

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON OCTOBER 22,1999, 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 9:10 a.m., Friday, October 22,1999.

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II. INVOCATION

Commissioner Price gave the invocation.

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III. PLEDGE OF ALLEGIANCE

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

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IV. ROLL CALL

The Clerk called the roll.

PRESENT:	Dr. Billy B. Hair, Chairman Dr. Priscilla D. Thomas, Vice Chairman, District Eight (arrived approximately 10:35 a.m.) Frank G. Murray, Chairman Pro Tem, District Four David L. Saussy, District One Martin S. Jackel, District Three Harris Odell, Jr., District Five (arrived approximately 9:35 a.m.) Ben Price, District Six Eddie W. DeLoach, District Seven (arrived approximately 9:30 a.m.)
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ABSENT:	Joe Murray Rivers, District Two
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IN ATTENDANCE:	Russ Abolt, County Manager R. Jonathan Hart, County Attorney Sybil E. Tillman, County Clerk
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YOUTH COMMISSION

Chairman Hair said, I would like to start this morning by introducing our Youth Commissioners who are serving with us today. We have Alonzo Alston, who is Parliamentarian and a senior at Country Day. We have Renee Bellino. She's a sophomore at Country Day, and we have Tiffany White, who is a junior at Port City Business and Professional Women's Little Sisters. I appreciate y'all being with us today. As we go through the deliberations, if you'd like to make a comment or ask questions, if you'll raise your hand I'll recognize you.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

None.

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VI. CHAIRMAN'S ITEMS**1. LIBRARY UPDATE - MARY ELLEN SPRAGUE (5 MINUTES).**

Chairman Hair said, the first thing on our agenda today under my section is we have a Library update. Ms. Sprague is not here, but she asked to be on the agenda. We have a five-minute presentation for the Library. Mr. Johnson, are you going to make a presentation?

Mr. Robert Johnson said, yes sir. Ms. Sprague could not be here. She asked me to introduce to you Margaret Williams and Kathy Newman. Margaret [Williams] is Community Relations Coordinator and Kathy Newman is Volunteer Coordinator.

Ms. Margaret Williams said, good morning. I'm asking that you be handed out a statistical report on rating the current status of the Library. It's a [inaudible] American Public Library rating, which measures resources and services provided by libraries across the county. At this time the CEL Regional Library is 76 out of 90, 76th ranking out of 90 in the State. If you look at the statistical information that's been handed to you, you will see that we have moved —, this is the 1998 survey, and we have gone up in our per capita expenses based on population served and we appreciate the County Commission's support in doing that. You see that our future goals are to continue to increase our per capita rating forward so that we can move our rank upward from 76.

Ms. Kathy Newman said, good morning. I'm here to report on volunteer services at the CEL Regional Library, and we're very excited at the Library about volunteer services. We've had a very successful first recruitment. I've been interviewing all this week, have interviews scheduled for next week. The community is very excited about working at the CEL Regional Library and helping support our staff, and we have [inaudible] ready for when Bull Street opens and we have volunteers ready to help the Saturday programs at our central branches, and we're just very excited and looking forward to help expand services at our CEL Regional Library through volunteers.

Chairman Hair said, thank you. We appreciate the work you do there. Y'all have done a really good job with volunteers. Ms. Newman said, thank you. Chairman Hair said, okay, thank you very much.

Commissioner Jackel said, I'd like permission to —. Chairman Hair recognized Commissioner Jackel. Commissioner Jackel said, I've been looking at these statistics here. Is there any correlation between the expenditures per capita and circulation per capita? Mr. Johnson said, there certainly is. We are —, the study that Margaret [Williams] referred to is one that we have ordered and it studies public libraries nationwide based on six measures of resources, or input measures, and nine measures of services, or output measures, and the study does show that there is a close correlation between the resources that a library has available and the services that it provides. As Margaret [Williams] said, we are currently in our population category ranked 76th of the 90 libraries and we're in the 16th percentile nationwide, so that's a very low rating, and we're not bemoaning the fact, we —. The nine measures that the study focuses on are the very thing that we're focusing on and have been for the last several years in trying to improve. The Commissioners have been supportive in that effort, and we appreciate that. We appreciate your continued support. We believe that the opening of Bull Street and the availability of that collection, will improve our standing in the study next year, and as we have more resources available our services will improve and our standing will improve. Commissioner Jackel said, as I look at this, Atlanta is spending some \$33 per person and yet their per capita circulation is 3.2. We're spending almost \$14 per person and we have 3. So they're spending over twice what we're spending and their per capita circulation isn't any higher. The one that seems to be doing the best on a ratio apparently is Charlotte, North Carolina, and they're spending almost \$29 per capita and yet their circulation per capita is 10, which is right up there at the top. Do you have any idea what they're doing right over there? Mr. Johnson asked, in Charlotte? Commissioner Jackel said, yes. Mr. Johnson said, yes sir, they're doing a lot of things right in Charlotte. They were Library of the Year for two years. Commissioner Jackel said, well certainly their expenditure for circulation per capita appears to be the highest on the list. Mr. Johnson said, Charlotte is one of our models. They're —.

Commissioner Price said, Martin [Jackel], I know that they're sharing a lot of the library services with the public schools in that area. Mr. Johnson said, yes. Chairman Hair said, they do. Commissioner Price said, that's one of the elements of why that system works so well, something that we could take a real lesson from. Commissioner Jackel said, and that's why I was asking these questions. If there are lessons we need to learn, we need to —. Mr. Johnson said, Charlotte is one of six or eight cities in the country that has totally rebuilt its library system in the last decade. If you will look at their population per staff figure, it's about half of ours, and their materials expenditures per capita, and this explains a lot, their materials expenditures per capita is three times ours. And as you —, when you get the complete national study, there are going to be anomalies like Atlanta, but when you look at the big statistical sampling for the entire nation, the correlation between input and output it's very evident.

Commissioner Jackel said, we received a letter from Mary Ellen Sprague. Do you have comments on that letter? About the hiring freeze? Mr. Johnson said, if this is the right time, yes sir. Commissioner Jackel said, that's what I thought y'all were here for. Chairman Hair said, well, that's —, we've got —, that's a separate item on here. Commissioner Jackel said, separate item —. Chairman Hair said, they're here for their presentation. Commissioner Jackel said, okay. Chairman Hair said, we'll get to that at that time. Commissioner Jackel said, okay.

Ms. Williams said, also as soon as we get the complete study we can give you a copy.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, Ben [Price], you had mentioned that Charlotte was working with the school board and they were using some of those facilities. Well, if you remember, we requested that our school board and library board get together to try to do that, our illustrious school board has come up with reasons why they can't do it so I think if some pressure's put on the school board and work with them, then maybe they can come around and help in some of these areas that we're looking at right now. I think it's a win/win for everyone if they do, but so far they have not been willing to work with us.

Chairman Hair said, I agree with that, Commissioner Murray. Okay, thank you for coming.

ACTION OF THE BOARD:

Received as information.

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2. S.T.O.P. - CHRISTINA TAYLOR (10 MINUTES).

Chairman Hair said, our next presentation this morning is from the S.T.O.P. group, Stop Taxing Our People. They have several speakers. They've asked for 10 minutes on the program. We're going to start with Christina Taylor, I think, who's the President of the organization.

Ms. Christina Taylor said, good morning and thank you for letting us come this morning. I'm the President of S.T.O.P., and we are a grassroots organization on its third year dedicated to stopping the ever-increasing taxation we've experienced in Chatham County. Our mission is to see the taxpayers of Chatham County are taxed fairly and uniformly, to see that our elected officials spend tax dollars in a controlled and effective manner, to ensure that no resident of Chatham County is taxed out of their home, to stop any taxing entity or authority from issuing bonds without further approval, and to reduce governmental spending to reasonable and affordable levels. We're here today to address the issue of uniformity in our property tax system. Dr. Paul Jurgensen will now present some of our findings.

Dr. Paul Jurgensen said, thank you, Ms. Taylor. Good morning, gentlemen. Thank you for allowing us to speak before you today. We have thought for many years that the property tax valuation system in Chatham County was arbitrary and unevenly administered by the Tax Assessor's office and the Board of Assessors. We now have evidence to know that this is true. People in our organization have spent hundreds of hours examining thousands of tax records and pieces of property throughout Chatham County, and we have talked to hundreds of taxpayers. Our findings show a lack of uniformity in the method and frequency of property tax evaluation by the Tax Assessor's office. Time does not permit today for us to go into a detailed discussion about specific properties; however, here are trends that we have observed. Based on a review of 1998 tax sales data provided by the Tax Assessor's office, one-third of the tax neighborhoods are valued improperly. The Tax Assessor has said he looks at the tax neighborhood statistics to ensure compliance with State law. However, it appears as though he missed about a third of them according to his own data. The causes of this lack of uniformity are many. First, not all residential properties are on the computer assisted mass appraisal system known as CAMA. Properties were first converted to the computer system in 1993 and even though it has been over six years now, not every property in the County is on the system. So then all properties are not reevaluated with the same frequency or using the same methodology. Many residential properties are still valued as what is known as the override system. The override bypasses the mechanisms in the CAMA system that supposedly ensure uniformity. Properties valued by override

can remain unchanged for years while properties on the CAMA system are adjusted automatically and more frequently, more often as frequently as annually. We have recently begun reviewing commercial properties throughout the County. Our initial results were alarming. Many commercial parcels valued on the income approach are not being reassessed annually. The Georgia State Department of Revenue says income-based assessments should be updated annually, but many of the commercial properties are valued by override with assessments unchanged for several years. For instance, there is a vacant lot that has been on the tax digest at \$180,000 valuation for eight years and which recently sold for two and a half million dollars in January 1998. The tax assessment has not changed on the sale despite the increase in sale value. In 1998 that lot will be taxed at only 3% of its fair market value while the law requires 40%. Furthermore, we have found that there are many other pieces of property in the County that have had no change in assessed value since 1992.

