

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON APRIL 9,1999, 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, April 9,1999.

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II. INVOCATION

Commissioner Thomas introduced The Rev. Lexcie E. Aiken, Pastor, St. Lukes Baptist Church, Incorporated, who 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.

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| 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 Harris Odell, Jr., District Five Ben Price, District Six Eddie W. DeLoach, District Seven |
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| ABSENT: | Martin S. Jackel, District Three |
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| IN ATTENDANCE: | Russ Abolt, County Manager R. Jonathan Hart, County Attorney Sybil E. Tillman, County Clerk |
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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. PROCLAMATION FOR NATIONAL BUILDING SAFETY WEEK, APRIL 4-10, 1999.

Chairman Hair said, we have two proclamations to present this morning. We have first the proclamation for National Building Safety Week. Do we have someone who is going to —? Oh, Greg [Anderson] is going to receive it.

Chairman Hair read the following proclamation into the record:

Mr. Gregori Anderson said, thank you.

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2. PROCLAMATION FOR EARTH CELEBRATION '99.

Chairman Hair said, our next proclamation deals with Earth Day.

Chairman Hair read the following proclamation into the record:

An unidentified female received the proclamation and invited everyone to attend the various activities in connection with Earth Celebration.

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VI. CHAIRMAN'S ITEMS

1. TYBEE BEACH RENOURISHMENT (BILL FARMER AND COL. SCHMITT).

Chairman Hair said, we have a number of representatives here this morning. We have the Mayor with us and we also have a representative of the Corps of Engineers here. We had a meeting yesterday, Commissioner Murray and myself and a number of folks to try to solve an issue that is very, very important to Tybee Island and to Chatham County, and it deals with the County's portion of the funding for the beach renourishment project. We have looked at all kinds of alternatives and I'd like to propose to the Commission this morning one potential alternative that I think is a very good one and I think that will keep this project moving forward and not cause us to jeopardize the \$4,000,000 in federal money. I'm going to ask the attorney, since he was involved in these meetings, to present a scenario that I would like to present to the Commission for consideration.

County Attorney Hart said, when the last one percent sales tax was passed it was a little bit different in resolution form than the other previous sales taxes. Basically it had four categories of items, the first of that being we're going to do something about drainage and it designated a specific source of funds, and then it listed in the second category a very specific source of funds for various road projects. The third category was for greenway space, and then there was a fourth category in which the various cities in the County —, the cities put together a list of things that they wanted to do. The primary focus of that resolution was to take care of drainage and roads. At the time, the City of Tybee listed those things in category one that they wanted to do and they listed a number of specific road projects. In addition to that, they also listed as part of their drainage program a beach renourishment program, and we have designated out of that first tier approximately \$3,000,000 to Tybee over a period of time. Right now we are spending money at a rate almost at the rate we're collecting it because we have so many drainage programs underway and so many road programs underway under that one percent sales tax, so there's sort of a cash flow situation there. But from a practical standpoint, if a policy decision was made by this Commission, they could loan out of the SPLOST funds under category one, and category one only because we know we're going to collect those funds and pay for those projects, a million dollars to the City of Tybee. Now the way the distribution of SPLOST funds are estimated is that during this calendar year they will collect approximately \$600,000 out of SPLOST anyway. Next year they'll collect another \$600,000 towards that \$3,000,000 allocation. The problem is we don't have the million dollars in that budget right now. We'd have to collect it next month and immediately turn that over to Tybee as sort of an advance fund to them under category one, and we'd have to do that through an intergovernmental agreement. I'm not —, I don't know the details of that, but we have an awful lot of projects moving along in the County, which would make some shortfall in being able to pursue those other projects within the County. I think the County Engineer can speak to that subject a little bit better than I can, but we have loaned SPLOST funds when we have the availability to advance fund another SPLOST project and save money and from which there is a source of repayment. In other words, there's a guarantee back to the County that the County's not going to not get paid. For example, a while back we did something —, offered to do something very similar to Pooler although it was a different scenario and a different situation dealing with roads, but there was a promise by the city at that time not to come back and ask for any forgiveness of debt and there was a source of funds to guarantee the repayment. So you have that option available to you. We would have to do it under an intergovernmental agreement and we'd have to charge intergovernmental loan rate for doing that —. Chairman Hair said, fair market value. County Attorney Hart said, yes, and then the City of Tybee would have to make its decisions, which is their decision because the way this thing was set up, we were going to give them a sum of money, they had a list of projects that they wanted to do and then they were going to spend the money on those projects as how they saw fit. Now if we gave them a million dollars today, which would be an advance of what they would normally accrue under that SPLOST payout, they're going to have to make some decisions at the city level of what projects get funded and what projects don't, but that is not —, you know, that's obviously a problem their elected body needs to deal with.

Chairman Hair said, they make that decision anyway. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, that's on —, they would just have to make the decision of which projects might be put back a little bit. Chairman Hair said, right. Commissioner Murray said, but as long as that money's put back and paid back with interest, as you said, then they would still have all the money to do the projects with and it would also not jeopardize the \$4,000,000 of federal funds.

County Attorney Hart said, and there's a category of four —, the fourth category down there was a list under the resolution of things that if there was enough collections of SPLOST, these are the other projects that we would like to do, and one of those items was a million dollars to Tybee for beach renourishment under category four. The problem is we have got to fund the first three categories before we get to any of category four projects, and nobody, not any city, not even the County, knows whether there will be enough money to fund all those category four, and I don't think we can —. Chairman Hair said, but the \$600,000 is out of category one, which we know is going to be there. So that's important.

Commissioner Murray said, so what you're saying then is they would be borrowing money that's going to be theirs anyway at interest —. Chairman Hair said, correct. Commissioner Murray said, they would just be getting it in advance. County

Attorney Hart said, be getting it in advance and then when the budgetary item came due, it would be set off against the debt.

Chairman Hair said, even if they're borrowing their own money they're still going to pay an interest rate on that as well. Mayor, do you want to —? That's what I think is a workable solution and will get us off dead center here. We want to make sure that we allow you to say whatever you want to say.

Mayor Walter Parker said, well, I appreciate your revisiting this because it's important to Tybee Island. When we first started this project and we were putting the financing together, we were under the impression that we could get the million dollars from the County because we used that to leverage our state and federal funds and we felt that the County should be a partner in this project. As it stands, the city of course felt like even if it cost us \$50,000 to get that money in advance, we were willing to pay that. We didn't feel like we could pay any more than that, and we were led to believe at one time that that was possible. I'd just like to remind the Commissioners that the million dollars is so important because it means that this project is done in a fashion that will be suitable. If we don't get that, then we lose federal funding and the project will be partially done, which could be devastating. This is the biggest recreational area that Chatham County has. Sixty percent of our visitors are people from Chatham County, and I don't need to tell you how much money we've paid in as County funds from real estate, and we just feel like that there should be a —, and I appreciate the attorney's explanation of these things and how it can be done. We're willing to do anything that doesn't jeopardize the city's finances and we're willing to work with you. We want you to be a part of it, we think you should be, and we'll work and try to —, we'll have to go through our council to make sure that it's alright. If you need any detailed information, we have our City Attorney, our City Manager and also a representative from the Corps of Engineers, and they're trying to put this project together in a way that will really make it last for the next seven to ten years.

Chairman Hair recognized Commissioner Price.

Commissioner Price asked, Mayor, how much money is in jeopardy if you don't get the million dollars? I think that's what —. It hasn't necessarily been said and it needs to be said. Mayor Parker said, okay. If we don't get the million dollars from the County, we will not get over \$1.5 million from the federal government. So that means more than two and a half million dollars off of the top of the project, which means the project will suffer.

Chairman Hair said, and also too, Commissioner Price, in our meeting yesterday with Commissioner Murray and of course staff and the Mayor and City Manager, it was pointed out to us, and I have —, I presented a letter to you, we had a representative from Jack Kingston's office and Jack [Kingston] sent a letter to us basically reiterating what the Mayor just said that there were only four projects, beach renourishment projects funded nationwide last year. That's got to —, that's an area now where Congress is not really interested in, and through the efforts of Congressman Kingston they would get that in the bill, and he's saying in this letter you have in front of you that if we go beyond our deadline now, and I see the Deputy Director shaking his head out there, if we go beyond this deadline, we could —, we are really seriously jeopardizing the entire project, and I just —, I think that the solution that the attorney has outlined is a fair solution to everybody. In essence they're borrowing their own money and they're going to pay interest on their own money that they're borrowing, so I think that's a fair solution and it doesn't jeopardize the project.

Commissioner Murray said, I think to go —, I think to answer Ben's [Price] question a little bit further, if I understand it correctly from the Corps of Engineers, they're talking about two different fiscal years and if this money is not utilized and committed on this year, the U. S. fiscal year, then we stand a chance of losing all the federal money, and I think that was probably the real problem, if I'm not mistaken. They might have a comment on it.

Chairman Hair said, also —, please come forward and I'd like for you —. We have a representative, the Deputy Director from the Corps is with us, and I'll say this, the Corps has been very helpful. I met with him on last Wednesday trying to work this problem out and we have John [Saia] with us this morning, and would you like to make some —?

Mr. John Saia said, yes sir. Colonel Schmitt's sorry he couldn't make it today. He did want to be here. The project would be in jeopardy, the funding, most definitely as you indicated. I reiterate that this is one of four projects in the nation that got going; however, it required significant Congressional support to do that. Congress added funds for three consecutive years to pursue this project. We are ready to execute a project cooperation agreement with the City of Tybee based on the scope of the project that has to be defined, which requires the additional funds to achieve the benefits. This particular project has a what we call a benefit to cost ratio of eleven to one, so it's fairly significant and, as you indicated, Mayor, sixty percent of the benefits are derived based on benefits to the local community of Chatham County.

Chairman Hair said, thank you. Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, I would urge, as we did yesterday in the discussion, that the City of Tybee not be required by the federal government to come up with a million dollars this year. I feel that's important for cash flow because if we're going to loan, as I believe you're going to do, the \$600,000, we do have some cash flow problems and, as you know, we've already got commitments to the airport to advance fund the Pipemakers Canal. We're moving ahead with Placentia and Harden, and we don't want to slow any of those down. The commitment is there. It's a

solid commitment, but I don't think it's necessary for the City of Tybee to begin paying interest nor the money to be available this year for the full million dollars.

Chairman Hair said, well, they wouldn't draw it down until they needed it. I mean, we did discuss that yesterday. You would have to have —, we just have to make sure they have the amount of money they need at contract time, and we did discuss with the Corps the possibility of spreading this project out over two years, and the Deputy Director was very quick to point out that we could do that but that would cost us more money and we would get less of a project. So, we —, I think we've explored every potential alternative on this in the last week. We have had everything on the table, and I really think this is a fair solution to everybody and I think —, I urge my fellow Commissioners to move forward. Pardon?

