

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON AUGUST 27,1999, 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 9:05 a.m., Friday, August 27,1999.

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**II. INVOCATION**

The Reverend John Savage gave the invocation.

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**III. PLEDGE OF ALLEGIANCE**

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

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**IV. ROLL CALL**

The Clerk called the roll.

PRESENT: Dr. Billy B. Hair, Chairman  
Dr. Priscilla D. Thomas, Vice Chairman, District Eight  
Frank G. Murray, Chairman Pro Tem, District Four  
David L. Saussy, District One  
Joe Murray Rivers, District Two  
Martin S. Jackel, District Three  
Harris Odell, Jr., District Five  
Ben Price, District Six (arrived approximately 9:15 a.m.)  
Eddie W. DeLoach, District Seven

Commissioner Odell asked, would you put that I was 10 minutes early? The Clerk said, yes. Chairman Hair said, that is worthy of it.

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. RECOGNITION OF BARBARA RINER ON HER RETIREMENT.**

Chairman Hair said, the first thing on our agenda this morning is recognition of Barbara Riner on her retirement. I have a proclamation if the County Manager will join me down front. I'm going to read the proclamation in honor of Ms. Riner on her retirement. Chairman Hair read the following proclamation into the record:

Mrs. Riner said, well, I appreciate the opportunity that I've had for working with Chatham County, and I really enjoyed my years of service and I've enjoyed working with the Commissioners over the years, even though there have been some, you know, and some, you know, but I've really enjoyed it. Thank you so much.

County Manager Abolt said, I'd like to say beyond the you know that a lot of folks know Barbara [Riner] has served us in a very special way. She's touched the lives of almost every County employee [inaudible], and in effect done through Human

Resources, she's given advice when advice was needed, she's helped people in times of transition from their jobs possibly to retirement or other employment. She's definitely a great asset. The legacy referenced by the Chairman is a real one and I'm very proud to have known here. We make a presentation of this special lamp, but also a presentation I know from Mike Kaigler and myself in memory of Beverly Whitehead to remember that this staff, in part lead by Barbara [Riner], is a very special staff.

Mr. Michael Kaigler said, I'd like to recognize Barbara's husband. They've retired about the same time, so I know that they will have a good time. You know, retirement is a happy occasion, but for the folks you leave behind, it's kind of sad. It's going to be hard to replace the years and experience and knowledge that Barbara [Riner] had, but she had to agree to come back and kind of work with us on part time when we need her, so I had to get that commitment before we would let her retire. But we do wish Barbara and her husband many, many years of happy retirement.

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## **2. PRESENTATION OF A \$61,949.16 CHECK, THE FIRST PORTION OF A GRANT FROM THE GEORGIA INDIGENT DEFENSE COUNCIL - DANNY DELOACH.**

Chairman Hair said, the next item on our agenda, I'm going to ask Mr. Danny DeLoach if he would come forward. I understand we have a check presentation from the Georgia Indigent Defense Council.

Mr. Danny DeLoach said, once again I love these opportunities when I'm here to give and not ask. But on behalf of the Georgia Indigent Defense Council, Superior Court Judges, and our Local Delegation, I'm here to offer a check in the —, a check for \$61,949.16 from —, and let me also state this does not represent one penny of tax money. Every bit of this is interest on accounts held by our Sheriffs and Superior Court Clerks around the State that are paid in fines and fees, so no tax money is involved in this. Chairman Hair said, thank you. Commissioner Saussy said, we can use it.

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## **3. DEMONSTRATION OF BOMB SQUAD ROBOT.**

This item was withdrawn from the agenda.

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## **ORDER OF BUSINESS**

Chairman Hair said, I'm going to ask for unanimous consent from the Commission to add a proclamation to honor our unions and for Labor Day without objection. Commissioner Murray said, so moved. Commissioner Thomas said, so moved.

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## **PROCLAMATION IN HONOR OF LABOR DAY AND THE WORKING PEOPLE IN CHATHAM COUNTY.**

Chairman Hair said, I'm going to ask Chester Dunham and anyone else that would like to join us at the podium, I'd like to present a resolution. All of us are aware that coming up next weekend is Labor Day and today we're here to celebrate all of us that are laboring [inaudible] and particularly those in organized labor. I'd like to read the resolution. Chairman Hair then read the following resolution into the record:

Mr. Brett Hulme said, thank you very much. Mr. Chairman, County Commissioners, honored guests, County employees, I'd like to thank you very much for this proclamation on behalf of all working people in Chatham County. My name is Brett Hulme. I'm Vice President of the Trades and Labor Assembly of Savannah. Our President is on the mend from some recent surgery. Some brief comments to remind the City, the County and all employees that work of some of the luxuries that we take for granted. Organized labor is basically the only mouthpiece for all of the people. In the education area in the 1800's only children that could afford to attend public school were awarded that. Organized labor was responsible to push legislation through so that all children could attend public school. On the political arena we could talk forever, but we won't, but just a few highlights. In the 1920's organized labor played a major role in allowing women to vote. In the 1930's the Federal government passed the Davis-Bacon Act, which basically says that prevailing wages, which union scale is the benchmark, would be paid on all Federal construction projects. The 60's we had civil rights of which organized labor was in the forefront. The 70's we had OSHA to provide safe working conditions and basically to create the worker as a human element in the workplace. The supreme law of the land, of this great land, begins with the words "We the people." As I stand here with my fellow union brothers and sisters, we represent a significant part of we the people in this community. We basically are no different than any of y'all. Our children attends the same schools, we live down the street from most of you, we attend the same religious functions and community activities in order to strengthen this community for all people. We are constantly striving for better wages, working conditions and benefits. That's no secret. We want a bigger piece of the pie, but what we're about is making the whole bigger for everybody. A popular misconception. In the professional arena, doctors, attorneys, accountants, the fees they charge for the services they render could not possibly be charged if

the workers didn't make the wages to pay them. Consequently, government could not be efficient. They couldn't collect the taxes from the same wages. Churches could not satisfactorily take care of their clergy and the underprivileged if we couldn't contribute to the tidings. In conclusion, I submit for your approval, no matter what industry nor occupation nor capacity, what you personally enjoy in terms of profits from said business, can be directly traced to the roots of organized labor, either in whole or in part. Even those in this County that have very little would not have that should it not be for organized labor. Therefore, on Friday, September 3<sup>rd</sup>, a week from today, we are asking anybody that is pro-labor, pro-working people, to wear red to honor organized labor and the fight and the successes we have enjoyed and still enjoy to this day. Thank you very much. Chairman Hair said, thank you.

Mr. Chester Dunhan said, Mr. Chair, again I want to thank you for the —, and the Commissioners for the resolution that y'all just presented to us. As you see behind me these guys —, first I want to bring you greetings from the National AFL-CIO and Mr. Sweeney, who's the President, and there's 13 million plus members. I would also bring you greetings from our trades and labor which make up all the union craft —, organized craft, which is the Central Labor Council, the building trades, all of us, and that's why these gentlemens [sic] back here, they're from different craft and some of them might have absent [sic], but we makes [sic] up a body of almost 10,000 union members in this area and we want to bring you greetings from all of those individuals, and we definitely decided to make sure that on —, and the reason we're doing this because on Labor Day everybody is off relaxing, so we're not having a large function on that particular day, but what we decided to do, like Brett [Hulme] just said, the 3<sup>rd</sup>, which is next Friday, and we will be doing this because we want everybody who works, whether union or not union, to wear red in solidarity —, in support of labor because that day is a day set aside for laboring folks, and this group here, along with A. Phillip Randolph Institute, because the Central Labor Council and the Randolph Institute work hand in hand we are one, we wear the same cap, and I want to make some quotations about some great Presidents what was talking about labor, and this one is from Abraham Lincoln, and he said all that serve labor serve the nation, all that harm is treason. If a man tells you he loves America yet hate labor, he is a liar and there is no America without labor. Woodrow Wilson said, while we are fighting for freedom, we must see among other things that labor is free. Franklin Delano Roosevelt: If I were a worker in a factory, the first thing I would do would be to join a union. Harry S. Truman: The right to join the union is one choice is unquestionable today and is protected by the law, and then Eisenhower said this. He said, only a fool will try to deprive working mens [sic] and womens [sic] the right to join a union of their choice. Again, we want to thank you very much.

Chairman Hair said, thank you. We appreciate y'all coming.

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**VI. CHAIRMAN'S ITEMS**

**1. CANCELLATION OF SEPTEMBER 24, 1999, MEETING.**

Chairman Hair said, under my section, the first —, I would like to recommend to my fellow Commissioners that we cancel the September 24<sup>th</sup> meeting. The reason for that is the Attorney, the Assistant County Attorney and the Clerk have to be at a mandatory meeting in Athens, and I've discussed this with the County Manager and he recommended that this would be the appropriate action. Otherwise, we would have two meetings back to back, either if we pushed it forward or backwards, and he said it would cause him no problems whatsoever, so I would recommend that we cancel the September 24<sup>th</sup> meeting.

Commissioner Murray said, so moved. Commissioner Price said, second. Commissioner Thomas said, second. Chairman Hair said, motion and second. Any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you.

**ACTION OF THE BOARD:**

Commissioner Murray moved that the regular meeting of the Board of Commissioners on September 24, 1999, be canceled based on the fact that the County Attorney, Assistant County Attorney and County Clerk will be attending a mandatory meeting in Athens, Georgia, on that date. Commissioners Price and Thomas seconded the motion and it carried unanimously.

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**2. SET MEETING WITH LEGISLATORS.**

Chairman Hair said, I have been in discussions with Bob McAlister and he has recommended to us, he has been in touch with Mrs. Mueller, the Dean of the delegation, and I would like to suggest two dates. There are two separate events that

they would like to hold with us. The first is on Tuesday, September 14<sup>th</sup>. They would like to have a social with us. It would be at 6:30 in the afternoon and Bob [McAlister] as of yesterday did not have a location, but I would like for you to go ahead and put that on your calendars on Tuesday, the 14<sup>th</sup>, at 6:30 p.m., there will be a social with all of our legislative delegation and us. Commissioner Price asked, where? Chairman Hair said, we don't have a location yet. I'll let you know as soon as he —. Commissioner Price said, you said that.

Chairman Hair said, the other date, they actually had three dates that would be available with them, but they highly recommended Thursday, September 16<sup>th</sup> at 12:00 Noon here in the Commission chambers, that we would have our local meeting with them with our legislative priority list. So if both of those dates are suitable with the majority, and hopefully all of us could attend both of those meetings. That's September 14<sup>th</sup> at 6:30 p.m., and Thursday, September 16<sup>th</sup>, at 12:00 Noon, here in the chambers to meet with our legislative delegation. Does anybody have any objection to those two dates? If not, I will get Mr. McAlister back and Mrs. Mueller and we'll confirm those dates. Thank you.

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**VII. COMMISSIONERS' ITEMS**

**1. MEETING WITH TRIPARTITE COMMITTEE (COMMISSIONER JACKEL AND COMMISSIONER ODELL).**

Chairman Hair asked, who's going to make that presentation? Commissioner Jackel said, I'll start. Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, we had an excellent meeting with the Tripartite Commission [sic]. For some of you who may not know, that is the committee that is put together —, the Commission nominates some of the members, the Judiciary nominates some of the members, and the administrative staff nominates some of the members, to monitor our indigent defense council, people who are appointed to represent those who cannot afford their own attorney. We met with them and discussed ways of keeping better track of the fees that are paid, possible ways to cut costs, efficiencies that could be made, and we had a very positive meeting with them. A future meeting is planned and steps are being taken to make sure that this system is properly run and people are adequately defended.

Chairman Hair asked, Commissioner Odell, would you like to add anything to that? Commissioner Odell said, just a couple of comments. Chairman Hair said, certainly.

Commissioner Odell said, if you look at what happened in 1998, there was a total request of about a million eight from attorneys who had represented, put in the time for people who were unable to hire a private attorney. The Tripartite Committee only approve about one three, so we had a \$500,000 savings just from this committee's actions. We had over 170 attorneys, and I think that Martin [Jackel] said what ultimately we're going to do is there's some things that we can standardize. Even in the practice of law we can standardize them. One of the things would be a standard discovery motion, and that is without the attorney having to actually draft the motion that any indigent defendant, it would be a standard [inaudible] that the District Attorney would provide at discovery. That may not be all the discovery, but that would be one element cost that we could save, we could standardize. And there's some other things, and the committee was extremely responsive. It's important to note that this committee is composed of —, we appoint, this Commission appoints to it, the judges appoint to it and the local bar, Savannah Bar, appoints to it. So we have good representation on the committee. I was extremely pleased.

Chairman Hair said, I would like to express my personal appreciation for Commissioner Jackel and Commissioner Odell. I think you folks have done a really good job here. I appreciate you representing us, and I would like to see this maybe as a continuing thing, maybe every six months or so maybe the two of y'all would meet —. Commissioner Odell said, we have additional meetings planned. Chairman Hair said, great. That's terrific. I think that's a good idea. We appreciate what you did.

**ACTION OF THE BOARD:**

Received as information.