That's eight years with no change in assessed values. We have discovered pieces of property that haven't had an updated appraisal since 1987. That's 12 tax years with no change in appraised value. There are numerous properties for which no property record card is available. How can properties be properly valued if there are no details concerning square footage, construction quality, numbers of rooms, et cetera, and how can comparable evaluations be determined without these details, and how can uniformity in assessment be ensured if there is no basis for comparison? There are many instances where substantially identical properties have been valued inconsistently by the Tax Assessor's office, as well known by you Commissioners from your own personal experience with the Tax Assessor's office. Our studies have indicated many undervalued pieces of property. Qualified sales transactions are recorded, but no change is made in the assessment. Our findings indicate the property tax burden in Chatham County is unfairly distributed because of the lack of uniformity in the assessment of properties. As a personal observation, many of my patients are retired, on Medicare, and on fixed incomes. Many of them feel that they are forced to make a choice between paying the property taxes on their home or buying their medicine or food. Disproportionate taxation, this inequitable burden has to stop now. People should not have to choose between their health and their home or be forced to move from Chatham County in order to survive. It is this lack of uniformity, this inconsistency in the treatment of property owners that flies in both the intent and the spirit of the law. None of us particularly like to pay taxes, but no one should have to pay more than his fair share. Our organization has followed the chain of command in making our concerns known. We have talked to the Tax Assessor asking for information, asked him about the inconsistencies we have observed, and we have sent numerous detailed questions to the Board of Assessors. We have received little in return. We have attended Board of Assessors meetings, we have provided details about specific situations, as indicated here, and we have been stonewalled by these appointed officials. We have now been told that the Board of Assessors will not comment on anything until the Georgia Department of Revenue report is published. We met with the Georgia Department of Revenue auditors when they were here in August at the Governor's request. We are still awaiting the findings of the audit of the Tax Assessor's office. Interestingly, they did comment when they were here that it was hard to understand how Chatham County —, that Chatham County tax digest passed the test of the State Commissioner of Revenue when they have found so many piecemeal inconsistencies at the individual taxpayer level. The Official Code of Georgia states that the Board of Assessors "shall see that all taxable property within the County is assessed and returned at its fair market value and that fair market values as between the individual taxpayers are fairly and are justly equalized so that each taxpayer shall pay as nearly as possible on his or her proportionate share of taxes." This is not being done. Since properties are not reassessed with the same frequency, assessments are not determined consistently and tax neighborhoods are not treated the same. Taxpayers in Chatham County are not paying their proportionate share of taxes as required by law. The Board of Assessors and the Chief Assessor, therefore, in our opinion, are not meeting their obligations under Georgia law. We are here today because you, our County Commissioners, are the governing authority which appoints the members of the Board of Assessors. Since you appoint them, you should be interested in seeing that they perform their duties properly and impartially, as required under the law, and you should demand in the name of the citizens of Chatham County fairness and accountability by the Board of Assessors under the law. Gentlemen, thank you for listening to our concerns.

Chairman Hair said, Dr. Jurgensen, I believe Mr. Alston has one question for you. Dr. Jurgensen said, yes sir.

Mr. Alonzo Alston asked, your organization is stop overtaxing our people. Dr. Jurgensen said, stop taxing our people. Mr. Alston said, well, your request seems to imply that you would like all people to be taxed fairly and proportionately, but you don't define what proportionate is because there's some areas where people are overtaxed where people aren't people taxed as much and the land that you were talking about, especially the one specific notation with the vacant lot where nobody was paying any taxes. It might have been either city or previously owned, but there was actually no business going on, and if those establishments are —. Dr. Jurgensen said, but it's valued at \$180,000 on the tax record, sold for \$2.5 million and was still taxed at 180. Mr. Alston asked, well, what happens to the people once it's reassessed and you give these details to the —? Dr. Jurgensen said, there's no evidence that it's been reassessed thus far. Mr. Alston said, right, but when it is and once the Commission gets a chance to look at it, everybody's taxes go up. It's not going to stop it. Dr. Jurgensen said, that's not so. That's not so at all. We are saying that there's some neighborhoods in Chatham County which are being reassessed more frequently than others and are being —, their taxes increased more frequently than others. What we are saying is that the Georgia law states that there is a proportionate distribution of property taxes throughout the County, and I suggest to you to review that law. Thank you.

Chairman Hair said, thank you, Mr. Alston. Chairman Hair recognized Ms. Taylor.

Ms. Taylor said, thank you very much, Paul [Jurgensen]. Commissioners, what the citizens of Chatham County ask you, our elected representatives, to do is to see that the property tax system in Chatham County produces uniform tax assessments for all taxpayers so that each property owner pays only his or her proportionate share of property taxes. We

ask you to instruct your appointees, the members of the Board of Assessors, to immediately correct the inequitable situation by having the Tax Assessor properly and impartially assess all pieces of property in Chatham County. We ask that you request an independent audit of the Tax Assessor's office, this audit to be performed and results acted on before year end to establish operating policies and procedures to ensure uniformity in taxation in compliance with Georgia law going forward. We ask that you ask Jerry Jackson, the State Commissioner of Revenue, to refuse to accept the County's tax digest pending resolution of the uniformity matter. We ask you to present our —, represent our interest in ensuring uniformity in our property tax system and fairness in the distribution of the tax burden. If the Board of Assessors does not act immediately to resolve this lack of uniformity, we request that you take whatever steps necessary to remove all members of the Board of Assessors and the Chief Tax Assessor and replace them with individuals who will implement and operate a tax system that treats all taxpayers in a fair and consistent and uniform manner. We —, I'm going to break from my thing. We sincerely believe that if you don't do this, if you don't act, Chatham County is going to go down the tubes because you're going to lose the inner city that people have spent a fortune to renovate and make it a beautiful, beautiful place to live, and the whole infrastructure is going to go, but we understand that the Commission's opinion that you don't have the authority to remove the Board of Assessors for malfeasance, that this power rests with Governor Barnes. We do ask that you ask the Governor to exercise this power so that the taxpayers of Chatham County will be taxed proportionately and fairly. We ask you to represent the interest of the people who elected you. All we ask today is uniformity and fairness in how our property taxes are levied, and that requires uniform and consistent tax assessments, and we citizens deserve that. Thank you for listening to us and, Linda [Harrell], would you —. We have —.

Commissioner Jackel said, let me ask you a question. Ms. Taylor said, yes. Commissioner Jackel said, I want to clarify a couple of things here. You understand that the Governor has sent five auditors down —? Ms. Taylor said, yes, we met with them. Commissioner Jackel said, okay. Commissioner Jackel said, and you want —. Ms. Taylor said, and we did —. Commissioner Jackel said, and you want us to send in —, pay for private auditors now to follow after the Governor's people have to audit the system. Can you tell me, first of all, does the law provide for that and, two, what you estimate the cost for that to be? Ms. Taylor said, I would have no idea what the cost would be. Commissioner Jackel said, see, you want us to spend our taxpayers' money when you have no idea how much that would cost on the heels of the Governor's people already doing that.

Ms. Linda Harrell said, let me —, I can speak to that issue. Commissioner Jackel said, okay. Ms. Harrell said, because when the auditors were here —. My name is Linda Harrell. When the auditors were here, they were here because people thought that a lot of tax values had been raised in anticipation of Stephens-Day Bill going into effect. That was the focus of their audit here. They were not sent here to look at this uniformity issue. I spent about 45 minutes on the phone yesterday with Larry Griggers, who heads up the Property Tax Division at the Department of Revenue in Atlanta, and asked him if his report was really going to address the uniformity issue, and he said he didn't think so because that's not why he was sent down here by the Governor. So I asked him, I said, what tests are there at the State level to see if uniformity is in fact being met. He said there are no tests that are done at the State level, that when the Revenue Commissioner does his ratio test he really looks at the digest as a whole or breaks it into four or five large categories, and that the issue of uniformity is not addressed at the State. He said that is an issue that is to be addressed at the local level. It is the legal responsibility of the local Board of Assessors to ensure there is uniformity among and between taxpayers. Commissioner Jackel said, all right, what is this —. Ms. Harrell said, as far as the cost of —. Commissioner Jackel asked, what's the projected cost? Ms. Harrell said, no, I was going to say, as far as the projected cost of an audit, I can't tell you that, but I can tell you why we need one. I have given you a sheet of two questions —, two pages of questions. If you ask the Tax Assessor to get you the data that answers those questions, don't take our word for it, ask him to provide you with the answers to those questions, and you will see for yourself very quickly how we have this piecemeal taxation in this County and this lack of uniformity. You ask him questions, how many parcels are still on override, how many parcels —. I had a case the other day where a gentleman was concerned about his property taxes and I looked at all the other parcels in his neighborhood and his house looked like he was treated the same as every other house in his tax neighborhood, and I told him I really didn't think he had a case and his sales ratio was within the parameters described by law. He said but, you know, there's a house behind me, and I said okay, I'll look at that. So I looked at the house behind him that happened to be in a different tax neighborhood. Now I told this guy, well, you're still in this override neighborhood and this property is valued by CAMA, it's on the computer system, but when I checked further that property had just been put on the computer system in '99. The value on that property had not changed since 1992. For seven tax years it had been the same and it finally went up like 50% between '98 and '99, whereas this fellow in this other neighborhood he'd had several increases during the interim, but his neighbor right behind had had nothing happen. And, I mean, that's the kind of stuff we're talking about.

Commissioner Jackel said, let me —, I understand what you're saying there, but you have no idea what this audit will cost. Ms. Harrell said, no, I never priced that. Commissioner Jackel said, all right. Okay, that's —, I'm just asking. That's all. Ms. Harrell said, all it is is a procedures audit where you go in and say do they have procedures to make sure that all properties are valued or reassessed with the same frequency. Commissioner Jackel said, well, it makes no difference if they have procedures if they're not following. They would have to check to make sure that —. Ms. Harrell said, that's right. Commissioner Jackel said, they were followed, so it would be a total audit and I just wondered if you had any idea of the cost. Ms. Harrell said, no. Commissioner Jackel said, all right. My next question is, I hear you saying two different things and that needs to be clarified. If the Tax Assessor's office was doing everything perfect and a house in downtown Savannah goes from 300 to 600 because of a sale price or the rise in —, you'd be satisfied with that. Ms. Harrell said, absolutely because I —. Commissioner Jackel said, because it's uniform. Ms. Harrell said, as a matter of fact, I have —.

