

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON DECEMBER 4, 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, December 4, 1998.

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II. INVOCATION

Mr. Van Johnson 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
- 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 (arrived approximately 9:20 a.m.)
- Ben Price, District Six
- Eddie W. DeLoach, District Seven (arrived approximately 9:07 a.m.)

- IN ATTENDANCE: Russ Abolt, County Manager
- Emily E. Garrard, Assistant County Attorney
- Sybil E. Tillman, County Clerk

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YOUTH COMMISSIONERS

Chairman Hair said, I'd like to recognize our Youth Commissioners who are with us this morning. We have Courtney Edwards, who's a Junior at St. Vincent's, and we have Lisa Meier, who's also a Junior at St. Vincent's. We're glad y'all are here. As we go through the process, if you'd like to say anything, just raise your hand and I'll recognize you. Ms. Edwards said, thank you. Chairman Hair said, thank you for being here.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. **“NEWS RELEASE” - CHATHAM COUNTY, GEORGIA, HAS BEEN AWARDED THE HIGHEST AWARD IN FINANCIAL REPORTING FOR THE 15TH CONSECUTIVE YEAR FOR THE 1997 COMPREHENSIVE ANNUAL FINANCIAL REPORT.**

Russ [Abolt], do you want to tell us about it? County Manager Abolt said, yes. Mr. Chairman, Dr. Thomas and gentlemen, fifteen years in a row, it's fantastic. Mr. Persaud and his staff in partnership with our auditing firm of Rick Tindal and company, we have again garnered an award from the Government Finance Officers Association for our outstanding comprehensive annual report. This in partnership with the one received for the budget is displayed on this wall as a true testimony of the integrity of this organization, the way in which it divulges and explains financial policy. I'm very proud of Mr. Persaud and his staff. Once the plaque is in hand, we'll have a hanging ceremony for that. Chairman Hair said, maybe we can call it something else. County Manager Abolt said, very good, sir. Chairman Hair said, I'm not sure we want to call it a hanging ceremony. County Manager Abolt said, I like that, I like that. Chairman Hair said, I don't think, David [Persaud], you want to call it that, do you? We'll call it the—, we'll come up with a name. Congratulations to David [Persaud] and staff for this effort.

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VI. CHAIRMAN'S ITEMS

1. **REQUEST FROM PEACE OFFICERS' ASSOCIATION OF GEORGIA TO WAIVE FEES FOR RENTAL OF THE PIER AND PAVILION OCTOBER 4 AND 5, 1999.**

Commissioner Price said, so moved. Chairman Hair said, we have a motion. Do we have a second? Commissioner Saussy said, second. Chairman Hair asked, any discussion? All those in favor vote yes, opposed vote no. The motion passes.

ACTION OF THE BOARD:

Commissioner Price moved to approve the request from the Peace Officers' Association of Georgia to waive fees for rental of the Tybee Pier and Pavilion on October 4 and 5, 1999.* Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and DeLoach were not present.]

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*The actual cost for use of the Tybee Pier and Pavilion by the Peace Officers Association on October 4 and 5, 1999, will be taken from the Commissioner's budget. [See Item VII-1.]

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VII. COMMISSIONERS' ITEMS

1. **TIER POLICY ON RENTAL OF COUNTY FACILITIES.**

Chairman Hair said, at the last meeting the Commissioners agreed to put the tier policy on rental of County facilities on the agenda for discussion. Russ [Abolt], I'm going to ask you to just give an opening statement as to basically what the options are and then we'll go into discussion.

County Manager Abolt said, yes, sir. Those present at the time of discussion at your last meeting were interested in revisiting something that we had presented to y'all back, I believe, in the Spring of the year. Because there have been more than just a few requests for waiving fees for either the band shell usage or the pier rental, the Board when you last assembled expressed a desire to possibly have two—, a two-charge system. One that would deal with the deferring only the cost for the use of these facilities and in your deliberation and request for waiver you might choose to impose that type of a charge on certain types of organizations, for example, government entities, and then those organizations which are not of the private—, the public nature who asked for some sort of a waiver would be charged the normal rental, which, in some cases, might be a tad more than the actual cost.

Chairman Hair said, so basically there wouldn't necessarily be waivers of the total fee, but one would be a cost and one would be a cost plus. County Manager Abolt said, yes, sir. You want the—, I heard in your comments two weeks ago you wanted an option. Certainly you can waive it all, but instead—, in fairness I think you felt that there was just a flood of these requests and that in dealing with them as a policy you might choose in reviewing them to say, okay, in this particular situation we will not waive the cost to the County, but we'll waive everything else. But, again, that's just a little bit less than the actual fees charged, but it's an option you all have. Chairman Hair asked, so there's not very much difference in there? It wouldn't be

much of a break? County Manager Abolt said, it's also, as I mentioned to you yesterday, sir, I don't want to commit a great deal of County time trying to compute it. Chairman Hair said, I understand.

Commissioner Murray said, I understood at our last meeting that what—, our decision was that everyone would pay the cost of the facility. Is that not correct? County Manager Abolt said, you may very well, but there was a reference—. Commissioner DeLoach asked, didn't we vote on that? County Manager Abolt said, you took care of that, but then you asked us at the next meeting to come back with what amounted to a tier policy. Commissioner Murray said, yes, but we did vote at the last meeting that everyone using the facilities would pay whatever that cost was involved. County Manager Abolt said, the last time, yes, sir. Commissioner Murray said, okay, so that means this first one we just approved they will pay the cost. County Manager Abolt said, I believe it was waived. Chairman Hair said, the motion was to waive because we don't have that policy in place. Commissioner DeLoach said, yes, we do. Commissioner Murray said, I thought we put it in place at the last meeting. Commissioner DeLoach said, we put it in place last week [sic]. Chairman Hair said, well, as Russ [Abolt] just said, we have the right to waive if we want to waive and we just did as I understand the motion. Commissioner Murray said, but that's not the way I understood our vote at the last meeting.

Commissioner Thomas said, we need a policy if we—. Commissioner DeLoach said, why do you need a policy then? Commissioner Murray said, I thought at the last meeting we voted that anyone using those facilities would pay the cost factor in that and not the other fee, but the cost factor, that we would not waive that. Is that what the motion read? The Clerk said, that's the way the motion read. County Manager Abolt said, and then y'all—, but you did ask us because I remember Jon Hart was saying we'll bring back the policy y'all had in the Spring. It's your discussion, ladies and gentlemen.

Commissioner Murray said, the only thing I'm trying to clarify right now though is we took a vote, and if we took that vote it would mean that anything we do they would pay that cost factor. Unless I'm looking at it wrong. Commissioner Jackel said, no, that's what I—, that's my recollection is that the Chairman had left—. Chairman Hair said, I was not at that meeting, so I—. Commissioner Jackel said, and Eddie [DeLoach] brought up a motion that henceforth all organizations would cover—, or we would never waive the cost factor. Commissioner DeLoach said, yes, the cost of it. Commissioner Jackel said, we could waive any additional fee, but never waive the basic cost on the theory that if it cost us \$700, then in fact we were making a \$700 contribution to that organization.

Commissioner Price said, I wasn't at the meeting and I—, that's my fault, not yours, but I have a problem with not being able to give an organization like the Peace Officers, you know, who put time and effort—, certainly they're not, in my opinion, at least County Police, compensated fairly for their performance. I just cannot fathom that we're going to charge them, even if it is a cost issue, to use the pier and pavilion. I think we should have, and to use the word never, I mean, that binds future Boards of Commissioners that may not agree with that. Chairman Hair said, I totally agree with that. I don't think that we would ever give up our right to waive a fee. If this body, five members of this body wanted to do it, I don't think we should ever give that right up because I think we could certainly see some circumstance coming down the road where you would want to do that, and so I agree with Commissioner Price. Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, the reason we did it is just the same reason this same thing that we've got going on up here right now is what I might consider my pet project you might not consider your pet project, or my pet group your pet group, or whatever. There's no, there's no logic to our thinking up here and we set down a policy just to get the cost back. I'm not interested in making any money. I'm just—, we're paying people to go out there and work overtime. All we're asking is that we just cover our cost. Everybody pays it and then nobody has a problem in dealing with it. Now if you want to charge more for people who aren't in government that want to use it, or people outside of government, you know, another county or whatever, then we can add to that, but we just want to get the cost back on each item. I mean, the taxpayers deserve that. I would think that would be something that you would just about have to do by law. It's not—, I don't know what they call that, but anyway there's a law that says you've got to get certain monies for certain items. Whenever you, as far as dealing with public money—. County Manager Abolt said, gratuities. Commissioner DeLoach said, gratuity, yes. It looks to me like that would serve that purpose. And I realize that, you know, that's an important group and I—, there were two or three of them right after that last week that was an important group that we actually charged.

Chairman Hair asked, can I ask the attorney a question? Does—, would—, does waiving any fees violate the gratuities clause? County Manager Abolt said, if I may, Ms. Garrard, it's in the staff report that Jon Hart prepared last April and, in effect, the two-tiered approach was felt to address the issue on potential exposure to gratuities. Chairman Hair said, that doesn't answer my question though. My question is if you waive it totally, does that violate the gratuities clause? That's the question. Ms. Garrard said, it possibly could if the group function does not benefit the public as a whole, which I think that is what was pointed out in Mr. Hart's memo, but as far as the policy that was adopted by the Board, the Board could waive the policy because it wasn't really passed as an ordinance. If it was passed as an ordinance, then I don't think the Board could come back later on and change it's mind without amending the ordinance. Chairman Hair asked, so it wasn't passed as an ordinance, it was passed as a motion? Ms. Garrard said, yes, so it's in effect a resolution of the will of the Board, but it's not the effect of an ordinance. Chairman Hair asked, can one Commission bind another Commission? Ms. Garrard asked, on a policy? Chairman Hair said, yes, on a vote like was taken at the last meeting. Can that bind any future Commissions? Ms. Garrard said, I don't think so if a subsequent Commission came back and voted to do otherwise. County Manager Abolt said, in fact, it does not because you yourself said—, the Board itself, since this was adopted, have chosen on individual situations to waive it.

Commissioner Price said, the vote—, the vote was—. Commissioner Rivers said, even an ordinance doesn't mind. I mean, they could come back and amend an ordinance, so there's nothing etched in stone in anything. Commissioner Price said the vote was taken—, the vote read to waive—. Chairman Hair said, right, I just—. Commissioner Price said, and the vote—, I mean, the vote has been decided—. Chairman Hair said, right. Commissioner Price said, unless somebody asks for reconsideration to rescind it.

Chairman Hair said, correct, and I also think that Commissioner Price raised a very good point. I can't—, I mean, I can't imagine us taking total discretion away that we would never have the right to waive, and that just—, that just bothers me

because, I mean, I can think of certain situations where that might be—, I'm talking about a majority vote of five members. It seems to me they ought to be able to do that.

Commissioner Rivers said, I think if we looked at—, look at the report as to what we waived [sic] on last year versus do we had coming in, we subsidized most of them anyway. Chairman Hair said, that's correct.

Commissioner DeLoach said, let me—, could I—? Chairman Hair recognized Commissioner DeLoach. Commissioner DeLoach said, if you're going to have a policy, we need to have a policy and adopt this as a policy, and then when—, if someone comes up that we wish to not charge them for the use of it, let's take it out of our budget or whatever and fund the actual operation so that the people that are in, say, the Public Works instead of taking it out of their budget, and it's something we want to do, then we should take it out of our budget. In other words, skip all that other and then if you want to pay for having it done, just every time one comes up, just take it out of the Commissioners budget to pay for it, but keep the policy in place so that there's no—, you know, there's not a question here, a wishy-washy deal. Put it on a—, every individual that comes up, if he can get five votes to pay for it, then it comes out of the Commissioners budget and it doesn't come out of Public Works budget because you're adding a lot of money here. This thing adds up and that—, that pavilion down there at Tybee, you're adding a lot of dollars here when you starting working this thing up and you start figuring it up based on what I've seen so far. You're talking, you know, you're talking up to \$75,000 to \$100,000 by the time you get—, for a full year, getting to rocking and rolling on this thing. You've got a lot of money there. I know we've got 17 that I've seen in the report here on two different things. That's \$34,000 coming out of somebody's budget that has no control over it. If we want to do it, we need to set the policy, say it's going to cost you to use it, and then if we as a Commission chooses to do that, then we ought to take it out of our budget.

Commissioner Jackel said, it's just—, I have belonged to numerous organizations that have held meetings in different places, and they are non-profit organizations and before we meet we most of the—, all the time we're charged some sort of fee for cleaning for when we leave or setting up for where we are, not to make a profit but just the costs that that facility incurs. I think it would be a good policy for us. The problem is somewhat a problem of semantics in that we say we have a fee for these things. We're not charging these people any fee. We're just trying to recover our costs. Now maybe if we set this thing up where we have an actual cost amount and then we have a fee on top of that for its use, then we could waive that extra fee that we put on there, but the cost is just a pure donation out of our pocket each time one of these groups use it, and it's the actual cost—, I don't see the problem with their paying the cost for the use of our facility. I think the City's in that situation with the Civic Center. If you go over there, you pay the setup fee, you pay the cleanup fee that—, they're charges. That's the way it should be. However, I do think we should reserve the right under special circumstances to waive the fee or waive part of the fee. Commissioner DeLoach said, well, just take it from our budget and pay for it.

Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy asked, Russ [Abolt], would you explain the two-tier system for all of us because I think this is the way we really need to go with this? County Manager Abolt said, yes, sir. If you—, Dr. Thomas and gentlemen, on the materials provided under the—, this item, if you'd go to the very last—, well, actually, the second to the last piece of paper, this is the beginning of a staff report that was prepared for you in May. It deals with the portable band shell. The portable band shell is fairly easy to identify as to cost. The pier is not so easy, but this does exactly what Commissioner Jackel is talking about. It would, in effect, create a charge that would be slightly more than the actual cost for the use of the platform, and you can see it there. It would be about a \$50 increase, and the difference would be if you're looking at—, well, again, it's daily without platform and daily with platform, but essentially that's the tier system you all were looking at last Spring.