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**CHATHAM AREA TRANSIT AUTHORITY**

Chairman Hair declared the meeting of the Board of Commissioners in recess at 9:30 a.m., 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 at 11:08 a.m.

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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 (\*).

None.

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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 CONTINGENCY TRANSFER OF \$3,000 FOR EMERGENCY REPAIRS TO A MARINE PATROL BOAT AND A SPECIAL SERVICE DISTRICT FUND CONTINGENCY TRANSFER OF \$76,000 TO PAY FOR SOUTHWEST BYPASS LIGHTING.**

Commissioner Price said, so moved. Commissioner DeLoach said, second. Vice Chairman Thomas said, all in favor —.

Commissioner Murray said, I'm in favor, but I just wanted to find out —. Vice Chairman Thomas said, discussion. Commissioner Murray asked, what kind of repairs are we doing to the —? County Manager Abolt said, it was coming down the river and hit a floating railroad tie and did some damage to the vessel. Commissioner Price said, that'll do it. Commissioner Jackel said, that'll do it every time. Commissioner Murray asked, and that's all it's going to cost to fix it?

Vice Chairman Thomas said, okay. No further —.

Commissioner Price asked, is the officer all right? Vice Chairman Thomas asked, no further discussion? Please vote, The motion carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers and Odell were not present.] Vice Chairman Thomas said, okay, the motion's carried.

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

Commissioner Price moved to approve the following: General Fund M&O Contingency transfer of \$3,000 for emergency repairs to a Marine Patrol boat and a Special Service District Fund Contingency transfer of \$76,000 to pay for Southwest Bypass lighting. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers and Odell were not present.]

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2. **REQUEST BOARD APPROVE BUDGET AMENDMENTS IN LIGHT OF THE 1999 MILLAGE LEVY: TO RECOGNIZE \$1,396,290 IN REDUCTIONS IN THE GENERAL FUND AND \$319,740 REDUCTIONS IN THE SPECIAL SERVICE DISTRICT SPECIAL REVENUE FUND, \$39,450 CONTINGENCY TRANSFER FROM SPLOST 1993-1998 FOR ASSISTANT COUNTY MANAGER SALARIES; AND REQUEST FOR FY 2000 GOALS.**

Commissioner Price said, so moved. Commissioner Murray said, second. Vice Chairman Thomas asked, any discussion. Commissioner DeLoach said, yes.

County Manager Abolt said, I wanted to present to you what staff has done since the millage was set. We did send this report out a day earlier than normal when it was completed. I would direct your attention to what begins on page six, and this is an array by each of our departments as to where the adjustments would come. There was a meeting held with all

departments the Monday after the millage was set. At that time they were asked to cooperate and work —, by going over each of their respective budgets to see what might be freed up to get us to a point of being in balance as a result of the revised revenue stream. You see the result of that. If you look again by each page you'll see where each department has offered up something. It is evidenced there. On page —, back to page nine —, excuse me. I'm sorry, it's on page ten, which is the summation of the General M&O budget. We were able, through these cuts and through the revenue change, and as you mentioned, it will take more of SPLOST money to cover the cost of Mr. Monahan's and my office. We were able to come up with budget adjustments that totaled \$230,010. We have a target of 1.3, almost 1.4 million. The balance would come from our Restricted Contingency account, which is of course non-reoccurring, and that was as a result of the SPLOST collections. I will note that Commissioner Murray did ask the question last time how much money would be available within the Library based on what we could see as an expenditure pattern, and we did give that information to Mr. Dickerson. That is contained in your budget from the same report on page 42. We would forecast, and again the Library would have to respond to this, approximately \$1.7 million in unused money this year, but again the intent here was to set aside a plan of action concurred in by each department and voluntarily offered up that would allow us to bring it in line. The down side of it all, of course, is that we are using non-reoccurring revenue to balance our budget this year. For the SSD the situation was a little bit different, and I particularly want to single out Chief Sprague and Mr. Robert Drewry. They have come up with what amounted substantive cuts. Non-reoccurring revenue was not an issue here. They've come up with about \$200,000 worth of cuts and, again, between the two departments approximately which is very laudable in the short period of time remaining this year. The balance would come from Contingency and we can bring SSD budget in balance as a result of that budget cutting. The last comment I would make, and I urge you as I did in the cover memorandum last Monday, it would be very helpful to me and the balance of staff if sometime in the near term you could wrap your goals session for the year 2000. We do have on pages 13, 14, 15 and 16 a reproduction of information already given you, but that's pretty important to us as we proceed with putting the finishing touches on the proposed budget.

Vice Chairman Thomas recognized Commissioner DeLoach.

Commissioner DeLoach said, I—, on page six and seven of this outline that you've got. Where was that in this —? County Manager Abolt said, six and seven. Yes sir. Commissioner DeLoach said, let's go to line 4301 Superior Court Judiciary. It says current amended budget for '99 was \$1,815,900. Is that correct? County Manager Abolt said, that's correct, sir.

Commissioner DeLoach asked, what was the budget —, the list of cuts that the judiciary offered to help balance the budget? County Manager Abolt said, the total judiciary is summarized as \$30,500. There were none forthcoming from the Superior Court. Commissioner DeLoach said, none from Superior Court. We have no —, okay. None from Superior Court. Clerk of Superior Court, zero; Magistrate Court, zero; State Court Judges —, am I reading this correct when I say zero? I mean, I've got lines here that say zero. County Manager Abolt said, yes, that's correct. That's correct, sir. Commissioner DeLoach said, State Clerk, Probation Office, Grand Jury, Victim Witness; Sheriff and Peace Officers; Marine Patrol —. Commissioner Price said, Victim Witness cut. They did cut. Commissioner DeLoach asked, I didn't say them, did I? Commissioner Price said, yes. Commissioner DeLoach asked, I did? Jail Maintenance. Sheriff, did you offer any cuts to the budget to help balance the budget? Sheriff St. Lawrence said, no sir, I did not. Let me explain my position. Commissioner DeLoach said, please do. I'm interested in that.

Sheriff St. Lawrence said, I will. Two weeks ago I was up here and you put \$100,000 out of Contingency in reserve because I'm out of line on my overtime account, but I felt that I could make it. My budget had a favorable variance overall although I was short in a line item. Now I will tell you this. If you want to take \$100,000, \$200,000, you can take it out of my budget and I certainly won't challenge you, but I want to tell you that my inmate count is almost up to 1400. I've spent a lot more on medical and food and everything else and —. Commissioner DeLoach said, all I want you to tell me is can you afford a cut in your budget? Sheriff St. Lawrence asked, that I was [inaudible]? Commissioner DeLoach asked, can you afford a cut in your budget? Sheriff St. Lawrence said, not as I see what it's going to cost me to make it through the end of the year.

Commissioner DeLoach said, that's fine. That's all I need. Who does the Detention Center, who handles that? Sheriff St. Lawrence said, that comes under me as well. Commissioner DeLoach asked, you too? Okay, let's —, okay. But there's no way —, and I —, and listen, I'm not saying there's any —, I understand your position and where you're going. Sheriff St. Lawrence said, thank you, Commissioner. Commissioner DeLoach said, I just want to make sure everybody's aware that everybody's in the same boat. Sheriff St. Lawrence said, but just be aware that —. Commissioner DeLoach said, absolutely, and I —. Don't even worry about it. I understand you can't and I know that. Sheriff St. Lawrence said, yes, but two weeks ago we was [sic] up here and the Manager recommended an [inaudible], and he set \$100,000 aside out of reserve — into reserve rather, because of the amount of overtime running, but I've got 1350-something inmates as of Monday morning, and it's just —. Commissioner DeLoach said, I understand your situation. I'm not questioning it. I just want to make everybody else aware of it. Sheriff St. Lawrence said, okay.

Commissioner DeLoach asked, how about the Tax Commissioner? Tax Commissioner Danny Powers said, same thing, sir. Commissioner DeLoach asked, did you offer any cuts to come here? Tax Commissioner said, no, I didn't. I was not able to. Commissioner DeLoach asked, you don't have any prisoners, do you? Commissioner Powers said, no, no prisoners. Commissioner Jackel said, he doesn't take any prisoners. Tax Commissioner Powers said, we looked at our line items. The only line item where there is savings is come [sic] in the salaries line item and, of course, they can't use that, is what we heard, but the other line items, we're tight as a tick. Commissioner DeLoach said, all right. Let me ask you this, Danny [Powers], since you're up here. Passing a budget using reoccurring or increase —, what do you call it,

reval —, where we take the budget and we use reval and we increase, and we balance our budget using reval, and then we come to the nearly three months before the end of the year we cut that out of that budget, what does that do to your budgeting process? Tax Commissioner Powers said, well, when you put it in there and you tell me we have X-amount of dollars, then we're planning that we —, we're able to use that. Commissioner DeLoach asked, don't you base your budget on revenues that they say you're going to get? Tax Commissioner Powers said, absolutely. Commissioner DeLoach asked, and you pretty well balance your budget throughout the year, don't you? Tax Commissioner Powers said, right. Commissioner DeLoach said, okay. That's all I need. Thank you. All right, who else we got that had an opportunity or wasn't able to? There's several more here, but the point I'm making in all this is that again it gets back to the County Commission and our arbitrarily cutting the budget and what do we need to do about that. This —, the bill that's hopefully will get passed eventually will take care of this situation and we won't be able to do —, I think the term was used earlier, feel good situation. We won't be able to pass a budget using reval and then turn around and cut somebody's throats nine months into the year. So my point in all this is we don't need to cut this budget for the County, not this year, and I'm going to offer a motion towards that, and all I'm going to do is I'm shifting my —, all the ducks into one corner and it's going to be next year, and next year we're not going to use reval, and I hope all of you will commit to that. This coming year we're not going to use reval to balance the budget this coming budget session and whenever we get down to it, we're going to find out just where we all stand. But let me offer a motion, if I could.

Vice Chairman Thomas said, excuse me. Let me hear —. Commissioner Price said, there's already one on the floor. Commissioner DeLoach asked, is there one on the floor? Vice Chairman Thomas said, there's already a motion on the floor. Commissioner Jackel asked, what's the motion on the floor? Commissioner Price said, approve —, approve what the staff recommended. Vice Chairman Thomas said, approve what's here. Commissioner DeLoach said, I'll just hold my motion then until after this voted on. Commissioner Price said, well, it may not —, if the motion passes, it will not be germane. Commissioner DeLoach said, the main point I'm —. All right, the main point I'm making in this issue is that the tax —, the County Commission caused this situation and it's the County Commission that needs to straighten it out, and I think we'll have an opportunity to do that at a later date, and if this motion does not pass that is up, I'd like to make another motion to take care of this situation for this year and move it into next year's budget session. Vice Chairman Thomas said, okay, no further —. Did you want to speak?

Commissioner Price said, Eddie [DeLoach], you missed one department and that was the \$763,410 that's approved for the County Commissioners budget. I noticed we didn't have any cuts in our budget. Can you explain —, can you explain what is in our County Commissioners budget and why didn't we cut? Commissioner DeLoach asked, why didn't we cut? County Manager Abolt said, that's up to y'all. Commissioner Murray said, if we cut in other places, we need to cut ours. County Manager Abolt said, that's up, that's up to y'all. Commissioner Price asked, why didn't we cut our own budget? County Manager Abolt said, that's up to y'all. Commissioner Price asked, what is that \$763,000 represent? I mean, that's —, we're not spending that amount to travel the country, I know. County Manager Abolt said, it's primarily salaries. You have some money in there for public service, community service things, but it's primarily salaries. Commissioner Price said, the grant-in-aids —. County Manager Abolt said, no sir. You have the Communications Officer, the position now vacant, but of course that money must be used to balance the budget based on the 90-day hiring freeze, but it's all people. Commissioner DeLoach asked, it's all people? County Manager Abolt said, yes. Commissioner Price said, well, but you've got certain items like the County Attorney and County Clerk —, Commissioner Murray said, the County Attorney is separate. Commissioner Price said, and others, but I can't —. I mean, I made the motion to approve this, and we got in looking and found out we didn't cut anything. I can't, you know. I'll withdraw that motion until we can find a way to —. Commissioner DeLoach said, let everybody suffer the pain. Commissioner Price said, I mean, that's right. I mean, if that's the way it's going to be, then all of us need to suffer. What's the —, what's the area within the County Commissioners budget that we can cut? Commissioner Saussy said, the Communications Officer will not be here for the last three months. Commissioner Price said, what about the major thing we can? County Manager Abolt said, you have the Communications —, but remember you have the 90-day hiring freeze, and just like Tax Commissioner Powers commented, you know, that's not fair game for this because though we did not know that position would be vacant, we assumed that there would be a vacancy that amassed \$900,000 in the M&O budget that goes towards it, so as part of the rules to balance we cannot include salary savings from other than uniformed police officers because they were absolved from the freeze. So any vacancy you would experience would have to be there. The only other area you have is, again, you have some community service or what is called community affairs thing. I don't know what the status of that account is. Again, that —, out of courtesy to y'all, you know, that's your choice. Commissioner Murray said, I would expect that account to be cut just as any other account. Commissioner Price asked, what were we looking for from all of the departments, what percentage? County Manager Abolt said, sir, we were not. It is too late in the year, sir, to do that. We realize that it is a very dynamic budget because many of the departments have, in effect, spent an awful lot of their money that is not one —, divided by one-twelfth, so I had asked just for their cooperation, and of course what we're having —. Commissioner Price asked, I mean, what money was left over, David [Persaud], from the last fiscal year that rolled into the County Commissioners budget for this year? I mean, what was left from last year? Did the County Commissioners budget use all of the money allocated last year? Mr. David Persaud said, I will need to get that information. Can we put this —, can we move to table this item until —, and go through the rest of the agenda and finish it until we have that information and come back to it?