Commissioner Price said, so for a motion —. Commissioner Murray said, so moved. Chairman Hair said, I have a motion. Do I have a second? Commissioner DeLoach said, second. Chairman Hair asked, any further discussion? Commissioner Odell said, yes. I'd like to have the motion stated. Chairman Hair said, sure. Okay, state the motion.

County Attorney Hart said, the motion needs to be made that the County Commission instruct the staff to enter into —, to prepare and enter into an intergovernmental agreement with the City of Tybee for purposes of funding out of their portion of category one SPLOST funds \$1,000,000, to be drawn down as needed in the project at the prevailing rate of interest which municipalities and counties may borrow from and a promise not to petition the County at some future date for a forgiveness of the debt. Chairman Hair said, and they would pay the fair market rate. County Attorney Hart said, pay fair market rate. Commissioner Price said, after they draw down on it.

Commissioner Murray said, I just want to ask something for clarification. You said that this year's allocation was \$600,000 for the drainage anyway, so that —, they would be receiving the \$600,000 regardless this year —. County Attorney Hart said, yes. Commissioner Murray said, so they're only talking \$400,000 that they would actually be borrowing. County Attorney Hart said, yes, but we've made —, I don't know the exact numbers, but I think we have made some payments already and I don't know whether that's still in the budget or whether there's a —. Chairman Hair said, but it would be less than the figure though. Commissioner Murray said, but there's another issue here too, and I think the figures are a little different. I think Mr. Farmer stated yesterday it was about 26 —, \$25,000 or \$26,000 left in the sales tax before, but our records indicate it was about \$40,000 something, I thought, that was still left, which could also be utilized there too if necessary. County Attorney Hart said, correct, they have the right to draw that down immediately.

Chairman Hair said, and they would certainly use that —, I'm sure before they would borrow, they would use what they've got first, but I think that's a good point, Commissioner Murray. Any further discussion? Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I just wanted to follow up on a comment maybe with the attorney. I think the cost benefits are good. If they're the eleven to one ratio as far as cost benefit, that's good. My concern and all of my concerns, it's not whether or not we do it, but when the cash would in fact be expended. Are we talking about that expenditure occurring in this fiscal year or there would be an overlapping of fiscal years? County Attorney Hart said, I don't know. I think the Corps —. Commissioner Odell asked, and my follow-up question to that would be whether or not if we made that commitment, would that be sufficient to ensure the 1.5 match with the federal government? I'm kind of isolating the financial commitment from the delivery of the cash because if we —, all we need to do is make the financial commitment, then I think there's total agreement we need to do that, we need to do that today. Do we also need to put up that cash, 1.5 —, not point —, a million dollars in this fiscal year?

Mr. Saia said, let me explain. This particular —, sir, this particular project has a rather short duration in construction period. We would complete construction in about a six-month period, so the funds would be needed rather quickly. The agreement would be scheduled to be signed some time later this month. Subsequent to that we would put out an advertisement for a contract and at that time most of the money would be —, virtually all of the money would be necessary at that time for obligation purposes. County Manager Abolt said, right. Mr. Sais said, it wouldn't be expended until later in the year, and we would complete construction —, our schedule right now is late December of this year.

Commissioner Odell said, that answers my question. Eddie [DeLoach], am I correct in saying that the eloquent statement made by our attorney —. Commissioner DeLoach said, Frank [Murray] said he's going to make that motion based on what the attorney said. Commissioner Odell asked, was that your motion?

Chairman Hair said, yes, that's the motion. Commissioner DeLoach said, yes, that's Frank's [Murray] motion. Commissioner Murray said, that's fine. Commissioner Price said, second. Chairman Hair said, and you second it. Any further discussion? All those in favor of the motion vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Jackel was not present.] Chairman Hair said, thank you. Commissioner Price said, now if we could just solve the pier problem. Chairman Hair said, we appreciate very much, Mayor, and Dr. Farmer, we appreciate y'all —, and certainly the Corps, we appreciate you folks being here. This has been a joint effort trying to solve the problem.

Commissioner Odell said, and your attorney did an excellent job. Mr. Edward Hughes said, I just sat up here. Chairman Hair said, that's the easiest money he's ever made. Mayor Parker said, thank you very much. Chairman Hair said, thank you, Mayor.

ACTION OF THE BOARD:

Commissioner Murray moved that the County Commission instruct the staff to prepare and enter into an intergovernmental agreement with the City of Tybee for purposes of funding out of their portion of Category One SPLOST Funds \$1,000,000, to be drawn down as needed in the beach renourishment project at the prevailing rate of interest which municipalities and counties may borrow from and a promise not to petition the County at some future date for a forgiveness of the debt. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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VII. COMMISSIONERS' ITEMS**1. BRANDLEWOOD PARK, \$50,000 (COMMISSIONER ODELL).**

Commissioner Jackel recognized Commissioner Odell.

Commissioner Odell said, I would ask that the head of the Brandlewood Park Association, Lorraine Williams, come to the mike, and just by way of introductory I'll say that —, oh, yes, and we need to recognize two distinguished guests here today, State Representative Dorothy Pelote and State Representative Ron Stephens, and we appreciate your being here. But back to the Brandlewood Park, when Brandlewood Park was initially developed, there was land set aside for a small community park. That developer changed, sold the property to a second developer. The second developer made the commitment or she would in fact make the commitment for the park. We have a third developer who has not agreed to the 2.5 acres for the park. Basically, I asked that this be set out for the following reasons. One is that if the County Commission is to do anything, hopefully we are to encourage family value, we're to encourage a sense of community, and a sense of community is where people who live in a cluster have a sense of togetherness. I think that for a very small expenditure of \$50,000 that we could move forward towards that in Brandlewood, and for those who do not know where Brandlewood is, it's a relatively new subdivision that's almost in Eddie DeLoach's district —. Commissioner DeLoach said, it should be in there. Commissioner Odell said, no, I can't give you that, but I'd like to have the President of our association, Ms. Lorraine Williams, to do just about a three minute outline.

Ms. Williams said, okay. Good morning, my name is Lorraine Williams and I am the President of the Brandlewood Homeowners Association, and this morning I'm here before you requesting that the County purchase a suitable piece of land for the development of the recreational area within Brandlewood. Brandlewood was established in 1985 and the original site plans for the Brandlewood Subdivision included a recreational area to encourage and enhance home sales. Fifteen years later and more than 200 children, there's no recreational area provided for the families to share time with their children and for the children to play. A sense of urgency in this matter is that the land is in high demand. The new developer continues to purchase the land and build homes. We're afraid if we don't act on this immediately, we will lose the land.

Chairman Hair asked, anybody have any questions of Commissioner Odell? Commissioner Murray said, I've got one. What does the \$50,000 cover? Is it just to purchase the land itself or —? Commissioner Odell said, right. Commissioner Murray asked, to put equipment on it? Commissioner Odell said, right. It would be up to \$50,000 for the property. I do not think that we would need the entire amount. That would be a matter which we would negotiate. It would be based upon the fair market value of the property. That would be the initial investment to acquire the property, and we're not talking long term having a center like Tatemville or a center like we have on Wilmington Island or a center like we have in David Saussy's area. Commissioner Murray said, we don't have one on Wilmington Island. Commissioner Saussy said, we don't have that yet. Commissioner Odell said, we've got \$900,000 —. Commissioner Murray said, not on Wilmington Island. That's on Whitmarsh Island. Commissioner Odell said, Whitmarsh Island. We don't have an island in our district. An island's an island to us.

Ms. Williams said, basically what we're asking is for a partnership so to speak. We do have residents in the neighborhood that are willing to participate in a partnership with the County to —, once the land is acquired, to solicit funds to be able to get equipment for the area. We are an organized homeowners association and we do have yearly association fees which would help us to do those things.

Chairman Hair said, I would just say this. You know, I'm a strong believer in community parks. We need regional parks like Lake Mayer, but we also need these small neighborhood parks like we're talking about here. I think that's very important. Chairman Hair said, Commissioner DeLoach and then Commissioner Saussy.

Commissioner Odell said, I was going to say maybe we could take the remaining balance of that \$50,000 to purchase the equipment. Commissioner Odell said, we will. Chairman Hair said, yes, if anything's left over. Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy said, I think this is a good project, but I also want to remind you that we had last time come up with —, we've been trying to get \$90,000 for Hesse Park and it got put down because the money went to the Sheriff last time. I would like to put that in the motion that this be given to Hesse School also. It's a small park out in —, off of Wheatfield, and it's been on the CIP for years. They've already raised \$11,000. Chairman Hair asked, what's the amount? Commissioner Saussy said, \$90,000. Chairman Hair said, we don't have a motion so, you know —. Chairman Hair recognized Commissioner Murray. Commissioner Murray said, let me ask a question. Commissioner Saussy said, I'd like to make that motion that both of them be put in there.

Chairman Hair said, okay we have a motion to approve \$50,000 for Brandlewood and \$90,000 for Hesse Park. Do I have a second to that motion? Commissioner Murray said, I'll second for discussion. Chairman Hair said, we have a second for discussion. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Russ [Abolt], I'm sure that Commissioner Saussy and Harris —, Commissioner Odell have both talked about the funding and where the funds would come from and the funds would be available to do this. Is this correct? County Manager Abolt said, yes sir. Commissioner Murray said, and I do remember when David [Saussy] brought his up, there was someone making a presentation and I also agree with what Commissioner Odell is doing right now. We did the same thing down at May Howard School to help with the park there and help —, of course, the Board of Education owns the property, but we allocated funds to help go in and put the equipment in and do what needed to be done, and I think this is the way the government and the private sector should work because if we work as a team together because all of these projects right now have involvement of the citizens and involvement of the Commission funding to make it work, and I would support it provided the funds are there, and I assume that that's already been —. County Manager Abolt said, for the record in the motion —.

Commissioner DeLoach asked, can I just put the point —, with that in mind, I want to add an amendment to that whenever you get to it. Commissioner Murray said, well, if it's what I think it's going to be, I might add one too. Commissioner DeLoach said, okay.

County Manager Abolt said, Mr. Chairman, Dr. Thomas and gentlemen, we have in the M&O Contingency \$420,000. I'm doing the math. It would be \$140,000 draw down, leaving you a balance in M&O Contingency of \$280,000.