Commissioner Jackel said, so you're not talking about the increased value. That's not your complaint. Your complaint is the uniformity because I've heard some of your group complain bitterly how theirs have gone up, so that's not the complaint, it's the uniformity that you're complaining about. Ms. Harrell said, yes. Commissioner Jackel said, and not the system. You're not complaining about a system that's a State system. Ms. Harrell said, no. Commissioner Jackel said, you're saying the State system —. Ms. Harrell said, is not applied evenly. Commissioner Jackel said, the State system is not applied evenly. Ms. Harrell said, evenly in this County. Commissioner Jackel said, okay. Now, and I've attended several of your meetings and people have told me don't point the finger at Atlanta, and you're up here officially saying it is the State system that's not being applied fairly. Ms. Harrell said, locally. Commissioner Jackel said, locally. Okay. Ms. Harrell said, the State —, their laws. Commissioner Jackel said, all right. I just wanted to clarify that issue. Okay, so we're absolutely talking about is the Georgia Code —, Official Code of Georgia Annotated, what it required is not being applied uniformly and that's your complaint and not —, not necessarily the value of the houses. Ms. Harrell said, no, and I'll be quite honest with you, when all this got started and everything sort of came to a head here when the assessments went out in the historic district, I looked at the historic district transactions for 1998, I looked at all the sales in the historic district, and the historic district is one of the neighborhoods that appears to be properly valued because the sales ratio reflects the activity in the neighborhood. Okay, so what the problem is here —. Commissioner Jackel said, well, I have gotten numerous complaints —. Ms. Harrell said, I know, but let me tell you what —. Commissioner Jackel said, that that's not so. I'm glad to hear someone from S.T.O.P. saying that is so. Ms. Harrell said, well, the Tax Assessor gets it right about two-thirds, okay, but we've got one-third that isn't right, and that's where the problem is because what happens —. Commissioner Jackel asked, what area is that? Is that a particular area or is that —? Ms. Harrell said, there are about a hundred —, a little over a 150 tax neighborhoods out of the 500 that had transactions in '98 that I've identified as not falling within the 36 —, they're less than 36% sales ratio or over 40%, 44% sales ratio prescribed by law. Some of those are —, people won't like to hear this, but Abercorn Heights, Ardsley Park, Carver Village, [inaudible] Park, Nugent Park. We've got a list that we will provide you with today in the handouts, the tax neighborhoods that we found when we went in and looked at the sales and did the calculation with the sales ratios. Commissioner Jackel said, okay, so let me just one more time reiterate this. So we're talking about this State —, the system imposed upon us by the State is not being uniformly enforced, and that's your complaint and you want us to, one, audit our people and the other thing is to put pressure on them to do it —, to make sure that it's done uniformly. Ms. Harrell said, well, if I were you, the first thing I would do is ask them those two pages of questions, get the data back from those two pages of questions, and then you'll figure out what you need to do from there pretty quickly. Commissioner Jackel said, okay. My understanding that some —, and I don't want to be defending the auditors, I mean, the Tax Assessor's Department, but what we have gotten from them is that they're phasing in some of the things you requested, that they would need somewhere between six to a dozen new employees, that, you know, there's a cost. Ms. Harrell said, well, that —. [NOTE: Numerous members of the audience said, no.] Commissioner Jackel said, that's fine. I mean, we —. Ms. Harrell said, that's how they got they in trouble in the first place with this is when they started phasing in CAMA in 1993, okay. Commissioner Jackel said, right, right. Ms. Harrell said, instead of saying, look, we know there's going to be a little inequity because as soon as we get somebody up, somebody's not on the system and somebody else is on the system, instead of coming up with a plan to get it done in a reasonable period of time, okay, and to also have some sort of inter —, I mean, maybe what you should have done is had all the data ready for CAMA but you don't push the button and actually let —, absolutely let everybody go live until you get everybody's data, okay, but they opted not to do that. They did this in a piecemeal approach. There are properties that still are not on the system today, and you'll see from the data I handed you, I took a sample, I took the County Commissioners as a sample, I took the City Aldermen as a sample just because I, you know, know groups of people that live all over in different areas, and I put y'all together as a group and I looked at how you've been treated by the Tax Assessor's system and you'll see that there's a huge difference. You'll see that in the County Commissioners 15% of your parcels are still on override compared to 32% for the City Aldermen's parcels, okay. Now what does that mean? That means that we're to look at the tax increase that you've had on your property since 1992 as a County Commissioner, those properties have gone up a lot quicker and faster and higher than they have if you were a City Aldermen. Now I'm not —, I mean, I just picked y'all because it's a group. Commissioner Jackel said, well, I understand.

Chairman Hair said, I think we need to —, we said a 10-minute presentation. We've asked a lot of questions so we're not going to hold you responsible for our —. I think we need to wrap this up, Mr. Alston. I think we need to —, you've given us a lot. I'm going to give you like three minutes. Can you wrap it up in three or four minutes? Finish this up and let's move on. I mean, we have a lot of questions that need to be answered, but we're not going to ask them today at the Commission meeting, and we will follow up with this —. So if you could wrap it up in a couple of minutes, I would appreciate it.

Mr. Ed Garrison said, I've just got a few comments to make. Chairman Hair said, yes sir. Mr. Garrison said, the —, in '97 I studied 273 sales at The Landings. The Assessor only appraised 7% of those at the sale price, which is the legal fair market value. 93% were either appraised above or below the sale price, so he had all the information, but he didn't use it. Then he takes that data and applies it to all the other properties, so the areas made in the sample go through all the properties, so there's something you look at specifically. Are the properties appraised at the sale price?

Chairman Hair said, thank you very much. I would like to say in closing, let —, of course, the Stop Taxing Our People know this, myself and the County Manager and Commissioner Saussy and Commissioner Murray met with these folks last Tuesday night, and I can tell you, as a personal feeling, we don't always agree on issues, but I'll tell you this, I really commend this group for the work, particularly Ms. Harrell. She has put in hundreds and hundreds of hours researching, and I commend you for what you've done, and then we do need to respond and try to get some answers to some of these

questions. Like I said, we don't always agree on issues, but certainly, and we can expect to disagree, but I think your group has done really good work, and I appreciate that.

Ms. Taylor said, thank you very much and thank you for your time today and we do appreciate your listening and Linda [Harrell] has done just a miraculous job. Chairman Hair said, she really has. Ms. Taylor said, and it's accurate and you need to act on it. Chairman Hair said, thank you.

Ms. Sara Bartow [phonetic] said, thank you, I'm Sara Bartow. I asked the question the other night, forgive me for asking it again, but I had said to the effect that you all are our elected Commissioners, we all elected all of you, and when I asked if you were going or had asked the Board of Assessors, your appointed board, any questions here to bring the answers to you, like we've all been digging for, and I would really like for you to pursue that —. Chairman Hair said, okay. Ms. Bartow said, because we didn't elect the Board, we elected you and I understood that it was against the law for you to remove them, I understand that, but I don't think it's against any law for you to call them in and say all these people are upset, what's your problem?

Chairman Hair said, thank you, Sara [Bartow], I appreciate that. We appreciate y'all coming this morning and making your presentation. Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy said, yes, I would like for us to look into these allegations that Ms. Harrell has brought forward, if we could have staff to work on that.

Chairman Hair said, I think it would be appropriate —, Mr. Udinsky's here, maybe it would be appropriate for us to get some answers to these questions. I'm sure Mr. Udinsky would —, hopefully provide us information. Would that be possible, Mr. Udinsky, for you to provide answers to these questions? I know you maybe have not even seen the questions, I understand that, but —.

Mr. Udinsky said, I'm Gary Udinsky, also known as Darth Vader, the [inaudible] of the Evil Empire. The truth is we will be happy to respond to any questions that you've got. Many questions that have been asked are do you still beat your wife type question, and there is no answer to, but I did bring one example with you —, with me, and it was cited as the Abercorn Heights neighborhood, that the values hadn't changed since 1994 or maybe before that, I didn't go back beyond 1994 —. Commissioner Price asked, what's the number? Mr. Udinsky said, Abercorn Heights. The neighborhood number? Commissioner Price said, they didn't give us names, they gave us numbers. Chairman Hair said, 1022. Mr. Udinsky said, but if you look at every year since 1994 there's been approximately 20 sales in the neighborhood, and every year since 1994 the ratio on those sales, in other words, how good or bad, how value is compared to the sale, with perfect being 40, has varied between 41 and, until 1999, 37. Now in 1999 that ratio fell to 33, and that tells us we will redo that neighborhood for the next year. We're historians. We follow the market, we don't lead the market. So once the ratios in that neighborhood when the 20 sales took place told us that our values weren't at the fair market value anymore, between 44 and 36, we take action and that's exactly what we did in that neighborhood.

Chairman Hair said, okay. I'd appreciate it if we could get answers. We don't want to get into a debate here today. This is not the appropriate forum for that, but I do think we do need to get some answers. We'll provide staff, if you provide these questions to Mr. Udinsky, we'll get these and we'll get them back to your group, Christiana [Taylor], so we appreciate everybody coming. Thank you very much for coming.

ACTION OF THE BOARD:

Received as information. Questions provided by S.T.O.P. are to be given to the Tax Assessor's office for answers.

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3. MEMORIAL DAY SCHOOL, DRUG AWARENESS WEEK (MS. MCKENZIE'S THIRD GRADE CLASS AND DIANE BAREFIELD).