Vice Chairman Thomas asked, are you talking about the whole thing in number two? Commissioner Price said, just this —, yes, this whole number two. Vice Chairman Thomas asked, did you want to speak to this, Mr. Earl?

Mr. Ken Earls asked, I just want to know. Don't you all have a travel budget or has that already been spent? Commissioner Price said, well, that's part of what I want to find out. That's part of the question I want to find out.

Vice Chairman Thomas asked, okay, so you want to table this? Commissioner Price said, I move we table item number two until staff can come back with the information we're looking for. Commissioner Saussy said, today. Commissioner Price said, today, before the end of today's agenda. Commissioner Murray said, second. Commissioner Jackel asked, can I make a comment? Vice Chairman Thomas said, comment —.

Commissioner Jackel asked, what's the total budget figure on the Commissioners? Commissioner Price said, \$763,410. [Unintelligible comments when several Commissioners were speaking at the same time.] Commissioner Jackel said, if you take ten percent of it you're not talking any money. Commissioner Price said, I know that, but I want to know what it is.

Commissioner DeLoach asked, can I ask a question before we finish the vote? Vice Chairman Thomas said, yes. Commissioner DeLoach said, what I would like know is, what difference does it make? The reason I'm asking that is if we're going to start lining up and say each one needs to make sure they cut, are we just going to say arbitrarily let's take five percent? Commissioner Price said, no, we need to lead by example. Commissioner DeLoach said, I don't care, that's fine. I don't mind. Commissioner Price said, that's my point. We're asking other departments to cut and we're not cutting our own department.

County Attorney Hart said, Madam Chairman, we have a motion to table on the floor with a proper second. Vice Chairman Thomas asked, it has been seconded? County Attorney Hart said, it should cut off discussion until the motion is ruled upon. Vice Chairman Thomas said, I'm sorry. Please vote. Commissioners Saussy, Murray, Price and Thomas voted in favor of the motion to table. Commissioners Jackel and DeLoach voted in opposition. The motion to table carried by a vote of four to two. [NOTE: Chairman Hair and Commissioners Rivers and Odell were not present.] Commissioner Price said, the motion passes. Vice Chairman Thomas said, how many people in here? Commissioner Price said, there's only six of us right now. Vice Chairman Thomas said, oh, okay.

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District Attorney Spencer Lawton said, Madam Chairman —, Mr. Chairman, may I approach please? Chairman Hair said, certainly. Mr. Lawton said, I had made myself available. What I want to do is beg your indulgence for the afternoon. I had made myself available here with the intention of answering any questions that may arise concerning the merits of the proposal to engage a consultant to undertake my part of the management study which the Commission's already approved. I had not scheduled my Friday afternoon in contemplation of being here, and so what I'm asking is whether —, and the matter has been tabled now because of what I understand to be budgetary concerns. I'm wondering whether I may be excused for the afternoon or whether I could go ahead and answer whatever questions there may be concerning the merits of the proposal now. I don't mean to be out of line, but I just --.

Chairman Hair asked, does anybody have any major questions of the District Attorney?

Commissioner Price asked, Mr. Chairman, may I move to untable the motion that I tabled earlier or the item that I tabled earlier. Chairman Hair asked, which one was it? Four? Commissioner Price said, two, item two. It was the one concerning the reconciliation to staff recommendation —. Chairman Hair said, all right. We have a motion to untable Item two of the —, approval of the budget amendments. Commissioner Saussy said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Okay.

Commissioner Price said, Mr. Chairman, I was asking the question at the time why the County Commissioners budget wasn't reduced or cut. I had an opportunity to talk with Mr. Persaud and I think —, and also yourself, and I think your idea seems to me to be a fairer approach to how we would equally and evenly cut, and I'd like to ask you to explain that to the rest of the Board, what your idea is.

Chairman Hair said, well —. Commissioner Jackel said, excuse me just a second. Our District Attorney came up and asked for consideration. Can we give him some consideration? Commissioner Price said, he's asking if we have any questions of him. Chairman Hair said, I think he's —. Commissioner Price said, and I think if he hears what this —. Chairman Hair said, he particularly wanted to questions on the management study. Is that —, is that what you're —? Mr. Lawton said, I'm sorry. Chairman Hair asked, you want to know if there's any questions on the management study for your office, is that what you're —? Mr. Lawton said, that's right. I will make myself available as you require me to do, but what I was hoping is that if your concerns are budgetary and fiscal, then —, and I can't respond to that, then I would like your indulgence in leaving. If on the other hand there's some questions about the merits of the —. Chairman Hair said, I don't anticipate —, you're in favor of the study, is that correct? I mean —. Mr. Lawton said, I think it's —, my understanding is that this Board has undertaken a major project for a management study. I commend the idea. Having understood that to be the case, I communicated with the Chair and undertook to solicit a proposal from the American Prosecutors Research Institute, to conduct that study with respect to my office, it being a specialized operation. They have submitted a proposal, you have that before you, and consistent with the Board's expressed interest in the management study, I commend it to

you. I would indeed favor it if the Board feels that it's the proper thing to do. I would welcome it certainly. My feeling is that —, my hope would be that out of such a study I would learn something that I don't already know. I'm unlikely to learn anything from somebody who knows less about my business than I do. These are a reputable consulting institute and I would anticipate beneficial results from it. That really is all that I can offer. I don't —.

Chairman Hair said, I think it's —, you know, both you and the courts I think, when this first came up, I think you responded very appropriately by saying, you know, we would like to do it, but we would like to make sure somebody that understands the operation, and I think this Commission went along with both you and the courts. I think it was a good —, it's not really a compromise, but I think was a good agreement that we worked out. Mr. Lawton said, I just —, if there are no questions on the merits of this proposal, then—. Chairman Hair said, I don't anticipate any. Does anybody have any —? Mr. Lawton said, I would ask your indulgence in allowing me to leave. Chairman Hair said, no one has any questions. Commissioner Price said, have a good afternoon. Mr. Lawton said, I'm obliged to beg the same dispensation on behalf of the Court Administrator. Chairman Hair said, okay, that's fine. Thank you. Mr. Lawton said, thank you very much. Chairman Hair said, thank you very much. We appreciate your being here. Commissioner Jackel said, that was said eloquently, Spencer [Lawton].

Chairman Hair said, before I would like to propose something that Commissioner Price is referring to, I would sort of like to just make a very brief foundation remark. I've never been one that believe in across the board cuts as a philosophy because I think it doesn't necessarily treat everyone equal. However, in the situation that we find ourselves in, we have asked departments to —, we've asked all departments to cut and some departments have cut and some departments haven't cut at all. I believe that if we keep in mind that we're only talking about between now and December, we're not talking about next year, we're only talking about four months, that if we took the deficit and I've asked Mr. Persaud before I left a while ago to get what one percent cuts across the board would generate in savings, a one percent cut in the M&O would be \$271,000 and SSD is \$53,000. And, Russ [Abolt], the total deficit was what number? County Manager Abolt said, sir, in the —. Chairman Hair said, you can give it to me separate. County Manager Abolt said, okay. The required cuts in M&O were \$1.3 —, well, \$1.4 million. Chairman Hair said, okay, \$1.4 and —. County Manager Abolt said, and in the SSD, sir, the required cuts 319 —, almost \$320,000. Chairman Hair said, 319. County Manager Abolt said, 326. Chairman Hair said, 326. So we're roughly looking at four percent in SSD and probably slightly more than four percent in M&O, about 4.2. If we ask all departments between now and December to cut roughly four percent, that would balance the budget. I have a real problem with taking a tremendous amount of money out of —, you know, basically what's before us as a staff recommendation is to take about \$1.2 million out of fund balance, you know, to balance the budget. And this is the very thing that Commissioner Rivers has warned us about, Commissioner DeLoach has warned us about over time, and if we take that approach that we're going to —, you know, we spent three months ago, four months ago when we had our financial advisers here, they warned us about drawing that balance down to a very low number, and I think that leaving that fund balance alone and asking to do across the board cuts, which would include us, include the Commission and our budget as well, we would not be excluded, we would have to find four percent in our budget like everybody else would. I know that's not something that everybody wants to do. I know every department head sitting out there said, well, I can't survive a four percent cut, but, you know, I just think that in the absence of all departments coming forth with, you know, suggested cuts, I think it would be unfair to take the cuts that we've got from the departments that did offer and not cut any of the other departments at all, and I think if we just said we're going to ask for a four percent cut across the board, every County department, only until December of '99, I just think that's the fairest way and the best way for us to get the budget in balance, and I would offer that as a consideration.

Chairman Hair recognized Commissioner Price.

Commissioner Price asked, you mean for the balance of the year? Chairman Hair said, yes. Commissioner Price asked, when you say four percent, is that an annualized number or is that four percent —? Chairman Hair said, that's four percent between now —, that's what's left in their budget. David [Persaud], am I correct? Four percent of what's left in their budget. Commissioner Price said, this isn't, this isn't the same —, let's clarify this —, as a four percent annual cut. Chairman Hair said, that's correct. Commissioner Price said, this is not that. Chairman Hair said, that's correct. Commissioner Price said, okay. Chairman Hair said, it would be four percent of what they've got left. Commissioner Price said, it's what's left in the balance —, the balance of this fiscal year. Chairman Hair said, correct. Commissioner Price said, the current fiscal year, but it would be four percent. So that's not the same as saying —, that's like one percent, I guess maybe, if you look at it in some respects. Chairman Hair said, I agree, but I do think though that that would —, it does address all departments and it doesn't —, I mean, look, let's be honest about it. None of us up here are really qualified to go into a department's budget and say this department head needs that and this department head doesn't need that. I mean, we could sit up here for three months and we would make very bad decisions, but I think it is a policy decision if we were to pass this motion that we would say the budget's got to be cut, but where it's cut is left up to the department head. That's up to them. Commissioner Price said, let me follow through on my last part of this question. If a department had a million dollar budget —. Chairman Hair said, right. Commissioner Price said, and we're talking the last quarter of the year basically or last four months really, so you're only talking one-third of it, then they would cut four percent of \$333,000 or whatever that is —. Chairman Hair said, that is correct, which would be less of a cut than if you took four of the million. That is correct. Commissioner Price said, that doesn't mean if —. Commissioner Jackel said, four percent out of \$250,000. Chairman Hair said, yes, out of two —, well, actually four months, so it would be a third. Commissioner Price asked, what if some of the departments have already spent —, we're two-thirds through the year. What if some departments have already spent 80% of their budget? Chairman Hair said, I think that would be true in certain line items,

but I don't think that would be true across the board. I would certainly hope that they haven't spent their entire budget that way. If they did, they would have a problem anyway. I think certain line items might be spent, something that was —, for example, insurance policy. The premium might have already been paid, but there would be other line items that would not.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I can support that, but there's something that still bothers me and that —, Russ [Abolt] brought it up earlier. Did you say it was \$1.8 million with the Library that they would not spend this year. County Manager Abolt said, \$1.7, sir. That's our estimate that was given to Mr. Dickerson, the one point —. Commissioner Murray said, that will not be spent this year, but they aren't —, won't make any reductions or anything? Is that what you said. Commissioner Odell said, yes. County Manager Abolt said, from the information that was given you that's my understanding, sir. Commissioner Murray said, I understand they need the money, but so do other departments, and if they don't need the \$1.7 or whatever it was, why do we not get a portion of that in the cuts?

Chairman Hair said, well, I think that's a good question, Commissioner Murray. If this motion —, if somebody makes the motion, nobody's made a motion, but if we were to proceed along these lines, certainly the Library would be included in the four percent like everyone else so a portion of that would —.

Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, my problem with this is that we're shifting all the blame and all the problems back on the people who are ill equipped to deal with it because they basically set up their budgets and done everything they're supposed to do for the entire year, and they did that based on us having that reveal in there. So these folks have basically got their number, they've got the revenues they thought they were going to get and they basically got their budget based on that. And now because we have decided to take the easy way out, we in turn are telling them that they have got to cut their budget, and I don't feel like they should have to do that. I think, again, it should come back and be the responsibility of the County Commission to determine exactly what takes place. Now with that in mind, I feel like we ought to take and, and I'll put it in the form of a motion and —. The Clerk said, we already have a motion on the floor. Commissioner DeLoach said, no we don't, no we don't. Chairman Hair said, we took it off the table, we couldn't have a motion. The Clerk said, there was a motion that had already been made —. Commissioner Price said, there was a motion. The Clerk said, prior to that. Commissioner Price said, to accept staff's recommendation. The Clerk said, that was made by --, to accept the report, that was made by Ben and seconded by Frank. Chairman Hair asked, to do what? The Clerk said, to approve —. Chairman Hair asked, the staff recommendation? The Clerk said, staff recommendation.