Chairman Hair asked, any further discussion? Commissioner Odell said, we might want to revise that by the Commissioners because if David [Saussy] is getting \$92,000 —. Chairman Hair said, 90. Commissioner Odell asked, 90? And, you know, I came to the Commission not necessarily based upon looking at an equitable distribution of our expenditures of recreational funds by district. I know what that is and I know we've expended large sums of money, especially in David's [Saussy] district, especially in Eddie's [DeLoach] district, especially in those two districts, and this —, all of my requests have been modest requests where we tried to gain the cooperation of the community in making a reinvestment in their community and partnership with the County. Chairman Hair said, I think a consideration should be where the need is regardless of district. Commissioner Odell said, I agree. Chairman Hair said, I think it, you know, we should be funding these based on a real need for community parks and not necessarily on a district basis or how much each district's going to get. I think that would be the wrong way to go about any of this. Chairman Hair said, Commissioner DeLoach —, oh, I'm sorry, Commissioner Odell. Commissioner Odell said, no, no, I'm finished. Eddie [DeLoach] can have it.

Commissioner Rivers said, I call the question, Mr. Chairman.

Commissioner DeLoach said, on my amendment —. Commissioner Murray said, you haven't made an amendment yet. Commissioner Rivers said, hey, man, don't you [inaudible]. Commissioner Odell said, you haven't made an amendment. Commissioner DeLoach said, I'm ready to make an amendment. Let me go ahead and make the amendment. Listening to this conversation we've had up here has really warmed my heart. With the thoughts they've had in mind, and with that in mind I understand we've got —, in the process of developing a YMCA over on the west side and since the YMCA's have been funded heavily in the inner city areas and in the districts in town and all, they've got a —, they're in need, dire need of a good bit of equipment out there, but the kicker I want to put on mine is I would like to have \$75,000 but I would not want the money unless they too matched it with two-thirds of the money themselves. So the only way they would receive that \$75,000 or any portion of that would be they came in with \$150,000 [sic] of their own. Commissioner Murray asked, who's that? Commissioner DeLoach said, the YMCA on the westside where they built a new complex. Branigar has given out —, has given the land. Not only —, they've given the land and I just feel like we ought to step up to the plate and give them an opportunity to do something also. I'd appreciate y'all's consideration on that amendment.

Commissioner Murray said, I understand where you're coming from and I think that would probably be fine, but I would rather see a presentation made on it when it comes back. We've had something done on both of these already. Chairman Hair asked, can we possibly bring that back at the next meeting? Commissioner Murray said, but also I'd like to address something that Commissioner Odell said about wanting to have matching money that the other one got. Commissioner Odell said, no. Can I just clarify not —. Commissioner Murray said, well —. Commissioner Odell said, if you understood me to say that, that was not my intent. Commissioner Murray said, well, what I'm saying is that let's get the property purchased first and then when they get a plan up, come back with additional stuff and see if we can help with that, and I think

that's the way we've worked all of them in the past --. Chairman Hair said, earmark the money. Commissioner Murray said, if I'm not mistaken.

Chairman Hair asked, Commissioner DeLoach, if you would withhold yours until our next meeting, would that be —, would you agree to that? Commissioner DeLoach said, it's not necessary that y'all [inaudible] by the good graces of my Commissioners. Chairman Hair said, okay. We have a motion on the floor —. Commissioner DeLoach said, I'll withdraw my amendment. Chairman Hair said, Commissioner DeLoach withdraws his amendment. The motion on the floor with a second is Brandlewood Park \$50,000, Hesse Park \$90,000. The Chair will call for the question. All those in favor of the motion vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Jackel was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Saussy moved that the Board authorize up to \$50,000 for the purchase of land and equipment for Brandlewood Park and authorize \$90,000 for Hesse Park with funds for both projects to be taken from M&O Contingency. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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RECOGNITION OF GUESTS

Chairman Hair said, I want to thank again Representative Pelote and Representative Stephens. We appreciate y'all being with us. You guys deserve a lot of credit for passing the Stephens-Day Tax Relief Bill, and we appreciate very much y'all doing that.

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CHATHAM AREA TRANSIT AUTHORITY

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

Following 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

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

1. SKATING RINK CONFLICT (COMMISSIONER PRICE). Staff to investigate and audit non-profit corporation to determine where donations have been applied.

Chairman Hair said, it is time to take this off the table and discuss this matter. I think it's been resolved, so I'll entertain a motion to take the skating rink —. Commissioner Murray said, so moved. Chairman Hair said, off the table. Commissioner Price said, second. Chairman Hair said, second. Any discussion? All those in favor vote yes, opposed vote no. Everybody needs to vote. Commissioner Price said, one more vote. Chairman Hair said, David [Saussy], Joe [Rivers], we need to vote on taking it off the table, the skating rink. Thank you. The motion carried unanimously. [NOTE: Commissioners Jackel, DeLoach and Thomas were not present.] Chairman Hair said, I'll recognize Commissioner Price.

Commissioner Price said, staff gave us this week an audit of what we have, and I'd like staff, Russ [Abolt], if you would, somebody could present that to us verbally or briefly summarize it.

County Manager Abolt said, very simply, there were some operational procedures that had to be tightened. Quite frankly, a need for a major revision to the contract. We're looking at in fact addressing each issue that was brought to your attention about alternate sign-up sites requiring league financial transactions to be recorded in separate books, separate accounts carried for that, the possible use of a facility by non-league teams, something that Commissioner Murray brought to my attention recently, and possible involvement of a citizens advisory group in the administration of the facility used, and finally review of the insurance provisions of the contract to ensure that the contract —, the County's sovereign immunity defense is not jeopardized. That's what we'll incorporate in a revised agreement. We would ask your direction, in effect, to begin renegotiation of the contract.

Mrs. Hilda Whitaker said, y'all don't have a quorum. Commissioner Murray said, yes, we do. We don't need but five. Commissioner Price said, there's five us. Chairman Hair said, five's a quorum, Mrs. Whitaker. Commissioner Price said, go ahead, Russ [Abolt]. Chairman Hair said, it's five. Mrs. Whitaker said, I couldn't see David [Saussy].

County Manager Abolt said, if I may continue. Chairman Hair said, continue Mr. Abolt. County Manager Abolt said, thank you. If —, I might add that the firm being audited cooperated completely with us. I'm confident that Mr. White and his staff's investigation of the matter have [sic] fully revealed where the weaknesses are. I appreciate the citizen coming forward and testifying as to his experiences, but I also believe that with your direction today to allow us to renegotiate a contract, we'll be able to continue this very desirable leisure time service for our citizens.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Russ [Abolt], in those negotiations I would like to propose that they set up a board of governors to oversee the total program. I think that one of the issues that has come up is the fact that they're not being able to register teams as a team now, you're having to put names in and those people are being divided up among other teams. I really don't know the purpose in that, but most —, I don't know of any other group that does that in Chatham County under the recreational —. County Manager Abolt said, in that line, sir, and I don't want to misinterpret your statement on the board of governors, but we have asked and would like to include in the contract a citizens advisory council. The County Commission would make those appointments and you'd have that balance. Commissioner Murray said, oh, well that would be the same thing. Yes, that's fine.

Chairman Hair asked, any further discussion?

Commissioner Price said, I'd like to, unless there's other questions or discussion, I'd like to move that we accept staff's report and move forward towards a renegotiation of the contract. Commissioner DeLoach said, second. Chairman Hair said, second. Any further discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers and Jackel were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

1. Commissioner Murray moved to untable this item and place it before the Commissioners for their consideration. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioners Jackel, DeLoach and Thomas were not present.]
2. Commissioner Price moved to adopt staff's report regarding the skating rink issues conflict and that staff be authorized to develop new procedures, including the appointment of a citizens advisory group, and renegotiate the contract with Savannah Hockey and Skating Association (SHSA). Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Jackel were not present.]

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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: GENERAL FUND M & O INTRA-DEPARTMENTAL TRANSFER OF \$1,660 FROM COUNTY ATTORNEY'S PROFESSIONAL FEES TO SALARIES AND FICA TO CONTINUE TEMPORARY EMPLOYMENT OF AN ADMINISTRATIVE ASSISTANT I AND TRANSFER OF BALANCE OF \$121,930 FROM RESERVE FOR RECLASSIFICATION/MARKET ADJUSTMENT TO DEPARTMENTS PER ATTACHED REPORT FROM HUMAN RESOURCES; SPECIAL SERVICE DISTRICT, LAND DISTURBING ACTIVITIES ORDINANCE AND ONE PERCENT SALES TAX EXTENSION FUND (1993-1998) TRANSFER TOTALING \$7,220 FOR MARKET ADJUSTMENTS/RECLASSIFICATIONS.**

Chairman Hair said, the Chair will entertain a motion. Commissioner Price said, so moved. Commissioner Thomas said, second. Chairman Hair said, have a second. Any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers and Jackel were not present.]

ACTION OF THE BOARD:

Commissioner Price moved to approve the following: General Fund M & O intra-departmental transfer of \$1,660 from County Attorney's Professional Fees to Salaries and FICA to continue temporary employment of an Administrative Assistant I and transfer of balance of \$121,930 from Reserve for Reclassification/Market Adjustment to departments per attached report from Human Resources; Special Service District, Land Disturbing Activities Ordinance and One Percent Sales Tax Extension Fund (1993-1998) transfer totaling \$7,220 for Market Adjustments/Reclassifications. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Jackel were not present.]

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- 2. REQUEST FROM HUGH LANGE BARNES FOR WAIVER OF LATE PENALTY FOR TARDY ALCOHOLIC BEVERAGE LICENSE FOR BARNES' RESTAURANT, 4685 HIGHWAY 80 EAST, FILED AFTER THE JANUARY 31, 1999, DEADLINE. STAFF RECOMMENDS DENIAL.
[DISTRICT 4.]**

Chairman Hair recognized Mr. Gregori Anderson.

Mr. Anderson said, Mr. Chairman and Board of Commissioners, what we have before you today is a request for a waiver of delinquent penalties. The applicant had a deadline of January 31st to get the renewal in without the penalty. We received in the Inspections Department the application March 1st, and the provisions do not give staff the authority to waive that fee. The proponent was invited to attend the meeting.

Chairman Hair asked, is anyone here to represent Mr. Barnes this morning? Chairman Hair said, okay, the Chair will entertain a motion. Commissioner Murray said, I move it be denied. Chairman Hair said, we have a motion to deny. Do I have a second? Commissioner DeLoach said, second. Chairman Hair said, second. Any further discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers and Jackel were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved to **deny** the request from Hugh Lange Barnes for waiver of late penalty for tardy alcoholic beverage license for Barnes' Restaurant, 4685 Highway 80 East. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Jackel were not present.]