Chairman Hair said, we have a presentation today from Memorial Day School on Drug Awareness Week. We have Ms. McKenzie's third grade class, and I think we have Diane Barefield with us. Ms. Barefield said, yes. Chairman Hair said, if you would come forward maybe and have the third-grade class come.

Ms. Diane Barefield said, good morning. Thank you for letting us come here and share our message with you. We are from Memorial Day School. We're Ms. McKenzie's third-grade class, and we are participating in Red Ribbon Week, and we have some red ribbons that we would like to share with you and we have a message also. Lauren, Sara and Kendall, could y'all come forward please?

Lauren, Sara and Kendall read the following messages:

Red Ribbon Week [inaudible] pledges to be a safe and drug-free school. We are the future. Let's make our world drug free.

Memorial Day School presents red ribbons to you in honor of Red Ribbon Week. As a member of the school community we have the right to a drug-free school and freedom from gangs on the school campus, but a school environment that teaches respectful and responsible behavior. A positive school climate where all students can learn and are considered important.

Thank you for letting us share this message with you. We are the future generations to come.

Chairman Hair said, we appreciate you folks coming today. Ms. Barefield said, thank you very much for having us.

ACTION OF THE BOARD:

Received as information.

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Chairman Hair said, I'm going to declare a two-minute recess here until we give a chance for the audience to —.

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VII. COMMISSIONERS' ITEMS

None.

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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 (*).

See Second Reading, Item XII-1.

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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. RECOMMENDATION FOR FURTHER FREEZE ON HIRING AND DEFERRAL ON SOME PURCHASES.

Chairman Hair said, I'd like to start out, if I could, Mr. Abolt —. County Manager Abolt said, yes sir. Chairman Hair said, with a comment about this. First of all, I support the freeze on spending; however, I do think that we are going to have obviously in the next couple of months, we're going to have some absolutely critical issues, critical positions that we're going to have to fill, and rather than us getting into long and protracted debates, I'm just going to offer in the advance of the discussion of this issue a potential option for us is that if the majority of this Commission agrees, that there are obviously some positions that don't —, do not need to be frozen, that maybe we could have a committee of myself, the Vice

Chairman and the Chairman Pro Tem that would review each one of those situations and then we would make the decision as to whether or not —. I just offer that as a potential option that the three of us would meet and discuss that and we would either approve or disapprove the freezes. So I just —, at the beginning of the discussion I'd like to offer that as a potential compromise, potential option for the Commission if y'all agree to that. Okay, Mr. Abolt.

Chairman Hair said, thank you, Dr. Hair. Gentlemen, the issue before you now is one of preserving the maximum number of options as you begin your budget deliberations on the first of November. As you know, the budget document will be delivered to you on that date and made available to the public. In preparing the document and looking at the various goals that you've assigned, essentially you're going to see a proposal that it is very difficult to balance, though the proposal is balanced, certainly without a tax increase and without any layoffs. But to get there is not as easy said as —, done as said. The issue now becomes whether or not you want to allow yourselves to save a little bit of money between now and the first of February from the standpoint of hiring freezes and a little bit more money by freezing nonessential purchases until the end of your shortened fiscal year, which will be the 30th of June of the year 2000. The way in which we would propose that you do this is not dissimilar from what the Chairman has. Essentially, the freeze would go into effect, but there are certain positions that we fully acknowledge there may be a jeopardy afforded to the safety of either the employee or the citizens, and we would recommend that you handle that very similar to what you do your 90-day freeze right now, that we bring those forward to you and as a routine matter you'd receive them with each agenda and could decide, concur in this public safety issue, and we would be about filling it. This is not meant to be permanent. Just for the sake of the gravity of it and what we're looking for, and again all of you appreciate, I know, the way in which collectively with all the constitutional officers and departments heads we truly have been exploring all opportunities for new revenue sources for cuts and what have you, the freeze on hiring we estimate would save between now and the first of February, cumulative SSD and M&O, \$95,000. On the purchasing embargo, we'd save over half a million dollars arrayed among M&O and SSD. Also, when it comes to the hiring freeze, in the event that it became necessary to consider any aspect of a reduction in force, it does again give you maximum flexibility and transitioning people in positions that wouldn't —, possibly would be eliminated, if that is the case, to positions that are fully funded, but it is your choice. I fully recognize that it's not my call, it is yours. My desire only is to give you the maximum amount of choices as you embark upon budget formulation.

Chairman Hair said, Commissioner Odell has a question.

Commissioner Odell said, Russ [Abolt], under the County's plan, wouldn't you also concurrently freeze overtime? County Manager Abolt said, no sir. Commissioner Odell said, if I'm in Department A and I have 20 people and two of those people leave, under the plan I would not be able to replace those two people, but that would not preclude me from using the 18 to work that additional 80 hours a week. My only question if that is the case, then the end results is that we have not really saved, have we? County Manager Abolt said, sir, and again this is one of those issues where it was one of the last strategies to be employed in balancing the budget. It is never fine tuned to the degree of accuracy you would like. It will require an awful lot of close management by all department heads to try to reduce costs and to meet the savings, but the worst case situation is we do this and there are expenses incurred elsewhere and we find ourselves in an imbalance position going into the next year. That's it. Commissioner Odell said, yes, my only concern is with the —, some positions are driven by activities from the public, i.e., courts, Sheriff's Department. The Sheriff doesn't determine how many people will come to jail. The court system makes that determination, and he has to have X-staff in order to —, a particular staffing to meet the jail population needs. My concern is that, and I am attracted to the Chairman's proposal, I believe that we should slow it down, but I think there are some essential positions that we must have. County Manager Abolt said, it's your call.

Chairman Hair asked, any other comments on this? Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, mine was just to follow up on what Harris [Odell] was bringing up as far as overtime. To me it seems like if we don't control the overtime and we're doing a hiring freeze, the overtime's going to more than offset the amount of money that we can save on a hiring freeze. County Manager Abolt said, well, I doubt it, sir, but it could. The issue is this is not a finely tuned strategy. Commissioner Murray said, Russ [Abolt], I understand that, but what I'm saying though, and I support the hiring freeze probably as much or more than anybody up here has, but I do know that every year when we look at the budgets and we look at what was spent last year and we look at the overtime side of it, there's an awful lot of money in overtime. County Manager Abolt said, yes sir. Commissioner Murray said, and I know some of that overtime is justified, but I don't know that we can say we're going to save \$95,000 if we're going to increase the overtime that's needed with those other employees in there to fill the job and that's my only concern. County Manager Abolt said, that's the down side of it, sir.

Chairman Hair said, okay, I'll entertain a motion if anyone would like to make a motion. Chairman Hair recognized Commissioner Murray. Commissioner Murray said, I move that we approve it, the hiring freeze. Commissioner Price said, I'll second that but —. Commissioner Murray said, with your recommendation. Commissioner Price said, with the Chairman's recommendation. Chairman Hair said, with the recommendation.

Commissioner Jackel said, state your recommendation again please. Chairman Hair said, my recommendation is that anyone —, any department that wanted to go outside the hiring freeze would submit the positions to myself, the Vice Chairman and the Chairman Pro Tem, and the three of us would act and either approve it or disapprove it. Commissioner Jackel said, well, I would just ask that their submittal be in writing and that there be a recommendation in writing. Chairman Hair said, I agree with that and what I would also obviously suggest in full disclosure that we would —, when we acted, we

would send copies to all the Commissioners as to what was done. We would, you know, we got this request and we either approved this request or dis —, and we would send copies of that to every Commissioner. Commissioner Jackel asked, and can we also add to that that we have an appeal to the full Commission? If they're dissatisfied with the three of yours ruling, that they come up before all of us and we make the final decision? Chairman Hair said, I think they would have that anyway. Commissioner Price said, yes. Chairman Hair said, I think that would be a given.

Chairman Hair said, okay, we have a motion and a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers and Thomas were not present.]

County Manager Abolt said, Mr. Chairman, excuse me. I need —, I understand the motion to apply only to hiring. I need your direction relative to the purchases. Chairman Hair said, I have no problem with the deferring purchases. That's a half million dollars savings. I think —. County Manager Abolt said, okay. It's very important that you exercise budget authority for you to give —. Chairman Hair said, just for the record, let's go ahead and —.

Commissioner Murray said, all right, I move we do the same for the purchases. Commissioner Odell said, I'll second. Chairman Hair said, we have a motion and a second to freeze purchases. All those in favor vote yes, opposed vote no. [NOTE: Commissioners Rivers and Thomas were not present.]

ACTION OF THE BOARD:

1. Commissioner Murray moved to approve Chairman Hair's recommendation that a freeze on hiring be instituted and that a committee comprised of the Chairman, Vice Chairman and Chairman Pro Tem will review positions and either approve or disapprove waiver of the freeze. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Thomas were not present.]
2. Commissioner Murray moved to approve a freeze on non-essential purchases be instituted effective between now and June 30, 2000. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Thomas were not present.]

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RECOGNITION OF GUESTS:

Chairman Hair said, before I go to the next item I'd like to recognize someone in the audience. We have a former Commissioner and certainly one of my predecessors, former Chairman Bob McCorkle. We're glad you're here this morning, Bob [McCorkle]. I appreciate you being with us.

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IX. INDIVIDUAL ACTIONS (Continued):

2. **REQUEST BOARD APPROVE THE FOLLOWING: GENERAL FUND M&O CONTINGENCY TRANSFERS OF \$1,450 TO SUPERIOR COURT AND \$23,000 TO AQUATIC CENTER FOR A CONTRACT CHANGE ORDER; A GENERAL FUND M&O TRANSFER OF \$7,000 FROM RECREATION TO AQUATIC CENTER FOR A CONTRACT CHANGE ORDER; AND A GENERAL FUND M&O BUDGET AMENDMENT TO RECOGNIZE REVENUE OF \$1,740 AND TO APPROPRIATE THIS AMOUNT FOR SALARIES AND BENEFITS IN THE ALTERNATIVE DISPUTE RESOLUTION PROGRAM.**

Commissioner Price said, so moved. Commissioner Saussy said, second. Chairman Hair said, we have a motion and a second. Commissioner Murray has a question.