Chairman Hair asked, Mr. Hart, if the motion's on the floor at the motion that I table and you take it off the table, does the motion remain on the floor or would —. Commissioner DeLoach said, we need to do something with the motion. Commissioner Price said, Sybil's [Tillman] right. County Attorney Hart said, he can withdraw his motion. Chairman Hair said, he withdraws the motion. Commissioner Murray said, I'm removing my second. Commissioner Price said, I remove the first. Chairman Hair so that —. Thank you, Sybil [Tillman]. I appreciate it. All right, Commissioner DeLoach, if you're ready to make a motion, we'll entertain a motion.

Commissioner DeLoach said, okay, with that in mind what I would like to do is instead of cutting the budgets of everybody, I'd like to basically shift it to 2000 and let us take care of it as a County Commission and we can decide at that time what exactly we really need to do, and to do that my idea is the first thing we do is we not do the study that the District Attorney —, that the District Attorney was here talking about, that we basically just —, instead of doing it in '99, we shift it to 2000, the first quarter of 2000. Chairman Hair said, okay. Commissioner, make your motion succinct so we can understand the motion. Commissioner Odell said, he wants to delay the study —. Commissioner DeLoach said, I'm making my motion and I'm doing it succinct. I want to take \$127,000 and we're not going to do the study with the District Attorney and the courts. Chairman Hair said, okay, and —. Commissioner DeLoach said, I want to take the remaining amount out of Contingency, which will be about a million one hundred and some-odd thousand dollars. Chairman Hair said, okay. Is that —? Commissioner DeLoach said, okay, and then we want to take \$58,000 —, no, we'll take \$39,000 from the County Manager's line item where the Assistant County Manager was being funded by SPLOST, and that will give us a total of \$224,000. That plus the Contingency should balance it. Chairman Hair asked, and you're going to take a million what out of Contingency? A million what? Commissioner DeLoach said, it will be a million —, I think it's a million one sixty, or something. Chairman Hair said, okay. All right, we have a motion on the floor. Do we have a second? Commissioner DeLoach asked, can I go ahead and do SSD also? Chairman Hair said, certainly. Commissioner DeLoach said, okay, on SSD I'd like to go, instead of buying the —, there's two or three pieces of equipment that we're in the process of purchasing before the end of the year. I would like to take those pieces of equipment and instead of buying them, I'd like to put them on a short term finance and buy them in 2000 so that they're not a cost against us. That way that balances the budget and we will have —, in 2000 we can determine what we want to do. Chairman Hair said, okay, we have a motion on the floor. Do I have second to that motion? Commissioner Odell said, I'll second it. May I have discussion? Chairman Hair said, I recognize Commissioner Odell.

Commissioner Odell said, Mr. Abolt. County Manager Abolt said, yes sir. I'll make no analogy to co-signing any more. Commissioner Odell said, you should not co-sign. County Manager Abolt said, I've been put in my place, sir.

Commissioner Odell asked, Russ [Abolt], we're going to have a surplus of \$1.8 million in the Library? County Manager Abolt said, sir, again, sir, our understanding of the way in which money is being spent in the Library is from that memorandum you have in front of you, we anticipate, I believe it's \$1.7 million in dollars given the Library currently that we do not believe they'll be using. Commissioner Odell said, okay, so our shortfall —. Commissioner Saussy said, this year. Commissioner Odell said, this year. Commissioner Saussy said, right, this year. Let's make that clear. Commissioner Odell said, we're going to have adjustments made anyway, and I guess my question is what procedurally do we need to do —, say, for instance, if we wanted to retrieve, because basically we're just shifting money. How can we get the \$1.8 million back is my question? County Manager Abolt said, by budgetary action. Again, I don't want to put words in Mr. Dickerson or the Library Board's mouth. That information was given to them, and their response was they chose not to offer up anything. They may have reasons they may want to give to y'all directly, but a budgetary action, you could balance the budget by in effect reducing the Library budget, assuming we had no problem with maintenance of effort because I think we do not, in effect by taking the money back. It would, as Commissioner Saussy said, create a problem next year, but that —. Commissioner Odell said, absolutely, but we're going to have to deal with —. Commissioner Jackel said, some of that is salaries.

Chairman Hair asked, Commissioner Odell, can I just make —, ask you a question? You're actually, you're actually asking questions about something that's not included in Commissioner DeLoach's motion. You're actually asking an alternative to his motion. Can we deal with his motion first and then come up with an alternative? Commissioner Odell said, no, no. What I'm asking is to clarify. Eddie [DeLoach] has listed \$127,000 from the DA's office. I'm not saying let's take the full \$1.8 from the Library —. Chairman Hair said, but his motion has no money reduction in the Library. That's my point and you're asking —. Commissioner Odell said, yes, but —. What's your question then? Chairman Hair said, my question is, is it germane to the motion? That's my question. Commissioner Odell said, my answer is yes or I wouldn't have asked it. Chairman Hair said, I hear a whole lot of stuff that's not germane up here. Commissioner Odell said, yes, but you don't say anything to down there, and the biggest one is Jackel. But, really, obviously, I thought it was germane or I wouldn't have asked the question. It's germane to me because I need to know if this is an option and in order for me to do that, I have to ask the question. Chairman Hair asked, did you get an answer to your question? Commissioner Odell said, yes, Mr. Chair, it's germane. Chairman Hair said, okay. Do you have any other questions. Commissioner Odell said, not right now, but I'll let you know.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I'm sure you will. This \$127,000 you're cutting from the study of the District Attorney's office, we haven't committed that money yet. That's —. Commissioner DeLoach said, yes. I mean, we —. Commissioner Jackel said, we had the \$400,000 committed to the study —, management study, but we haven't committed any money above that. Commissioner DeLoach said, let me just say, that's the reason I asked for that to be tabled earlier because we were voting on spending that \$127,000 at that point —. Commissioner Jackel said, and we haven't done that. Commissioner DeLoach said, so instead of just spending that money, I was just trying to hold it for this so we could decide on this beforehand, and I've talked to the District Attorney and he had no problem with delaying that until the first quarter —. Commissioner Jackel said, well, I think it ought to be delayed until we see the effects of the management study that we've —, that's under way. We may not want to do any more after we see the effects of this. Commissioner DeLoach said, right. I'm not going to get into that, but he did agree to that. Commissioner Price said, that's great.

Chairman Hair said, all right, we have a motion and a second. All those in favor of the motion vote yes, opposed vote no. Everybody needs to vote. Commissioners Saussy, Rivers, Price, DeLoach and Thomas voted in favor of the motion. Chairman Hair and Commissioners Jackel, Murray and Odell voted in opposition. The motion carried by a vote of five to four. Chairman Hair said, the motion passes.

County Manager Abolt said, Mr. Chairman, there was one item that as a part of this that I mentioned before, and I'll mention it now for the entire Board. We badly need some direction from y'all regarding your goals for the year 2000. I would just ask that that be done fairly quickly. Chairman Hair asked, the goals? County Manager Abolt said, yes sir. Remember you had your goals session on budget and then there was one —. Chairman Hair said, we gave you those goals. County Manager Abolt said, they were not weighted, sir. I haven't received any weighted. I received —. Commissioner Price said, prioritized. Chairman Hair said, yes, we did. The one I gave back was prioritized. I took all of the Commissioners' and I took all of their rating systems and prioritized them in rank order, 1 to 17 or something. County Manager Abolt said, okay. I've not seen that, sir. Chairman Hair said, well, we've got that finished. I'll get Gail [Gordon] to get a copy of that to you.

Commissioner Price said, the report to the *Morning News* for the County had it on their report. Chairman Hair said, it's been prioritized. We did that about a month ago. County Manager Abolt said, I apologize. Chairman Hair said, okay.

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

1. Commissioner Price moved to table this issue until additional information is furnished to the Commissioners during the meeting. Commissioner Murray seconded the motion. Commissioners Saussy, Murray, Price and Thomas voted in favor of the motion. Commissioners Jackel and DeLoach voted in opposition. The motion carried by a vote of four to two. [NOTE: Chairman Hair and Commissioners Rivers and Odell were not present.]

2. Commissioner Price moved to place this issue before the Commissioners for consideration. Commissioner Saussy seconded the motion and it carried unanimously.
3. Commissioner DeLoach moved to take \$127,000 and we're not going to do the study with the District Attorney and the courts, take the remaining amount out of Contingency, which will be about a million one hundred and sixty some-odd thousand dollars. take \$39,000 from the County Manager's line item where the Assistant County Manager was being funded by SPLOST, and that will give us a total of \$224,000 and that plus the Contingency should balance it; on SSD instead of buying the two or three pieces of equipment that we're in the process of purchasing, put them on a short term finance and buy them in 2000. Commissioner Odell seconded the motion. Commissioners Saussy, Rivers, Price, DeLoach and Thomas voted in favor of the motion. Chairman Hair and Commissioners Jackel, Murray and Odell voted in opposition. The motion carried by a vote of five to four.

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### 3. BOARD CONSIDERATION ON CHANGING THE COUNTY'S FISCAL YEAR.

Commissioner DeLoach said, I make a motion we approve it. Commissioner Price said, second. Vice Chairman Thomas asked, any discussion?

County Manager Abolt said, well, again —, it's for Board consideration. We give you an option and I'm not certainly encourage you not to take some action, but I wonder whether or not you might be better served if all members were present because you're talking about your decision and how you want to handle future budgeting, and we give you different options as to when you might want to start your fiscal year because the choices you have in front of you namely are do you want us to give you a budget in the Fall that will reflect six months or nine months, do you want to go through two processes in the year 2000? I'm assuming that there's going to be some change. My only suggestion for process is you might want to make that with all members present so that you, in effect, have a commitment to do this because this will be a very ambitious year for you in the year 2000.

Commissioner DeLoach said, we can take a vote on it right now. If we've got a motion, we don't have to worry about it? Commissioner Price asked, do we expect the Chairman and Joe [Rivers] to come back? Commissioner Murray said, the Chairman's in favor of it. [Unintelligible comments when several Commissioners were speaking at the same time.]

County Manager Abolt said, if I may then, you're talking —, and I'm not trying to —, I'm trying to approach it from the standpoint of your involvement in this, if you were to give us the direction which is one of the options to change the fiscal year from the 1<sup>st</sup> of January to the 31<sup>st</sup> of December and change that to the 1<sup>st</sup> of July to the 30<sup>th</sup> of June, you'd go through a budget process in the Fall and you'd go through a budget process in the Spring. We'd give you a six month budget, but for the year —, for all intents and purposes, the year 2000 you'd be up to your elbows and beyond in budgeting, and I have no problem with that. We can do that, but I want you all to realize that's the type of commitment you're making. The other option, which is probably —, it's an option, not one that I necessarily favor, but you'd have a fiscal year similar to what the State and Federal government have, you'd go from 1 October to the 30<sup>th</sup> of September.

Commissioner Murray said, Russ [Abolt], unless we do this we're going to continue to run into the problem every year when we set the millage. Commissioner DeLoach said, exactly. County Manager Abolt said, I not arguing —, I just want to make sure you all know what you're getting into to.

Commissioner Jackel said, in addition, it is so hard in the Summer to —, with all the things going on from Thanksgiving until Christmas to spend that extra time working on the budget. That's why the others have adopted the addition —, the other times of the year. I mean, the Fall is the time to work on that and not the month of December. So I would like to see us change it.

Vice Chairman Thomas asked, okay, so what are we saying? Commissioner Saussy asked, so the motion is to change it to change it to October? Commissioner Price said, no the —. Commissioner DeLoach said, first of the year. Commissioner Price said, listen to what Russ [Abolt] is saying.

County Manager Abolt said, you have many choices that have to do with your fiscal year. You'd be moving, one option, the 1<sup>st</sup> of July of the year 2000 to the 30<sup>th</sup> of June 2001. If you approve that, then we would give you a six-month budget this Fall, so you would have an expenditure planned from the 1<sup>st</sup> of January to the 30<sup>th</sup> of June, and then from then on you'd have a full 12 months. That's one option. The second option would be to align it with what amounts the State and the Federal fiscal year, with is the 1<sup>st</sup> of October of the year 2000 until the 30<sup>th</sup> of September of the year 2001. We'd give you a nine-month budget then.

Commissioner Price said, it makes more sense to align it with the digest coming in, to align it with what 80% of the other county governments in the State of Georgia do. County Manager Abolt said, it's your choice. Commissioner Price said, I mean —. County Manager Abolt said, either way —. Commissioner Price said, I made the motion for approval which

was an inappropriate motion in that I did not indicate which option, so I'd like to withdraw my motion for approval and move that item —, Alternative 2(a), State of Georgia fiscal year, July 1 to July [sic] 30<sup>th</sup> be adopted. Commissioner Murray said, second. Vice Chairman Thomas asked, discussion?