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- 3. REQUEST BOARD APPROVAL TO WAIVE THE 90-DAY HIRING FREEZE AND AUTHORIZE HUMAN RESOURCES TO ADVERTISE POSITIONS THAT THE DEPARTMENT DEEMS MORE COST EFFICIENT TO FILL.**
- **LIBRARY - CLERICAL ASSISTANT III (1 POSITION)**
 - **INSPECTIONS - FIRE INSPECTOR (1 POSITION)**
 - **CLERK OF SUPERIOR COURT - DEPUTY COURT CLERK IV (1 POSITION); CLERICAL ASSISTANT II (1 POSITION)**
 - **PARKS AND RECREATION - MAINTENANCE WORKER I (1 POSITION); A PERIOD FROM APRIL 9, 1999, THROUGH SEPTEMBER 1, 1999, WHEREIN THE DEPARTMENT CAN FILL VACANCIES THAT MAY OCCUR.**

Commissioner Jackel asked, do you want to hear from the Library to explain this? No one's here from the Library? Commissioner DeLoach said, I make a motion we approve it though. Commissioner Price said, second. Commissioner Saussy said, second. Chairman Hair said, we have a motion and a second. Any discussion? All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Price, DeLoach and Thomas voted in favor of the motion. Commissioners Murray and Odell voted in opposition. The motion carried by a vote of five to two. [NOTE: Commissioners Rivers and Jackel were not present.] Chairman Hair said, the motion passes.

Chairman Hair said, the next one is Inspections, Fire Inspector I (1 position). Chairman Hair recognized Mr. Gregori Anderson.

Mr. Anderson said, yes, you're probably aware that our previous Fire Inspector is deceased and it came very suddenly obviously and we are requesting that this be waived so that we can go ahead and fill the position as our staff load and our work load is to the point that we really need to have the position filled.

Commissioner DeLoach said, so moved. Chairman Hair said, we have a motion. Is there a second? Commissioner Thomas said, second. Further discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Jackel was not present.] Chairman Hair said, the motion passes.

Chairman Hair said, Clerk of Superior Court, Deputy Court Clerk IV (1 position), Clerical Assistant III (1 position). We have the Clerk here. Chairman Hair recognized Mrs. Susan Prouse.

Mrs. Prouse said, good morning. The Deputy Clerk IV position that I have available is due to a disciplinary action and change of personnel. The Clerical Assistant III position is due to a promotion, and both of these positions are very critical to the continued smooth running of our office.

Commissioner Odell said, I'll make a motion to approve. Commissioner DeLoach said, second. Commissioner Saussy said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Jackel was not present.] Chairman Hair said, the motion passes. Thank you, Mrs. Prouse. Mrs. Prouse said, thank you.

Chairman Hair said, Parks and Recreation, Maintenance Worker I (1 position); a period from April 9, 1999, through September 9, 1999, wherein the department can fill vacancies that may occur. Commissioner DeLoach said, so moved. Commissioner Odell said, second. Chairman Hair said, motion and second. Any further discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas failed to cast a vote either in the affirmative or the negative; Commissioner Jackel was not present.]

ACTION OF THE BOARD:

1. Commissioner DeLoach moved to approve waiver of the 90-day hiring freeze and authorize the Human Resources to advertise the following position: Library - Clerical Assistant III (1 position). Commissioners Saussy and Price seconded the motion. Chairman Hair and Commissioners Saussy, Price, DeLoach and Thomas voted in favor of the motion. Commissioners Murray and Odell voted in opposition. [NOTE: Commissioners Rivers and Jackel were not present.]
2. Commissioner DeLoach moved to approve waiver of the 90-day hiring freeze and authorize the Human Resources to advertise the following position: Inspections - Fire Inspector II (1 position). Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]
3. Commissioner Odell moved to approve waiver of the 90-day hiring freeze and authorize the Human Resources to advertise the following positions: Clerk of Superior Court - Deputy Court Clerk IV (1 position) and Clerical Assistant III (1 position). Commissioners Saussy and DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]
4. Commissioner DeLoach moved to approve waiver of the 90-day hiring freeze and authorize the Human Resources to advertise the following position: Parks and Recreation - Maintenance Worker I (1 position) and a period from April 9, 1999, through September 1, 1999, wherein the department can fill vacancies that may occur. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas did not cast a vote either in favor of or in opposition to the motion; Commissioner Jackel 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. Does anyone want to remove any items from the Action Calendar? Commissioner Odell said, yes sir. Chairman Hair asked, which ones. Commissioner DeLoach said, Martin [Jackel] is not here and Harris [Odell] is going to fill the role. Commissioner Price said, you know how those attorneys are. Commissioner Odell said, 12-A. Chairman Hair said, 12-A, okay. Commissioner Odell said, 12-F. Chairman Hair said, 12-F. Chairman Hair said, 12-G. Chairman Hair said, okay. Commissioner Odell said, and I think that's all. Commissioner Murray said, I move we approve the balance of the calendar. Chairman Hair said, wait a minute. I think he wants to —. Commissioner Thomas said, second. Commissioner Odell said, I think there's one more. Commissioner Price said, A, G and F. Chairman Hair said, A, F and G. Commissioner Odell said, okay, that's it. Chairman Hair asked, do we have a motion to approve the balance of the Action Calendar. Commissioner Price said, so moved. Chairman Hair asked, do we have a second? Commissioner DeLoach said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Jackel was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Price moved that the Action Calendar be approved in its entirety with the exception of Items 12-A, 12-F and 12-G. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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

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1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON MARCH 26, 1999, AS MAILED.

ACTION OF THE BOARD:

Commissioner Price moved to approve the minutes of the regular meeting on March 26, 1999, as mailed. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD MARCH 18 THROUGH MARCH 31, 1999.

ACTION OF THE BOARD:

Commissioner Price moved that the Finance Director is authorized to pay claims for the period March 18, 1999, through March 31, 1999, in the amount of \$8,413,633. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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3. REQUEST BOARD APPROVAL OF EARLY ACQUISITION REQUEST FROM JACK AND IONA DENMARK, 206 STUART STREET, TRUMAN PARKWAY PHASE III. [DISTRICT 1.]

ACTION OF THE BOARD:

Commissioner Price moved to approve the request from Jack and Iona Denmark for early acquisition of 206 Stuart Street, Truman Parkway Phase III. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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4. REQUEST BOARD APPROVAL OF EARLY ACQUISITION REQUEST FROM JOHN AND MARY INGRAM, 1423 SPALDING ROAD, TRUMAN PARKWAY PHASE III. [DISTRICT 1.]

ACTION OF THE BOARD:

Commissioner Price moved to approve request for early acquisition from John and Mary Ingram, 1423 Spalding Road, Truman Parkway Phase III. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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- 5. **REQUEST BOARD APPROVAL OF EARLY ACQUISITION REQUEST FROM LOUIS AND SANDRA LEOPOLD, 1839 EAST MONTGOMERY CROSS ROAD, TRUMAN PARKWAY PHASE IV.
[DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve the request from Louis and Sandra Leopold for 1839 East Montgomery Cross Road, Truman Parkway Phase IV. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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- 6. **REQUEST BOARD APPROVAL TO PURCHASE 6.216 MITIGATION CREDITS FROM WET-MILLHAVEN MITIGATION COMPANY IN THE AMOUNT OF \$31,080 TO SATISFY THE REQUIREMENTS FOR THE U.S. ARMY CORPS OF ENGINEERS SECTION 404 (CLEAN WATER ACT) PERMIT FOR THE HUTCHINSON ISLAND INTERCHANGE AND BOULEVARD PROJECT.
[DISTRICTS 3 AND 8.]
[DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve the request to purchase 6.216 Mitigation Credits from WET-Millhaven Mitigation Company in the amount of \$31,080 to satisfy the requirements for the U.S. Army Corps of Engineers Section 404 (Clean Water Act) permit for the Hutchinson Island Interchange and Boulevard Project. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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- 7. **REQUEST BOARD AUTHORIZE CHAIRMAN, COUNTY ATTORNEY, CLERK OF THE COMMISSION AND THE COUNTY ENGINEER TO SIGN ALL REQUIRED DOCUMENTS TO ENABLE CHATHAM COUNTY TO PARTICIPATE IN LOCAL ASSISTANCE ROAD PROGRAM (LARP) AND PR-RESURFACING PROJECTS (PROJECTS NOT ON STATE HIGHWAY SYSTEM) WITH GDOT FOR THE RESURFACING OF COUNTY ROADS.
[ALL DISTRICTS.]**

ACTION OF THE BOARD:

Commissioner Price moved to authorize the Chairman, County Attorney, Clerk of the commission and the County Engineer to sign all required documents to enable Chatham County to participate in Local Assistance Road Program (LARP) and PR-Resurfacing projects (projects not on State highway system) with GDOT for the resurfacing of County roads. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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- 8. **REQUEST BOARD APPROVAL OF PLAN TO MERGE THE OFFICE OF THE RECEIVER INTO THE OFFICES OF THE CLERK OF SUPERIOR COURT.**

ACTION OF THE BOARD:

Commissioner Price moved to approve the plan to merge the Office of the Receiver into the offices of the Clerk of Superior Court. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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- 9. **REQUEST FOR NEW RETAIL LICENSE FOR BEER AND WINE FOR 1999. PETITIONER: HARRUP K. SINGH, d/b/a DAV DISCOUNT BEER, CIGARETTE, GROCERY STORE, LOCATED AT 10-D QUACCO ROAD. [DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve the request of Petitioner Harrup K. Singh, d/b/a DAV Discount Beer, Cigarette, Grocery Store, located at 10-D Quacco Road, for a new retail license for beer and wine for 1999. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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- 10. **REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 1999. PETITIONER: TED P. SHAW, D/B/A SAVANNAH YACHT CLUB, INC., LOCATED AT RT. 6, BOX 271, BRADLEY POINT ROAD. [DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve the request of Petitioner Ted P. Shaw, d/b/a Savannah Yacht Club, Inc., located at Rt. 6, Box 271, Bradley Point Road, for renewal of Sunday sales of beer, wine and liquor pouring license for 1999. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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- 11. **REQUEST APPROVAL FOR CHAIRMAN TO SIGN APPLICATION FOR A \$15,000 GRANT FROM DEPARTMENT OF NATURAL RESOURCES TO REPAIR THE CARNEGIE LIBRARY ROOF.**

ACTION OF THE BOARD:

