,999 (SEE ATTACHED).

ACTION OF THE BOARD:

Report received as information.

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3. STATUS ON SOLICITATION OF HENDERSON GOLF CLUB MANAGEMENT CONTRACT.

ACTION OF THE BOARD:

Report received as information.

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4. MONTHLY ROAD AND DRAINAGE REPORTS.

ACTION OF THE BOARD:

Report received as information.

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5. STATUS OF SURPLUS PROPERTY DISPOSITION.

ACTION OF THE BOARD:

Report received as information.

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ORDER OF BUSINESS

Chairman Hair said, that concludes our regular agenda with the exception of the water sale issue, and I would suggest to my fellow Commissioners it might be appropriate at this time to go into Executive Session a little bit early and go ahead and deal with Executive Session and then come back after Executive Session at 1:00 and deal with both of them at the same time. I think it would be inappropriate to start because I don't think we would have but 15 or 20 minutes and then would have to go in Executive Session at 12:00, so I think it would be better to go in Executive Session now and come back and deal with both of them at 1:00. Commissioner Rivers said, so moved that we go in Executive Session for litigation, personnel and acquisition. Commissioner Thomas said, second. Commissioner Murray said, we've got an awful lot of people in the audience right now who came just for that and I just don't see it taking 30 minutes to resolve it. We're either going to vote it up or vote it down.

An unidentified gentleman in the audience said, I just want to say we all got these in the mail and it says to be here at 9:00, and now you're going to do it four hours later and I don't have the luxury that you do—. Chairman Hair said, I don't have a problem with starting it, but if we're not finished, you're still going to be—, we're still going to be adjourning at 12:00 as we always do for Executive Session and come back at 1:00. So if you want to do 30 minutes, that's fine with me, but I can—, if we don't finish, we're still going to come back at—, we'll still break from 12:00 to 1:00 for Executive Session like we always do. If you want to do 30 minutes of discussion, I have no problem with it, but I doubt seriously we can finish in 30 minutes. An unidentified woman in the audience said, well, if you hadn't put us off in the beginning, sir, when you knew all these people were here, we wouldn't be down to 30 minutes. Commissioner Rivers said, we might can dispense with it in 30 minutes. Chairman Hair said, okay, we'll go ahead and hear it. Commissioner Rivers said, all aright, I'll withdraw my motion, Mr. Chairman. Chairman Hair said, motion is withdrawn. Commissioner Thomas said, and I withdraw my second. Chairman Hair said, and the second is withdrawn.

[NOTE: Item VIII-3 was heard at this point on the agenda.]

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EXECUTIVE SESSION

Commissioner Jackel moved that the Board go into Executive Session for the purpose of discussing litigation, land acquisition and personnel. Commissioner Saussy seconded the motion and it carried unanimously.

The meeting of the Board of Commissioners was recessed at 12:10 p.m., to go into Executive Session.

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Following adjournment of Executive Session, the meeting of the Chatham County Commissioners reconvened at 1:00 p.m.

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[NOTE: Item VIII-4, Public Hearing on Water Supply Options, was heard at this point on the agenda.]

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ITEMS FROM EXECUTIVE SESSION

1. REQUEST BOARD APPROVE SETTLEMENT OF *CHATHAM COUNTY V. 0.188 ACRES OF LAND; PHYLLIS JEAN WATERS; EUNICE L. WATERS AND WILLIAM C. WATERS, INDIVIDUALLY*, CIVIL ACTION NO. X92-2396-FR (JON HART).

ACTION OF THE BOARD:

Commissioner Price moved to place this item on the agenda and approve the settlement of *Chatham County v. 0.188 Acres of Land; Phyllis Jean Waters; Eunice L. Waters and William C. Waters, Individually*, Civil Action No. X92-2396-FR. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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APPOINTMENTS

1. C-E-L REGIONAL LIBRARY BOARD

ACTION OF THE BOARD:

Commissioner Price moved to appoint Mr. Jack Wardlaw to the C-E-L Regional Library Board as the representative of the Board of Education to a term which will expire June 30, 2001. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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ADJOURNMENT

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 2:50 p.m.

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APPROVED: THIS _____ DAY OF _____, 1998

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DR. BILLY B. HAIR, CHAIRMAN, BOARD OF
COMMISSIONERS OF CHATHAM COUNTY, GEORGIA

_____
SYBIL E. TILLMAN, COUNTY CLERK