Sheriff St. Lawrence said, I'd just make a comment as a department head. I wish you would change it because everybody we deal with, the State, the canine grant and all the trouble I got into with it, everything is from July 1 to June 30<sup>th</sup>, so if you could change it, it would help everybody out. Commissioner Jackel said, I think so too.

Commissioner Murray said, the motion is to go with October 1<sup>st</sup>. Commissioner Jackel said, let's hear from Tax Commissioner Powers. Commissioner Price said, I'm saying the Georgia fiscal year from July 1<sup>st</sup> to July [sic] 30<sup>th</sup>. Commissioner Jackel asked, Danny [Powers], does this affect you in any way? Tax Commissioner Powers said, no, I think it would help —. Commissioner Jackel said, all right. Tax Commissioner Powers said, with the millage rate situation. Commissioner Price said, sure it'd help.

Commissioner Saussy said, I made the second, then I withdraw it. I second your motion. Commissioner Price said, Frank [Murray] did. Vice Chairman Thomas asked, any further discussion?

Commissioner DeLoach said, I made the motion. Commissioner Saussy said, well, I made the first motion. Wasn't there a second to the first motion? Commissioner Price said, well, I apologize then. The Clerk said, Eddie [DeLoach] made the first motion and you [Price] seconded it. Commissioner Saussy asked, who seconded it? The Clerk said, on the first motion of just so moved without stating an alternative or anything, Eddie [DeLoach] had made the motion of so moved. Commissioner Price said, I thought I did. Do you withdraw your motion. Commissioner DeLoach said, just amend it. Commissioner Price said, well, I did. Vice Chairman Thomas said, he did. He just did. Commissioner DeLoach said, you just amended it and I accept the amendment.

Vice Chairman Thomas said, Alternative 2(a). Commissioner Price said, yes. Vice Chairman Thomas asked, any further discussion? Hearing none, please vote. The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Rivers was not present.] Vice Chairman Thomas said, okay, it's carried.

Commissioner Price said, now let me ask a question, Russ [Abolt]. After 11 years when I originally brought this up when I came over from the Board of Education and I asked staff if we could do this, why was this so easy to do it now? County Manager Abolt said, you're looking —, well, I don't want to, again —. Commissioner Price asked, now what's the difference between now and 10 years ago? County Manager Abolt said, if you —, well, we have the history there in front of you. If you take a moment and look at the file, it answers the question. Commissioner Price said, thank you for doing that.

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

Commissioner DeLoach moved that the Board approve Alternative 2(a) of the staff report to change the County's fiscal year to the State of Georgia fiscal year of July 1 to June 30. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Rivers were not present.]

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#### **4. BOARD CONSIDERATION OF TWO MANAGEMENT STUDY PROPOSALS FOR THE DISTRICT ATTORNEY'S OFFICE AND THE COURT SYSTEM.**

County Manager Abolt said, Dr. Thomas and gentlemen, this is an issue, you will recall, a high priority for the Board, management study of all departments. When we brought to you the initial solicitation for management consultants, there was evidence in the court system as well as the District Attorney's office a strong desire to have another agency more familiar with their respective duties to do the management analysis. You agreed and awarded a contract to DMG-MAXIMUS for doing all of the work for us save and except the departments I've just mentioned. You also instructed us to work with the courts and also the District Attorney to come up with firms or a firm that might be able to accomplish and meet their expectations. We have now for Board consideration the results of that continued solicitation. If you agree to this, we would be awarding —, you would be awarding contracts with the National Center for State Courts to do the work in the Superior Court and in the District Court —, District Attorney's office it would go to the American Prosecutors Research Institute. The two studies total about \$138,000. You had \$11,000 left from your original budget of \$400,000 for this. To accomplish this direction, if you wish to do it this year, we would draw down the Restricted Contingency \$126,479.

Commissioner DeLoach said, I'd like to make a —, can I just ask that we put this on hold or table this until we decide what we're going to do based on this year's budget? Commissioner Saussy asked, is that a motion? Commissioner DeLoach said, yes, that's a motion. Commissioner Saussy said, I'll second it. Commissioner DeLoach asked, do I need a motion to do that? Commissioner Price asked, can we make —. Commissioner DeLoach said, I made a motion.

Vice Chairman Thomas said, we have a motion. Any discussion? County Attorney Hart said, on a motion to table there's no discussion. Commissioner Price said, a motion to table kills discussion. Commissioner Murray asked, who made a motion to table? Commissioner DeLoach said, I did. Vice Chairman Thomas said, oh, we need to table. All right. County Attorney Hart said, he had a second, Commissioner Saussy. Commissioner DeLoach said, until we determine what we're going to do with the budget. The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Rivers were not present.] Vice Chairman Thomas said, okay.

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Chairman Hair said, item number four was tabled as well. I thought that was —, had already been passed. Did y'all pass that while I was gone? Item number four, the management study. I understand that —. You don't want to bring it up? Commissioner DeLoach said, no. Commissioner Price said, leave it on the table. Commissioner DeLoach said, yes. Commissioner Price said, it's tabled. Commissioner Thomas said, it's tabled.

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

Commissioner DeLoach moved to table this item until the Board decides what it is going to do on the budget. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Rivers were not present.]

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#### **5. BOARD CONSIDERATION OF PLAN TO TRANSFER LEASE AGREEMENTS OF OFFICE BUILDINGS FROM TIDELANDS.**

County Manager Abolt said, Dr. Thomas and gentlemen, I'll defer to Pat Monahan in a moment on this, but Tidelands has come to us in effect asking to be absolved from an obligation that was made freely by them to pay a rent that went towards making available to them some remodeled and new facilities, and we have arrayed an option for you that will allow us to work with them and possibly disposing of these assets in the manner Mr. Monahan has prescribed. I do want to underscore a very important portion of the policy analysis. We did this out of our concern for both Tidelands and the Health Department and to be a good neighbor. I am —, I have difficulty in recommending anything that would allow Tidelands to back off of a long term obligation. It's kind of like, you know, having agreed to co-sign for the purchase of an automobile for a friend says not to worry, you know, we're going to make those payments, you're not going to have to dip into your account, and now because of changes beyond certainly this County's control, we're keeping the faith, we're making —, you know, we're meeting our end of the obligation. We're certainly again giving them some choices as far as possibly disposing of the assets, but I am very insistent and very strong in my recommendation that if this choice, if you wish to exercise the choice that Mr. Monahan has arrayed, that we realize if it's not successful, when all the dust clears, Tidelands still has the obligation to pay for the debt service as long as the debt is there.

Vice Chairman Thomas said, Commissioner Odell, didn't you [inaudible]?

Commissioner Odell said, yes, just for a moment, I did, and if I might I'll try to locate the item in my book, which I have. Just by way of information, and I think maybe only David Saussy would be the only other Commissioner who is aware of what's going on with Tidelands. Tidelands Community —, here's Pat [Monahan]. County Manager Abolt said, Mr. Monahan is low profile on this. Commissioner Odell said, Tidelands lost or will lose this fiscal year in excess of \$2.2 million. Tidelands received approximately \$12.5 million from Medicaid and Medicaid is partially funded through State and Federal government, and there was a determination that statewide the Legislators decided to reduce the mental health, not mental retardation, budget for the State of Georgia by \$12 million for the entire state, but for Tidelands it's going to impact us about \$2.2 million. The Board of Directors of Tidelands Community Mental Health made a decision and that decision was that we would eliminate our south side and west side locations and bring those in-house, hopefully for greater staff utilization and to save on the rent, and we have two locations that are very desirable [inaudible], wouldn't you agree?

Mr. Pat Monahan said, yes sir, and if you notice, the primary message behind that —, the agenda item is that staff plans to cooperate as much as possible. What we're doing is basically setting up a five-month reprieve so that we can go ahead and use money reserved for maintenance to pay for the rent on those properties to allow us to dispose of them. One of them will be fairly easy to dispose of. It has no encumber —, it has very few encumbrances on it, it's in a very desirable location, probably can be marketed easily within that amount of time, and that's the south side location.

Commissioner Odell said, oh, yes, and we —, it's probably worth about 15 to 20% more than what we paid for it. Mr. Monahan said, probably more than that. There is also a vacant lot that adjoins to it that, as I said, makes it very desirable, very marketable. The difficulty is the property that is located in Garden City because that is tied to four or five other properties that we funded through a bond issue, and because we use tax exempt bonds to fund that project, we cannot split that off of the others. So that one will have to be rented for the duration of the bond period. At that point it could be sold, so we're looking at talking —, we've already started discussions with the Health Department about perhaps expanding

to the West Chatham area, talked to other County offices, and now plan to expand our search to some other nonprofit agencies in hopes of getting that property rented. It is bargain, bargain value. I mean, you're talking less than \$4.00 a square foot. That's because the County has no profit motive, we don't pay taxes, and we did use taxes in financing. We're reasonably certain that it can be —. Commissioner Odell said, rented or leased. Mr. Monahan said, leased. Can be handled as the —, as Alternative 1 prescribes, but as Mr. Abolt said, when it comes down to the bottom line, the County ought not to be stuck with it, and that's, as I might also clarify too, a lease doesn't allow them on that particular property to just walk away from the deal. Commissioner Odell said, I understand that. I hope other Commissioners know that Russ' [Abolt] example you borrow money from a friend and a friend co-signs and then wants to stick —, stiff you on the deal, that's not the same thing as what we have here. Tidelands Community Mental Health Services provides a necessary service. Its more like if my son convinces me to co-sign for a car and for whatever reason, because he returns to college, wants me to pay for that car, then I have compelling reasons for that to happen. One, he's my son; two is if he gets an education then I won't have to continue to support him. Tidelands provides necessary services. We've had a substantial cut from the State and if there's any way —, you know, mental health in Chatham County, what the State of Georgia has done with its managed care is dumb. A lot of people who otherwise should be in mental institutions, they have slashed mental health services to the tune that they said only \$12 million for the State budget, but impact wise it's going to be averaging \$18 million and it's going to be felt here and it's going to affect our jail where we're going to have more people that are not going to be treated at Tidelands who are not going to receive medication who are going to act up, they're going to be in our jail and receiving that expensive psychotropic drugs, and we only budgeted a limited amount for psychotropic drugs. It will double, but that's neither here nor there. We need to help Tidelands. Tidelands is also a part of the County.

Mr. Monahan said, yes sir, and I think if you adopt Alternative 1, that list provides an interim period in which we can help Tidelands, at least to the extent possible. The other is you could bring —, you could make a valid point about the changes that have occurred in the mental health business, the service side over the past few years. When the County entered into these agreements, there was no House Resolution 100 that restructured how mental health services are provided throughout the State. At that point Tidelands could not own property, and that has since changed. So what's happened is we are stuck with a 20-year agreement even though a lot of the rules when we entered into that agreement have changed.

Commissioner Odell said, I think Alternative 1 says, with those stipulations. I make the motion that —. Vice Chairman Thomas said, just before you do that I want to recognize Commissioner Saussy.

Commissioner Saussy said, Alternative 1 still requires them to pay if we don't —. Mr. Monahan said, well, what happens, it gives them a five-month reprieve. What we do is we transfer the funds from their maintenance account, it goes into the rent account, allows us to, one, market and sell the building on the south side and that in turn will generate some additional surplus funds. In addition to that, start —, send letters out to nonprofits about the availability of the space in Garden City. Commissioner Saussy said, but it doesn't let them off the hook. Mr. Monahan said, no sir. I think we can —, we feel reasonably —. Commissioner Saussy said, that's all I need to know. Mr. Monahan said, yes sir. Commissioner Saussy said, I'll second it.

Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray said, I was just going to make a motion. So, if you've already one —. The Clerk asked, did someone actually make a motion. Commissioner Saussy said, yes, Harris [Odell] made a motion. Commissioner Price said, Harris [Odell] made it and David [Saussy] seconded it.

Vice Chairman Thomas asked, for Alternative 1? Commissioner Murray said, yes. Commissioner Price said, right. Vice Chairman Thomas said, okay. Any discussion? Vice Chairman Thomas recognized Rev. Small.

Rev. Leonard Small said, good afternoon, Commissioners. I've got a —, you know, I'm hearing what's transpiring, talking to the people out in the community about what's taking place with them, holding these sites that are vital and have been vital to the people in both areas in our County, but a lot of times —, and budgeting —, of course, I've been a pastor for about 16 years. A lot of times people come in with good ideas, but they don't pan out on a dollar for dollar basis. Much of what has transpired with Tidelands now is because they're spending money at Tidelands very bad. In terms of the management group, we've got four people on site. Now I don't like the County setting up to bail them out. Maybe perhaps with skills, the County won't lose money on it based on what I'm hearing, I'm encouraged by that, but Tidelands has got to have money problems if they're paying out \$48,000 a month to a management team that has four people on site. We're talking a half million dollars for a management group, Universal Health Services, and they've got four people in Savannah. Four of 'em. They've created a surplus by closing down, laying off and shutting down services, and they're asking that they receive half of that as a dividend in the process. Now the County ultimately takes some tax dollars and put in this process. Commissioner Odell said, let me respond to that. Rev Small said, and as long as that goes on and as long as they have Universal Health Services over there getting paid these extortious amounts of monies for management, then I believe that this County should hold their feet to the fire. Thank you, thank you.