Commissioner Murray said, Russ [Abolt], my question falls under the \$23,000 for the Aquatic Center along with the other \$7,000. I didn't see a write-up. County Manager Abolt said, yes sir. It will be in your Purchasing report. Your first item, a change order with Champion, our contractor. At the appropriate time, and maybe you'd want to defer until the Purchasing report, and Mr. Lynch can explain in detail some mechanical contributions to the fact that our contractor had to absorb some additional costs that we do not feel are appropriate.

Chairman Hair said, let's do it now, if you'd like. Commissioner Murray said, I'd rather go ahead and do it now. Chairman Hair said, Mr. Lynch, could you come forward. County Manager Abolt said, gentlemen, and only for a reference then, if you would look at your calendar, Purchasing report, Item A, which will give —, excuse me, not Item A. Let me find the item number. Commissioner Murray said, it's on Q. County Manager Abolt said, Q, thank you, Commissioner Murray. I appreciate that. It's Item Q. There is your write-up and Mr. Lynch can expand.

Mr. George Lynch said, fundamentally, sir, there are two things that occurred that resulted in revenue impact. As you recall, we had an extensive repair work on the pools. When you work in the pools and it gets into patch and paint, you've got a significant down time, about a week plus while the pool dries. Then the contractor comes in, and this was all done under warranty I would hasten to add, does the painting. That must dry, cure, go through testing. Then and only then can you refill the pool. You go through the balancing of the chemicals and all of that stuff. Approximately five and a half weeks of closure. During that five and a half weeks of closure the operating contractor had a revenue loss, reduction, whatever you'd like to call it, of \$21,000. Now during that period they drew down staff as much as they could. They have salaried people. They were working that. They also, I think, very prudently used that time to bring in on a very limited basis some of their hourly people to be able to get work that could only be done when the pool is closed. So you've got a \$21,000 hit there that clearly was not in their contract, it was not included in their contract pricing. Additionally, we have had approximately a \$24,000, or a little over \$2,000 a month, increase in electrical consumption compared to the historic norm during the previous year. We brought in people who were experts to make darn sure that the contractor was not operating the system incorrectly. They've been operating it just fine. They have finally discovered, and they being project engineer, HVAC specialists, that the reject for —, of heat from the system is in proximity to the air intake. Why that did not show up the previous year none of the experts have been able to tell me. This has imposed on the contractor, through no fault of their own, approximately \$24,000. Now, if you take these two, it comes out to \$45,000. We're asking in this case for a change order of \$30,000. We feel in this case that the contractor and the County, even though the contractor was not responsible for the problem, do best in sharing the risk and sharing the cost. May I answer further questions?

Commissioner Murray said, no. I was just —, I knew about the \$21,000 and that part was understandable. The other part on the electrical, I still don't understand that and the fact that it worked fine for the first year for the same operation and now we've got something different than that. I think it's something other than what your engineer is telling you, but I'm not an engineer so I won't get into that. Mr. Lynch said, and I've asked the same question and have not been successful in eliciting an answer.

Chairman Hair said, I'd just like to say I think this contractor has done an outstanding job running this facility and I think this is a very reasonable request, and I certainly will support it with no problem. Any other discussion?

Commissioner Jackel said, I'm just curious. If your expert can't answer the question, is he still an expert? Mr. Lynch said, yes sir.

Chairman Hair said, I'll entertain a motion to approve. Commissioner DeLoach said, we already have one. Chairman Hair said, motion and a second. Mr. Lynch said, that was a very brief answer, sir. The Clerk said, we already have a motion. The motion carried unanimously. [NOTE: Commissioners River and Thomas were not present.]

ACTION OF THE BOARD:

Commissioner Price moved to approve the following: General Fund M&O contingency transfers of \$1,450 to Superior Court and \$23,000 to Aquatic Center for a contract change order; a General Fund M&O transfer of \$7,000 from Recreation to Aquatic Center for a contract change order; and a General Fund M&O budget amendment to recognize revenue of \$1,740 and to appropriate this amount for salaries and benefits in the Alternative Dispute Resolution Program. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Thomas were not present.]

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3. REQUEST BOARD APPROVAL TO PROVIDE MATCHING FUNDS FOR TEA 21 FUNDING AND AUTHORIZE USE OF "OPEN SPACE/GREENWAY/TRAILS" FUNDS FROM THE 1998-2003 1% SPLOST.

Chairman Hair recognized County Manager Abolt. Commissioner Price said, motion for approval. Commissioner Odell said, second. County Manager Abolt said, Mr. Chairman and members of the Board, you recall —. Chairman Hair said, we have a motion and a second to approve. Any questions? All those —.

Commissioner Jackel said, what did you just do here? Chairman Hair said, you need to keep up here. Commissioner Jackel said, I do.

Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers and Thomas were not present.]

Chairman Hair said, we've already approved that. County Manager Abolt said, okay. Well, I want to make sure understand the TEA, what you've done. There's no problem with it, but I want to make sure —. It's passed. I'm sorry. Chairman Hair said, well, it's in the book if anybody has any —. Commissioner Price asked, do you want to say something publicly about it? County Manager Abolt said, no sir, I just want to make sure —, you made a policy decision back in March that drainage comes first. It's safe to say that we can still cover the drainage commitment and do something with our green space. We're just coming back to you asking you do to what you've just done, but for the sake of understandability you've given us new direction from March of this year. Chairman Hair said, that's correct. County Manager Abolt said, that's all I'm saying.

ACTION OF THE BOARD:

Commissioner Price moved to approve a request to provide matching funds for TEA 21 funding and authorize use of "Open Space/Greenway Trails" funds from the 1998-2003 one percent SPLOST. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Thomas were not present.]

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4. BOARD CONSIDERATION OF CHANGING PRIORITIES OF THE 1998-2003 SPLOST DRAINAGE CAPITAL IMPROVEMENT PROGRAM FOR IMPROVEMENTS TO STORM WATER DRAINAGE ON THE ISLE OF HOPE NEAR CENTRAL AVENUE.

Chairman Hair said, any discussion? I'll entertain a motion. [County Manager Abolt made a comment on the previous item.]

Chairman Hair asked, all right, any questions on SPLOST drainage? Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I just want to know more about what's going on with this Item 4. Is this the Central Avenue? Chairman Hair said, yes, yes.

County Manager Abolt said, gentlemen, what this is, and you'll see it in the written material, we have been about following the priorities assigned back at the time the SPLOST was approved and you gave us direction as to what projects would be built first. There are at least two gentlemen, Mr. Willingham and Mr. Simmons, who feel that there is a priority concern in their neighborhood on Isle of Hope. We did —. Commissioner Murray asked, why did —? Excuse me, go ahead. County Manager Abolt said, we did meet with them and essentially, as you can see from the write-up and Mr. Bungard can expand on, the issue is one of, in effect, out of sequence if you choose based on the testimony you may receive from the gentlemen, and tell us to proceed with upping the priority on a project that would not be built until the year 2001, 2002, spending \$500,000 to do the work now. The project is justified. Also, you'll remember from the write-up, we were looking at the possibility of some sort of cosmetic low cost fix to deal with the issue of erosion. Quite frankly, we feel that it is totally uneconomical and that if the need is there and you feel warranted and the testimony that you receive to give us the justification, the best choice would be to in effect take off about a half a million dollars, begin construction of the project earlier than the appointed time and do it some time this year or early next.

Commissioner Murray asked, if we move the project up, how —, when will it start? County Manager Abolt said, I'll have to defer to Mr. Bungard, but it's a matter of months.

Chairman Hair recognized County Engineer Al Bungard.

Mr. Bungard said, we already have a preliminary design done with the monies y'all approved the same time as all the other projects. We'd have to redo the design a bit, but the bottom line is about nine months. We'd have to acquire the right-of-way, get the right permits and do all that. Commissioner Murray said, and the problem out there, the major problem is the erosion of the people's property from the drainage ditch, if I understand it correctly. Mr. Bungard said, it will solve their problem, but it solves the bigger problem of drainage of the whole —. Commissioner Murray said, I understand that. I understand that the project will, but the project's not going to start for at least nine months. Mr. Bungard said, roger. Commissioner Murray said, we've already gone back in one time on one of these properties and done some work to try to stop erosion. We put in fence posts and some other things down, but that's already eroded again. How much more erosion are we going to have in the next nine months and is there anything that we can put in there temporarily until this project starts to stop the erosion? Mr. Bungard said, when I was out there earlier this week I saw no evidence, and you can see in the picture, of recent erosion. It has been a continual slow erosion problem. If you look at the pictures, the fence, it's about a one-foot drop between the fence line and the ditch. That is a continual —, every time it rains it's a little bit. It's well vegetated now, it's not like it's going to be a catastrophic fear of the fence falling over every time it rains. There's a general area need, but their concerns are indeed valid.

Commissioner Murray asked, would this be the time for the two people that were here to speak? Chairman Hair asked, on this issue? Commissioner Murray said, yes. They're here I think, or they said they were going to be here. I assume they are.

Chairman Hair asked, would anyone from the audience like to speak? I know the two property owners, adjacent property owners —.

Mr. Willingham said, I'm Britt Willingham. I'm the property at 7617 Central Avenue. Myself and Mr. Bungard met out the first of the week and, in fact, this problem has been going on since the original study was begun in '97. There was a letter sent to us, probably everyone in the area, that basically stated they were going to do studies along Smith Avenue. Smith Avenue has been completed, it has basically dumped into the pond. There's a detention pond behind our property. That pond can only hold so much. When it fills, it just empties into the ditch behind my property and along my property and Mr. Simmons. That problem has been intensified because now the storm drain dumps into the pond. So we actually have corrected one problem and created another one, and the problem's not going to go away as Mr. Bungard said. Erosion is there. It's going to continue. We have pictures of when it's flood. It's taken away, it's going to continue to take away. Our concern is that it's going to be, we just want to move it up and have it done sooner so the property doesn't continue to erode.