Chairman Hair asked, do you have any other questions Commissioner Saussy? It seems to me a fair way to do this would be to budget for the cost of that item. You'd give Parks & Recreations, we do the same—, we don't charge people to use Lake Mayer. If you budget for that facility in the budget, then we could waive non-profits only and waive anything other than that and not—, charge everybody except the non-profits. But if somebody was a legitimate non-profit, don't charge non-profits, but anybody else than that [sic]. To me, you're treating one recreation facility different than you're treating other recreation facilities because we don't charge fees for most of our recreation facilities. County Manager Abolt said, you do charge for pavilion, sir, and—. Chairman Hair said, but not for use of the parks and things like that. County Manager Abolt said, not the general park, but specific facilities in a park you might charge for. Chairman Hair said, we don't charge for the skating rink or things like that—, things I'm saying so, you know, you're treating—, you really have two levels of recreation facilities, one we charge for and one we don't charge for. Commissioner Murray, did you have a comment?

Commissioner Murray said, yes, I just—, you know, it's not the particular group that we discussed today, the Police Officers Association. At the last meeting the reason this came up there were several groups, I think, if I'm not mistaken, at the last meeting that wanted to use it and waiver the fees, and we decided at that time that we should not be waiving [sic] our cost on the fees because of what it is, and if we start waiving them I don't know how we're going to go for that. I mean, I've got a notice yesterday that came out with my high school class reunion, which has over 600 and something graduates in it, they'll be using the pavilion some time in May. Does that to me say that because all—, most of these people live—, well, all of them lived in Savannah at the time, a lot of them still live here and pay taxes, that we should be able to use it free? I don't think so, and they should be paying just like the others, but we should all at least pay the cost of it, and it's not against any particular group that's out there that wants to use it or anything else. I just feel like we need to recoup our costs. That was the purpose in the vote we took at the last meeting, and that vote passed unanimous, if I'm not mistaken. I realize some people were not here when we took it, but what meaning is that vote if we took it and now we're doing something different.

Chairman Hair recognized Commissioner Price.

Commissioner Price asked, what does it cost for us for an event like that for us to have somebody there to—? County Manager Abolt said, if you'd look, sir, at that second to the last piece of paper. That's the most defensible cost for the band shell, and you can see there that it's certainly going to vary. For example, if the band shell is carried, you know, somewhere in close proximity to the Parks Department and where it's housed, it's one thing. If it goes, as you've approved, let's say, to

go to Richmond Hill, that's a little bit longer of a shag, but essentially we've attempted to identify in this two-tier system an estimate of what the cost would be versus a charge you might choose to assess to what are referred to as profit-making groups. Commissioner Price asked, with something like the pier and pavilion, what's the—? County Manager Abolt said, it's not that exact—, you may use half the pavilion. I mean, there are so many variations as to how you might choose to use the pavilion, we cannot, in effect, come up—, without you coming in as an applicant and say I want it for a wedding reception and I want it for this many hours, as opposed to what Commissioner Murray said, there may be a major event they want to use the whole—. Commissioner Price asked, who does the County have that mans the pavilion, that works at the pavilion? County Manager Abolt said, we do have an employee that works at Mr. Golden's direction that is there to supervise at the time of the event. Commissioner Murray said, and then we also have gotten calls to go back and clean up the beach and the pavilion—. County Manager Abolt said, oh, for sure. Commissioner Murray said, because the people have left it and we get those on a regular basis. County Manager Abolt said, for sure. You might remember last Spring—. Commissioner Murray said, we've got to have some way to recoup the costs of these facilities. When we built the facilities with the one percent sales tax, part of this was that there would be fees charges for certain facilities for the use of those facilities for the maintenance and for the upkeep on it. Commissioner Saussy said, like the swimming pool. The swimming pool, if they want to have a party or something, then they charge them for it.

Commissioner Price asked, what does Tybee add, as far as the Tybee government, to the—? Commissioner DeLoach said, they don't have any—. Commissioner Murray said, police protection. County Manager Abolt said, nothing. In fact, they've asked and you have granted to them gratis use of the facility.

Chairman Hair said, see, I think that's where the rub's going to come in. If the City of Tybee wants to use their own pier, well, the pier at—, it's our pier, but the pier at Tybee, we're going to charge them. Commissioner Rivers said, but, Mr. Chairman, all at the same time, I think basically we have come up with a policy here, and I don't think that that's broad enough to—, because we haven't even discussed the city governments—. Chairman Hair said, exactly, or non-profits. Commissioner Rivers said, or the fees that—, and the governmental entities if they want to use it. Chairman Hair asked, could we ask—, could we do this—? Commissioner Saussy said, I think we could waive city governments. Chairman Hair said, well, see, that—. Commissioner Saussy said, in Chatham County. Now, I—. Chairman Hair said, the current vote doesn't do that though, see. The current vote doesn't do that. That's my point. Maybe we need to tell staff to come back and address governments, city governments. Commissioner Rivers said, not only governments. I think—. Chairman Hair said, non-profits. Commissioner Rivers said, if we're looking at non-profits—, if we looked at this list that came [inaudible], we didn't [inaudible] from non-profits. I mean, we just—, everybody that came up asking for waiver got one just about. Commissioner Jackel said, we're a soft touch. Commissioner Rivers said, if people know that we've got a basic fee, they come with that understanding. Commissioner Jackel said, it's no fee, it's just a cost. Commissioner Rivers said, well, a cost recapture.

Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, I still think we either keep the setup we've got with the cost of setting it up or we go to the policy I suggested earlier where we have each individual group, like the Peace Officers, if they're interested in doing it, and we want to fund it, then let's just pay the \$700 out of our budget and go on. Chairman Hair asked, so you think we should charge the City of Tybee to use the pier? Commissioner DeLoach said, I think we should charge whatever we—, the cost of doing business. That's all I say we should get—. Commissioner Murray asked, [inaudible] at the last meeting, wasn't 'it? Commissioner DeLoach said, now if we want to write it off—, can I. Let me finish. I was just looking the other way, but let me finish. If it's a cost, why not take it out of our budget? That way, it gets back to us, and it's not just a general fund taken from somebody else's budget. If it gets back to us, then we've got to determine whether we want to spend the money as a Commission.

County Manager Abolt said, if I may—, speaking to that point, as a CAT Board, remember when you have a request from organizations for free bus service, and Mr. Lansing as your Executive Director of CAT reminds you that you cannot provide free bus service, there has to be a full paying for the cost of the service. What you as a CAT Board or County Commission do then, if there's an organization coming to town that you want to extend the service, you go into your budget and, in effect, reimburse CAT for it. That way you—. Commissioner DeLoach said, that's the way to do it right there.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, yes, I tend to agree that we do need to have a definite cost and I'm not certain if we have anything included in the 1999 budget for that. I had hoped that by my being a few minutes late that we would have resolved this problem by the vote of the last meeting, which I thought excellent—, Eddie DeLoach's motion was an excellent motion. I think the Peace Officers Association is an excellent association and, you know, being a practicing attorney I appreciate the value that they also make to Chatham County. I am concerned though that our policy, the way it's written, is non enforceable as it relates to our budget, and the category of non-profit, from municipal to non-profit, but I don't think that Tybee Island should, in fact, be obligated to utilize this pier necessarily, but Tybee Island has a government and I don't foresee that government passing on its costs to us, Chatham County government, if they wanted to book the pier for 25 weeks—, 25 days in a year. I think the cost prohibited excessive use. I think that we're obligated to cover our costs, and I think that we do need to have a policy more specifically defined as categories of non-profit. Frank [Murray] was talking about his class reunion has 600 people in it. I could make them a non-profit in about 35 days.

Chairman Hair said, I think what I'm hearing is maybe we need to—, I think the policy that the Commission voted on the last time is in place, but maybe it needs some tweaking and some addressing specifically to cities and possibly to non-profits maybe a little bit more specifically. Would the Commission agree to maybe we send it back to staff and address the city government issues and then bring it back to us? Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, yes, but I'd like to go a step further than that. I'd like for them to look at what the projected expenditure is going to be for the total year—. Chairman Hair said, correct. Commissioner Rivers said, if we do this, and

then at April during audit time look at infusing that money into the Commission budget so that we can handle it in case we need it, and—. Chairman Hair said, I think that's a good idea. Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, we have an upcoming event at the Civic Center. Aren't we paying for the use of the Civic Center? County Manager Abolt said, I'm not aware of the—. Oh, you mean for the employees. Commissioner Jackel said, for the employees. County Manager Abolt said, we've always paid for that. Commissioner Jackel said, we've always paid. They've never waived their fee for us? County Manager Abolt said, no. Commissioner Jackel said, but they come to us. We're a non-profit aren't we?

Chairman Hair said, Commissioner Price and then Commissioner DeLoach.

Commissioner Price said, as a point of order I want to ask a question. We voted to waive the fees for the Peace Officers Association. My understanding would be that that vote stands as is and that their fee has been waived. Chairman Hair said, that is correct. Ms. Garrard said, that is correct. Commissioner Price said, so, I mean, unless there's a rescission or—. Chairman Hair said, that particular one is waived. Commissioner Price said, or a reconsideration, that particular one is waived. Commissioner Thomas said, yes. Chairman Hair said, correct. Commissioner Price said, well, that's the only point I wanted to clarify.

Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, just to be consistent with our policy, would it be all right, one of you that voted in favor of that, I don't have a problem with doing that, could we take it and rescind that vote and turn around and agree to take it out of our budget and pay for this. It doesn't matter as long as it's paid for so that we can be—, so that we're consistent with our policy. Chairman Hair said, well, that policy—, the policy in place really right now doesn't say take it out of our budget. That's—. Commissioner DeLoach said, but I'm saying—. Commissioner Rivers said, we do have [inaudible], if you really want to do that, we don't need to rescind that or anything else. Chairman Hair said, that's correct. Commissioner Rivers said, all you have to do if you want to do that is defer your cost, so make a motion to defer your cost. Commissioner DeLoach said, well, the reason I want to do that is because it basically sets a precedent if you're waiving it. You're actually waiving it. What I'm saying is we rescind that vote to waive that from them but I will make the motion to take it out of our budget and pay for the Peace Officers Association using it, and there is no difference, but it does keep that policy from being compromised. Commissioner Murray said, I'll second it, but the reason I voted for that I thought we were still going under the vote that we took at the last meeting that we were only waiving the fee that was about our cost on it. Chairman Hair said, the only—, I don't have a problem with that either, Commissioner DeLoach, except that that's not consistent. We still need to get staff to bring it back. That's not consistent with the policy you passed at the last meeting because the funding—, the policy at the last meeting did not address taking it out of the Commissioners' budget, it just said there would be no waiver. Commissioner DeLoach said, there would be no waiver and we—. Chairman Hair said, so you've got to add to that policy. Commissioner DeLoach said, well, we can do that without messing with that policy. Chairman Hair said, so 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 DeLoach moved that the cost for use of the Tybee Pier and Pavilion by the Peace Officers Association on October 4 and 5, 1999, be taken from the Commissioners' budget. Commissioner Murray seconded the motion and it carried unanimously.

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CHATHAM AREA TRANSIT AUTHORITY

Chairman Hair declared the meeting of the Board of Commissioners in recess and convened the meeting of the Chatham Area Transit Authority.

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Upon adjournment of the meeting of the Chatham Area Transit Authority, the meeting of the Board of Commissioners was reconvened.

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VIII. TABLED/POSTPONED ITEMS

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

- 1. REQUEST BOARD 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, that item still needs to be left on the table. We still haven't gotten what we need from the DOT. Chairman Hair recognized Commissioner Murray.

Commissioner Murray asked, can we just take it off the agenda until we have reason to put it back on? Chairman Hair said, if you make a motion, we can do that. Commissioner Murray said, I move that we remove it from the agenda. Commissioner Odell said, I'll second. Commissioner Saussy said, second. Chairman Hair said, motion and 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 Murray moved to remove this item from the agenda. Commissioners Odell and Saussy seconded the motion and it carried unanimously.

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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 ADDITIONAL COURT REVENUES OF \$20,000 IN SHERIFF'S FEES, \$22,000 IN PROBATE COURT FEES AND \$116,220 IN RESTRICTED 5% VICTIM WITNESS FEES AND TO APPROPRIATE AN ADDITIONAL \$10,000 FOR PEACE OFFICER TRAINING, \$10,000 FOR PEACE OFFICER RETIREMENT, \$20,000 FOR PROBATE COURT FILING FEES, \$2,000 FOR PROBATE JUDGES RETIREMENT AND \$116,220 FOR RESTRICTED 5% VICTIM WITNESS EXPENDITURE BUDGET; A SPECIAL SERVICE DISTRICT BUDGET AMENDMENT TO RECOGNIZE AN ADDITIONAL \$39,480 IN HOTEL/MOTEL TAX COLLECTIONS AND AS SPECIFIED IN STATE LAW TO APPROPRIATE AN ADDITIONAL \$13,220 TO THE SAVANNAH CONVENTION BUREAU, \$6,520 TO GEORGIA MARITIME TRADE CENTER AND \$19,740 TO CONTINGENCY; A CAPITAL IMPROVEMENT FUND M & O CONTINGENCY TRANSFER OF \$1,670 TO THE BURROUGHS PARK PROJECT AND BUDGET AMENDMENT TO RECOGNIZE \$40,620 M & O AUCTION PROCEEDS AND \$91,850 SSD AUCTION PROCEEDS TO BE APPROPRIATED FOR VEHICLE REPLACEMENT; A ONE PERCENT SALES TAX ROAD PROGRAM (1985-1993) CONTINGENCY TRANSFER OF \$350,000 TO THE TRUMAN PARKWAY, PHASE III PROJECT; A ONE PERCENT SALES TAX 1993-1998 CONTINGENCY TRANSFER OF \$23,180 FOR THE WEST BROAD STREET YMCA BUILDING.**

Commissioner Price said, so moved. Commissioner Saussy said, second. Chairman Hair said, we have a motion and a second. Any discussion?

Commissioner Rivers said, I'd like to amend it to include that \$760 that we voted on this morning. Chairman Hair said, well, the only way, you'd have to say you're going to take it out of that Contingency—. Commissioner Rivers said, I'm just kidding. Chairman Hair recognized Commissioner Odell. Commissioner Price said, let staff take care of that.