Commissioner Odell said, Rev. Small, before you leave. Rev. Small said, yes sir. Commissioner Odell said, and before your next thank you, I've just got to make some comments to make some corrections. The fiscal year of which you speak in which a surplus has been requested was for 1998. Rev. Small said, yes sir. Commissioner Odell said, the budget

problems are for budget year 1999. That has nothing to do with the management group there. That has solely to do with how Medicaid is being recomputed. Commissioner Saussy said, absolutely. Commissioner Odell said, solely. It has absolutely zero, zip to do with the management group. Just so that you and I understand, I did not support the management group coming to Tidelands, but I believe in honoring contractual obligations. Your statement as to them receiving \$400,000 and have created —. Rev. Small said, 560 —. Commissioner Odell said, created a surplus is technically incorrect. If you look at a system at Tidelands Community Mental Health, that accounting system is over 15 years out of date, if you look at a utilization rate, and that is you take a clerical person and you look at what they bill of 22%, there were problems at Tidelands. There are several ways that you can resolve problems if you have no confidence in your existing management. You can go out and hire someone or you can hire companies that specialize in it. Tidelands Community Mental Health locally was ordered by the Regional Board, who provides them \$12.5 million, and instructed them to hire a management group. That was an instruction. David Saussy sits on that board. Rev. Small asked, the Regional Board did that? Commissioner Odell said, the Regional Board did that. Commissioner Saussy said, sure did. Commissioner Odell said, and Memorial Medical Center is managed by a management group, and there are other entities. I do not think that that in and of itself was wrong. I do not think that we need to confuse the management agreement with the current fiscal problems Tidelands' having. The current fiscal problems Tidelands has resulted from an intentional effort by the State of Georgia to bastardize Medicaid. We are going to a managed care system without the vast majority of the providers and the State of Georgia realize we're going to managed care, and with managed care is that as far as mental health all that you have to do in the State of Georgia to receive mental health benefits prior to this budget was to be mentally ill. Well, we've just determined that that's no longer the standard and we're kicking people out of services and there's no cure for schizophrenia and other disorders. No cure. Rev. Small said, true. Commissioner Odell said, and it's —, don't lay that on the management's back because we've got some problems over at Tidelands, we're trying to resolve it, and this Commission need not be confused that the financial problems that exist at Tidelands were created by the State of Georgia. Not that management group.

Rev. Small said, okay, let me give you —, you said a couple of things and I will try to be succinct. The Regional Board, which was chaired by who at the time? Commissioner Odell said, I don't make those kind of answers. David [Saussy] might can answer that. Rev. Small said, Russ Billings was the Chair of the Regional Board at the time that we hired Universal Health Services. He then resigned from the Regional Board, goes to work for Universal Health Services and we're paying them a half a million dollars a year —, more than half a million dollars, actually \$560,000 for four people on site. Commissioner Odell said, and that's just the initial payment. That's going to be more. Rev. Small said, and that's just the initial payment, and it could very well be more, and I'm saying that if you're spending money in that fashion, then if you were going to have, as a result of bad practices before, if you were going to have shortfalls, then you're going to have more shortfalls. You can't —, it's not reasonable to come to the citizens of Chatham County and ask them to subsidize circumstances where monies are being given out hand over fist with no actual cost effective result from them. We're talking about a possibility of paying for happened last year, fiscal 1998, of nearly a million dollars just for the management. What could we do? We couldn't hire a director, we couldn't hire a chief financial officer, we couldn't hire a human services person for less than a million dollars? And these dollars directly affect us either by coming from this County or by coming from this State, and I pay taxes in both, and that's why I'm here to make sure that this Commission understands and that they become aware of and cognizant of in their deliberation. I thank you for your time. You've been more than kind. Vice Chairman Thomas said, thank you.

Commissioner Saussy said, Mr. Smalls [sic]. Rev. Small said, yes sir. Commissioner Saussy said, I think Harris [Odell] is exactly right in what he has said. I don't think you're aware of what went on. As far as Mr. Billings goes, he was only one person out of 18 that had a vote to say what we wanted to have done at Tidelands. Rev. Small said, but he's the Chair —. Commissioner Saussy said, you can —. Wait just a minute, I'm talking. Rev. Small said, don't talk —, don't use that tone with me. County Attorney Hart said, you're out of order, sir. Commissioner Saussy said, excuse me, I have the floor, you do not. Rev. Small said, well, let's be decent with each other when we're talking. Commissioner Saussy said, I'll be the way I want to. Rev. Small said, then I'll be the way I want to be. Commissioner Saussy said, fine. Vice Chairman Thomas said, please, gentlemen. Commissioner Saussy said, I know the way you want to be, but what I'm trying to tell you is Tidelands was out two years ago, I believe it was —, time has gotten by a little bit —, a million eight. The reason the Regional Board asked that the board of Tidelands to hire somebody else, a larger corporation, was to get some experts in here. It had nothing to do with Russ Billings. I sat on the board and I have sat on the board now for about five years and I know exactly —, I was in the meetings, I chaired the meetings of the Oversight Committee for Tidelands when they were in that problem. So if you want to blame it on somebody, blame it on me. Rev. Small said, okay. Commissioner Saussy said, but don't go about saying people's names when you don't know what you're talking about. Rev. Small said, I know exactly what I'm talking about. Commissioner Saussy said, well, that's your opinion. Mine is you don't.

Vice Chairman Thomas said, okay —. Rev. Small said, thank you, mam. Commissioner Rivers said, Madam Chair, can I say one thing in reference to —. Vice Chairman Thomas said, okay, now we're going to go to the vote. Commissioner Rivers said, that's all right. Just let that go. I still think they need to get rid of that management company.

Vice Chairman Thomas said, okay, there was a motion —, there was a motion and a second. Please, there was a motion and a second that we go to —, to Alternative 1. Am I correct? Commissioner Odell said, yes mam. Vice Chairman Thomas said, okay, we're at that point now. Any further discussion? Commissioner Odell said, call for the question. Vice Chairman Thomas said, call for the question. Please vote. The motion carried unanimously. Vice Chairman Thomas said, okay, the motion is carried.

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve Alternative 1 of the staff report to (a) proceed with offering for sale the property of 5 Executive Circle, (b) proceed with seeking sublease of 17 Minis Avenue through government/non-profit agencies, (c) in lieu of Tidelands' rent on these properties for five months, authorize monthly payments of \$5,545 from Health Facilities Maintenance Account to Health Facilities Debt Service Fund and the NationsBank Trust Account (for 5 Executive Circle), and (d) should the foregoing plan not work out, staff would return to the Board on the handling of Tidelands' obligations under its lease agreements. Commissioner Saussy seconded the motion and it carried unanimously.

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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 anybody want to remove anything from the Action Calendar? Commissioner Jackel said, yes. Chairman Hair said, okay, Commissioner Jackel. Commissioner Jackel said, I need Item 4. Wait a minute, let me —, Item 4, 5, 7, Item D and E. Commissioner Price said, move for the balance to be —. Chairman Hair said, wait a second until I get Commissioner Rivers. Commissioner Price said, all right. Chairman Hair asked, Commissioner Rivers, what did you want to pull? Commissioner Rivers said, I was just echoing my friend. Chairman Hair said, oh, okay.

Commissioner Price said, I move we approve the balance of the Action Calendar. Commissioner Thomas said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Price moved that the Action Calendar be approved in its entirety with the exception of Items 4, 5, 7, 9-D and 9-E. Commissioner Thomas seconded the motion and it carried unanimously.

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

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**1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON AUGUST 13, 1999, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Price moved to approve the minutes of the regular meeting on August 13, 1999, as mailed. Commissioner Thomas seconded the motion and it carried unanimously.

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**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD AUGUST 5 THROUGH AUGUST 18, 1999.**

**ACTION OF THE BOARD:**

Commissioner Price moved that the Finance Director is authorized to pay claims for the period August 5, 1999, through August 18, 1999, in the amount of \$2,691,473. Commissioner Thomas seconded the motion and it carried unanimously.

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**3. REQUEST BOARD APPROVE EARLY ACQUISITION OF PROPERTY OWNED BY MARION CLARK ON POPLAR DRIVE, TRUMAN PARKWAY, PHASE IV.  
[DISTRICT 1.]**

**ACTION OF THE BOARD:**

Commissioner Price moved to approve the request for early acquisition of property owned by Marion Clark on Poplar Drive, Truman Parkway, Phase IV. Commissioner Thomas seconded the motion and it carried unanimously.

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**4. REQUEST BOARD APPROVE ACQUISITION OF A 20-FOOT STRIP OF RIGHT-OF-WAY ALONG THE WEST SIDE OF KING GEORGE BOULEVARD FROM STATE ROUTE 204 (ABERCORN EXTENSION) TO GROVE POINT ROAD FOR \$99,680.  
[DISTRICT 6.]**

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I read this over and there was not enough information here for me really to determine what is going on. We're paying almost \$100,000 and it appears it's going to help someone who we're paying the money to. Commissioner Saussy said, it probably will.

Commissioner Price asked, may I —? Chairman Hair recognized Commissioner Price. Commissioner Price said, I'm familiar with this. This gives us the right-of-way we need in order to provide sidewalks, pedestrian safety on an extremely busy road out in Georgetown, and that's what this is all about. We didn't have —. Commissioner Jackel said, well this is going to help them and they're holding us up for \$99,000 [sic]. Commissioner Price said, well, I mean, you look at that property right there, there's a Food Lion going in, there's all kind of major commercial property. I can see where this is a very good value, as a matter of fact.

Chairman Hair said, I totally agree with Commissioner Price. I ride that road a lot and it is very —. Commissioner Jackel asked, what is that road being used for currently? Commissioner Price said, the main entrance to Georgetown.

Mr. Al Bungard said, that is the entrance in and out of Georgetown. When I started —, a little after I got here and started to observe what was going on, then we started looking at the site development plans and we —, that's when we realized that the property line is literally at the edge of the pavement. We don't have the ability to maintain the shoulders, utilities, sidewalks. I started looking at planning signalization at Grove Point Road and the miter and what this person did was they reserved that for us because I don't have that mapped streets ordinance yet to actually prevent anybody —, so we went through the right-of-way acquisition process, appraising it, doing the plats, all that's been done. What I don't have the authority to do, unlike the other road projects, is to condemn because it's not an official TIP project yet, but it preserves that corridor.

Commissioner Jackel said, and so they want —, the people out there who own this land, want this done and we're buying this little strip that they can't use anyhow —. Commissioner Price said, they don't —, they don't necessarily want this. Mr. Bungard said, I asked them to move back their site plans so that we could do this, and they did so. So that the County could acquire the right-of-way. Commissioner Price said, this is our request, Martin [Jackel]. Mr. Bungard said, this is our request. Commissioner Price said, they did not ask this. As a matter of fact, they would prefer us not to do this.

County Attorney Hart said, there are some limitations of ingress and egress to those properties by this development, so they're attitude was you're certainly not improving my ingress and egress, and the property's a highly valuable commercial property.

Commissioner Saussy said, this is not my district, but I hear more about that than anything else. Chairman Hair said, it is, it's a very good project. Chairman Hair asked, do you have any further questions, Commissioner Jackel? Commissioner Jackel said, no, I don't.

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

**ACTION OF THE BOARD:**

Commissioner Price moved to approve the request for acquisition of a 20-foot strip of right-of-way along the west side of King George Boulevard from State Route 204 (Abercorn Extension) to Grove Point Road for \$99,680. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner DeLoach was not present.]

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## 5. REQUEST BOARD APPROVE MEMORANDUM OF UNDERSTANDING FOR DEVELOPMENT OF A MOUNTAIN BIKE TRAIL SYSTEM AT TOM TRIPLETT PARK.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, how are we going to —, on the second page: Chatham County will not assume any liability for use of the trail nor any responsibility for its maintenance and upkeep. I can understand how we're not going to assume any responsibility for maintenance and upkeep if they don't maintain it and upkeep it, then we terminate this, but how do we avoid liability? County Attorney Hart said, well —. Commissioner Odell said, governmental immunity. County Attorney Hart said, we have governmental immunity. Commissioner DeLoach said, sovereign immunity. County Attorney Hart said, sovereign immunity. All we're doing is stating to those people that in our agreement that we're not —, we're restating our position of sovereign immunity and if there's a problem, people are going to be looking to the people with whom we have to deal with. Commissioner Jackel said, so —, and I have been on record many times as opposed to sovereign immunity. I have great problems with that because if a family takes their children over there to ride on this course and because of some inadequacy their child is injured, we say don't come looking for us, we're hiding behind sovereign immunity, and I think the way to handle this is to make the people who are doing this provide adequate insurance and not for us to hide behind sovereign immunity.