Chairman Hair said, well, I think that's what this does, but I think you have to understand from an engineering point of view it's going to take nine months before you actually see work there. Mr. Willingham said, sure, I'm okay with that as long as there's some —. Chairman Hair said, this solves the long term problem. Mr. Willingham said, right. Chairman Hair said, there's no way to go in there for a quick fix, and I think that's been discussed. Mr. Willingham said, I agree. I'd rather have it fixed properly. Chairman Hair said, that's what this does. Mr. Willingham said, and not waste any money, but it's got to be done. Chairman Hair said, yes sir, I totally agree with you. Chairman Hair recognized Commissioner Murray.

Commissioner DeLoach said, I move for approval. Commissioner Murray said, yes, I move for —. Commissioner Price said, second. Chairman Hair said, we have a motion and a second. Any further discussion? Commissioner Saussy asked, this is SPLOST money, right? Chairman Hair said, that's correct. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers and Thomas were not present.]

Commissioner Murray said, Russ [Abolt], let me ask you one more question. County Manager Abolt said, yes sir. Commissioner Murray said, I guess maybe I need to ask Al [Bungard]. On this same subject, I understood —, as a matter of fact, a lady is supposed to be getting me some correspondence that's been back and forth to her. I called yesterday. He brought up Smith Avenue. When Smith Avenue was done, there was supposed to be another drain put in somewhere, was it Raleigh Drive? Russ [Abolt], are you familiar with that? County Manager Abolt said, no sir, I'm not. Commissioner Murray said, I'll get the information [inaudible]. County Manager Abolt said, okay, sir. Thank you.

ACTION OF THE BOARD:

Commissioner DeLoach moved to approve changing the priorities of the 1998-2003 SPLOST Drainage Capital Improvement Program to advance the priority of the Romney Place Drainage Project for storm water drainage on the Isle of Hope near Central Avenue and authorized staff to proceed with acquiring the right-of-way and procuring a construction contract. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Thomas were not present.]

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5. REQUEST BOARD DENY CITIZEN REQUEST TO CHANGE THE NAME OF HABITAT DRIVE TO BURROUGHS TRACE. [DISTRICT 6.]

County Manager Abolt said, sir, this is a matter of public testimony if the gentleman wishes to give it. It comes from MPC. They received a request from the developer. An individual purchased a portion of the former Habitat, the Burroughs Village Development. He would like to rename the street. The issue is one of resistance from many of the property owners. It's your call. You should afford the opportunity, if the gentleman is present, to make testimony.

Chairman Hair asked, would anybody like to —, is the gentleman present to make his request? I know Mr. Saxman is here. Would you like to come forward and make your official request?

Mr. Rande Duke said, good morning. My name is Rande Duke and I am the one that put in the request. The request was made because I am developing the adjacent property to the Burroughs Village, which was formerly Habitat for Humanity. It is no longer Habitat property. I bought all the vacant lots that were in the developed part of the subdivision and the adjacent five acres and developed that and brought —, continued Habitat Drive out to Wild Heron, and both of the lots are on the now developed —, they're on your agenda for final plat approval today also. My request was to change the name

to Burroughs Trace, and it was for reasons of marketing for one. I know there's resistance on this street. There was —, I went door to door and asked everyone, and I would have to say that I did not get to talk to everyone because I couldn't catch everyone home, but it —, I would say 90% of the people said that they didn't care if anybody else didn't care, and that's what it came down to and there was two people that did care, and they made that known to me, and I decided to try for a change anyway. I'm trying to improve the area obviously. I think that they stand to gain financially in the resale of their home down the road if they have a developed area around them. They were kind of isolated with nothing going on. There were only twelve individuals in the neighborhood, eight on this street and I'm trying to make it a viable neighborhood, and this was one of the things to help me do that, and that's the only reason.

Chairman Hair said, thank you, Mr. Duke. Mr. Saxman, would you like to give —?

Mr. Bill Saxman said, well, the Planning Commission did send notices out. Well, the Engineering Department sent the notices out, but we received six notices back out of the ones we sent out and all six were against the change. The Planning Commission has a policy of not recommending a change unless the County Commissioners set up a road as a memorial or it acts as a public safety issue or unless there's a street duplication. So, the Planning Commission is recommending denial based on those findings.

Chairman Hair said, okay, we have some other residents that would like to speak. Please state your name for the record when you come forward please.

Ms. Castelow-Thomas said, my name is Faye Castelow-Thomas. I am one of the —, the second homeowner out at Habitat for Humanity, which we do have more of the forms that some of the people felt that they wouldn't receive them. Okay, the land was purchased without our knowledge. When we found out that we were no longer going to be Habitat for Humanity within a homeowner's meeting with the developer, Mr. Duke, and which he told us at that time that we were The Colony, we didn't have any input on that the land was even being sold. This land was purchased in '85 through funds of raising money through Ms. Gertrude Green [phonetic] for this purpose for Habitat for us to have this area at \$32,000. We purchased 13 acres of that land and for it to be sold without us even knowing anything about it, and that time we told Mr. Duke we did not want Habitat —, our street changed even though the name was already changed without our knowledge, because we worked hard for that. This was a vision and a dream for all of us and it was stated that the name was for poor people. We're not poor people. We work very hard. I work two, three jobs all my life. I worked for some of the richest people here in Savannah. I'm a nurse and a teacher and poor people couldn't purchase the houses that we live in and keep it up with taxes and insurance and things like that, and that was really hurting to us, you know, to even —, and give us, let us have our name, Habitat. That's something to us. They're just like wiping the ten years that we've been there and we're not even on the map. But I bet you since it's The Colony it will be on the map in no time, and it's not right. It's not fair that they could come in and just take Habitat from us. We're the first community in Savannah that had Habitat for Humanity and this is worldwide.

Chairman Hair said, thank you very much.

Ms. Owens said, my name is Diane Owens. I am a Habitat homeowner and we stated to this man several times that we do not want the name of our street changed because it's no place else in Chatham County to put another Habitat Drive. Every city in Georgia has a Habitat Drive. We worked hard for our street. We're still working hard to keep our street, and we would love to have our street.

Chairman Hair said, thank you. Commissioner Price has a question.

Commissioner Price asked, Jon [Hart], have you had a chance to look at the sale of the land, the transaction itself? Who authorized that? Was that Ms. Green or was that somebody representing —? Commissioner Murray said, the State [inaudible]. County Attorney Hart said, well, as I recall, this was originally a Habitat for Humanity concept. They were going to build this area, and the concept was to put it out where they had modes of transportation. Unfortunately, it was a lot of very good intentions by Habitat for Humanity. The project was not as successful as they had hoped on the front end and, quite honestly, Mr. Duke stepped in and was sort of a solution to a problem for Habitat that was having some financial problems carrying that development, and acquired the remaining lots and it was a situation where Mr. Duke obviously ended up with a development, but Habitat ended up not having to continue to incur a long term debt that they felt were inhibiting them from building buildings of this nature elsewhere. Commissioner Price said, well, I tell you, I can tell that there's a great sense of pride that these residents have in this area, and I think that Mr. Duke could use that to his benefit. I think in fact that Mr. Duke would find that that sense of pride that is in that neighborhood is something that might attract other neighbors and other people who want to move into that area, and the fact that the MPC recommends denial I move that we deny the request. Commissioner Odell said, I'll second.

Chairman Hair said, we have a motion and a second. Any further discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers and Thomas were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Price moved to **deny** the request of Mr. Rande Duke, developer of The Colony at Georgetown, that the name of Habitat Drive be changed to Burroughs Trace. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Thomas were not present.]

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6. RECONCILIATION OF TRADE CENTER GMP.

Chairman Hair said, I'd like to start out by making a fairly brief statement. I have invested numerous hours in this project. I have listened to both side. There's many times I felt like I needed a striped shirt on because I was a referee. I understand these are very complex issues, but my assessment of the issue is that the County has become embroiled in primarily a controversy and a dispute between the architect and the builder, and I do not believe that the Chatham County taxpayers should have to reconcile an internal dispute between an architect and a builder. I think, as I have stated to the press, and I just want to reiterate it one last time today. We can debate this issue today for three or four hours if that's what you all want to do. I think this should be a very brief discussion. I think that what we should do is tell the builder, you know, you signed a guaranteed maximum price contract, there is no more money, you will not get any more money, you will build it for that, you will not make cuts, and you will build it on time, and I think those three things should be in the motion and I think that we should move on, quite frankly. Commissioner Price asked, Billy [Hair], which alternative are you on? Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I just want to say I agree with what the Chairman said, and I said the same thing the last time they came back for \$30 million worth of cuts on this project, and if they want to stay up here and debate all day long, then I guess that's what we can do, but I agree with the Chairman that we don't need to spend a lot of time on it. I think it's pretty cut and dried. It's plain how we feel, and it's two of us that have spoken. I don't know how the rest of the Commission feels, but I'm not in favor of giving another cent to the builder and I just don't appreciate the way they keep coming back to us with these cuts and stuff and now we have another proposed two-month delay on the project, and they said because of weather. What kind of weather? We've had a little bit of rain, but not two months worth of cutting back on it. I think that's another ploy to get more money to move this project forward, and I've had enough of it.

Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy said, yes, I'll have to agree with both the Chairman and Mr. Murray, and I'd be happy to make a motion that you've alluded to —. Commissioner Murray said, you make it and I'll second it. Commissioner Odell said, I'll second it. Chairman Hair said, we have a motion and a second. Commissioner Jackel wants to make comment. We have a motion and a second on the floor.