Commissioner Odell asked, Russ [Abolt], the \$6,520 to the Georgia Maritime Trade Center and the \$19,740 to Contingency, what is that? County Manager Abolt said, hotel/motel tax coming in at a higher rate than anticipated by State law, we have to apportion it for certain types of services. In past agreements you have funds going to the Georgia Maritime Trade Center and the promotion of Trade Center activities. The \$19,740 is over and above what is required by the State law or prior agreements and that goes into General Fund Contingency. This is good.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I've got a question about that though. When the sales tax was approved and we all agreed to increase the hotel/motel tax, I know we came back and amended that so part of it would go to promote the Trade Center, but the other was supposed to be set aside and go towards the operating deficit of that center. County Manager Abolt said, this is over and above—. Commissioner Murray asked is that why—? County Manager Abolt said, over and above that. Commissioner Murray said, okay.

Chairman Hair said, yes, this is just promotion money. They just—, also changed their strategy over there. Any other questions? We have a motion and a second. All those in favor—. Commissioner Jackel said, one second.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, on this West Broad Street YMCA. Mr. Brown, my good friend, Barry Brown, wanted to come up and make a comment. He told me he wanted to get on TV.

Mr. Barry Brown said, Mr. Jackel, I always want to get on TV. Good morning. The Commissioners said, good morning. Commissioner Jackel said, just tell us real quickly how well y'all are doing there. Mr. Brown said, we are about 60% complete on the renovation of the main building. We hope by the end of next year to sell enough memberships on what's been done so that we could have a nice, wonderful fund balance and not have to continually ask for more money, although getting more money is always wonderful. As you know, we serve about, oh, 3,900 kids, inner city kids a year, so this is going to nearly double our capacity to serve them by next—, by the end of next year, and that's where we are. Chairman Hair said, thank you. Mr. Brown said, while I'm here, as you know, part of the agreement, I think staff knows, is that we would, in addition to asking for funds, bring in funds that we had raised to match what the additional funds we're asking from the Commission, so I have a check here for \$15,000 payable to the Chatham County Board of Commissioners, which is, I think, is unusual. Also, since most—. Chairman Hair said, it's very unusual. Commissioner Odell said, it's good though. Chairman Hair said, very unusual. Mr. Brown said, most of you missed our Contributors' Dinner the other night, we also have a plaque to the Commissioners. Every year we give out these things to thank people for being friends of the YMCA, and there's been nobody that's been a greater friend to the Y than you, and we thank you.

Chairman Hair said, thank you. Okay, 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 approve the following: A General Fund M & O Budget Amendment to recognize additional court revenues of \$20,000 in Sheriff's fees, \$22,000 in Probate Court fees and \$116,220 in Restricted 5% Victim Witness Fees and to appropriate an additional \$10,000 for Peace Officer Training, \$10,000 for Peace Officer Retirement, \$20,000 for Probate Court Filing fees, \$2,000 for Probate Judges Retirement and \$116,220 for Restricted 5% Victim Witness expenditure budget; a Special Service District Budget Amendment to recognize an additional \$39,480 in Hotel/Motel Tax collections and as specified in State Law to appropriate an additional \$13,220 to the Savannah Convention Bureau, \$6,520 to Georgia Maritime Trade Center and \$19,740 to Contingency; a Capital Improvement Fund M & O Contingency transfer of \$1,670 to the Burroughs Park Project and budget amendment to recognize \$40,620 M & O auction proceeds and \$91,850 SSD auction proceeds to be appropriated for vehicle replacement; a One Percent Sales Tax Road Program (1985-1993) Contingency transfer of \$350,000 to the Truman Parkway, Phase III Project; and a One Percent Sales Tax 1993-1998 Contingency transfer of \$23,180 for the West Broad Street YMCA building. Commissioner Saussy seconded the motion and it carried unanimously.

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2. PUBLIC HEARING ON RATE ADJUSTMENTS FOR THE WATER AND SEWER FUND FOR BOARD APPROVAL EFFECTIVE JANUARY 1, 1999.

Chairman Hair said, now we'll move into the public hearings, and for the benefit of the audience, the State law requires us to have two separate public hearings. The first public hearing we will open up will be one only on the water and sewer fund issues. It will not be on the general budget issues. So, when I open the hearing up, if you have anything that's a comment on water and sewer only, that would be the time to say that. If you have general budget issues, let's wait until the second hearing. So, at this time I will open the floor and officially open the public hearing on rate adjustments for the water and sewer fund for Board approval effective January 1, 1999. Would anybody in the audience like to speak at the hearing on that issue? Would any of the Commissioners like to speak on that issue?

Commissioner Murray asked how much is it going up? Commissioner Jackel said, 16%. Chairman Hair said, it's about—, yes, it's about 16% is the increase. County Manager Abolt said, if I may, you have, as stated in the budget message, a water rate increase of 16%, a sewer rate increase of 10%, and your last rate increase would be four years ago.

Commissioner Price said, this increase for the sewer side is to coincide with the City's increase. County Manager Abolt said, well, yes, sir, what they're charging Isle of Hope, yes, sir. Again, it's your first increase in four years.

Chairman Hair said, I think that's important that it is the first increase in four years. Commissioner Jackel said, and the typical cost is going to be less than a dollar. Chairman Hair said, correct. In terms of incremental cost. County Manager Abolt said, that's very similar to the City's—.

Commissioner Saussy said, I move for approval. Commissioner Price said, second. Chairman Hair said, we have a motion and a second. All those—. County Manager Abolt said, time out, time out. No, sir, you just have a public hearing, and then on the 18th you will officially be adopting this. Commissioner Price said, okay, I rescind the motion. Commissioner DeLoach said, oh, well.

Chairman Hair asked, anybody else on the public hearing on the water/sewer side? Okay. Then I'll declare that hearing adjourned.

ACTION OF THE BOARD:

Public hearing. No action of the board is required.

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3. PUBLIC HEARING AS REQUIRED BY THE STATE ON THE COUNTY'S 1999 BUDGET.

Chairman Hair said, we now will begin the public hearing as required by State law on the County's 1999 budget. Again, for the purpose of clarification, let me make a couple of opening statements. First of all, as Russ [Abolt] just said, and the attorney when I talked about this morning, there are—, no votes will be taken on the budget today. The votes will be taken on December 18th. The purpose of the hearing is to discuss budget issues, but there will be nothing added to or subtracted from the budget today. So make sure everybody understands that. Also, to speed the process up because I know there's a number of folks that want to appear, I'm going to ask that you come down to the front row. That will speed us up in terms of making transition from speaker to speaker. If you'll come down and sit on the front row, I'll recognize you just in the order that you come down. We would ask you obviously, because there's so many people here, to be somewhat brief. We want you to feel free to say whatever you need to say, but we would ask you to be fairly brief, and if you represent a group, to have one spokesman for the group, and then we'll recognize the whole group.

County Manager Abolt said, Mr. Chairman, just for the perfecting the record, if you could enter in your comments which are in the agenda, a reference that we do have a proposed budget for 1999 that totals \$332,031,000. The specifics by each individual line item is contained in the document that will become part of the public record. There is information here on the table as you come into the room if anybody would like to see it. That perfects the record.

Chairman Hair said, and I will—, I also have to read into the record that the budget amount is \$332,031,000. That is the official budget amount for 1999. Commissioner DeLoach asked, that's our recommended budget, our proposed budget? Chairman Hair said, that's the proposed budget for 1999, that is correct. Okay, Mr. Pierce, we'll start with you since you're in the first chair, if you'll come forward. I'll ask each speaker to state your name for the record, and come on up, Mr. Pierce.

Mr. John Saxon [Piccolo] Pierce said, my name is John Saxon Pierce. I'm a speaker for the [inaudible] fiscal year. The federal government [inaudible] you must be fair to everybody, and when you're fair to everybody in the fiscal year, and everybody got to get a pay raise and staff and all they work hard, and the staff, they work hard, so hard on the staff, and work so hard, they sweating and all going on, I'm asking y'all, please give these people a fair chance. Don't cheat the people, poor people like that because [inaudible]. I remember the time that Dr. King say, be fair with everybody and we shall overcome. We can overcome by treating [inaudible] people, work with 6% and we get 5%, but anyhow, [inaudible] because we are the government. The government is [inaudible]. If you make the government take that money and send it back to the White House and [inaudible] and they put it somewhere and don't know who picked it.

Vice Chairman Thomas said, thank you, Mr. Pierce. Next speaker.

Mr. Fred Foster said, good morning. Commissioner Thomas said, please state your name. Mr. Foster said, I'm Fred Foster, Director of the Chatham County Department of Family and Children Services. We certainly appreciate the opportunity here afforded us to speak on behalf of the Board and the staff of the Department of Family and Children Services. I first would like to express our appreciation for the support you have given over the years to families, to emergencies and to foster children, and I encourage your continued support of these efforts. Your support makes a big difference. We also recognize and appreciate the difficult job that you have in allocating the limited funds that the County has to meet the needs of the County. But even recognizing the limits of that funding, we feel a real obligation to appear before you and to identify or to highlight very briefly the items we feel that you should be aware of in terms of the needs in this County, still recognizing that it is your job and your decision in terms of the allocation. We want to take just a minute to highlight one item in our budget, and that's the item that deals with preventive services for frail and elderly adults, and so for the half of my time I would like to Sharon Carson, who is our Protective Service Advisor, who will make a statement regarding the services that we provide to frail and elderly adults.

Ms. Carson said, good morning. My name is Sharon Carson. I'm the Adult Services Supervisor with the Department of Family and Children Services and I'd like to highlight for you this morning our preventive services program for frail, elderly and disabled adults. Since 1972 the Department of Family and Children Services has provided homemaker services, now called family services, to individuals in the County and in the City of Savannah with some help with those needs that they are unable to meet for themselves and for family members who either can't or won't provide assistance with those particular needs, which is things such as personal care, meal preparation, assistance with getting to medical appointments, and that type of thing. The services are provided free of charge those income—, to those persons who need income guidelines. Clearly 85% to 90% of our clients earn less than \$600 a month. They're not eligible in a lot of cases for home health services because they don't meet the medical criteria and they can't afford to pay for the kinds of services that we are providing to them free of charge. Without the services provided by our family service workers, a lot of these clients will end up being in personal care homes and nursing homes, which is far more costly. We can provide services to these individuals for about \$191 a month whereas if they had to go to a personal care home, it could cost over \$700 a month or more, and in nursing homes over \$2,000 a month. So in terms of the cost to the community, cost to taxpayers, it is more cost effective for us to provide these services. Also, it's more humanistic because many of these individuals do much better in their homes, and we're asking for a consideration of \$25,000 to provide a family service worker for one year that would need the needs of approximately 12 to 15 elderly and disabled adults so that they can remain in their own homes.

Chairman Hair said, Commissioner Odell has a question. Ms. Carson said, yes. Commissioner Odell said, just one or two, if I may. How many elderly and frail do you currently serve? Ms. Carson said, we're currently serving approximately—, we have two separate programs that we're providing these services under. In our Preventive Services Program right now we have about 33 clients that we're serving per month, and that figure changes periodically because some of our clients do get

better and are no longer in need of services, and then we also have some of our clients that—, that we do, and do end up in nursing home facilities eventually, but on an average about 35—, 33 to 35 clients a month is what we're serving. Commissioner Odell said, and what is the potential population? Ms. Carson said, right now we have on our waiting list, I believe it's 34 clients that are currently waiting for these particular services. Commissioner Odell said, okay, but that's just the waiting list. That is not the Chatham County's potential clients of those who would qualify for services that you provide. Is that a true statement? Ms. Carson said, that's true, sir. I don't have them—, the figures on that, but we do know that there is a substantial elderly population in Chatham County, but the exact figure I'm not exactly sure. Commissioner Odell said, now, for the 33 services, the annual cost is what? Is it the hundred and some odd dollars? Ms. Carson said, approximately \$109,000, that would leave for the 33 that we're serving currently. Commissioner Odell said, thank you. Ms. Carson said, thank you.

Chairman Hair asked, any other questions? Commissioner Rivers asked, what about under Protective. That was Preventive, what about under Protective. Ms. Carson said, okay, under Protective Services right now we have—, we have under Protective Services a hundred and—, excuse me, yes, 133 clients currently under Adult Protective Services. Not all of them need family service workers. Some of them just need the case management piece of it, but with the clients that are receiving the Protective Services, a family service worker under Protective Service is about 133 right now. Chairman Hair asked, any other questions?

Mr. Foster asked, could I make this one statement. In our request, what our request boils down to would be actually about—, a less than \$12,000 more than you granted us last year. You did provide \$13,700 last year. The cost would be \$25,000 to continue the programs, so it's the difference that we are requesting.

Chairman Hair said, thank you. Thank y'all for coming. We appreciate the input. Judge?

Judge Beam said, John Beam, Judge of the Juvenile Court, and I have just a couple of comments to make. Commissioner Odell said, Judge, before you start, could Martin Jackel and I stand up to show our sincere reverence? That's a joke. Judge Beam said, keep your seat. Commissioner Saussy said, that will get you nowhere. Chairman Hair said, he'd probably rather have your reverence in your vote. Judge Beam said, in October we received a memo from staff saying that we needed to come up with \$147,000 cuts to our budget and that I was to respond to the staff person as to how we could do that. I did write a letter on October 16th explaining our position, and I know that letter was not given to you in some of the materials that I received, so I did not want the impression today that we're not cooperating with what the County Commission wants to do, and I want to explain how I feel like we have cooperated. Things are not always as they seem at first. I have a very nice Rolex watch here that my daughter-in-law bought in New York for only \$20, and sometimes things are not always as they first seem, and I want to stress that. Commissioner Price said, it must be a good watch, you're still wearing it. Chairman Hair asked, it's not warm is it? Judge Beam said, I want to assure you that we believe that—. Commissioner Odell said, this is on TV, Judge. Judge Beam said, keeping budgets to their bare minimum is our responsibility on an ongoing basis. It's not something that we need to do periodically, it's something we need to do all the time, and I want to assure you that we are doing that and we have always done that. If I could find \$147,000 to cut out of my—, by the way, if you eliminate our salaries, and you eliminate our utilities and indigent defense, which is \$150,000, what's left is our operating budget, which is \$147,000. We could be open, I guess, and not do anything, but we could—, we couldn't write anything down on paper, but we could be open. If I had \$147,000 I could cut, I would ask for a third judge and a secretary to help that judge out. If I could eliminate \$70,000, we could add two probation officers that we eliminated in our Intensive Supervision Program a few years ago when we went through this series of trying to keep our budget down so that we could service the requirements. If I had \$25,000 I could cut, I would ask for a secretary. I don't have a secretary. Any time you get a letter from me, I typed it myself. I type my own orders. In 1998 we asked for one reclassification because we had a person who was to supervise some people and we had a change of job duties, and that's the only request we've asked in all of 1998, which won't be funded, of course, until '99. We have never since your predecessors and you have asked us to have a 90-day freeze, we have never come to you and asked for a waiver of that 90-day freeze. Is there any other department that has never asked for that? Commissioner Murray said, Judge, you should have asked for it. It would have been approved. Judge Beam said, I should have asked, I guess, but what I'm trying to say is our cars that we have obtained, almost all of them we have obtained through grants. We don't ask for tax monies to buy the cars. We don't allow our employees to drive them home or to drive on personal business. We're doing everything we can, and I want to assure you of that because I feel like I just can't find the way to cut unless I lay off staff, and I just don't see how I can possibly lay off staff and meet the mandates of our mission that we have. We don't pad the budget, we don't put fat in that we can then move around, and I just don't have it.