Commissioner DeLoach said, I've got a problem with that. Chairman Hair said, well, I think —. Commissioner DeLoach said, we've got a lake out there and we'll be worried about somebody drowning in the lake. Commissioner Jackel said, yes, yes.

Chairman Hair said, first of all, I don't think we have —, we wouldn't have the power to do that anyway. To give it up I think that would require changing the law, would it not? County Attorney Hart said, well, this is a recreational facility, and there's a specific statute dealing with publicly owned recreational facilities, and the Legislature a number of years ago, in order to encourage municipalities, counties and other governmental entities to create recreational facilities for the community so that the whole community can enjoy it, was very specific with their intent to clothe governmental entities with immunity except with very narrow exceptions when that governmental immunity with knowledge creates a nuisance or a hazard, and the purpose of the law has been very clear that in regard to recreational facilities that is the policy and law of this State. Chairman Hair said, that was my point, I don't think it's a law of Georgia [sic]. I think, Martin [Jackel], if you have a problem with it, I think we'd have to address it a legal —, at a State level not us.

Commissioner Jackel said, no, I don't think that's correct. I think what is correct is that you waive your sovereign immunity by any amount of insurance you acquire. County Attorney Hart said, no sir, that's not —. Commissioner Jackel said, but I don't think that we have to acquire the insurance. What I'm asking is can we make the people who are putting this in place have insurance? I don't see why we can't do that? County Attorney Hart said, we —, under a contract provision we could do that. The law of this State in regards to waiver of sovereign immunity to the extent of insurance is generally limited to vehicles. Commissioner Jackel said, I'm sorry —. County Attorney Hart said, vehicles. Commissioner Jackel asked, just to vehicles? County Attorney Hart said, automobiles, police automobiles, car insurance, things like that. Now there are some various administrative exceptions under there, but it's not a blanket rule that it's a waiver to —.

County Manager Abolt said, I believe this is also going to be parallel to the BMX track. We already have, you know, at Stell Park, so —.

Chairman Hair said, okay, the Chair will entertain a motion. Commissioner DeLoach said, I've got it. I make a motion to approve this. Chairman Hair said, we have a motion. Do we have a second? Commissioners Saussy and Price said, second. Commissioner Jackel said, I'd like to make an amendment that the people who are responsible for this track provide adequate insurance. Chairman Hair asked, will you accept that as an amendment. Commissioner DeLoach said, no, I won't accept that. Chairman Hair said, it will not be accepted so we have to tend to this motion and then you can ask for another motion if you so desire.

Chairman Hair said, call for the question. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Now, if you'd like to make a motion —.

Commissioner Jackel said, I'd like to make a motion that the people who are running this track provide adequate insurance for the people who are using this or who are nearby and might be —. Chairman Hair asked, do we have a second? The motion dies for lack of —. Commissioner Odell said, I'll second it. Chairman Hair said, motion and second. All those in favor vote yes, opposed vote no. Commissioner Price asked, is there no such thing as tort reform? Chairman Hair said, everybody needs to vote. Mr. Ken Earls asked, what's adequate? Commissioner Jackel said, Commissioner Jackel said,

I would think a minimum of \$100,000 would be adequate. Commissioner DeLoach said, that's just enough to get them started. Commissioners Jackel, Murray and Odell voted in favor of the motion. Chairman Hair and Commissioners Saussy, Rivers, Price, DeLoach and Thomas voted in opposition. The motion **failed** by a vote of six to three. Chairman Hair said, the motion fails.

**ACTION OF THE BOARD:**

1. Commissioner DeLoach moved to approve a memorandum of understanding for development of a mountain bike trail system at Tom Triplett Park. Commissioners Saussy and Price seconded the motion and it carried unanimously.
2. Commissioner Jackel moved that the people who are running this track provide adequate insurance (minimum of \$100,000) for the people who are using this or who are nearby and might be injured. Commissioner DeLoach seconded the motion. Commissioners Jackel, Murray and Odell voted in favor of the motion. Chairman Hair and Commissioners Saussy, Rivers, Price, DeLoach and Thomas voted in opposition. The motion **failed** by a vote of six to three.

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6. **REQUEST BOARD APPROVE SETTLEMENT OF CHATHAM COUNTY, GEORGIA V. 0.072 ACRES OF LAND; STEVE P. MAGULIAS; NANCY L. MAGULIAS; DARBY BANK AND TRUST COMPANY AND DELILAH H. NEWSOME, CIVIL ACTION NO. X98-1063-FR.**

**ACTION OF THE BOARD:**

Commissioner Price moved to approve the settlement of *Chatham County v. 0.072 Acres of Land; Steve P. Magulias, Nancy L. Magulias, Darby Bank and Trust Company and Delilah H. Newsome*, Civil Action No. X98-1063-FR. Commissioner Thomas seconded the motion and it carried unanimously.

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7. **REQUEST FOR NEW BEER AND WINE POURING LICENSE FOR 1999. PETITIONER: DON LEE, D/B/A HIRANO'S III, LOCATED AT 4700-H HIGHWAY 80 EAST. [DISTRICT 4.]**

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I have to —, because of certain representations of —, I have to ask that I not be —, recuse myself on voting on this. Commissioner DeLoach said, so moved. Commissioner Saussy said, second. Chairman Hair said, motion and second to recuse Martin [Jackel]. All those in favor vote yes, opposed vote no. Commissioner Odell said, I want to hear why he wants it. Commissioner Jackel said, I want to —. Chairman Hair said, that's on the recusal motion. The Clerk said, he needs to state a motion [sic] for recusal. Commissioner Jackel said, I'm sorry. Commissioner Price said, he did. Commissioner Jackel said, the reason is I represent his ex-wife. The Clerk said, okay. I'm sorry, I didn't hear you. Chairman Hair said, that's a good enough reason. The motion to recuse carried unanimously. [NOTE: Commissioner Jackel did not vote.]

Chairman Hair said, we need a motion to approve. Commissioner Price said, so moved. Commissioner Odell said, second. Chairman Hair said, motion and second. All those in favor vote yes, opposed vote no. Everybody needs to vote. The motion carried unanimously. [NOTE: Commissioner Jackel was recused from voting.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

1. Commissioner DeLoach moved that Commissioner Jackel be recused from voting on this issue due to a conflict of interest. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel did not cast a vote.]

2. Commissioner Price moved to approve the request of petitioner, Don Lee, d/b/a Hirano's III, located at 4700-H Highway 80 East, for a new beer and wine pouring license for 1999. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was recused from voting.]

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- 8. REQUEST FOR NEW BEER AND WINE RETAIL LICENSE FOR 1999. PETITIONER: V. MONROE HODGES, D/B/A/ PIGGLY WIGGLY #109, LOCATED AT 821 KING GEORGE BOULEVARD. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Price moved to approve the request of petitioner, V. Monroe Hodges, d/b/a Piggly Wiggly #10, located at 821 King George Boulevard, for a new beer and wine retail license for 1999. Commissioner Thomas seconded the motion and it carried unanimously.

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Annual contract, with the option to renew for two additional one-year terms, for laser printer cartridge service	Various	•All Ribbons Express •Entré Computer Center (MBE)	Varies by item (see attached staff report)	•SSD - Various •General Fund/M & O - Various
B. Professional services contract to install three groundwater monitoring wells and perform additional groundwater remediation	Mosquito Control	S&ME, Inc.	\$11,730	CIP - Fuel Leak
C. Change Order No. 2 to the contract for the Wheaton Street Widening and Skidaway Road Intersection Improvements, to jack and bore a steel casing under the railroad tracks	SPLOST	Arco, Inc.	\$29,949.03	SPLOST (1985-1993) - Wheaton Street Widening Project
D. Professional services contract to conduct engineering reviews and make recommendations for disposition of permit requests from land developers under provision of the Land Disturbing Activities Ordinance (LDAO)	Engineering	•Vincent Grevemberg •Patricia Bush	\$30 per hour	Land Disturbing Activities Ordinance Permit Fees
E. Membership agreement to participate in the State's damage prevention notification program	Water and Sewer	Utilities Protection Center, Inc.	\$200 application fee and \$0.48 per call	Water and Sewer
F. Terminate contracts to provide: (1) Drug Education and Parenting to children and families under Juvenile Court Jurisdiction; (2) Community service work program to youth under jurisdiction of Juvenile Court	Juvenile Court	Marshlands, Inc.	Not to exceed \$12,000 per year per contract	Restricted Account - Supervision Fees - Juvenile Court

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
G. Change Order No. 4 to provide 12" water service connections to the contract for extension of utilities on Hutchinson Island	SPLOST	Southern Champion Construction	\$18,520	SPLOST (1993-1998) - Water and Sewer Extension for Hutchinson Island
H. Change Order No. 5 to provide 16" water service connections; sewer connections, protect pipe with steel casing, etc., to the contract for extension of utilities on Hutchinson Island	SPLOST	Southern Champion Construction	\$153,325	SPLOST (1993-1998) - Water and Sewer Extension for Hutchinson Island
I. Change Order No. 6 for construction of water service control valve station, service connections, etc., to the contract for extension of utilities on Hutchinson Island	SPLOST	Southern Champion Construction	\$46,472	SPLOST (1993-1998) - Water and Sewer Extension for Hutchinson Island

**As to Items 9-A through 9-I, except 9-D and 9-E:**

Commissioner Price moved to approve Items 9-A through 9-I except Items 9-D and 9-E. Commissioner Thomas seconded the motion and it carried unanimously.

**As to Item 9-D:**

PROFESSIONAL SERVICES CONTRACT TO CONDUCT ENGINEERING REVIEWS AND MAKE RECOMMENDATIONS FOR DISPOSITION OF PERMIT REQUESTS FROM LAND DEVELOPERS UNDER PROVISION OF THE LAND DISTURBING ACTIVITIES ORDINANCE (LDAO); DEPARTMENT: ENGINEERING; SOURCE: VINCENT GREVEMBERG, PATRICIA BUSH; AMOUNT: \$30 PER HOUR; FUNDING: LAND DISTURBING ACTIVITIES ORDINANCE PERMIT FEES.

Chairman Hair recognized Commissioner Jackel. Commissioner DeLoach said, move for approval. Commissioner Price said, second. Chairman Hair said, motion and second. Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I read the report. It's a good report. I understand it. I just thought we ought to put it out here for everybody to understand that we are hiring some of our employees because there's no one else to do it so everyone will know and they can hear that we're doing this and not question us about it later. So that's the only reason —. Mr. George Lynch said, they'll be coming professional services contracts, sir. Commissioner Jackel said, all right. Let's state that for the record that we are contracting with Vincent Grevemberg and Patricia Bush to conduct certain engineering reviews that would not otherwise be readily available.

Chairman Hair said, all right. All those in favor of the motion vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**As to Item 9-E:**

MEMBERSHIP AGREEMENT TO PARTICIPATE IN THE STATE'S DAMAGE PREVENTION NOTIFICATION PROGRAM; DEPARTMENT: WATER AND SEWER; SOURCE: UTILITIES PROTECTION CENTER, INC.; AMOUNT: \$200 APPLICATION FEE AND \$0.48 PER CALL; FUNDING: WATER AND SEWER.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel asked, is there some way we can pass this on instead of us absorbing all these costs? Mr. George Lynch said, the costs, sir, are rather low. We could certainly explore that possibility. I'm not sure that the accounting wouldn't cost —, wouldn't exceed the cost of the fees, which are very moderate. Commissioner Jackel asked, isn't it going to be 48¢ per call? Mr. Lynch said, per call, yes sir. Commissioner Saussy asked, how many calls have you got? Commissioner Jackel said, I don't know how many calls we're going to have. Mr. Lynch said, cost estimate that was —. Commissioner DeLoach said, they got 12 last year. I'm just kidding, I don't know that. Mr. Lynch said, cost estimate is —. Commissioner Jackel said, you've got to ask, you've got to ask. Chairman Hair said, well, he's trying to answer if you would give him time to answer. Commissioner Price said, listen to the General [Lynch]. Mr. Lynch said, \$960, sir, is the estimated cost. Commissioner Jackel said, okay, all right. I understand what you're talking about.

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

**ACTION OF THE BOARD:**

1. Commissioner Price moved to approve Items 9-A through 9-I except Items 9-D and 9-E. Commissioner Thomas seconded the motion and it carried unanimously.
2. Commissioner DeLoach moved to approve Item 9-D. Commissioner Price seconded the motion and it carried unanimously.
3. Commissioner Price moved to approve Item 9-E. Commissioner Saussy seconded the motion and it carried unanimously.

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**XI. FIRST READINGS**

Proposed changes to ordinances must be read or presented in written form at two meetings held not less than one week apart. A vote on the following listed matters will occur at the next regularly scheduled meeting. Comments, discussion and debate from members of the public will be received only at the meeting at which a vote is to be taken on one of the following listed items.

1. **AMENDMENT TO THE COUNTY PROPERTY MAINTENANCE ORDINANCE TO ADDRESS THE ACCUMULATION OF MOTOR VEHICLES ON REAL PROPERTY AS A HOBBYIST USE GROUP.**

**ACTION OF THE BOARD:**

Read into the record as first reading.