Commissioner Price moved to approve the request for Chairman to sign application for a \$15,000 grant from Department of Natural Resources to repair the Carnegie Library roof. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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- 12. **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. Annual contract, with renewal options for two additional one-year terms, to provide health services for the inmates | Detention Center | Prison Health Services Correctional Healthcare Solutions, Inc. Chalfont, PA | \$157,879 \$137,699.62 per month | General Fund/M & O - Detention Center |

| <u>ITEM</u> | <u>DEPT.</u> | <u>SOURCE</u> | <u>AMOUNT</u> | <u>FUNDING</u> |
|---|--------------|---|---------------|--|
| B. Change Order No. 1 to contract to construct a closed drainage system near the Placentia Canal to provide additional storm drain pipe | Engineering | A.D. Williams Construction | \$1,500 | 1999 CIP Drainage - Placentia Canal |
| C. Technical surveillance equipment | CNT | Accuquest Corporation (sole source) | \$22,283 | Confiscated Funds - CNT |
| D. Annual contract for technical and software support | I.C.S. | State of Georgia Department of Administrative Services (D.O.A.S.) | \$26,880.36 | General Fund/M & O - I.C.S. |
| E. Change Order No. 2 to contract for drainage improvements and paving of Cartwright, Lucas and Queen Aire Drive, to add grassing and header curb | SPLOST | Claco Construction | \$3,282 | SPLOST (1985-1993) - Cartwright, Lucas and Queen Aire Drive |
| F. <u>Deductive</u> Change Order No. 12 to the contract for construction management of the Trade Center | SPLOST | Maritime Trade Center Builders | (\$101,530) | N/A (Funding is included in the previously approved Guaranteed Maximum Price.) |
| G. Change Order No. 37 to contract for the design of the Trade Center | SPLOST | TVS&A | \$101,530 | Additional funding not required. Funds are to be transferred from the GMP Contingency. |

Item 12-B through 12-E:

Commissioner Price moved to approve Items 12-B through 12-E of the Action Calendar. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

Item 12-A:

ANNUAL CONTRACT, WITH RENEWAL OPTIONS FOR TWO ADDITIONAL ONE-YEAR TERMS, TO PROVIDE HEALTH SERVICES FOR THE INMATES, DEPARTMENT: DETENTION CENTER, SOURCE: PRISON HEALTH SERVICES, AMOUNT: \$157,879 PER MONTH, FUNDING: GENERAL FUND/M&O - DETENTION CENTER.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, Mr. Lynch, if you could just give a brief overview of the status of where we are.

Mr. Lynch said, yes sir, I certainly will. As you will recall, the Board rejected all bids and instructed us to bring in a consultant to give recommendations regarding ways that the RFP could perhaps be made better. This was done. Actually, it was looked at by Ms. Dorothy Parker, who is with Medical Association of Georgia, which, on behalf of the accrediting activity, does the inspections of jails, prisons, detention centers here. The RFP was reissued. There were three organizations which competed for it, and the recommendation of the five-person panel, comprised of the Jail Administrator Gary Blake, the Assistant Administrator Major McArthur Holmes, two representatives from Finance, one Chuck Voelker, who is the Risk Manager, Read DeHaven, who is the Assistant Budget Officer, and Cathy White, who is our Senior Contracts Administrator, evaluated the proposals. The scoring, et cetera, is contained in the interviews, scored those. Those are also shown in the attachment. Fee proposals were then obtained and they were weighed in with it. The recommendation of the evaluation panel is to award the contract to the incumbent contractor. Can I do further for you on detail? With your permission I'd like to have Gary Blake, the Sheriff, if he would care to participate, and our Contract Administrator to respond to detail questions that you may have.

Chairman Hair said, we'll do that on a question by question basis. Mr. Lynch said, right. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, the last time there was a difference as far as staffing, the number of people. We had a [inaudible] as to FT's and a body count. In this proposal has there been an adjustment so that we're talking apples to apples? Mr. Lynch said, the —, each individual contractor who was competing is free to indicate the staff that he or she

thinks is necessary to carry out the specifications. That is not a decision that Chatham County makes, that's a decision that has to get made by the individual contractor. However, we provided all information that was requested by the competitors. It was in FTE —, full time equivalent, if you would, format. The panel was at pains during the interview to say, okay, is there anything that you do not understand, but please do recognize that Dorothy Parker, who was the consultant, the evaluator, flatly said, I cannot tell you how many staff need be there. That in essence depends upon the assessment of the firms that are making the proposal. So, we've provided all the information we can. The County should not and did not say we want a staff of so-and-so. If we did, the County would then make an assumption, which I think would be totally unwarranted, that it can tell someone exactly how many people they have to have there, and that can't be done.

Commissioner Odell said, if I just might. Dorothy Parker, our consultant that we brought in, looked at historical data, determined incidents of how many —, mix of staff that was needed, bounced those against any regulations and made a determination that it was not appropriate for the County to make a determination as to minimum staff needed. Is that true?

Mr. Lynch said, I'm trying to be totally accurate. In essence, yes it is. I'm trying to also be very darn sure I'm not putting any words in her mouth. She said she could simply not say there is a [sic] absolute, got to be X-number of people; that that depends in essence on the judgment of the contractor who is bidding the job. Commissioner Odell said, I guess there's a big distinction between those who would think that we have no obligation to provide any health care to those who are incarcerated, failing to realize that the vast majority of the people incarcerated in our jail have not been convicted. Mr. Lynch said, right. Commissioner Odell said, they're waiting to be convicted. So they're basically just citizens who are being housed pending court date, and those who would want to have as great a health care services as possible, and those are two extremes. My concern and the gist of my question is whether or not there are no national standards or state standards that would give us any indication as to the appropriate mixing of staff based upon X-number of inmates, and is the answer to that from our consultant, no? Mr. Lynch said, we did not get a specific thing that said you need 26 people, total of whom four are RN's and one-third is an MD and this many are aides. No sir, we did not get that from Ms. Parker. Now, you made a comment that I think I do need to comment on and I'd also like to ask the Sheriff's Department, I'm unaware, sir, of anyone who felt that there should be a great reduction in quality or extent of care. I don't think that entered into it because the standards fundamentally that are used are those of the national accrediting group, and the medical care is accredited once the requirements of the specification is that they —, any organization that is selected and comes in must either be able to maintain accreditation of the national body or to obtain it.

Commissioner Odell said, I guess my question is, Mr. Lynch, in that our jail health care services is accredited, from the accrediting body we can glean no information that would tell us the appropriate mix of staff. Is that what —? Mr. Lynch said, not one, sir, that can be translated into something that says you need five of this skill, eight of this, three of this, total of so-and-so. No, sir. That is where you reply upon the expertise of the professional service provider, and that is a call that they must make. Commissioner Odell said, the only reason I asked that question is I know in hospitals —, say, Candler/St. Joe's/Memorial, if you say that I am a neonatology unit, then by definition you're going to have a ratio of X-number of RN's per patient, you're going to have a ratio of X-number of LPN's per patient, and those come —, that data comes from the accrediting body, but in this case it is left to the sound discretion of those who are contracting to provide the services? Mr. Lynch said, they deal with level of care, but that do not spell that out to say you must have in a population that's between 1,300 and 1,400 X-number of RN's, Y-number of LPN's, doctors. It isn't spelled out in that precise language. Commissioner Odell said, right and there's no court rule that regard any case that may have been decided in this jurisdiction regarding our jail where a federal judge may have provided information as to the kind of mix that is desired? Mr. Lynch said, I am unaware of it, but again let me tell you I am not the expert. With permission I would like to ask the Jail Administrator, who knows a great deal more about that than I, to respond to that. Commissioner Odell said, if Gary [Blake] could just come up and that's my last question. I thank you. Mr. Lynch said, and if you see me going to get a quick drink I'm on antibiotics and periodically my tongue gets tied. I'm not having some kind of a breakdown. Commissioner Odell said, when you —. Mr. Lynch said, I knew you thought I'd never need lubrication to answers questions.

Chairman Hair said, I'm glad you explained that in advance. Commissioner Odell said, I'd for him to explain when he said a quick drink. Are we talking —. Mr. Lynch said, [inaudible].

Commissioner Odell asked, Gary [Blake], did you hear the question. Mr. Blake said, I heard your question. I think a neonatal clinic and things in hospitals you have certain types of patients. In jails you "supposed to have healthy people." Of course, we know that's not always true. There's no particular standard that I'm aware of from the National Commission on Correctional Health Care that tells you exactly how many staff you should have. Now, when they come in to do their audit, they're certainly going to pick up if you don't have enough and that would be one of the things they look at. If they feel like you don't have enough staff available to do an adequate job, that would be something probably would prevent you from getting accredited. They look at the number of inmates you have, the number —, whether or not you're able to get your medications out on time, the workload factors, how many inmates go to sick call. Those are all the kinds of things that they look at when they come in to do the accreditation. Commissioner Odell said, Gary [Blake], you're our professional that we rely upon and you've looked at the proposals, have you not, and based upon your knowledge of the kind of health care services that were needed by the general population over the past, in reviewing these proposals you concluded that they meet our expectation for the future of the contract? Mr. Blake said, yes, we made that recommendation as a committee. Commissioner Odell said, that's all the questions I've got.

Chairman Hair recognized Commissioner DeLoach. Commissioner DeLoach said, he got mine answered.

Chairman Hair said, I've got a question of staff. I guess this is the staff and maybe it's in this voluminous report here and I'm missing it, but is there some reason here that the staff —, as I read this you had a vendor that was \$20,000 a month less than the one you're recommending. Can you explain why you're recommending a high bid of \$20,000 a month or the —? Mr. Lynch said, yes sir. This is not a bid. This is, as you're aware, handled under the RFP —. Chairman Hair said, well, it's real money, it's \$20,000 a month. You can call it what you want to call it, but it's \$20,000 a month higher. So can you explain why the staff chose to recommend someone \$20,000 a month higher than somebody else? Mr. Lynch said, yes sir, because when the, if you would, qualitative evaluations of what was offered were considered, that scoring was some seven points higher, when the fee proposal was weighed in, that was not sufficient to overcome that difference. Chairman Hair asked, so are you saying that the \$157,000 a month figure has a lot of additional staff the \$137,000 doesn't have? Mr. Lynch said, I believe it does have additional staff in that —. Chairman Hair asked, can you explain what staff it is and what's the difference in the staffing level. Commissioner DeLoach said, I do have some comments after you're —.

Mr. Blake said, primarily it's nursing supervisors. This was also one of the recommendations of —. Chairman Hair asked, how many more nursing supervisors do we get for \$20,000 a month? Mr. Blake said, I think we get three and plus a records clerk. Chairman Hair said, so we get three supervisors and one records clerk for \$20,000 a month. That's the difference in the proposals? Mr. Blake said, there's other differences, but that's the staffing difference. Chairman Hair said, that's the staffing —. What are some of the other differences? Mr. Blake said, well, one of the things I was concerned about with a couple of the proposals is that I know what our psychotropic medication costs are and I thought a couple of the proposals were a little short in what they were recommending for psychotropics. We have with what's happened with the decentralization of all the mental institutions in the State and that sort of thing, a lot of these folks are ending up in the County jail. We have a whole wing at the County jail with nothing but people who have serious mental health problems and our psychotropic medication costs are running between \$8,000 and \$10,000 a month. Some of the other —, some of the —, a couple of the different proposals did not look like it was going to be able to cover that kind of a cost. We had some concerns about that. There were —, it was a very complicated proposal. I mean there was a lot of different factors that was brought into the proposal and that's why we had a lot of discussion in trying to get the best one to make the recommendation to the Commission.