Chairman Hair said, Commissioner Odell and then Commissioner Price.

Commissioner Odell said, just a statement. We had the Chief to come to us last year and said that the fastest growing area of crime is juvenile crime. I mean, in national that would be the projection. I can say that when I've had the opportunity to call the Judge, rather than going through a secretary, the Judge answers his own phone. They are people intense, and the only way that they can meet the \$147,000 would be to cut people, but you have statutory obligations which those people are obligated to provide services. I would agree. I think it's an impossibility for the Juvenile Court to cut its budget by \$147,000. Commissioner Rivers asked, did you hire him to say that, Judge? Chairman Hair recognized Commissioner Price.

Commissioner Price said, let me make sure I understand. As I read the budget in our books, what is requested by you was \$2,125,000, rounding it up, what is proposed is to keep it at the '98 level, which was a budget of \$2,023,000. So there's only \$100,000 difference that I see, and yet you're saying there's \$147,000. Judge Beam said, that's what we were asked to cut was \$147,000. That reflect 5% plus two new—. County Manager Abolt said, I don't want to belabor it, but I will present you options on the 18th to deal with the Judge's case, but the challenge was in the M&O budget because of your direction as to where your priorities were. To accomplish the adjustment in compensation for the COLA, I asked each department in M&O to deal with the COLA, the 5%. Not 5% across the board of their budget, but in their personal services area, enough money to come up with by redirecting their 1998 expenditures to cover the cost of the 5% COLA. In the Juvenile Court that's the \$147,420. Judge Beam said, no, that's not 5%; 5% of our personnel services would be like \$85,000. In addition to the 5%, we were also asked to cut two people that we came to you in the middle of the Summer and asked because we had new

mandates from the Legislature, we asked for two new people and you were gracious enough to add those two people to meet weekend, 48-hour probable cause determinations, which we had to do. So it includes those two people as well and a couple of other funds. That's how you get to the \$147,000. Commissioner Price asked, wouldn't you agree that you want to give your employees a 5% increase? Judge Beam said, absolutely. Commissioner Price said, help me out here.

County Manager Abolt said, first of all, we didn't cut people. The cost is just not the salary. The salaries also include FICA and all the fringe benefits. The Judge and the Juvenile Court was not asked to cut any more than other departments. The 5% is a cost of living adjustment for all of our employees, but it's more than just their pay. It's all the residual payroll costs. Judge Beam said, Mr. Abolt, we were told to cut also the two new people. That's where the \$147,000 came from. Do you want to see the figures? County Manager Abolt said, I didn't ask the Judge to cut any people. Judge Beam asked, well, then how did you get \$147,000? County Manager Abolt said, I can talk to the Judge afterwards. Chairman Hair said, yes, I think maybe we can get—, I'm not sure the public hearing is the way to rectify that. Maybe we could get—. County Manager Abolt said, I'd be glad to meet with him after the meeting. Chairman Hair said, and then if you're still not, maybe you can meet with us and we'd be happy to meet with you. County Manager Abolt said, again, I want to let you know and the Judge that I will give you options on the 18th to deal with what he testified to.

Commissioner Jackel said, from what I've seen of the personnel schedule, it does show an additional [inaudible] for 3941. Commissioner Price said, that's '97-'98. Chairman Hair said, yes, that's '97-'98. County Manager Abolt said, there's no cuts. Still there's no—, I want to let you know there's no cuts in personnel that we've proposed. The body count chart, if you look at it, is the same, but again—. Judge Beam said, we sure do want to give the 5%. I just—, I don't see what I can do other than lay people off. Commissioner Price said, well, we—, I think the Manager has some options that he wants to discuss with you about that. Judge Beam said, well, I just want to make sure you know that we're trying to work with him on it. Chairman Hair said, well, I think you made that—, you made very clear, Judge, and we appreciate that very much. Commissioner Price said, bare bones. Commissioner Thomas said, and he does an excellent job out there.

Commissioner Odell said, if I could just add one final—. Chairman Hair said, Commissioner Odell, for a final remark. Commissioner Odell said, Russ [Abolt], and this will affect the Sheriff and some of the other departments, when there is an across-the-board cut to everyone, they're assumed that there's an across-the-board quality efficiency, and that is going to be absolutely untrue from department to department, and looking at departments like yours and especially the Sheriff's Department, just say 5% I think is an impossible task for Juvenile Court and some of the other places. Commissioner Thomas said, it sure is.

Chairman Hair said, thank you, Judge. Judge Beam said, thank you. Chairman Hair said, I appreciate you coming.

Commissioner Rivers said, Russ [Abolt]—. Can I ask a question of David [Persaud]? Chairman Hair said, just prior 'mam—, before you start, let Commissioner Rivers ask—. Commissioner Rivers said, I just want a clarification. Were those two people that he added included in his '98 budget—, his '99. County Manager Abolt said, yes, sir. On Roman Numeral I-26, which as I refer to as the body count chart, we assigned to Juvenile Court the same number of positions, 41. Commissioner Rivers said, I'll just have to go through this to determine what the actual additional cost was.

Ms. Linda Harrell [phonetic] said, hi. My name is Linda Harrell. I'm a new resident to Savannah. We moved here right at the first of the year. The reason I'm here today is to talk about, not the budget in particular because I've only had a week to look at it, but to give you an idea of why I think taxes overall are much too high here. I'm born and raised in Charleston. I've lived in several cities around the country. I most recently—. Commissioner Jackel said, excuse me. Can you move the mike? Ms. Harrell said, I most recently lived in North Carolina. When I moved down here, I hadn't really focused on the property taxes until people started talking in the Summer when they started getting their reassessments. Then I started to do a little arithmetic. I sat—, I'm building the same house here that I had in North Carolina, so I don't have that variable to contend with. I'm—, my tax rate here on my home, the taxes I will pay on this home will be at least two and a half times higher than the taxes I paid in North Carolina. Then I said to myself, well, North Carolina ranks 48th in education and Georgia ranks 49th in education and we know schools always take up a lot of your property taxes, so why am I paying more to be one rung farther down the ladder? So I started looking at the School Board budget and that's where I spent most of my time and, as I said, I just got hold of the County budget last week, so I really—, I have been through it once. I have some questions, but isn't the proper forum to raise those, but I just wanted to leave y'all with the thought, and this to me out of the whole big thick budget was the most telling thing to me, and that was the budget for the Tax Assessor's Office. They say their statement of purpose is, "The Board of Assessors is charged with the responsibility of locating, identifying, and appraising all real and personal property in Chatham County at its just and fair valuation, on an annual basis, and for ensuring that all valuations between the individual taxpayers are fairly and justly equalized in accordance with state law and administrative procedures." That's what they say their mission is. If you go in and look at what the State Commissioner of Revenue says and what the Code says, you'll see wording that says, like the State Commissioner says, that he's looking for an overall level of assessment that is the measure of effectiveness in the County's valuation program, and further he says, "The average level of uniformity indicates an equality of assessment," and then the County Commissioner has three ways that he measures whether these objectives are being met. He has three calculations. One is called the average level of assessment, one is called the average overall equalization, and the last one is called a bias ratio. He gives you very, you know, very tolerances and percentages that you should meet those. So if I'm looking at the Tax Assessor's Office and I'm thinking, well, this is what their mission, things should be fair, things should be equalized, things should be uniform. This is not a perfect world, but that is what our goal is if we could be perfect. So I get to the back where they have the performance measures for the Tax Assessor's Office, and they talk about the number of parcels of real property they have to look at, they talk how many accounts they have of personal property they have to look at, and then you see a performance measure called "Audit Reviews Conducted." Okay, and they say, well, we've got about 4,000 of those. Now, having said what I did earlier about the point in the law and the point the State Commissioner looks for fairness, equality, uniformity, all those wonderful words, okay, the next number I—, the next statistic I would expect to see is we did 4,000 audits and we were close as we—, we were within these tolerances 85% of the time, or we weren't. I would be looking for a performance measure of how you measure up versus the objectives that have been set out in the law, okay. But what do I see on the next line? Value discovered per audit, \$17,000. Estimated for this year \$17,500, estimated for next year \$17,500. Then further down I see real property reviews and they did 25,000 of those. Now,

are they looking at those real property reviews to see whether or not they met the tolerances that the law specifies? No. Again here I'm seeing value discovered per real property review, 24,500, then estimated for this year 16,000, projected for next year 12,000. What I'm saying to you is the law says the purpose of the methodology of using taxation is to make sure that we all pay our fair share, that nobody gets treated any differently in assessment, and that we—. None of us like to pay taxes, but we all have to, so at least if we have some confidence that the methodology is where it ought to be, then I'll say I'm not being treated any worse than you, okay. That's not the focus here. The focus here is these guys are on a treasure hunt. They want to go out and find more value discovered so they can find more value to apply the millage rate to. And to me out of this 400 pages I looked at, that was the most telling. I can't talk to you today how you spend your money because I don't know enough about the details and I haven't been here long enough to know the lay of the land, but I can tell you that the message that this page sends to taxpayers is very telling. You're not here to see apparently whether we're taxed fairly. You're here to see that you can get the most dollars that you can so, I guess, so you guys can spend it. I mean, that's all I can think, okay, and—.

Chairman Hair asked, Ms. Harrell, have you discussed these with Mr. Udinsky, the Tax Assessor? Ms. Harrell said, no. I'm telling you, I just got hold of this Tuesday before Thanksgiving. Chairman Hair said, I would suggest you do that. I think you would—, Mr. Udinsky, I'm sure, would be happy to meet with you and—. Ms. Harrell said, oh, I'm sure he will, but I'm just—, and I'm just saying—. Commissioner Jackel said, I don't think you've looked at the full picture on these things. I have seen the statistics which show that they are in tolerance and they—. Ms. Harrell said, that's not my argument. My argument is if I was putting down a benchmark on how I wanted to be measured, I would want to be measured on how I've performed versus the criteria I have to meet. Commissioner Jackel said, they have those statistics. They are available. I have seen them. Ms. Harrell said, I under—. Commissioner Jackel said, and they are in State compliance. Ms. Harrell said, I'm saying that wasn't their important performance measure here. I'm not saying they don't exist. What I'm saying is they think it's more important to go out and find additional value to tax than they do having the taxation done fairly. Commissioner Jackel said, that's your opinion. Ms. Harrell said, that's the perception that comes from this docu—, I'm just telling you, I picked this document up cold, I'm looking at this with a fresh set of eyes, I don't know anything about it. I mean, I have no preconceived notions. I just showed up, picked up the document, read through it, and the one thing that—. Commissioner Jackel said, I can tell you they stay up at nights worrying that they won't meet the standards. They are very concerned that they come within those perimeters. Ms. Harrell said, that's not what I'm saying. I'm just saying—, I'm just saying that when you pick up this document, all you see is they're out there looking for a way to increase taxes. That's all I'm telling you. They want to bring in a bigger base, a higher tax digest for y'all to get some more taxes. Thank you.

Chairman Hair said, thank you, Ms. Harrell. I appreciate you coming. Next.

Ms. Yvette Johnson-Hagins [phonetic] said, good morning, Chairman Hair and members of the Board of Commissioners. I'm Yvette Johnson-Hagins, the Executive Director of Greenbriar Children's Center, and along with me this morning is Teresa Burrows [phonetic], who is our Director of Finance. I first want to begin by thanking you for your continued support of Greenbriar Children's Center and our work, and I'd also like to thank Mr. Abolt and his staff for their ongoing support as well. I do want to make you aware of the fact that Greenbriar Children's Center's level of funding since 1991 has not changed, and that level of funding is at \$340,000. We are requesting a 5% inflationary increase, which will be an increase of \$17,000. Some of you perhaps remember that in 1990 Greenbriar became recognized by the Board of Commissioners as a mandated facility. At that time you understood that if Greenbriar were not in the business of caring for these children who are without the support of their families, that this responsibility would fall back onto Chatham County government. Each year at Greenbriar we serve nearly 400 children through our emergency shelter and residential program. Unfortunately, many of these children do not come to the public attention so they go unrecognized, but in the past few months you all perhaps remember seeing in the news two very unfortunate and unusual situations, one involving a five-year-old who was left in an apartment tied to a bedpost and found by an exterminator while his parents went out to work. That child came to Greenbriar along with other siblings and was cared for until more suitable arrangements could be made. At the very same time, we were caring for a three-year-old who was found wandering on Interstate 95, who was found by a Chatham County police officer after having been involved in a tragic automobile accident. One passenger was killed and the father was later incarcerated. This child was also cared for by us for a couple of weeks until permanent arrangements can be made. While these situations are unusual, what is not unusual and the new trend that we're seeing is an increase in the numbers of homeless children. We anticipate serving at least 30% more children this year. We're charting the trends as a result of the welfare reform. We do feel that as a result of this reform that children are most vulnerable. Therefore, we want to ask your best consideration of our request. We know that this is a difficult budget year, as they have been in the past. We do not want to pit our needs against the needs of the Chatham County employees or other human service agencies. We ask that you would just judge us on the merits for services that we provide and the continued need for our services in this community. I will respond to any questions that you might have at this time.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I think what you said is absolutely important, and I want to emphasize just one part of it and that is the growing largest segment of homeless population in this community involves children, and I am hopeful that our society will evaluate a high level of compassion based upon how we treat our children and the elderly, which hopefully government should be about. I think Greenbriar has done an outstanding job, and you're absolutely correct. If you all didn't do it, we would be obligated to do it because that's one of our public charges. Every year is a tight budget year because when you budget, and folks don't want to pay taxes, and folks want to be elected, then you have to keep taxes down and every year is a tight year, but with the increase in children becoming homeless, and that places a greater burden on you, I'm just extremely concerned about this. I know that there are other Commissioners who join in that.