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2. **REVISIONS TO THE CHATHAM COUNTY "ROAD RIGHTS-OF-WAY ENCROACHMENT ORDINANCE."**

**ACTION OF THE BOARD:**

Read into the record as first reading.

Commissioner Jackel said, Mr. Chairman, I know we don't have —. Chairman Hair said, we don't have discussion on first reading. Commissioner Jackel said, on first —, first reading. I don't think there is enough information given in what you gave to put people on notice what this is about. Chairman Hair said, well, there's —. Commissioner Jackel said, if they want to contact us and just from that reading it fails to adequately advise people who may want to contact us to get more information. Chairman Hair said, I would suggest to Russ [Abolt] that if you could get maybe more detail and give it to Pete [Nichols] and have him put it on the channel, on the channel between now and the next meeting. County Manager Abolt said, we could do that, sir. Commissioner Jackel said, yes, that would be great. That would really help us. I think this is a thing that's going to be a really hot issue.

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**XII. SECOND READINGS**

**1. REQUEST BOARD APPROVAL OF SEVEN (7) PILOT DESIGNATED RECREATIONAL FACILITIES AND/OR SITES WHERE “DOG EXERCISE AREAS” WILL BE IMPLEMENTED AND AUTHORIZE THE MODIFICATION OF THE CODE OF CHATHAM COUNTY TO REFLECT THE CHANGE IN POLICY.**

Commissioner Murray said, I move for approval. Chairman Hair said, motion. Is there a second? Commissioner Saussy said, second. Chairman Hair said, second. Any discussion? All those in favor —. County Manager Abolt said, just please —. Chairman Hair said, go ahead.

Mr. Fred Tinkle said, I'm Fred Tinkle. You know who I am. I was up here listening about a bunch of other things, but I'm going to tell you this is one of the best ideas you've come up with for Chatham County parks. I am City Park and Tree Commissioner and I didn't even know the County had seven parks, but now I can take my wife out here and play with her and if we can just get people to use these things, then we're in good shape. So you're doing a good job and we're proud of you.

Chairman Hair said, you know, since you're a City Park and Recreation [sic] Commissioner, if we consolidated recreation you'd know where those parks are. Mr. Tinkle said, Mr. Chairman, I want to go on record right here, I'm not arguing with you about that. Chairman Hair said, okay. All those in favor vote yes, opposed vote no.

Commissioner Jackel said, one second, one second, please. I have gotten numerous calls on this ordinance, and for some people don't fully understand they were talking about parks with inside the City and, of course, this is just County parks, one of which is inside the City, but the rest are not. And the important thing that I want to emphasize is that we're not creating a place, and I think the paper had some misinformation, with dogs running loose. There's a requirement that all dogs be on leashes at all times. If that's not correct, then we need to amend it. County Manager Abolt said, that is correct. Commissioner Jackel said, so we're not creating a place where these dogs can run loose. Chairman Hair said, okay.

County Manager Abolt said, Mr. Chairman, if I may too, this is a pilot program. By some chance if it goes the other way, you have the option —. Chairman Hair said, I understand. County Manager Abolt said, of pulling back.

Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, that's one of the points I was going to make about it. Commissioner Jackel said, that's a very important thing because I walk my dog downtown, and the last two years he has been attacked by three dogs and it is no fun busting up those fights.

Chairman Hair said, okay, everybody has voted but you, Commissioner Jackel. The motion carried unanimously.

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve seven (7) pilot designated recreational facilities and/or sites where “dog exercise areas” will be implemented and authorized the modification of the *Code of Chatham County* to reflect the change in policy. Commissioner Saussy seconded the motion and it carried unanimously.

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2. **A TEXT AMENDMENT TO THE CHATHAM COUNTY SUBDIVISION REGULATIONS TO REQUIRE FRONT YARD BUILDING SETBACK LINES IN ACCORDANCE WITH THE CHATHAM COUNTY ZONING REGULATIONS AND TO REDUCE THE MINIMUM LOT WIDTH REQUIREMENT FOR LOTS LOCATED ALONG A PERMANENT TURNAROUND OR ROAD CURVATURE 80 DEGREES OR MORE. THE MPC RECOMMENDED THAT THE REQUEST BE APPROVED.**

**MPC FILE NO. 99-12651-C**

**NO DISTRICT/TEXT AMENDMENT/UNINCORPORATED COUNTY**

Chairman Hair asked, Mr. Saxman, do you have anything to say? Commissioner DeLoach said, so moved. Commissioner Thomas said, second. Chairman Hair said, motion and second. Any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner DeLoach moved to approve a text amendment to the Chatham County Subdivision Regulations to require front yard building setback lines in accordance with the Chatham County Zoning Regulations and to reduce the minimum lot width requirement for lots located along a permanent turnaround or road curvature 80 degrees or more. Commissioner Thomas seconded the motion and it carried unanimously.

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3. **AMENDMENT TO THE CHATHAM COUNTY WELL ORDINANCE TO ESTABLISH WELLHEAD PROTECTION REQUIREMENTS FOR ALL WATER SYSTEMS WITH 15 OR MORE SERVICE CONNECTIONS.**

Commissioner DeLoach said, move for approval. Commissioner Thomas said, second. Commissioner Price said, second. Chairman Hair said, motion and second. Any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously.

Commissioner Price said, question. Do we allow shallow well tapping? Commissioner Odell said, yes, we do. County Manager Abolt said, yes sir. You might —, I realize the urgency of your moving along. You might want to at least get some testimony from MPC staff. This requires public education and possibly the opportunity to have that seen on TV might be helpful, but that's okay with y'all. Commissioner Price said, briefly. Chairman Hair said, briefly. Commissioner Price said, please. Chairman Hair said, very briefly.

Mr. Clyde Wester said, Clyde Wester, Planning Commission staff. Mr. Chairman, the purpose of the proposed amendment to the County Well Ordinance is to protect against contamination of groundwater from surface pollution through the wells themselves, and there is a state program administered by the Georgia Environmental Protection Division that applies only to municipal wells; however, EPD recommends that all local communities in Georgia adopt local ordinances to extend coverage to private systems as well, and the amendment that's before you today would apply to both municipal and to private water systems with 15 connections or more. The amendment was developed by a task force that was structured early this Summer, in June I think, of about 20 members. The County staff and the staff of the City of Savannah were represented on the task force, as well as the County Health Department, the EPD, and about a third of the membership of private water system owners. Incidentally, the same ordinance will be presented very soon to the City of Savannah Mayor and Aldermen.

Chairman Hair said, thank you, Clyde [Wester]. County Manager Abolt said, this will be going into effect though by the first of the year. Correct? Mr. Wester said, we expect that there will necessarily be some lead time in advance of the full enforcement of the ordinance. That time will allow for some public education activities, contacting private system owners, and what have you to educate them about the provisions of the ordinance, and also it will allow some time for mapping by the MPC staff, which will assist greatly in the location and enforcement.

Commissioner Price said, Pete [Nichols], can we use this as an item also for the government channel? This is like the perfect candidate for that.

**ACTION OF THE BOARD:**

Commissioner DeLoach moved to approve amendment to the Chatham County Well Ordinance to establish wellhead protection requirements for all water systems with 15 or more service connections. Commissioners Price and Thomas seconded the motion and it carried unanimously.

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- 4. **THE RE-EVALUATION OF THE RECLAMATION PLAN FOR A 296 ACRE PARCEL RECENTLY RECOMMENDED BY MPC TO BE REZONED FROM AN R-A (RESIDENTIAL-AGRICULTURE) CLASSIFICATION TO A PD-R-SM (PLANNED DEVELOPMENT-RECLAMATION-SURFACE MINING) CLASSIFICATION TO ALLOW CONSTRUCTION OF SIX BORROW PITS ON APPROXIMATELY 35 ACRES WITH A FUTURE GOLF COURSE DEVELOPMENT INSTEAD OF 48 SINGLE FAMILY LOTS. THE MPC RECOMMENDED THAT THE REQUEST BE APPROVED.  
MPC FILE NO. 99-12519-C  
[DISTRICT 7.]**

Chairman Hair recognized Mr. Bill Saxman. Commissioner DeLoach said, comments.

Mr. Saxman said, okay, I'll just briefly give a summary. Back in May the Commissioners did refer this issue back to the MPC. It has to deal with lands located out on 204 which is in the process of being developed as borrow pits if the zoning goes through, and after the borrow pits are opened or completed, they proposed originally to put a subdivision. The Commissioners had a problem with the flooding in that area and they've amended their plan to include a outdoor recreational activity that's basically a golf course in their supplemental plan.

Commissioner DeLoach asked, have they presented that supplemental plan? Mr. Saxman said, yes sir. It was presented to the MPC and it will have to be reviewed by the County Commissioners to adopt the concept. There are some details that will have to be worked out with the County Engineering staff and MPC staff as far as specific development plan. They are showing —. Commissioner DeLoach asked, how many holes? Mr. Saxman said, nine-hole golf course with a clubhouse.

Chairman Hair said, the Chair will entertain a motion to approve. Commissioner DeLoach said, I've got a question on it. I still —. Chairman Hair asked, do you want to make a motion? Commissioner DeLoach said, I'd like to make a motion that we hold it for reconsideration. Chairman Hair said, well, make that motion. Commissioner DeLoach said, I want to hold it until we —, I want to reconsider it at the next meeting. We'll just hold it —. Chairman Hair said, just table it until the next meeting. Commissioner Thomas said, Mr. Chairman. Commissioner DeLoach said, I move to table it to the next meeting. Chairman Hair said, all right, we have a motion to table. 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. Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner DeLoach moved to table to next meeting, September 10, 1999. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers 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. REPORT ON STATUS OF TRADE CENTER PROJECT (INCLUDES UPDATE ON GMP BUDGET).**

Report received as information.

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**4. REPORT ON STATUS OF PARTICIPATION BY LOCAL AND DISADVANTAGED BUSINESSES ON THE TRADE CENTER'S CONSTRUCTION.**

Report received as information.

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**5. STATUS REPORT ON INSPECTIONS MERGER.**

Report received as information.

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**6. MONTHLY ROADS AND DRAINAGE BRIEFINGS.**

Report received as information.

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**EXECUTIVE SESSION**

Commissioner Thomas moved the Board go into Executive Session for the purpose of discussing litigation, land acquisition, and personnel. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Price were not present.] The Board recessed at 12:30 p.m.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 1:10 p.m.

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**ITEMS FROM EXECUTIVE SESSION**

**1. REQUEST THAT THE BOARD APPROVE SETTLEMENT OF CASES AND PAYMENT OF STATEMENT.**

Commissioner DeLoach moved that the Board approve settlement of (1) *Chatham County, Georgia v. 0.067 Acres of Land; Virgil A. Grace and Patricia L. Grace, d/b/a Uniforms by Patrick, Inc., and Darby Bank and Trust Co., Civil Action*

No. CV98-1466-FR, in an amount not to exceed \$22,575; (2) *Chatham County, Georgia v. 0.488 Acres of Land; Eastern Heights Presbyterian Church*, CV98-1101-BR, in the amount of \$80,266; and (3) payment of \$4,020 to Alston and Bird for final statement for services performed in connection with Sheftall Bluff Subdivision, f/k/a Weatherwood. Commissioner Saussy seconded the motion and it carried unanimously.

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

**ACTION OF THE BOARD:**

Commissioner Rivers moved to authorize the Chairman to execute an affidavit that the Executive Session was held in compliance with the Open Meetings Law. Commissioner Murray seconded the motion and it carried unanimously.

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**APPOINTMENTS**

- 1. **CHATHAM-SAVANNAH AUTHORITY FOR THE HOMELESS, SOUTHEAST COASTAL REGIONAL BOARD FOR MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE, and SAVANNAH-CHATHAM COMMISSION ON DISABILITY ISSUES (SCODI)**

**ACTION OF THE BOARD**

Commissioner Thomas moved (1) to approve the reappointment of Mr. William K. Broker to the Chatham-Savannah Authority for the Homeless; (2) to approve the following appointments to the Southeast Coastal Regional Board for Mental Health, Mental Retardation, Substance Abuse: Ms. Loretta H. Miller appointed to fill the position previously held by Ms. Annie Welch, which term will expire 7/30/00, and Ms. Patricia F. Neither, ACSW, LCSW, to fill the vacancy created by the resignation of Mr. Lennox Seales, which term will expire 07/30/01; and (3) to approve the proposed slate of nominees to the Savannah-Chatham Commission on Disability Issues (SCODI) as follows: Edward J. Bartlett, Robert A. Lapsley, David Wayne Dawson, Jr., Forrest Lott, AIA, Lynn Meeks, Alexander Pelote, Donald R. Stubbs, Don E. Tomberlin, Michael E. Williams, and Mitzi Williams. Commissioner Rivers seconded the motion and it carried unanimously.

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**ADJOURNMENT**

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 1:15 p.m.

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APPROVED: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1999

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

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SYBIL E. TILLMAN, COUNTY CLERK