Chairman Hair said, Commissioner Thomas and then Commissioner DeLoach and then Commissioner Rivers. Commissioner Rivers said, I didn't want to miss my thought. Chairman Hair said, okay, would you allow —. Commissioner Thomas said, go ahead. Chairman Hair said, okay.

Commissioner Rivers said, my was directly [inaudible] to what you just asked. Chairman Hair said, okay, Commissioner Rivers and then Commissioner Thomas. Commissioner Rivers said, you said the enhanced staff, three to one, you added three people and yet on a different scenario when we had some missions before, enhanced staff was not the question. You had —, you had adequate staff and looking at an enhanced staff and if I was looking at the Cadillac that's what I would have bought on the last go round, so why all of a sudden now we're interested in the price-wise before and now we're coming back with enhanced staff? Why that scenario? Mr. Blake said, I think on the last go around the enhanced staff was a lot more than three. Commissioner Rivers said, well, irregardless [sic] to whether it was more or less, I get the thing that it was price that was the denominator that played the key factor, and I don't have that errata sheet and I would like to have that errata sheet from the previous one so that I could look at it and compare it. But, you know, I can see you talking about enhanced staff now and what you need, and if you very well needed enhanced staff then, you need it now. So it wouldn't have been based on 19 positions and half positions and all those positions that you had at that particular time coming back now you take an enhanced staff of additional supervisors that you find all of a sudden now that you need three new supervisors when they probably had three new supervisors in those other two proposals that we received before, but they were above the cost factor. Mr. Blake said, well, you have to consider all the different factors that they had in trying to —, and coming up with your total evaluation. Now the low bidder obviously got the most points because they had the best price, and that was no question about that. They got the maximum number of points in this process because they had the low bid, and it was the other factors that were taken into consideration that made the difference there, and that's what the recommendation came to the Commission. You've got to —, I think what —, where we got a little bit off base on this thing, to be quite frank with you, on the first time, what happens in a process like this, if you tell the people who are going to make the proposals exactly what staff that you want, you're putting the County in the position if the staffing that you give out is inadequate, you're putting the County in the position to be liable for any inadequate medical care. That's why we go out to the field where we'd have professionals in the field who come in and look at our jail, look at our workload factors, which we gave them the opportunity to do. They're the professionals. They tell us what they think they need to be able to provide adequate medical care for Chatham County, and then we have to make the determination whether or not we believe that they can.

Commissioner Rivers said, but you made that determination based on part time staff, not having a whole lot of supervisors there. You made the determination on the last request for proposal to accept that low bid that did not include all the things that you're talking about that you're telling me now that, hey, all of a sudden we need this and this would have been inadequate, we may not have gotten accredited for it. You know, you had the same deficiency as far as I can see. If I'm wrong —. Mr. Blake said, Commissioner Rivers, I was asked the question what is the staffing difference. That's what I was just answer —, that's what I was responding to. Commissioner Rivers said, no, I wasn't asking you staffing difference. I was talking about the enhancement of the supervisors and the differential in the two proposals, one that you accepted and one that you didn't accept. Now, how much do you have in your present budget allotted for this item? Sheriff St. Lawrence

said, I don't have those numbers. Commissioner Rivers asked, can we get that amount because what I'm getting at, what would you do —, what would you do with the differential? Let's say we took the low bidder —. Sheriff St. Lawrence said, we don't have the money in the budget. Unfortunately on something like this, we'll estimate what we feel that we'll need in the budget for the next year. If we come up short then we've got to come back up here like we would with anything else. Unfortunately, in health care or food service or whatever, when those contracts expire, we have to come up here for a new contract and if it's high or it's low or —. Commissioner Rivers said, but in your budget you've got a fixed cost and you've got a cost that fluctuates. Sheriff St. Lawrence said, well, this bid —. Commissioner Rivers said, and that would be the differential between those two. Sheriff St. Lawrence said, I think the last bid went out in '95 and the population was less than certainly it is now and, you know, that's a factor that entered into it. Commissioner Rivers asked, what was the difference? Sheriff St. Lawrence said, I think about 200 inmates. Isn't that —, wasn't it, Gary [Blake], from '95 to now? Mr. Blake said, it went from 900 to almost 1400. Sheriff St. Lawrence said, at one point. Commissioner Rivers asked, was this stipulated in your request for proposal? Sheriff St. Lawrence said, oh, they know how many inmates —, in other words, they bid on a certain number. It think this year it was on 1300 plus per diem for anything over 1300. Am I correct, Gary [Blake]? Mr. Blake said, that's correct. Sheriff St. Lawrence said, that's the way it works. You know, somebody brought up accreditation a while ago, and I want you to know that Chatham County Jail is the only fully accredited jail in the State of Georgia right now. Commissioner Rivers asked, and that means you're accredited with the present staff? Sheriff St. Lawrence said, we're accredited with the present staff but we have —, when our count goes up like that, that's why we raised the numbers with the bidders to 1300 as opposed to say a thousand or 1100 because the work load is getting heavier.

Chairman Hair asked, Commissioner Rivers, do you still have additional questions? Commissioner DeLoach said, I've got some. Commissioner Rivers asked, what happens is the inmate load is reduced? Sheriff St. Lawrence said, well you pay on the basis of 1300 is what you're paying. If inmate workload is reduced, what's just to their advantage. Is that correct? Mr. Blake said, but we've been paying a lot of per diem because our —, right now we're contracted at 1100 inmates and we've been over 1100 for quite a while. If we contract 1300 and it goes over, we pay per diem. If it's less, then they make out. They have to have something to base their costs on. That's why we have to give them that number, whether it's 1200, 1300, 1400, whatever we pay, but your jail population fluctuates. We've seen a fluctuation of 400 or 500 inmates in the past year.

Sheriff St. Lawrence said, one other thing, Commissioner Rivers, is that the previous contract did not include catastrophic illnesses. In other words, they've been responsible, I believe, up to \$15,000 in catastrophic illness, and we had one case last year that was over \$75,000. Now under this contract they're responsible for all the catastrophic illnesses. So as we gain more experience we learn what we want in those bids to try to protect Chatham County as much as we can and save as much as we can.

Commissioner Rivers said, well, I think in the all —, from all the providers you would have that same —, that same protection. If they sign it and they adhere to it and they bid, you'd have that same protection. My concern is that I can't —, I don't think this County can afford to expend another \$20,000 per month, which averages out to maybe about \$240,000 a year, in addition. Hey, that money can be used some place else.

Commissioner DeLoach asked, why not go back to the last bid that was submitted. Chairman Hair said, Commissioner DeLoach, I'll recognize you in a minute. Commissioner Rivers, go ahead.

Commissioner Rivers said, Eddie [DeLoach], let me say this. Commissioner DeLoach said, I'm sorry. Commissioner Rivers said, let me say this, Mr. Chairman. You know, I never jump across anybody up here. I always give the respect where respect is due. Now, Eddie [DeLoach], you jumped once before when you had previously —, you were for something. But don't ever do that because I don't do that to you. So do unto me as I do unto you. Don't ever do that again. I'm finished, Mr. Chairman.

Chairman Hair said, okay, I'll recognize Commissioner Thomas and then Commissioner DeLoach and then Commissioner Murray. Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, basically Commissioner Rivers has stated my concern because I was concerned about the differences in this proposal against the one that we had previously. The low bidder seemingly was the Prison Health Services. Now I have nothing against Prison Health Services, but I do have concerns as I did before about comparing apples with apples and oranges with oranges and giving everybody a fair shake. I am still concerned because I can see a few loopholes still in here. Maybe I just don't understand it, but I'm hoping that in the future that when we have a bidding process of this nature that we would certainly make sure that we are on course and that we —, every person or every company that has the opportunity based on apples with apples. I'd like to ask one other question, and perhaps it's here and maybe I just don't understand it. I'd like to know the differences in the experiences with the three. Sheriff St. Lawrence said, well, you probably need to hear from the —, I think they're representatives here of the people that bid on the contract. Commissioner Thomas said, the three, the experiences that they have in the, you know, in this particular —.

Chairman Hair asked, would somebody come forward representing —? Sheriff St. Lawrence said, that's a part of the evaluation, but I think they could come up and tell you what —. Chairman Hair asked, you're talking about —? Commissioner Thomas said, how many years. Chairman Hair asked, what's their experience, that kind of thing?

Commissioner Thomas said, yes. Just very briefly, and I don't want a whole story. I just need to know how many years —. Chairman Hair asked, are you talking about the low bid, the Correctional Healthcare Solutions? Commissioner Thomas said, no, all of them. Chairman Hair said, okay. Commissioner Thomas said, yes, I want to —, because I'm trying to determine the difference here.

Mr. Larry Palmer said, thank you. I'm Larry Palmer. I'm Senior Vice President with Prison Health Services. We have been in the correctional health care business for over 20 years. We founded the industry originally as the first company specializing in this service. We currently serve over 217 jail and prison sites around the country. Many of those are of the size of the Chatham County facility here and we have been here at the Chatham County facility working with Sheriff St. Lawrence for over six years. Commissioner Thomas said, six years. Mr. Palmer said, yes mam, and if I may please make a couple of comments related to the cost issues and the appropriate questions and concerns that are being raised here. I don't have to tell you that a low bid is not necessarily the least costly alternative in making a selection for a service contract such as this. The nature of correctional health care is one that has many factors and many risks to it. Commissioner Odell's questions regarding, you know, can't you give me a number per inmate or what have you, reflects the fact that jails differ significantly across the country even with the same population base in terms of how they're laid out physically, in terms of the correctional officer staffing that's available to support the health care unit, et cetera, et cetera, and hence there is no stamp of what you must have. Our proposal and the additional cost that we have in this second go round, and in which we're still ranked at the number one bidder, reflect the findings of Ms. Parker when she came here and suggestions that she had related to certain increased staffing levels. It also includes additional physician time at the jail. And there —, I ask you also to consider that there are indirect as well as the direct costs involved in this, and they are significant. In an artificially low priced bid you run into significant issues related to the need to reduce staffing. A reduced staffing leads to a reduced level of services by definition. A reduced level in availability of services frequently leads to an increase in inmate grievances and lawsuits that the County must get involved with. We've been successful in reducing and keeping those grievances down with the Sheriff and we've been successful in defending lawsuits that have been brought before us. You also had the issue of staff turnover in any kind of change like this, which is significant and adds cost to the Sheriff directly in terms of operations and recruiting and expenses there. And finally I would ask you to also consider that this is part of the County's investment in public health for the community, and when you reduce the level of services in the jail, if you have people going back out into the community in a less healthy state, then those costs then are going to be a function of the public health department and other providers in the community. So I just ask you to consider the broader scope of what we're talking about here and that there are significant risk and cost factors beyond the actual per monthly fee in there.