Commissioner Jackel said, I think I've already been quoted in the paper as my position is similar to the Chairman and apparently my other Commissioners; however, I really do want to listen and hear their presentation, and I don't want to be in a situation where I'm just saying no and wind up later that I've cut off my nose to spite my face. I mean if there's something realistic that can be done and worked out so that we can all walk away with this for our mutual benefit, then I think we need to listen intently and hear those proposals. I think a closed mind doesn't learn anything and doesn't get much accomplished. So I want it —, I have some objectives that we want to finish this on time within price and everything else, but we also sometimes, as I often tell my clients, we have to make a dollar and cents practical decision. They want to drag this thing out in court for three, four years and spend thousands and hundred of thousands of dollars, or we want to get it settled right now but not exactly what we want but almost what we want. So within those parameters I'm trying to keep an open mind and learn something and hopefully not cut off my nose to spite my face just because it's easy to say I'm going to hold that line and I'm not giving an inch. So, I hope I haven't contradicted myself too much, but that's —.

Chairman Hair said, if that's the wishes of the majority of the Commission, I have no problem with that, Commissioner Jackel. If most of us what to do that, that's fine. I personally —, I've been intimately involved with this project more than I wanted to be, and I don't think there's anything that's going to be said today in a discussion that's going to change to position, and if the other Commissioners feel that way, then that's fine. If we want to debate it for two or three hours, that's fine too. Whatever the wishes of this Commission, I will certainly abide by, but I just think that, you know, as Commissioner Murray said, enough is enough. And, you know, we could sit here and the folks from Beers are here and I'm willing to listen if a majority of the Commission wants to listen, but I don't believe there's anything that can be said today that hasn't already been said to me, and so I just don't —. Commissioner Jackel said, well, we haven't had the benefit of all the communications to you. Chairman Hair said, okay, Commissioner Price and then Commissioner DeLoach.

Commissioner Price said, that's something, Billy [Hair], that you're hearing from these guys, and I think we need to make sure that they do understand. There is some value engineering that's being going on in here. There's been a lot of stuff. You know, Russ [Abolt], I'd like to hear —, there's three alternatives basically that you've given us. I'd like —, and it's board consideration. Pat [Monahan] has been most intricately involved in this of anybody, and I'd like to hear a recommendation from staff of what to do. I mean, it's kind of leaving us here to make a decision that maybe a decision that we need those who are most directly involved and associated in day to day looking at the project. The Project Manager himself from our standpoint is Pat Monahan, and we need some help from Pat [Monahan] in understanding this. To say that we're not going

to pay any more, I mean, basically I think they know that. I think they know we're not going to up the ante, we're not going to put any more money into this, but what we need to know is what is the value engineering numbers, what are we basically talking about and, you know, what is it that we're talking about taking away from the project exactly, and which of these alternatives are you —?

Chairman Hair said, nothing. Commissioner Saussy said, absolutely nothing. Chairman Hair said, I don't —, my position, and I think that was the intent of the motion—. Commissioner Saussy said, absolutely. Chairman Hair said, I don't know who made the motion. Commissioner Saussy said, absolutely. Chairman Hair said, I believe you made it, Commissioner Saussy. Commissioner Saussy said, yes it was. Absolutely. Chairman Hair said, I think that's the intent of the motion. We certainly can hear from Mr. Monahan if that's what the group wants to do.

Commissioner Price said, well, I mean, I think we need to consider that when we signed the contract to build this Trade Center, and this is a very important point so hear me out, we didn't just sign one contract with both parties, with the design team and the construction manager. We basically signed a contract that was separate, one with the design team and one with the construction manager. That's the problem. We should have had it all together. We didn't. Had we done it that way, then yes, hold their feet to the fire. The problem is the design team it appears in their efforts to please us may have over-designed the project in some ways. On the other hand, the construction manager may have not done some things that they should have done. We are, I think, I think we are in between and I think we need to consider where we need to go with this project and listen and maybe spend a little bit of time on doing that, but I agree no more money. No more money is to be spent on this project. How do we make this thing balance and how do we bring it to fruition? Otherwise, I'm going to be asking questions about the performance bond. I'm going to know what we have to do to go and look at that performance bond if we can't come to some kind of agreement here, and this is where we are. This is how serious this whole thing is.

Chairman Hair said, well, let me state a partial answer to that question, and you can go back and check the minutes on this. We delayed this project seven months at the request of the contractor because every time we asked for a guaranteed maximum price we were told give us another 30 days and we'll give you a guaranteed maximum price. We heard that seven times, give us 30 more days and we'll give you a guaranteed maximum price. We waited seven months, and they gave us a guaranteed maximum price. And, folks, let's be honest about it, we're dealing with professional international builders here. We're not dealing with Jed Clampett here. These people knew what kind of contract they signed. I mean, these people knew that we had two contracts bid. I agree with that, but everybody knew that on day one. I mean, this is not like all of a sudden they realized we had two contracts and they realized they were going to deal with the architects. Commissioner Price said, Billy [Hair], I agree, I agree. Chairman Hair said, everybody knew that going in up front and that price was given knowing that there was a separate contract with a separate architect. So there were no surprises here and I just think —.

Commissioner Price said, let me ask this question, and I'm just asking this in a constructive way. I'm not asking it to be argumentative. What exactly is it, what exact plan, design, you know, drawings, blueprints, everything, into detail, are you talking about? Commissioner Odell said, it's not his [inaudible]. Commissioner Price said, well, you're saying —, we're saying we're not backing up, we want all the things we were promised. Isn't that what you're saying?

Chairman Hair said, that's exactly right, but —. Commissioner Price asked, well, then where's the design for that? Chairman Hair said, well, I think Commissioner —, I think the Chairman of the Authority said in the paper this morning, I assume he was quoted correctly although we aren't always quoted correctly, I mean, they've been marketing a design for two and a half years now. Everybody —, they had a pretty —, we had a pretty picture of what this thing was going to look like, and everybody knew that. I mean, that was —, we knew what was going there. Did we know how many feet of electrical wire? No, we didn't know that, but we knew the basic design, we knew the exterior and interior, what the building was supposed to be like, and so did the contractor when they signed that contract. Commissioner Price said, I understand that, but what I'm asking is what is your expectation? Chairman Hair said, I want a building just like that picture, as Mr. Shay said this morning. I want it and I want —. Commissioner Price asked, where's Pat [Monahan]? Can I have Pat [Monahan] come up here? Would you come to the podium? I have to ask a question. Chairman Hair said, and I don't want —.

Commissioner Price asked, Pat [Monahan], what we've been looking at and what the Trade Center has been marketing and SMG, what is the cost to build that? I mean, you're —, are we going to be able with the numbers we've got, the guaranteed maximum price, to do what they've been showing? Are we going to be able to do that? Mr. Monahan said, based on the projections that Maritime Trade Center Builders has provided the County, discounting unforeseen conditions, to build exactly what you see would be three million more than your guaranteed maximum price. Commissioner Price said, all right. Do we have any idea of where the construction manager is and the architects are as far as what is it —. I mean, these guys aren't doing this for free. You know, what is it that is their profit margin in this, is there cushion in it for them to be able to take less of a profit to come back and get that number done, in your opinion? Mr. Monahan said, well, first of all, I don't think I should be answering that question. I don't —, we don't get into their profit margins. The way Maritime Trade Center Builders, it's a professional services contract, they receive their income through the manpower that they provide to the project, and that's, you know, we got into the issue previously about billable hours —. Commissioner Price said, right. Mr. Monahan said, and they bill at certain rates, which includes overhead and profit and we don't break that out. So I think that question needs to be asked, if you think it's important, to Maritime Trade Center Builders or to TVS&A, the architects. Commissioner Price said, well, my point is can we build what we've been marketing with the numbers we've

got? I mean, you're saying, no, we're three —, according to MTCB, we're \$3 million over budget on it. Mr. Monahan said, right.

Chairman Hair said, can I answer that, Commissioner Price? Commissioner Price said, please. It may take three million more to build what we were promised, but I don't think the taxpayers have to pay the three million more. Commissioner Price said, I agree. Chairman Hair said, you know, I bid jobs every week and sometimes I make mistakes in my bid, okay. But you think I'm going to go back to my customer and tell them you owe me another \$20,000 because I didn't do my bid correctly? Absolutely not. My customer says, hey, you bid it, you eat it. Commissioner Saussy said, you eat it. Chairman Hair said, and that's my point. I'm not debating the \$3 million. It may take \$3 million more to finish this building the way it's supposed to be, but I don't think that's a County responsibility.

Commissioner Saussy said, I think there are a number of times that a contractor bids something and it's a lot higher for him to do it, but he has to do it because he has a contract. Chairman Hair said, you bet. Commissioner DeLoach and then Commissioner Odell and Commissioner Murray.