Chairman Hair said, Ms. Meier from our Youth Commission, has a comment.

Miss Meier said, yes, I agree with Mr. Odell. The Youth Commissioners went there a couple of weeks ago and visited the faculty [sic], and not to favor any department or anything, but it was just—, it was an amazing sight to see all these children

who do need care and stuff, and it's just the rate is rising and everything, and they do need some support and help from the Commissioners. Chairman Hair said, thank you. Miss Meier said, thank you.

Chairman Hair asked, any Commissioner have—? Thank you very much for coming. Ms. Johnson-Hagins said, I appreciate that. Thank you all. Chairman Hair said, I appreciate your time. Next.

Ms. Betty Lloyd said, good morning, gentlemen. I am here this morning—. Chairman Hair said, state your name for the record please. Ms. Lloyd said, pardon. Chairman Hair said, state your name for the record. Ms. Lloyd said, my name is Betty Lloyd and I reside 807 East Duffy Street in Savannah. I'm here today because I am extremely distressed, and I have stated this before at some of the meetings I attended, about the closings of libraries in certain neighborhoods. As a native Savannahian, I grew up going to the library by myself. My parents didn't have time to escort me. I understand that there's going to be a main library on Bull Street. For several months I reside [sic] in New York working, and when I came back I found—, someone handed me a flyer as I got off the train saying these libraries were going to be closed. So I went home, threw my bags in the house, and off I went to this meeting on Barnard Street. Last night I attended a meeting at the Unitarian Church and there we were told this was not even considered in the budget, and I was really distressed about that, and we were told about the computers and what the computers would do, and I question will there be a building for the computers to be housed for people to use and for children to use? Even though there are computers, I think that the local libraries will help children learn how to browse through the building. You use computers, fine. That's wonderful, but I think you take away the personal aspect of attending library sessions or going there by yourself, enjoying the book reviews that they have, but I plead with you whoever there might be on the panel to vote, I plead that you will vote to keep these libraries open in the neighborhoods so that children who don't have parents to take them will be able to go by themselves and that the hours will be such that they can go and spend quality time checking books. Thank you very much.

Chairman Hair said, thank you, Ms. Lloyd. I appreciate you being here.

Ms. Brenda Johnson said, hello. My name is Brenda Johnson. I'm a resident of Yamacraw Village. Our libraries were closed, and in that effect we don't have encyclopedias. It's hard for our kids go do book reports. In order for them to do book reports—, a lot of us don't have cars that live in Yamacraw, and I do not want to see the same thing happen to Hitch, Kayton, or no other child in this community. So please find in your heart to save the libraries that we do have open because the kids need them. One time I could go to the library and find my four sons, but God bless them whether they're doing the right thing. I already have two in college. I have a 14-year-old that can't do his progress report because I don't have a car. His homework is supposed to be done at home not in school. So please think about it and keep them open for us.

Chairman Hair said, thank you very much, Ms. Johnson. Chairman Hair recognized Rev. Small.

Rev. Leonard Small said, Chairman, honorable Commissioners, my name is Reverend Doctor Leonard Small. I'm the pastor of the Litway Missionary Baptist Church, and I'm the Chairman of the Unity Political Action Committee. We're here on two purposes. The first purpose is we're astounded that this argument has been vented in this community this long. There are certain things, in our estimation, that are no-brainers. The closing of libraries in a time when we're building prisons faster than we're building dormitories and colleges, and it costs roughly six or seven times the amount of money to keep someone incarcerated than at a college, and we're saying we're going to close libraries in depressed neighborhoods, first of all, we're starting with a falsity. Those libraries are already closed for all intents and purposes. Any library that only opens a few days for a few hours a week is a dinosaur already. It's just waiting for a spot to die. Usage cannot be maintained because anybody knows, as the basic rudiments of psychology, that if a child goes to a library and the door's closed, the propensity of that child to go back there again at any juncture for anything diminishes greatly. We're talking about budgets. The question is, true enough, every year you have this budget crunch. Like my Commissioner said, Mr. Odell, it's going to be like this. It's not going to change. That's based on priorities. The question is how can we be creative enough to finance a Trade Center and its roads and we can't keep these libraries open a reasonable amount of time, six days a week, like libraries should be kept open. We've got the library. It's there. They were used when they were open. It's a shame before God that this mother living in Yamacraw Village, who we're telling to get up off the public dole, put her children into the asset side of society rather than the liability side, and we close the library right where the people who could least afford to travel could still get to them. We found money to build a Trade Center. I'm reading your financial documents today. We found millions of dollars to work on the road to get there. We found money in this community for a perimeter road, we said. It turned out to be a racetrack. We found money for a golf course that we let other people make a profit off of, both City and County. We found money for all types of avenues of things that we want to do, but we're not finding money for a thing so basic in its concept as community libraries. I'm saying that something's wrong with our priorities, and I'm here to say that at this time, at this budgetary time before the vote is cast, before it's over, and I've been relatively quiet because I thought this would be done. I really thought this would be done. I thought this would be an easy—, but to know that a new budget's being proposed, and that solutions are not in it for that matter, scares me. It means someone's decided that this is not a priority item. Basically, if nothing else, keep these open, but these libraries are dangerously underfunded, Dangerously underfunded as they are, they need to be expanded and not closed, and that should be a priority item for this community. Lastly, and I know you have other people who want to talk so I'm trying to be as succinct as possible, I've watched this Commission though the years, and again we found money for the things that we wanted to find money for. What we've not found money for is for the folk who actually deliver services. The level that the pay has drugged behind for the County employees is atrocious. Every year I've heard that we can afford everything else but raises. Reasonable raises for our County employees. The Jail staff went in there at [inaudible]. We've got a 1200-man jail. They went in there and about 700 or 800 folk in it. Now it's overflowing, 1400, 1500 people at times, and the staff out there—, and I can speak on that particular because I minister out there, but they're not to be given reasonable raises and to keep up with the raises that other certified peace officers are getting all over the country and the City and the State, is atrocious for us to continue in this fashion. I'm saying that we need to reprioritize, reprioritize what we're going to make important. I think we need to stop doing things at whim, and I—, particularly when you, like I said, when you've got projects like golf courses and trade centers and nice roads, and things like that, and racetracks, then you need to taken [sic] care of the employees first because those are the people who delivers the services to us first. That's where we—, and, yes, my assessment went up and, yes, I did not like it. However, if I'm going to pay my taxes, I'm going to spend my dime up here telling you about it. Thank you.

Miss Lisa Meier said, somebody earlier said that we were 49th in schooling, we were the 49th state, which is pretty—, way on the bottom. I think if more libraries were open and more—, there would be less chance of children wandering around on the streets, less crime, and everything like that, and I personally, I enjoy going to the library. I like books and stuff, and I know that a lot of people do, and if we keep closing the libraries, there's just—, what else are we going to do in Savannah. Chairman Hair said, I agree with you.

Miss Courtney Edwards said, we do have a lot of children, you know, needing to go to library, so—, I personally go to the Oglethorpe Library, and there aren't enough supplies or anything for me to—, books or anything for me to take home and check out because people have already checked them out. So I think we need more libraries and more books. Chairman Hair said, thank you, Miss Edwards.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I just want to make a short comment, and that is that the vote on this budget has not taken place yet and will not take place today, and there's probably going to be some changes within this budget when the vote's finally taken and approved.

Mr. John Barry said, I'm John Barry and this is really a question to the Commission. When the request comes from the Library Board for more funding and you give it, however much, do you have the power to tell the Library Board how to run the library? That is, if they say that they want to close six libraries and that's over a third of the 14 in Chatham County, can you actually say that you must keep those libraries open because I think I heard Mr. Hair that you said something about your jurisdiction went so far. Now the Mayor said the Library Board was weak and you were strong. I don't—, you know, what's the answer?

Chairman Hair said, we do have—, under certain circumstances, we do have restricted ways to put monies in the budget. For example, we can put it in as a contingent. We can put it in as a contingent, and that's probably—, as a matter of fact, the County Manager has the money. The increase this year, proposed increase of \$400,000, is a contingent account. That is, they would have to come and get approval for to spend that money. So there are ways to do that. Mr. Barry said, yes, but it seems you could only pressure. You see, if they turn the keys on the six libraries and they are closed, they can tell you they're being fiscally conservative and you might well say, well, that's good. Chairman Hair said, as Commissioner Murray said, I think you're going to see on the 18th some substantial changes to the budget along those lines. Chairman Hair said, that's a disappointing answer in a sense, about your powers. Chairman Hair said, right. Commissioner Odell and then Commissioner Murray.

Commissioner Odell said, your point can be answered absolutely and that is, he who has the gold sets the rules, and if the question is do we have the authorization to earmark money and to say that these kinds of things are conditioned upon receipt of this money, absolutely. Chairman Hair said, absolutely. Commissioner Odell said, we have that absolute right. Chairman Hair said, no question about it. Commissioner Odell said, there's been no decision to close the inner city libraries. There's been no decision as of this point, and so that everyone will absolutely and [inaudible] know, there's been a substantial effort by the Commission—, I know Eddie DeLoach and I have met—, had several meetings with various bodies, and at this point we cannot disclose the full content of those meetings, but the end result is that no one, and I thought, Leonard [Small], too, that it should be a no-brainer. I mean, the people who where the crime rate is the greatest, where the potential for failure is the highest, we should not be closing services which serve as a prevention because it is cheaper to send someone to Tulane University, where I went to school, than it is to send them to Reidsville. It costs more to send them to prison than it costs to send them to an ivy league college. You know, but I think the Commissioners are involved. I think the Library Board are involved, and so that it doesn't leave this room with everyone believing that our Library Board was totally insensitive, that's not true. Our Library Board did a study and they made a decision based upon utilization of services, how best to provide services. Now those provisions, in part, differ with how the community perceives the services should be provided. What we are trying to do is to create a solution with all the various partners to resolve all of the concerns, not only the community, but of the Library Board, Commissioners, the Aldermen, and I think, Eddie [DeLoach], without disclosing much, that we are very close to having a workable solution which we can come to the community.

Chairman Hair recognized Commissioner Murray. Commissioner Murray said, no, I think Commissioner Odell covered it. Chairman Hair said, okay. Chairman Hair recognized Commissioner Price.

Commissioner Price said, let me make one point, and don't take me wrong for making this point. We're one of the only counties in the State of Georgia where Commissioners make appointments to the Library Board. Most everywhere else in the State of Georgia, and I think in the country, the Board of Education makes that appoint. There's a natural reason for that. What is the library about? It's about education, providing education. I think there has to be more emphasis from the Board of Education in cooperating with the Library Board to get a lot of these things done. And what I mean by that is this. We have schools that have media centers in them. We have schools that have libraries in them. These schools are neighborhood schools. These schools are in these areas, and yet after school it's closed and nobody has access to these schools. They close the schools down, they lock the doors and nobody can go in and use these books that are near these areas that we're talking about. Why not? That should be addressed. If it requires additional security, if it requires whatever, that should be addressed. What I'm saying is, there are a lot—, I'm not in favor of the libraries being closed downtown. I'm not in favor of that. I'm not promoting that idea, but I am promoting a better cooperation with the Board of Education in providing a lot of these needed services, and I think we all need to be aware of that and we all need to be talking with our Library Board members and our Board of Education members about doing that.

Chairman Hair said, okay, Commissioner Murray. Rev. Small asked, may I ask a quick question? Chairman Hair said, just make a brief question.

Rev. Small said, brief question. If you're going to vote on this on the 18th and this is the hearing and the citizens are leaving now not knowing where you're going, then what notice would we have or opportunity would we have other than this to get a

sense of whatever you're proposing. Commissioner DeLoach said, I feel like by the 18th you will have an understanding of where we're going. Chairman Hair said, also, Rev. Small, at any meeting we do recognize folks to address issues that we're voting on, so, you know, you still would have that opportunity. It's not like we're not going to hear any input on the 18th. We're going to obviously try to limit it very much because of this public hearing, but we certainly—, if somebody wants to say something, we'll allow them to say whatever they want to say. Rev. Small said, okay, item last, let's see if we can change the hours on those libraries as soon as possible please.

Chairman Hair said, one thing I would like to say for the audience and for the Commissioners here, you know, let's remember the purpose of the public hearing is not to debate. The purpose is to listen to the public, so unless we have questions, you know.

Commissioner Rivers said, let me say this. Chairman Hair said, Commissioner Murray. Commissioner Rivers, he had the floor first.

Commissioner Murray said, the only comment I wanted to make was that I've talked with several of the Board of Education representatives. They are waiting for someone, whether it be the Commission or the Library Board, or both, to talk with them about it. They're open, willing to work with the libraries, with the County Commission to open those and work with those facilities, and I just don't think that the proper communication, whether it's been the Commission or the Library Board has been there to go out and talk with them yet, and I think we need to do that and we need to make a point to do that because I think it all works hand and hand, and I agree with you, Ben [Price], I think we've got to have that and I think it would be a tremendous asset to what we are trying to do.

Chairman Hair said, Commissioner Rivers and then Commissioner Saussy.

Commissioner Rivers said, I think when you look at these libraries and why those libraries were put into place, those were put there because those communities were not receiving the service. Over the years when we started those though the model cities program and we put them out there, those libraries were operating. Now we as citizens allowed those libraries to deteriorate and we as Commissioners and Library Board members allowed that to happen. The only thing that I'm saying is that on the 18th my idea of this whole thing is to restore and keep those libraries open until we can make a transition to something else. We're talking about some things, but I will tell you in no uncertain terms that there are few libraries in the school system that have access from without. So, therefore, you're talking about dollars for security and everything else, and that's going to be a whole new issue. So until we come to those transitions, let's maintain what we've got, and if we can upgrade them, then let's proceed in that direction. That would be my point. That would be what I would be advocating to my fellow Commissioners. Now all of this hullabaloo about getting with the Board and all that, this may take months to iron out all of the nuances of it and the finance and everything, so, hey, we're going to look after this Library Board. I represent the inner city. I was a part of getting them to locate those libraries within the inner city as a part of model city program, and I assure you I will do everything in my power to keep them there until we can make a viable transition.

Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy said, yes, I think this whole Commission has worked real well with the Library Board and are working with other—, School Board, and so forth, and I think it's going to take a lot of time to get this thing done in the proper way. It will be done. I can almost assure you of that, but it takes money to do it, and if we're going to have to have the money, we may and probably will have to go up on the millage. Now I want people to understand that. If they want these services, and these are—, this one I agree is the most important one to me anyway. The libraries are the backbone of the community, frankly, but just realize that there may have to be increase in the millage to get this done.

Chairman Hair said, I think there'll be a lot of opposition to that. Chairman Hair recognized Commissioner Thomas. Commissioner Saussy said, I'm sure we'll have opposition, but if we're going to do it, we've got to have the money. Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, much has been said about the library and some other things. I have very mixed emotions about the closing of these libraries for the simple reason of what Commissioner Rivers has stated about the history. You can't use something that is closed. The hours are not available. Another thing that I'm concerned about, Commissioner Saussy said we may have to go up on the millage. Not from the closing of the libraries because with the proposal of a bookmobile certainly will not be the answer and, of course, they will be spending much more money to operate that facility than it would be to keep what we have, and if I'm thinking correctly, if I can remember the amount of money, I think, was something like—. Commissioner Odell said, \$100,000. Commissioner Thomas said, \$100,000 more, so, I mean, it's hard for me to understand how can you say, you know, that we may have to go up on taxes just to do that, but my real concern with this whole thing has been with the fact that the people, the citizens, have not really had an opportunity prior to all of this to have input or to know what was happening until it happened, and that's one of the big problems that we're having. I think if information had been brought forward to the various leadership in the various areas prior to that, I think that could have been a better understanding of what was happening, or what the proposal would be, but when you make decisions and then you bring it to me and say, well, this is what we're going to do and you take it or leave it, you don't do it that way. So I'm very concerned about all of this, and I'm certainly not in favor of closing all those libraries. I really am not. So I'm hoping that we would be able to resolve something prior to December the 18th.

Chairman Hair said, I think we will. Let's move on. Again, if you've already spoken, come up if you've got a brief statement, fine. I would like to get to the people that haven't spoken first.

Ms. Betty Lloyd said, I would like to make one comment in reference to the raising of millage. When I raised this question at the meeting that I first attended, I was told by Mr. Casper [sic], is that his name, that money is not an issue here, it's people don't go to the libraries. So now we're hearing you've got to raise the millage and charge people more. I'd like an explanation, if I may. Chairman Hair said, well, I—, go ahead. Commissioner Saussy, you're going to--.

Commissioner Saussy said, yes. About raising the millage, it's not just about closing these libraries that they're talking about closing. I'm talking about the total picture, but we're way, way underfunded and have been for years and years and years on the library. To get it up to par it's going to take at least five years and it's going to take a lot more money to get them up to par. I'm talking about all of them, not just the few that you assume they intend on closing. Ms. Lloyd said, I'm simply saying that the answer which I received was misleading. You know, I'm told, oh, money is not an issue and then I'm asking why am I here.

Commissioner Rivers said, money is an issue. Chairman Hair said, money is always an issue. Commissioner Rivers said, money is an issue. Commissioner Odell said, that wasn't misleading as to the closing of the inner city libraries. It is not justified based upon financing because to maintain them would be cheaper than the alternate plan; however, that's my side issue, but the library system overall is substantially underfunded. Looking out the next five years, the results is that we're going to have to infuse additional money, and that's David's [Saussy] statement. So those are two separate and distinct things. The inner city libraries are not linked to a millage increase. Don't believe that it is. It's not, and I don't think it's that [inaudible]. Commissioner Rivers said, yes, they are because if you're going to upgrade those inner city libraries, then it's going to take—. Commissioner Odell said, to maintain the status quo it's not. Commissioner Rivers said, no, not to maintain, but I'm not talking about maintaining the status quo. If we are successful in—, but we are going to be successful in keeping them open, they need to be upgraded. Commissioner Odell said, oh, I understand. Commissioner Rivers said, the materials in there are not even—. Commissioner Odell said, that's what—. Ms. Lloyd said, I just want to say, think about our future, the children.

Chairman Hair said, thank you very much. All right, let's move on. Next, anybody that would like to appear before us on the public hearing on the '99 budget, the proposed '99 budget. Anybody at all. Okay, again, not hearing anyone else, then I'll close the public hearing. Commissioner Rivers said, speak now or forever hold your peace. Chairman Hair said, and we will proceed with the agenda. Okay, thank all of you who have spoken. We appreciate very much your comments.

ACTION OF THE BOARD:

Public hearing. No action of the board is required.

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4. BOARD CONSIDERATION OF CHANGES TO IDLE SPEED ONLY ZONES AT CAUSTON BLUFF AND COFFEE BLUFF. [DISTRICTS ~~3~~ 6 AND 4.]

Chairman Hair asked, Russ [Abolt], are you going to give us a briefing on that?

County Manager Abolt said, very quickly. Probably Commissioner Murray is even more familiar than staff is about it. There was a special committee formed many months ago, headed by Commissioner Murray and Senator Eric Johnson and others, looking at what the County and others had done, including DNR, by the way of idle speed imposition. In fine tuning, if you will, by essentially that same committee, they came up with certain revisions. We have them before you. There is no particular problem other than staff assuring the funds are there to make the modifications, but staff does bring it to your attention. That's why it's Board consideration. There is an idle speed only corridor along the Wilmington River as it approaches the Bascule Bridge on Islands Expressway. Causton Bluff is the adjoining subdivision. The proposal from the committee would, in effect, shorten up that idle speed only zone, which is consistent with some—, I'm told, some sound recommendations and deliberations of the committee. We bring it to your attention because many, many months ago, when options for the length of that zone were discussed, there was some fairly vocal expressions from property owners adjoining this section of the Wilmington River saying, you know, make it wide or make it long, and that would be an issue. The down side of allowing it to stay as it is, as the staff report says, if a citation is issued by the Marine Patrol, Coast Guard, DNR, whatever, for violation of the no-wake zone in that area, quite frankly, we're told it would only stick for the more restricted area, which is off on either side of the bridge.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I would like to see it removed, and the reason is this—. Chairman Hair asked, removed or shortened? Just totally removed? Commissioner Murray said, removed. Chairman Hair said, okay. Commissioner Murray said, unless there's some law that says it has to be under that bridge, and I don't know whether it is or not, but I can assure you, you go out there at night or any other time and run your boat, most people are running through there anyway. There are no docks that it effects at all. Chairman Hair said, you've got a bulkhead there. Commissioner Murray said, you've got a bulkhead on one side and then you've got a rock bulkhead—, stone, granite stone, I guess, bulkhead on the other side that goes all the way down. Even some of the residents that have moved out there have called wanting to know why we have to have that in there. You know, if somebody can tell me a good reason to have it there, then I think maybe we can look at it, but I do not support keeping that no-wake zone in that particular area.

Chairman Hair asked, could we—, Emily [Garrard], do we need to research that and leave it to see, and can we vote on that today? Do we have the legal authority to do that, to take it—? Commissioner Murray said, the way I understand it, we can recommend it, but DNR actually will give us approval to do it. County Manager Abolt said, my understanding—, I want to—, I'll give the opportunity for Emily—, Ms. Garrard to comment, but I believe what Commissioner Murray said, because it is a recommendation of DNR, is a legitimate expression. Chairman Hair said, so we would just be recommending to DNR to eliminate it. County Manager Abolt said, because what in effect you're doing, you're not going—, you're not expanding the recommendation from DNR, you're modifying it less. Chairman Hair said, okay, I'll entertain a motion.

Commissioner Price said, wait. Are we going to vote separately on the Coffee Bluff issue? Chairman Hair said, probably, if you've got a different opinion. Do you have a different opinion? Commissioner Price said, I mean, my opinion on the—, I don't want to see it removed from the Coffee Bluff area? Chairman Hair asked, do you want to see it reduced? Commissioner Price said, I want to see what staff's recommending be done. County Manager Abolt said, Causton Bluff. Commissioner Murray said, it's not removing it from Coffee Bluff. It's just—. Commissioner Price said, well, I see and Coffee Bluff, Board consideration of changes to Idle Speed Only zones at Causton Bluff and Coffee Bluff. Commissioner Murray said, read Item #2. Commissioner Price asked, what do you mean? Chairman Hair said, in your book. In your details of it. County Manager Abolt said, to exempt any vessels under 20 feet in length. Commissioner Price asked, why is Coffee Bluff mentioned here then? Chairman Hair said, it's in there. County Manager Abolt said, it's part of the committee's work, sir. Commissioner Murray said, but it's not removing it. Chairman Hair said, it's not asking to remove it as it is—. Commissioner Price said, but my point is—. Commissioner Murray said, it's doing the same thing they did by Modena. Commissioner Price said, okay, that's fine. Chairman Hair said, that's all. Commissioner Price said, which is any boats under 20 feet don't necessarily have to—. Chairman Hair said, right. That's correct. Commissioner Price said, that's fine. My point though is, just the opposite. I agree with what Frank [Murray] is saying about Causton Bluff, but just the opposite, we need to have some kind of idle zone area on the Coffee Bluff side. Chairman Hair said, yes. Commissioner Price said, which, by the way, is District 6. Chairman Hair said, okay.

Commissioner Jackel said, I was curious why it was done on the boat and not on the size of the motor. Chairman Hair said, it probably has to do with—, I'm not an expert in that area, but it probably has something to do with the wake, size of the wake would be more dependent upon the size of the vessel. Commissioner Jackel said, all I'm saying is depending upon the size of the motor, not the size of the boat. Commissioner Murray said, it's not depending on either one, it's depending upon the person running the boat. Commissioner Price said, the speed. The speed is actually what—.

Chairman Hair asked, okay, so you're in agreement that—, you're satisfied with Coffee Bluff, and—. Commissioner Price said, yes, I'm fine with it. Frank [Murray], you're satisfied with—? Commissioner Murray said, yes. Chairman Hair said, all right. Commissioner DeLoach said, second. Chairman Hair said, let's make a motion. Commissioner Saussy said, so moved. Commissioner DeLoach said, second. Chairman Hair said, second. Commissioner Jackel said, yes, I'll second it. Chairman Hair said, all those in favor say aye [sic], opposed likewise. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, that's the recommendation.

County Manager Abolt said, Mr. Chairman, we do have—, I don't want to belabor—. We did have alternatives. You make your action, now you remove it. The second action would be to officially notify the property owners of your intent to do that. Chairman Hair said, the motion is to remove it. Commissioner Price said, at Causton Bluff only. Chairman Hair said, at Causton Bluff. Coffee Bluff is—. County Manager Abolt said, apply to remove it. Chairman Hair said, right.

ACTION OF THE BOARD:

Commissioner Murray moved to approve removing the "Idle Speed Only" signs at Causton Bluff without notice to the adjacent property owners or homeowners' associations; and (2) authorized staff to implement changes made by the Department of Natural Resources to the Coffee Bluff zone to exempt vessels under 20 feet in length. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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5. REQUEST BOARD DENY REQUEST FOR TAX REFUND OF JOHN WILCHER FOR TAX YEARS 1992, 1993 AND 1994.

Chairman Hair said, Mr. Wilcher is here. If you'd like to make your presentation, sir.

Capt. John Wilcher said, good morning, Dr. Hair, Dr. Thomas and fellow Commissioners. Something disturbed me. About two months ago, three months ago, I had a conversation with my wife and she checked my homestead exemption on our house and in talking to Mr. Udinsky it had been removed in 1987 unbeknownst to me and without my permission where I had filed a homestead exemption on my house. I spoke to Tax Commissioner Powers, and he has agreed to pay me two or three years back tax refund on where I had paid it. I made a request to the County to pay me for three years back on it, which I have a lost a total of 10 years on my homestead exemption. I spoke with Ms. Garrard and she said that they were going to deny it, and I want to know why. I paid my taxes like everybody else in this County and I thought I was getting my homestead exemption and I hadn't been getting it.

Chairman Hair asked, why was it removed the first—? Capt. Wilcher said, I have no idea. Mr. Udinsky says he doesn't know why it was removed and he couldn't give me an answer. It was removed in 1987.

Commissioner Jackel said, I move that we—. Commissioner Murray asked, it was on there before that though, wasn't it? Capt. Wilcher said, yes, sir. I filed it in 1973 when I bought my home and I haven't given anybody any authority to remove my homestead exemption.

Chairman Hair asked, so the Tax Assessor couldn't give you any reason why it was removed? Capt. Wilcher said, no, sir. I spoke to Mr. Udinsky in length, and I think Ms. Garrard has several letters that Commissioner Powers and Mr. Udinsky had sent them, and I've also requested, you know, that I be returned my taxes for those years that I had filed them. I didn't do it and I didn't authorize anybody to do it. Chairman Hair asked, Ms. Garrard, why would we recommend denial? Why does staff recommend denial? Ms. Garrard said, well, first of all, it was my understanding through a conversation with Capt. Wilcher that there was some change in from your wife's name to your name. Capt. Wilcher said, there was a change that

I put my wife's name on my property. It wasn't on there, but that had nothing to do with my homestead exemption. Chairman Hair asked, does that have the same 10-year period though? Was that at the same period? Capt. Wilcher said, yes, sir. That was in 1987 when they deleted my homestead exemption.

Commissioner Odell said, Johnny [Wilcher] didn't remove himself from it. Capt. Wilcher said, no, I didn't remove myself. Commissioner Odell said, added his wife. Commissioner Thomas said, added his wife. Commissioner Odell said, removed the homestead exemption which—. Capt. Wilcher said, there's no way. Ms. Garrard said, well, I think it—. Commissioner Jackel said, well, I want to make the motion that we approve the refund. Commissioner Murray said, I second it.