Chairman Hair asked, Dr. Thomas, do you want to hear from anyone else? Commissioner Thomas said, I just want to get a —. Chairman Hair said, the same. Somebody representing Correctional Healthcare Solutions? Commissioner Thomas said, Correctional Healthcare or Correctional Medical Services. Chairman Hair said, either one of the others.

Mr. Charles Lomax said, hi, my name is Charles Lomax. I'm Executive Vice President of Correctional Healthcare Solutions. We've been in the prison health care business probably since 1983. Prior to that we were in the business of providing care to under served areas in Philadelphia, probably through the 70's and early 80's we had the largest primary care practice. So I guess what I'm trying to say is our history has been in providing care to under served areas. We have provided care to approximately 23,000 inmates in about 15 different states. To correct the record, Fulton County Jail, where we provide care, which probably is one of the largest jails under one roof, is accredited and we did that. You know, I mean, we have the experience, we have the knowledge. The majority of our business is jail business very similar to that of the Chatham County Jail. We are very good at what we do. We got in this business as an extension of providing care to under served communities, which is exactly what you have. We look at it very much like a public health issue. [Inaudible] care is one of our biggest concerns. We know that those folks in the facilities go back out into the communities and that's where we've made our mark. We are associated with a very large managed care organization that provides care to another 200,000 Medicaid recipients in three states. We run three HMO's, so basically we have a very sound and quality background in health care. Thank you.

Commissioner Thomas said, thank you. Is the other —? Chairman Hair asked, any further questions, Dr. —? Commissioner Thomas asked, is the other group here? Chairman Hair asked, anybody from Correctional Medical Services here? Mr. Lynch said, I understand there are none present, sir. Chairman Hair said, okay, thank you. Commissioner Thomas said, thank you very much. Chairman Hair said, okay, Commissioner DeLoach.

Commissioner DeLoach said, first I want to apologize to Joe Murray Rivers for running my mouth earlier. I apologize that to Joe [Rivers]. Now to the issue at hand. The last time we had this come before us I don't know what the price was originally, but for some reason the person who had the low bid was not the person who should get the job. Not particularly —, I don't understand why but all of a sudden they weren't delivering the services and somebody else could do it and we were doing it all wrong and everything. There was a list of problems that we had for some odd reason and I'm not sure why we had to go back out for bid and increase the price of the services. It's true as far as the community is concerned, as far as the nation is concerned, as far as we as individuals are concerned, it is a difficult thing for a person to want to spend large sums of money to help people who have committed crimes against people in the general population. It is said that those people that are in the jail are the ones that are not yet convicted for their crimes, eighty percent of them. It is also said that sixty something percent of those who came out of the jail returned to the jail, and I'm sure the large percentage of the costs on those that are being taken care of in the jail are repeat offenders, so it's difficult for the general population

to want to spend that money on those citizens who have committed crimes against each one in the case of harming themselves as well as property. So that's an issue we have to deal with when we go into it. But the last time we had a bid come in and the last service, that group came in as the low bid, the ones that were originally doing it, and I don't know them, I don't know anything about them. I know that the Sheriff came here and the Sheriff and I don't always agree on things, but the man —, I mean, he's doing the job, him and Gary Blake are in there, and they come up and they say this guy is doing a good job, it's costing us this and we need to keep on doing what we're doing. So, you know, it's pretty easy as far as I was looking at it. Hey, it's the low —, you know, lower price, we're accredited, everybody's happy and let's just vote. Well, God, I mean, everything blew up here and all of a sudden they weren't offering enough services for those people living there and we were crucifying everybody in the jail. Well, I had a problem with that, but now we come back with another bid and all of a sudden the person who was the low bid and the person who was serving is now the high bid and all of a sudden we've got an issue as, well, if you didn't need it then why do you need it now and this and such, and now they get persecuted for being the high bid. I have a difficult time understanding how this issue can't be put down to is it right or wrong, is this person the one that needs to do the job? These people are doing a good job. The Sheriff wants these people in the jail. We should vote for these people based on that. It has nothing else to do with it. There's no other issue other than we are having good service, the Sheriff wants those people in there, we've got —, and the only reason we've got a higher price from these people today is because we went back out and did it ourselves and we stuck our own selves on this deal. So there's not an issue of \$20,000 more. It's all of a sudden the big issue. The last time it was not a big issue whenever they were low bidder. So I don't understand. That's the point I was making with Joe [Rivers] earlier. The last time we had this come up they were the low bidder and all of a sudden it wasn't a big deal that we went back out and asked for another number based on that fact. I couldn't understand that since it's all of a sudden a big deal today. That's the issue I had concerning that, and I did apologize and I do apologize for that, but the fact of it is these folks have given us a good bid, they're a reputable company, they've been here six years doing a good job, and I don't see how in the world that we can't just go ahead and support these folks and go on with this thing and move on with this service.

Chairman Hair said, the Chair will entertain a motion. Commissioner DeLoach said, I'll make a motion we approve the staff's recommendation. Chairman Hair asked, do we have a second to that motion? [No response.] Chairman Hair said, that motion dies for lack of a second. The Chair will entertain another motion. Commissioner Rivers said, Mr. Chair, I make a move [sic] that we accept the low bid, in this case CHS for a hundred and —. Chairman Hair asked, do I have a second to that motion? Commissioner Thomas said, second. Chairman Hair asked, any discussion of that motion? All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Odell, Price and Thomas voted in favor of the motion. Commissioners Murray and DeLoach voted in opposition. The motion carried by a vote of six to two. [NOTE: Commissioner Jackel was not present.] Chairman Hair said, the motion passes. Thank you.

Item 12-F:

DEDUCTIVE CHANGE ORDER NO. 12 TO THE CONTRACT FOR CONSTRUCTION MANAGEMENT OF THE TRADE CENTER, SPLOST, SOURCE: MARITIME TRADE CENTER BUILDERS, AMOUNT: (\$101,530), FUNDING: N/A (FUNDING IS INCLUDED IN THE PREVIOUSLY APPROVED GUARANTEED MAXIMUM PRICE).

Chairman Hair recognized Commissioner Odell.

Commissioner Odell asked, what is it? Mr. Lynch said, oh, okay, sir. What it is is a balanced action which takes the —, from the reserve in the MTCB contract funding for add-backs and the design thereof to the contract and transfers that funding to TVSA, the architect. Now —. Commissioner Odell asked, can I clear up something? Mr. Lynch said, sure. Commissioner Odell said, the words guaranteed maximum price —. Mr. Lynch said, yes sir. Commissioner Odell said, I'd like to have that stricken from any documents regarding the Trade Center. Mr. Lynch said, thank you, sir, we shall do that. Chairman Hair said, I totally agree with that. Commissioner Odell said, guaranteed maximum price of [inaudible]. Mr. Lynch said, it was an effort to try to be complete and we shall be mindful of your preference.

Chairman Hair said, to bear out Commissioner Odell's point, within three months of the guaranteed maximum price we gave them three more million dollars so I don't understand that either. So, I mean, you're very correct. It's not —, I don't understand what guaranteed maximum price means. Commissioner Odell said, it doesn't mean guaranteed now. Mr. Lynch said, it means I used the wrong collection of words in trying to be clear, and I apologize.

Commissioner Odell said, I move that we approve this. Chairman Hair said, well, Frank [Murray] has a question. Commissioner Rivers said, I'll second it. Chairman Hair said, all right. Commissioner Rivers said, but, Mr. Lynch —. Mr. Lynch said, yes sir. Commissioner Rivers asked, is it possible for us to get how much over budget we are on the Trade Center? Commissioner DeLoach said, we're not over budget. County Manager Abolt said, we're not over budget. Chairman Hair said, that's because we gave them three more million dollars. County Manager Abolt said, we are not over budget. Chairman Hair said, you give them more money then you're not over the new budget. Commissioner Rivers said, I just wanted to see where we —. Chairman Hair said, you're over the old budget. Commissioner Rivers, did you have any further discussion? Commissioner Rivers said, no.

Chairman Hair said, okay, any further discussion? We have a motion, do I have a second? It's second —, okay. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Jackel was not present.] Chairman Hair said, the motion passes. Commissioner Rivers said, but we're over the guaranteed maximum price. Chairman Hair said, that's for sure.

Item 12-G:

CHANGE ORDER NO. 37 TO THE CONTRACT FOR THE DESIGN OF THE TRADE CENTER, SPLOST, SOURCE: TVS&A, AMOUNT: \$101,530, FUNDING: ADDITIONAL FUNDING NOT REQUIRED. FUNDS ARE TO BE TRANSFERRED FROM THE GMP CONTINGENCY.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, same question, George [Lynch]. Mr. Lynch said, very good, sir. This is the reciprocal of what we just did in F. In other words, we took the amount from one —. Commissioner Odell said, we're just switching the money. Mr. Lynch said, exactly. Getting it in the right pot, and we do it by means of a change order so we have trackability.

Chairman Hair asked, so now the money's under a different shell, right? Mr. Lynch said, yes sir, but we've got the shell properly and correctly labeled right up front and on top. Chairman Hair said, okay.

Commissioner Odell said, and we did not use the words guaranteed maximum price. Mr. Lynch said, thank God, sir. Chairman Hair said, well, it does say GMP Contingency, but that's close.

Chairman Hair said, I'll entertain a motion. Commissioner Odell said, I'll make a motion. Commissioner DeLoach said, second. Commissioner Thomas said, second. Chairman Hair said, second. Any further discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Jackel was not present.] Chairman Hair said, the motion passes.

Commissioner Price said, we don't need to be shelling out any more money. Chairman Hair said, that takes us to the first readings.

ACTION OF THE BOARD:

1. Commissioner Price moved to approve Items 12-B through 12-E. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]
2. Commissioner Rivers moved to accept the low bid of Correctional Healthcare Solutions, Inc., instead of Prison Health Services, Inc., on Item 12-A. Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Odell, Price and Thomas voted in favor of the motion. Commissioners Murray and DeLoach voted in opposition. The motion carried by a vote of six to two. [NOTE: Commissioner Jackel was not present.]
3. Commissioner Odell moved to approve Item 12-F. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]
4. Commissioner Odell moved to approve Item 12-G. Commissioners DeLoach and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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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. **THE PETITIONER IS REQUESTING THAT A 30.36 ACRE TRACT OF LAND LOCATED ALONG U. S. HIGHWAY 17 SOUTH, SOUTHWEST OF CANE BREAK ROAD AND SOUTH OF BASIN ROAD, BE REZONED FROM R-A (RESIDENTIAL-AGRICULTURE) TO A PUD-M-10 (PLANNED UNIT DEVELOPMENT-MULTI-FAMILY) CLASSIFICATION TO ALLOW CONSTRUCTION OF MULTI-FAMILY HOUSING.
MPC FILE NO. 99-12617-C
[DISTRICT 6.]**

ACTION OF THE BOARD:

Read into the record as first reading.

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2. AMENDMENT TO SOLID WASTE ORDINANCE. NOTE: PUBLIC HEARING WILL BE HELD ON THE 30TH OF APRIL.

ACTION OF THE BOARD:

Read into the record as first reading.

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XII. SECOND READINGS

1. REQUEST BOARD APPROVE AND ADOPT THE REVISED COUNTY SPEED ZONE ORDINANCE.

Chairman Hair said, the Chair will entertain a motion. Commissioner Odell said, so moved. Commissioner DeLoach said, second. Chairman Hair asked, any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Jackel was not present.]

ACTION OF THE BOARD:

Commissioner Odell moved to approve and adopt the revised County Speed Zone Ordinance. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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**2. THE COUNTY HAS REQUESTED THAT MPC REVIEW THE PROVISIONS REGULATING BANNERS. MPC HAS RECOMMENDED THAT STRONGER BANNER STANDARDS BE ADOPTED. THE MPC HAS RECOMMENDED DENIAL OF THE REQUEST TO PERMIT BANNER SIGNS AS PART OF A PERMANENT SIGNAGE PACKAGE (THEREBY MAINTAINING THE PROVISIONS FOR TEMPORARY BANNERS). HOWEVER, LANGUAGE HAS BEEN DEVELOPED WHICH WOULD CREATE PERMANENT BANNER SIGNS SHOULD THE COUNTY WISH TO PURSUE ITS ADOPTION.
MPC FILE NO. 98-12071-C
NO DISTRICT - TEXT AMENDMENT (UNINCORPORATED AREA)**

Chairman Hair said, my question about this one is I'm not so sure that as a Commission we shouldn't necessarily send this one back to the MPC for this reason. If you remember, this was one of the items that was discussed at our consolidation of Inspections issues, and I really think if we were to pass this, and I see the attorney shaking his head over here. He apparently agrees with me. I think it would be wise for us to send this back to the MPC until we settle that issue of consolidation.

Commissioner Price said, so moved. Chairman Hair said, I have a motion. Do I have a second to send it back? Commissioner Odell said, second. Chairman Hair asked, discussion? Chairman Hair recognized Commissioner Murray.

Commissioner Murray asked, what are we going to resolve by sending it back to MPC? County Attorney Hart said, currently —. Commissioner Murray said, I mean, what kind of time frame are we working with before we'll know yes we are or no we aren't? County Attorney Hart said, well —. Commissioner Murray said, because this affects the unincorporated area. It doesn't have anything to do right now with the City. Chairman Hair said, well, it would leave everything in place right now though. Commissioner Murray asked, how does the City's ordinance read? County Attorney Hart said, the City's is —.

Mr. Bill Saxman said, the City's is basically the same as the County's right now. If we change the County's, it's different than from the City presently reads. Commissioner Murray asked, well, then why don't we leave it like we have it then? Why

do we need to send it back? Why don't we just leave it like it is and then we don't have the problem with the two mixtures and then we can continue to regulate it?

County Manager Abolt said, well, I think you can do it, but this was only referred to the MPC at the request of the Board. You all saw —, some of you saw a need and referred it to the MPC to make some changes and to create it different.

Chairman Hair said, I just think it might hamper any negotiations on consolidation if we go ahead and pass something now that the City may have objection to in the future. It would be better, I think, just to put it in —, hold it in abeyance until we get that —. We're talking —.

Commissioner Murray said, well, I don't have any problem with that. I'm just not in favor of changing the ordinance we have. County Manager Abolt said, if I may help —. Chairman Hair said, if we send it back it will do that. County Manager Abolt said, the MPC voted not to do this. The MPC said, let's have uniformity. Commissioner Murray said, well, that's fine. Send it back and then we'll let over there. Chairman Hair said, exactly. Commissioner Murray said, five or six years is fine with me. Chairman Hair said, that's what we could —. Commissioner Murray said, I'm not in favor of changing it.

Chairman Hair said, we have a motion and a second to send it back to MPC. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Jackel was not present.]

ACTION OF THE BOARD:

Commissioner Price moved to send this issue back to the MPC until the merger of the Inspections Departments of the City of Savannah and Chatham County has been settled. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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3. REQUEST BOARD ADOPT A REVENUE ORDINANCE FOR 1999 FOR CHATHAM COUNTY.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, this is simple each year. Mr. Chairman, Dr. Thomas, gentlemen, we have to codify any ordinance —, any changes to our fee structure. You will recall, towards the end of last year we upped our Land Disturbing Activity Fee, our fee ordinance, and there were changes made by Judge Andre from Magistrate Court. This just allows those interests to go to one course. Our Revenue Ordinance includes all fees charged by the County. It is housekeeping.

Chairman Hair said, the Chair will entertain a motion to approve. Commissioner Rivers said, so moved. Commissioner Thomas said, second. Chairman Hair said, second. Commissioner Murray said, I've got a question. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, under changes to the 1998 Revenue Ordinance as follows, Item B, Addition of cellular telephone 911, the part that concerns me about the 911, and I get complaints from it. I'm not getting into the fee structure of it right now because that's already been passed even though I opposed. My problem is that if you call from a cellular telephone, they're going to send you most of the time straight to the City of Savannah and the City of Savannah then is going to connect you with Chatham County if it's something you're calling about in Chatham County. Why can't we have one 911 answering system for all of it? We don't need all these different ones. County Manager Abolt said, I agree with you, sir. Commissioner Murray asked, why do we have it split? County Manager Abolt said, we have inherited all it. There are two public service answering boards. One of the things we're trying at the staff level to consolidate is our dispatch service. It doesn't make any sense. Commissioner Murray said, we need one dispatch for all of Chatham County. County Manager Abolt said, yes sir, one public service. I agree with you.

Chairman Hair said, see, this continues to be that discussion that we need to consolidate more and more things, and I totally agree with you, Commissioner Murray, this needs to be done. Commissioner Murray said, well, it's happened to me out on 16 and stuff when I called in.

Chairman Hair said, okay. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Jackel was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Rivers moved to adopt the Revised Revenue Ordinance for 1999. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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XIII. INFORMATION CALENDAR

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

ACTION OF THE BOARD:

Report received as information.

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

ACTION OF THE BOARD:

Report received as information.

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- 3. **STATUS OF SURPLUS PROPERTY DISPOSITION.**

ACTION OF THE BOARD:

Report received as information.

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SUGGESTED NAMES RE: TRADE CENTER (COMMISSIONER THOMAS).

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, Commissioner Rivers and I, we failed to —, we were supposed to bring back suggested names for the Trade Center. Chairman Hair said, right. Do you have one? Commissioner Thomas said, we have two names, and I'd like to give you just a brief —. Chairman Hair said, certainly. Commissioner Thomas said, background. Chairman Hair recognized Commissioner Thomas. Commissioner Thomas said, if Commissioner Rivers will allow me to give that background information.

Commissioner Thomas said, we did do some research on this and we have two names in keeping with the previously approved names by the Commission, and we're suggesting two African-Americans from Savannah's colonial period. If we can't accept both of them, we would like to present the first one, Andrew Bryan. He was the most prominent African-American in Colonial Savannah. He was a remarkable man who might be considered as Georgia's first black leader. He was born a slave. Mr. Bryan purchased his own freedom and also that of his wife and an only daughter. He erected the first African-American public building, a worship house in Yamacraw on land purchased by him for 15 pounds of sterling in 1793. His leadership resulted in Savannah's earliest Black congregation, such as First Bryan Baptist, Second Baptist, First African Baptist and the Ogeechee Churches. He is known to have secured the freedom of Henry Francis, a literate Black man, so that he could teach members of his Yamacraw to read and/or to write. And that's our first suggested name, and if we have two spots we'd like to recommend Henri Christophé. He was —, he fought in the Siege of Savannah in October of 1779 and he went home to become a leader in Haiti's fight for its independence.

Chairman Hair said, I'd like to see that in the form of a motion. Commissioner Murray said, I move that we submit those two names. Chairman Hair said, we have a motion. Do we have a second? Commissioner Price said, second. Chairman Hair asked, any further discussion? All those in favor vote yes, opposed vote no. The motion carried unani-

mously. [NOTE: Commissioner Jackel was not present.] Commissioner Thomas said, thank you. Chairman Hair said, thank you, Dr. Thomas.

ACTION OF THE BOARD:

Commissioner Murray moved that the names of Andrew Bryan and Henri Christophé be submitted to the Trade Center Authority to be used in selection of names for the squares at the Trade Center on Hutchinson Island. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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EXECUTIVE SESSION

Chairman Hair said, that completes our regular agenda. We will now entertain a motion to go into Executive Session.

Commissioner Rivers moved that the Board go into Executive Session for the purpose of discussing litigation, land acquisition and personnel. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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ITEMS FROM EXECUTIVE SESSION

1. **REQUEST BOARD AUTHORIZE PURCHASE OF PROPERTY FROM MR. ED FEILER FOR LAMARVILLE PARK.**

ACTION OF THE BOARD:

Commissioner DeLoach moved to authorize the purchase of property located at the intersection of A.C.L. Boulevard and Liberty Parkway (61,982 sq. ft.) from Mr. Ed Feiler for Lamarville Park at a cost not to exceed \$32,500. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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APPOINTMENTS

1. **COASTAL AREA DISTRICT DEVELOPMENT AUTHORITY**

ACTION OF THE BOARD:

Commissioner DeLoach moved to submit the name of Kathleen Dunham for appointment to the Coastal Area District Development Authority. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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2. **CHATHAM AREA TRANSIT AUTHORITY - EX OFFICIO MEMBER**

ACTION OF THE BOARD:

Commissioner DeLoach moved to appoint Wayne Dawson as an non-voting ex officio member of the Chatham Area Transit Authority to represent persons with a disability. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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ADJOURNMENT

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at approximately 11:05 a.m.

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APPROVED: THIS _____ DAY OF _____, 1999

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

SYBIL E. TILLMAN, COUNTY CLERK