Ms. Garrard asked, could I comment? Chairman Hair said, certainly, you can comment. Ms. Garrard said, because we prepared the staff report. I think it was—, based on what I understand from the Tax Assessor's office, it was an inadvertent error, but I just wanted to make you mindful of what the statute says regarding requests for refunds. They have given him a refund for tax years, 1995, 1996 and 1997, and they've corrected their records for 1998, but there is a three-year statute of limitations period, and that's the reason why only those particular years could be refunded. Chairman Hair asked, so you're saying legally we can't refund these three years? Ms. Garrard said, that's what the statute says. Commissioner Murray said, they've already refunded him three years.

Commissioner Price said, provided—, it says, let me read, provided that in disputed cases where there is no obvious error. There's an obvious error here. Commissioner Thomas said, there was an error. Ms. Garrard said, but this is talking about—, the statute talks about when a refund is made to the County governing authority or when there's an obvious clerical error. When there was an obvious clerical error, the Tax Assessor's office had the authority to go ahead and take care of it for the three-year period. It doesn't authorize you to go beyond the three-year period; however, other—, you have in the past, regardless of that, gone ahead and granted the refund. It is for an amount of \$507. Commissioner Odell said, it doesn't say that we can't do it. Chairman Hair asked, how much? Ms. Garrard said, it's \$507.97 for those particular—.

Capt. Wilcher said, my question in point is, if I didn't pay my taxes y'all would foreclose on my property. I filed for my homestead exemption, I paid that to have my homestead exemption, and I did not get it. I don't—, the law is immaterial to me. Y'all have done in the past with people and everything else, and I think I should be granted my money where I had filed my homestead exemption. I didn't take it off of there.

Chairman Hair said, I just think that we—, why should we punish you for a mistake that was made? [Unintelligible comments were made when several Commissioners began speaking at the same time.] Chairman Hair said, we have a motion and a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes. Thank you, Captain.

ACTION OF THE BOARD:

Commissioner Jackel moved to approve a refund to Mr. John Wilcher, 19 Chippewa Drive, Savannah, Georgia 31406, in the amount of \$507.97 for tax years 1992, 1993 and 1994, based on an error in the removal of the homestead exemption on his residence. Commissioner Murray seconded the motion and it carried unanimously.

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6. INFORMATION REGARDING THOMAS AVENUE LANDFILL CONSENT ORDER.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, this is work in process. We have had an initial hearing with the EPD staff and it was very productive. We have a draft of the consent order. There are still some additional fine tuning that the County staff feels has to be done. We'll come back to you at your next meeting on this.

Chairman Hair said, okay. Thank you.

ACTION OF THE BOARD:

Received as information.

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7. 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.

- **CHILD SUPPORT ENFORCEMENT - CHILD SUPPORT SPECIALIST I (ONE POSITION)**
- **SHERIFF - CLERICAL ASSISTANT III (TWO POSITIONS)**
- **CLERK OF SUPERIOR COURT - DEPUTY COURT CLERK I (ONE POSITION)**
- **DISTRICT ATTORNEY - CRIMINAL INVESTIGATOR I (ONE POSITION)**
- **SUPERIOR COURT JUDICIARY - ASSISTANT JURY MANAGER (ONE POSITION)**
- **PUBLIC WORKS DEPARTMENT - ADMINISTRATIVE ASSISTANT IV (ONE POSITION); EQUIPMENT OPERATOR II (TWO POSITIONS)**

Chairman Hair said, the Chair will entertain a motion. Commissioner Odell said, so moved. Chairman Hair asked, 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, 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 six to two. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes. Commissioner DeLoach said, uh, oh. Chairman Hair said, Ben [Price]. You've got a new—, you're gradually wearing us—. Commissioner Murray asked, is this a merry Christmas or what? Chairman Hair said, Frank [Murray], you're gradually wearing us down, you know. Commissioner Murray said, maybe by the year 2020 it might work. Chairman Hair said, in another eight or ten years you might have five votes.

ACTION OF THE BOARD:

Commissioner Odell moved to approve waiver of the 90-day hiring freeze and authorize the Human Resources to advertise the following positions: Child Support Enforcement, Child Support Specialist I (one position); Sheriff , Clerical Assistant III (two positions); Clerk of Superior Court, Deputy Court Clerk I (one position); District Attorney, Criminal Investigator I (one position); Superior Court Judiciary - Assistant Jury Manager (one position); Public Works Department, Administrative Assistant IV (one position); Equipment Operator II (two positions). Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Saussy, 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 six to two. [NOTE: Commissioner Rivers 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, that takes us to the Action Calendar. We—, staff, we will pull Item #5 will not be in it and also 9-C. We're pulling 9-C and 5, not to vote on, but staff's pulling those. Commissioner Jackel, do you want to pull any? Commissioner Jackel said, yes, I had Item I—. Chairman Hair said, you know, I'm psychic, you know, I'm just—. I'm a prophet. Commissioner Jackel said, Item L and M. Chairman Hair said, L and M. Okay.

Commissioner Price said, I move for approval of the balance of the agenda. Commissioner Saussy said, second. Commissioner Thomas said, second. Chairman Hair said, 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 that the Action Calendar be approved in its entirety with the exception of Items 5, 9-C, 9-I, 9-L and 9-M. Commissioners Saussy and Thomas seconded the motion and it carried unanimously.

[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 NOVEMBER 20, 1998, AS MAILED.

ACTION OF THE BOARD:

Commissioner Price moved to approve the minutes of the regular meeting on November 20, 1998, as mailed. Commissioners Saussy and Thomas seconded the motion and it carried unanimously.

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD NOVEMBER 11 THROUGH NOVEMBER 23, 1998.

ACTION OF THE BOARD:

Commissioner Price moved that the Finance Director is authorized to pay claims for the period November 11, 1998, through November 23, 1998, in the amount of \$4,069,589. Commissioners Saussy and Thomas seconded the motion and it carried unanimously.

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- 3. **REQUEST BOARD APPROVE REQUEST FROM JAMES AND DIANA WELCH FOR THE COUNTY TO DECLARE A PORTION OF UNOPENED HANCOCK STREET RIGHT-OF-WAY AS SURPLUS AND QUIT CLAIM THE PROPERTY TO THEM.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve the request from James and Diana Welch for the County to declare a portion of unopened Hancock Street right-of-way as surplus and quitclaim the property to them. Commissioners Saussy and Thomas seconded the motion and it carried unanimously.

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- 4. **REQUEST BOARD ADOPT A RESOLUTION AUTHORIZING THE EXERCISE OF EMINENT DOMAIN POWER FOR CHATHAM COUNTY'S 1998-2003 SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) DRAINAGE CAPITAL IMPROVEMENT PROGRAM.
[ALL DISTRICTS.]**

ACTION OF THE BOARD:

Commissioner Price moved to adopt a resolution authorizing the exercise of eminent domain power for Chatham County's 1998-2003 Special Purpose Local Option Sales Tax (SPLOST) Drainage Capital Improvement Program. Commissioners Saussy and Thomas seconded the motion and it carried unanimously.

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- 5. **REQUEST BOARD APPROVE AN AGREEMENT WITH ROBERT MELVIN CHANNELL DOING BUSINESS AS ISLAND OF MARSH PLAZA TO CONSTRUCT A FORCE MAIN FROM THE PROPERTY LINE AT MARSH PLAZA TO THE POINT OF DISCHARGE AT THE COUNTY SANITARY SEWER SYSTEM AT WINTERBERRY SUBDIVISION.
[DISTRICTS 1 AND 3.]**

Chairman Hair said that Item 5 has been pulled by staff and is not to be considered at this meeting.

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- 6. **REQUEST BOARD APPROVE AN AGREEMENT WITH THE CITY OF SAVANNAH FOR AN AMOUNT NOT TO EXCEED \$350,000 FOR RELOCATION OF TWO GOLF HOLES AT THE BACON PARK GOLF COURSE NEEDED FOR THE CONSTRUCTION OF TRUMAN PARKWAY, PHASE III, AND TRANSFER THE NECESSARY FUNDS FROM SPLOST 1985-1993 CONTINGENCY.
[DISTRICTS 1 AND 3.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve an agreement with the City of Savannah for an amount not to exceed \$350,000 for relocation of two golf holes at the Bacon Park Golf Course needed for the construction of Truman Parkway, Phase III, and transfer the necessary funds from SPLOST 1985-1993 Contingency. Commissioners Saussy and Thomas seconded the motion and it carried unanimously.

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- 7. **REQUEST BOARD AUTHORIZE THE CHAIRMAN, COUNTY ATTORNEY, CLERK OF COMMISSION AND COUNTY ENGINEER TO SIGN ANY REQUIRED DOCUMENTS NECESSARY FOR OBTAINING AN APPROVED APPLICATION FOR FLASHING SCHOOL BEACON TRAFFIC SIGNALS AND, IF NECESSARY, SECURE AND EXECUTE A COUNTY CONTRACT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE AND INSTALLATION OF THE SCHOOL BEACONS ON SR 25/US 17 AT SOUTHWEST CHATHAM MIDDLE SCHOOL.
[DISTRICT 6.]**

ACTION OF THE BOARD:

Commissioner Price moved to authorize the Chairman, County Attorney, Clerk of Commission and County Engineer to sign any required documents necessary for obtaining an approved application for flashing school beacon traffic signals and, if necessary, secure and execute a County Contract with the Georgia Department of Transportation for the purchase and

installation of the school beacons on SR 25/US 17 at Southwest Chatham Middle School. Commissioners Saussy and Thomas seconded the motion and it carried unanimously.

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8. REQUEST BOARD APPROVE EARLY ACQUISITION REQUEST FOR PROPERTY OWNED BY MR. ROBERT PEIRCE, 12305 WHITE BLUFF ROAD, TRUMAN PARKWAY, PHASE V. [DISTRICT 1.]

ACTION OF THE BOARD:

Commissioner Price moved to approve the request for early acquisition of property owned by Mr. Robert Peirce, 12305 White Bluff Road, Truman Parkway, Phase V. Commissioners Saussy and Thomas seconded the motion and it carried unanimously.

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9. 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.)

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Reject proposal received to provide disaster recovery	Finance	N/A	N/A	N/A
B. First renewal option to annual contract to provide janitorial service to the Juvenile Justice Center and the Administrative Annex	Building Maintenance and Operations	Quality Cleaning Contractors	\$53,475	General Fund/M & O - Building Maintenance and Operations
C. Final renewal option to annual contract to provide woodchipping and disaster-related wood disposal	Solid Waste	Landers Wood Waste Recycling	•Woodchipping \$11 per ton, 20 tons per hour •Disaster Recovery \$14.50 per ton, 20 tons per hour	Solid Waste Management Fund
D. First renewal option to annual contract to provide various inmate supply items	Detention Center	•Bob Barker Company •I.C.S. Company •Acme Textile Company •Paul Dubin Company	Same pricing, terms and conditions	General Fund/M & O - Detention Center
E. Change Order No. 4 to annual contract for lawn care service, to increase scope of services to include the Tag Office located on Hodgson Memorial Drive	Tax Commissioner	Charlie's Lawn Care (MBE)	\$40 weekly cost	•General Fund/M & O - Building Maintenance and Operations •General Fund/M & O - Tax Commissioner
F. Differential global positioning system	Mosquito Control	Wag Corporation (sole source)	\$12,620	General Fund/M & O - Mosquito Control
G. Change Order No. 1 to the contract for the construction of Burroughs Community Park for additional play equipment and site clearing	Recreation	Sandhill ALS Construction (MBE)	\$1,670	1998 CIP M & O - Contingency (pending transfer)
H. Confirmation of Change Order No. 1 to the annual contract for portable toilet rental to increase service from 3 to 5 days at Lake Mayer	Recreation	Waste Management of Savannah	\$104.66/month	General Fund/M & O - Recreation
I. Change Order No. 2 to the contract for renovations, for additional renovation services at the West Broad Street YMCA	SPLOST	C. E. Hall Construction	\$15,738	SPLOST (1993-1998) - Contingency (pending Board approval)

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
J. Change Order No. 1 to the contract for excavation of the lake at Triplett Park, for additional excavation of 2,060 cubic yards	SPLOST	Clifton Construction (WBE)	\$7,210	SPLOST (1993-1998) - Triplett Park
K. Annual contract, with renewal options for two additional one-year terms, for pager service	Various	Pro-Page, Inc.	Varies	•SSD - Various •General Fund/M & O - Various
L. One (1) full-size pick-up truck	Police	J. C. Lewis Ford	\$20,550	General Fund/M & O - Marine Patrol
M. One (1) 15 passenger van	Police	Bobby Jones Ford	\$22,340	SSD - Police

Items 9-A through 9-M, except 9-C, 9-L and 9-M

Commissioner Price moved to approve Items 9-A through 9-M, except Items 9-C, 9-L and 9-M. Commissioners Saussy and Thomas seconded the motion and it carried unanimously.

Item 9-C

Chairman Hair said that Item 9-C has been pulled by staff and is not to be considered at this meeting.

Item I

CHANGE ORDER NO. 2 TO THE CONTRACT FOR RENOVATIONS, FOR ADDITIONAL RENOVATION SERVICES AT THE WEST BROAD STREET YMCA, SPLOST, C. E. HALL CONSTRUCTION, \$15,738, SPLOST (1993-1998), CONTINGENCY (PENDING BOARD APPROVAL).

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I'm concerned about the—, the original contract was for \$178,000. Change Order No. 1 was for almost \$80,000. Change Order No. 2 is for \$15,000 [sic]. The percentages of the change orders are just so extraordinary. I need to know why.

Mr. George Lynch said, all right, sir. The—, it was bid in, and we've already accomplished, Phase One. That's occupied and finished. At the advise of the architect, which was, we think, very good advise, we broke down into basic and then add all's so that we were going to be able to get as much done as humanly possible instead of coming up with something that might be a budget buster or to have it in a situation where we were not able to accomplish the essential work. What we're asking for in this particular case is a net, and this has already been approved under the Action Calendar when Barry Brown was up and contributed, in terms of a net increase. We're coming up with about a \$22,000-\$23,000 increase in this case. Now when you look at the change order, bear in mind that applies only to the general contractor. That's the reason that you see a lesser amount. You're aware of our in-house general contractor, who is busily doing some of the more expensive work, about 45% cheaper than we could have gotten it done on the outside.

Chairman Hair asked, does that answer your question? Commissioner Jackel said, that answers my question. Chairman Hair said, I'll entertain a motion. Commissioner Price said, move for approval. Commissioner Odell said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

Item L

ONE (1) FULL-SIZE PICK-UP TRUCK, POLICE, J. C. LEWIS FORD, \$20,550, GENERAL FUND/M&O - MARINE PATROL.

Commissioner Jackel said, I wanted just to make a brief comment again about how well this local preference is working for our merchants that we almost—, if we weren't operating under this, this preference, one of our local merchants would have missed out on a sale for almost virtually no money difference, and now through Item L and M now that we have this local preference, our local merchants are benefitting from this. Chairman Hair said, well, M is not local. I asked questions about that myself in the agenda review. M is not local. That's a—. Commissioner Jackel said, right. You're right, L. Okay, so let's—, I would move to approve L at this time. Chairman Hair said, all right. Do I have second? Commissioner Saussy said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously.

Item M

ONE (1) 15-PASSENGER VAN, POLICE, BOBBY JONES FORD, \$22,340, SSD - POLICE.

Commissioner Price said, talk to us, George [Lynch].

Mr. George Lynch said, okay. The low local bidder was given the option of matching the bid. Chairman Hair said, chose not to match it. Commissioner Jackel said, that is still a good position for us to be in. Mr. Lynch said, sure. Commissioner Jackel said, they had that opportunity to match it and they chose not to. So the policy's working excellent. Chairman Hair said, absolutely.

Commissioner Price said, I move to approve. Commissioner Saussy said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion passed unanimously. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

- 1. Commissioner Price moved to approve Items 9-A through 9-K, except Items 9-C, 9-L and 9-M. Commissioners Saussy and Thomas seconded the motion and it carried unanimously.
- 2. Item 9-C was removed from the agenda by staff.
- 3. Commissioner Price moved to approve Item 9-I. Commissioner Odell seconded the motion and it carried unanimously.
- 4. Commissioner Jackel moved to approve Item 9-L. Commissioner Saussy seconded the motion and it carried unanimously.
- 5. Commissioner Price moved to approve Item 9-M. Commissioner Saussy seconded the motion and it carried unanimously.

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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.

- 1. **PETITIONER, PHILLIP R. MCCORKLE, AGENT (FOR MULTIPLE OWNERSHIP), IS REQUESTING THAT A 12.9 ACRE TRACT WITHIN THE 634 ACRE HENDERSON GOLF COMMUNITY BE REZONED FROM A PUD-C CLASSIFICATION TO A P-B CLASSIFICATION TO ALLOW A MANUFACTURED HOME SALES LOT. THE MPC RECOMMENDED THAT THE PETITIONER'S REQUEST BE DENIED.
 MPC FILE NO. 98-12381-C
 [DISTRICT 7]**

ACTION OF THE BOARD:

Read into the record as first reading.

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- 2. **AMEND THE LAND DISTURBING ACTIVITIES ORDINANCE (LLDAO) FEE SCHEDULE.**

ACTION OF THE BOARD:

Read into the record as first reading.

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XII. SECOND READINGS

- 1. **PETITIONER, CLIFTON L. KENNEDY, AGENT (FOR SCOTT HUDGENS COMPANIES, OWNER) IS REQUESTING THAT AN 11.62 ACRE TRACT OF LAND LOCATED ADJACENT TO THE HENDERSON GOLF COURSE PUD-C DEVELOPMENT EAST OF I-95, BE REZONED FROM P-B-C (PLANNED COMMUNITY-BUSINESS) TO A PUD-M (PLANNED UNIT DEVELOPMENT-MULTI-FAMILY) CLASSIFICATION IN ORDER TO EXTEND A MULTI-FAMILY DEVELOPMENT FROM THE HENDERSON TRACT. THE MPC RECOMMENDED THAT THE PETITIONER'S REQUEST TO ESTABLISH A PUD-M CLASSIFICATION BE DENIED. IT IS FURTHER RECOMMENDED THAT THE PETITIONED PROPERTY BE REZONED PUD-C AND INCLUDED WITHIN THE ADJOINING HENDERSON PUD-C MASTER PLAN.
 MPC FILE NO. 98-12354-C**

[DISTRICT 7]

Commissioner DeLoach said, I move for approval. Commissioners Price and Thomas said, second. Chairman Hair said, motion and second.

Mr. Bill Saxman said, there's one other issue I want to bring up. I noticed when I was reviewing this this morning, there was a second recommendation to rezone properties that are apparently within the PUD-C, which would be north of the properties that were petitioned on this petition, and the Planning Commission recommended that that be taken out of the PUD-C and put in a P-B-C. It was in the legal description, but it's not in our recommendation. I just wanted to make sure you're aware of that discrepancy in our report here, and I take responsibility for that not showing on the map.

Chairman Hair asked, would that include—, increase the size of the—? Mr. Saxman said, it would reduce the size of the PUD-C by approximately 2.4 acres. It's sort of a peninsular that sticks out from this portion of the property—. Chairman Hair said, so it would be 13-1/2 acres instead of 11.62? Mr. Saxman said, no, sir. This is—, right. This is an 11-point area, but we did not mention in our staff recommendation that this property also be rezoned from the PUD-C back to the P-B-C classification. Chairman Hair asked, was that included in the first reading of this motion? Commissioner Saussy said, no. Mr. Saxman said, it was—. Chairman Hair said, if it was not we can't do it, we'd have to go back to the first reading because we can't add it at the second reading. Mr. Saxman said, if it's in the legal description, it went out in the newspaper and all, but I don't think it was actually read on the agenda. Chairman Hair said, then we'll have to redo it as a first reading. Mr. Saxman said, okay. Chairman Hair said, we can't legally—. Emily [Garrard], am I right? I don't—. Mr. Saxman said, I just want to make sure—. Ms. Garrard said, if it was advertised—. Commissioner Price said, if it was advertised. Ms. Garrard said, I believe it's all right. Chairman Hair asked, even if we don't have a first reading on it? Well, not on that portion though. We didn't have a first reading on that portion. Mr. Saxman said, I just wanted to make sure y'all are aware of that to make sure. Chairman Hair said, it's up to the lawyer. Whatever you say, Emily [Garrard].

Ms. Garrard asked, did the ad—, the ad was for a first reading, wasn't it? Mr. Saxman said, there is a legal description in the newspaper showing the actual metes, bounds and the description of the property. Chairman Hair asked, and that was for first reading? Mr. Saxman said, what was on your agenda I'm not really sure. I don't think—. Chairman Hair said, no, the legal ad. What did the legal ad say? Did it include this piece? Mr. Saxman said, yes, sir. Chairman Hair said, okay, well, that should clarify it. Ms. Garrard said, I think it's okay.

Chairman Hair said, we have a motion and a second—. Commissioner Price said, call for the vote. Chairman Hair said, all right. We have a motion and a second to approve. All those in favor of approval vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner DeLoach moved to **deny** the request of petitioner, Clifton L. Kennedy, Agent (for Scott Hudgens Companies, Owner), requesting that an 11.62 acre tract of land located adjacent to the Henderson Golf Course PUD-C Development east of I-95, be rezoned from P-B-C (Planned-Community-Business) to a PUD-M (Planned Unit Development-Multi-Family) classification in order to extend a multi-family development from the Henderson Tract, but **approve** the recommendation of the MPC that the petitioned property be rezoned PUD-C and included within the adjoining Henderson PUD-C Master Plan. Commissioner Price 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. UPDATE ON THE BURROUGHS COMMUNITY NEIGHBORHOOD PARK.

County Manager Abolt said, Mr. Chairman, just one moment on information. Big doings coming forward. The Parks Department is part of this and, of course, a lot of it has to do with your Special Purpose Local Option Sales Tax, but there will be a ribbon-cutting on Saturday, the 12th of December at 11:00 a.m., for the Burroughs Community Park, and then one week later, on the 19th of December, a Saturday, at the same time, Runaway Point Park opening.

Chairman Hair asked, on the 12th you've got one? County Manager Abolt said, the 12th and then the 19th. Commissioner Odell asked, what about December 9th at [inaudible]. County Manager Abolt said, well, these are openings. The invitations have already gone out on that. Yes, sir, that's Wednesday. Chairman Hair said, I'm out of town that Saturday on the Burroughs. I'll miss it because I'm going to be out of town on vacation.

ACTION OF THE BOARD:

Report received as information.

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4. UPDATE ON THE RUNAWAY POINT COMMUNITY PARK.

ACTION OF THE BOARD:

Report received as information.

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5. UPDATE ON MERGER OF INSPECTIONS DEPARTMENTS

ACTION OF THE BOARD:

Report received as information.

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6. STATUS OF HENDERSON GOLF COURSE MANAGEMENT CONTRACT.

Commissioner Price asked, would you verbally tell us about the status of the Management Agreement for Henderson Golf Course?

County Manager Abolt said, what Mr. Monahan has said that we've got it with our—, yes, with our bond counsel. We're looking at having something in the Spring of the year. We were trying to do something that bond counsel said we could not do from a legal standpoint, and that has to do with assuming certain benefits afforded to contractors.

ACTION OF THE BOARD:

Report received as information.

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PERSONAL PRIVILEGE - COMMISSIONER MURRAY

Commissioner Murray asked, Russ [Abolt], what is the delay—, I know we had the groundbreaking, for the community center down on Whitmarsh? What is the hold-up on getting that project started? County Manager Abolt said, I'll defer to Greg [Anderson]. Commissioner Murray said, I understood that something just went to MPC on it. County Manager Abolt said, just the master plan.

Mr. Gregori Anderson said, that's correct. That particular project is within a planned zoning district, so the master plan had to be approved by the MPC, and that was done this week. I talked with the architect and we expect to see ground moving out there on the site within 30 days.

Commissioner Murray asked, well, why was there such a delay from the groundbreaking of that. We'd already decided on the contractor, the architect and everything. Mr. Anderson said, certainly, the groundbreaking we try to have as quickly as possible once we identify who the contractor—. Commissioner Murray said, well, I just like to see construction start as quickly as possible after the groundbreaking. Mr. Anderson said, yes.

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PERSONAL PRIVILEGE - COMMISSIONER PRICE

Commissioner Price said, going back to the issue of the pier and the band shell and all that—. Commissioner Odell said, oh, no. Commissioner Price said, we require—, no, real quick now. Capt. Wilcher brought this to my attention and I thought it was very important. Getting into identifying the costs associated with the events and whatever—, who's going to cover those costs, how is it currently done as far as security? For instance, whenever we have—, we have to have police officers present at some of these events. Who currently pays for the officers to be at these events? Is that a cost incurred by the—, those who are asking for the use of these facilities, or is that a cost—? Commissioner Murray said, aren't those off-duty officers and they pay them [inaudible]?

County Manager Abolt said, sir, I'm—, I'll defer to Mr. Golden or Mr. Lynch. I'm not aware of, as a matter of SOP that we have police officers there. We do have security provided by what amounts to a custodial type service. Chairman Hair asked, George [Lynch], do you want to address that quickly?

Mr. George Lynch said, if it's a private party and it is sizeable, then there is a requirement in the contract that they execute with Parks and Rec to provide security. Up until I guess about June of this year, there was a view you could not use at a Chatham County facility off-duty Chatham County cops. The reason was that it was feared that it would create the impression that we were causing them to work for a lesser amount than they get when they're on duty. The Bureau of Labor has gone ahead and clarified we can now use them. The payment is made, say, you want to have a party at the swimming pool, Aquatic Center. That cost is defrayed by the individual who is the sponsor of the party.

Commissioner Price said, that was my main point, and I wanted to make sure that if that's part of the cost that we're trying to look at and identify, then—. County Manager Abolt said, no, sir. Commissioner Price said, any security needs should be paid by those who are using it.

Mr. Jim Golden said, it's the same thing we do with the use of the stadium. Commissioner Price said, okay. Mr. Golden said, police is contact [sic]. The users determine the police, how many—. Commissioner Price said, okay. Mr. Golden said, people they need.

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PERSONAL PRIVILEGE - COMMISSIONER SAUSSY

Commissioner Saussy said, I got a letter the other day from a person who was talking about the parking on Sallie Mood Drive during all these things that we have down there. There really isn't not enough parking there, and they got tickets and so forth, and these are a lot of out-of-town people that don't know about this. Jim [Golden], can you—.

County Manager Abolt said, let me respond to it. I did give you a written update on that a couple of days ago. As you know, many months ago, and I believe the Chairman was the one that brought it to our attention first. There was almost a very serious accident out there. A youngster had a leg broken by an automobile crossing Sallie Mood. We mobilized and met with the City of Savannah. We were about doing several things, not the least of which, and we just got approval for using SPLOST money, and we'll come back to you on the 18th with putting more off-street parking by using gravel. We're going to address that and hopefully also be able to address some of the concerns at the Health Department. That will add to it. I know you all remember, because you led the charge, shortly after the Soccer Complex was built we had one parking lot and you doubled the size of it. We truly are, as I mentioned in my memorandum to you, kind of the victim of our own success. It truly is the hub of activity. The police officers have responded. Correspondence—, and the Chief can deal more directly with it, but there were some serious problems with parking, and the issue that again the Chairman brought to our attention involving that young person, there was a darting across the street. So in addition to speed enforcement, they were trying to eliminate those continuation of sight obstructions. Certainly, we'll try to do better as we can, but we also have to realize this is a very popular part of the County.

Chairman Hair said, Commissioner Murray and then we'll go to Executive Session.

Commissioner Murray said, what that brings up is something I've asked about for years, and we've still—, we've got the same problem with the renovations to the library right now, the parking, and had that been a private company that went in and built those fields, they would have been required to have had more parking spaces anyway. Why should we exempt ourselves from that? We shouldn't, yet we do it all the time. I just—, I have a real problem that we've got ordinances in place for a certain size or type buildings or facilities that require X-amount of parking, then we should meet that same requirement. We should—, and that's what has got us in trouble with that out there right now. We didn't meet the requirements that we set in place.

Chairman Hair said, okay, that is a good point. Commissioner Thomas said, very good point.

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EXECUTIVE SESSION

Commissioner Rivers moved that the Board go into Executive Session for the purpose of discussing litigation. Commissioners Price and Thomas seconded the motion and it carried unanimously.

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ADJOURNMENT

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at approximately 11:15 a.m.

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APPROVED: THIS _____ DAY OF _____, 1998

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

SYBIL E. TILLMAN, COUNTY CLERK