Commissioner DeLoach said, as far as the question on whether a contractor eats it and all that other stuff, it sounds good, but in fact most of us who do a lot of bidding are informed by the people who we bid with at the time of bidding. We understand this is your bid, but if for any reason long term that you've got a problem, rather than compromise the quality of the product, come back and see us. That's the way they usually read that up, but probably the same way Billy [Hair] is I am and most of you are up here, I'm not going back to somebody and say I've got a problem. I'm going to eat it and move on. Chairman Hair said, exactly. Commissioner DeLoach said, so I think that's the difference in them. Most everybody will give you some room to wiggle. Now my concern on the entire thing is 20 years from now it won't matter what we thought about it here. Really two years from now it won't matter what we think. We can say all we want to up here, but in fact if we don't give a good product to the market, we're going to have a dud over there that's not going to amount to anything. Now those guys will be gone. They'll either make money or didn't make money. It won't matter to them. The fact of it is the Trade Center will be our albatross to carry, or the taxpayers, not ours. I'm a taxpayer also so it is part of mine also. We'll be carrying the load. What we have to do is, and I feel strongly about this, that we need to go ahead, we need to make sure that all people know that when the Trade Center is done, we will abide what it needs, what it takes to get the job done. If it's \$3 million that it's going to take in addition, then we make sure that everybody knows that if they're a subcontractor out there, they're going to get paid so that we don't have a problem with people walking off the job and not finishing the job, or do we come up with some lame idea of taking irrigation out of the parking lot and planting no trees. That's asinine, but in fact that's one of the change orders, and that is ignorant. I don't care who wrote it up, that is stupid. But my point in the whole thing is we've got to deliver a quality product. That's the main thing we've got to do. Deliver a quality product and we'll people come here and use it and we'll all be happy as the tax dollars come in. Now as far as our relationship with the people who are doing the job, I think we ought to put it in front of some independent arbitrator to determine who in fact is responsible for any overages, and then we'll deal with it and we'll take them to court or arbitration or whatever we have to do and sue each one individually and as a group or whatever we have to do to collect our money back to the taxpayers. But we have to stand up here today and say we're going to take care of the project and make sure it gets done right, and then we'll let the courts take care of the problems with whoever we're dealing with. I think we need to do it that way.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, you know, when I was first elected and when we opened the Veteran's Parkway, Mr. Monahan, who's serving as the —, our project manager, drafted a brief speech for me in which he made it abundantly clear to me that I have absolutely nothing to do with the Trade Center, and I appreciate, Pat [Monahan]. My --, and I remember the date. My concern is that if guaranteed maximum price has no meaning here, these were not the only people to bid on this contract. If they are to be allowed the fluff, the cushion, then we do not have a lawful bid process, and we can rationalize, justify, but if you are bidding on a \$70 million project and you don't know what you're bidding on, then you should not be in the business. You should not be in the business. This is not a little school building for Girls Scouts no more than 10. This is a \$70 million operation. You know, I am appalled, they were not the only people to bid on this and I'm appalled that if we make the adjustment under the pretext that, well, we've got to have a good program, they bid [sic] on a good program. They bid [sic] on a good program. Chairman Hair said, you bet. Commissioner Odell said, and to have fellow Commissioners to say, well, as if it's Billy's fault, what do you expect, Billy [Hair], they marketed the thing, they had some conceptual drawings to market it or otherwise they couldn't market it. We're not the experts. I don't believe in arbitration. I believe in people doing what they are contracted to do and failure to do that, then we put them in court where they should be. Guaranteed maximum price means guaranteed maximum price. Since I've been on the Board, Mr. Monahan, after that speech, they have come back and said it's going to take \$30 million. Was it our obligation to tell them how much sheetrock it would take? I don't see our becoming Commissioners making us soothsayers and knowing every infinite detail. That's why we have them. If we knew all of the details, we did not need them. I'm appalled that if we adjust this, I hope that those people who bid [sic] on the contract who could have built it for this are watching this and will consider whatever actions they need to take because it's unfair. Guaranteed maximum price means guaranteed maximum price or don't call it guaranteed maximum price. Call it we might build it for this price, and then everybody would know. But I have no sympathy. You are professions, you are expected to act like professionals, and if you did not and it's going to cost you \$3 million, then tough cookies. That's just how it happens in business. Don't be in this business if you don't want to do a correct estimate. As to the \$3 million, Pat [Monahan], I don't rely upon what they tell us as being correct because they've been wrong so many other times. They're the same people that said it was going to be \$30 million, so I have no

confidence in they can build what the picture that we've been talking about and seeing and flashing. I have no confidence in that number. None. Guaranteed maximum price. Give us what we paid and what you agreed to do, not one penny more.

Commissioner Murray said, Harris [Odell], that was well said and I support everything you said on that. Ben [Price], to answer your question about expectations of the Trade Center, my expectations of that Trade Center was the model we had originally, that had the towers and everything that we were supposed to have in it that was shown to everybody in this community and the people that we were trying to bring in to utilize the facility. We didn't get that. We had \$30 million cut off of that and a lot of that went by the wayside. I was not in favor of doing that, but we did it. At that same meeting when we took \$30 million off, Beers Construction Company stood right here and said they could do this facility for X-amount of dollars at a guaranteed maximum price. We agreed on that and my last comment to them was we'll see you back because you will be back again asking for more money. How many times have they been up here through different channels asking money? I'm not in favor of giving them a red cent more. My point back when the \$30 million was cut, to find another contractor. We didn't do that. We've got Beers Construction now. They've got a project to do. Let them finish it and let them finish what —, my expectation now is what they said they could do when we cut \$30 million off of it, and if they can't do that, then let's go to court because I'm ready to do it and I think most of this Commission's ready to do it, but that's what my expectation is and I think that's the expectation of the citizens of this community that put that out there and voted on it.

Chairman Hair said, before I call on you, Commissioner Price, you know, Commissioner DeLoach talked about arbitration. I'm totally opposed to that. That's still going to be more money, you know, if arbitrator comes back and says a million and a half, you're going —, I just don't think that —, we don't need arbitration. You know, we know what we bought, we know what our price is. You know, I don't need anybody to arbitrate that. You know, let's hold them to it. Commissioner Price and then —. Commissioner DeLoach asked, you going to take them to court. Chairman Hair said, absolutely. Chairman Hair recognized Commissioner Price.

Commissioner Price said, if anybody interpreted that I was saying that the Chairman, that Billy [Hair] had anything to do with where we are now, no, that's not what I'm —. The reason I asked about what the expectations are of this is because I want to know what we're voting on. I want to know what that motion was about. That's why I asked that question, which is, you know, what is it that we're voting on and what are we expecting in that, in the motion itself? I will say this —. Commissioner Murray said, what we were talking about. Commissioner Price said, okay. Okay, that's fine. I will say this, arbitration is not a good idea because we've got a performance bond. Chairman Hair said, that's right. Commissioner Price said, okay, we don't need arbitration. We've got a performance bond, and I'd like Shot [Hart], if you would, if you could explain your understanding of what that performance bond is. Does that not only include liquidated damages, does it also include lost revenues that we would lose if we don't book conventions? I mean, what is it that we have with that performance bond to fall back on?

County Attorney Hart said, well, this situation involves an alleged shortfall in the contract insofar as the amount of money it'll take to complete the Trade Center. There are a number of things that are going to have to be done legally from the County's standpoint to deal with that shortfall. Some of that stuff will perhaps involve litigation. As far as the County's legal position on a lot of those items, I would prefer to talk to the Commission in Executive Session in detail. Some of that will involve strategy about what needs to be done and how we need to approach it, and I don't think a public discussion of that without giving it some considerable thought, I don't want to speak out of turn and overstate the County's legal position or understate the County's legal position. Commissioner Price said, okay. Chairman Hair said, okay. County Attorney Hart said, there are perform —, there is a performance bond on here though, yes.

Commissioner Price said, one last question. Billy [Hair], what you're saying is that Alternative #1, which is to adopt Maritime Trade Center Builders' scope, design and budget reconciliation plan that's attached here, you're saying no to that? Chairman Hair said, I'm saying no. Commissioner Price said, okay, and #2, that the Board seek compensation for the loss in the quality of the building as per items —, additional 33 items, are you more in tune with Alternative #2 and what it is saying? Commissioner DeLoach said, no, we don't want to do that either. Chairman Hair said, I'm just saying —. Commissioner Price asked, you don't want to do any of what staff recommends? Chairman Hair said, I'm not for any of those alternatives. I'm telling you my position is very clear. Commissioner Price said, all right. Chairman Hair said, you build it for the price you said, you build it with the quality that everybody knew going in. They can say they didn't know if they want, but they knew. They had the same expectations the rest of us had. And I also think that we —, I want to go one step further. The timing issue. You know, we've had the Trade Center Authority going out here marketing this facility, promising the groups that they're going to come in here, and I think that we're okay, I believe we're okay on the timing issue because I think if they live up to what they said they were going to do, they're going to give it to us in stages, I don't think —, I see Mark here, I don't think there's going to be any groups if they keep the current dates that we're going to jeopardize. But, you know, I'm saying none of those alternatives. You're absolutely right. I'm saying —. Commissioner Price said, I just want to be clear. Chairman Hair said, I'm saying, you know, it's going to be built by the design and it's going to be built and if it takes three million more out of their pocket, so be it.

Commissioner Saussy said, that was exactly my motion. Chairman Hair recognized Commissioner Jackel. Commissioner Murray said, was that a motion. Commissioner Saussy said, that was my motion. Commissioner Murray said, I'll second that. Chairman Hair said, that is the motion, yes. We already have a motion and a second on the floor to that. Chairman

Hair recognized Commissioner Jackel. Commissioner Price said, Priscilla [Thomas] has a question. Chairman Hair said, go ahead, Commissioner Jackel. Go ahead.

Commissioner Jackel said, my memory indicates to me that when we —, when the price went up \$35 million and came down \$35 million, and said it was going to take over a hundred million to build this, Frank [Murray] and I were the only ones up here saying now wait a minute, this isn't right. Did they —, was the project overestimated by us, underestimated by us, what is wrong here? And we looked up at the Board and no one was concerned about cutting out \$30 million except Frank [Murray] and I. \$35 million, and now you're talking about you won't give them one penny. What has changed in your diet between now and then? What has happened? Why didn't we take the stand back when Frank [Murray] and I said how do you cut \$35 million out and still have the quality building? You know, that's when we smelled a rat, but nothing was done. Now you've toughened up, but we're down to the last thing. I understand what you're saying, but I still think we need to listen to what's out there.

Chairman Hair asked, may I ask you a question? Do you remember when they came up and asked for \$3 million more, did you vote for or against that? I voted against that. Commissioner Jackel said, I voted against that. Chairman Hair said, okay. So they —, as I said, they've been here before, and I remember distinctly the President of that company standing in that well, and I've gone back and searched the minutes. I asked the question, Commissioner Murray asked the question he said he asked. I asked him, if we approve this will you come back for any more money, and do you know what the answer was? No. And it's in the record if anybody would like to see it. Commissioner Saussy and then Commissioner Thomas.

Commissioner Saussy said, I'd like to call the question. Chairman Hair said, she hasn't —, and then we'll call the question after Dr. Thomas, okay.

Commissioner Thomas said, thank you. I apologize for being late, but I had to bring my husband home from the hospital. You know, I am very, very stressed about this whole situation because I asked a lot of questions. I asked a lot of questions before the company was given the contract, and I asked a lot of questions once they came back to us. What has happened to integrity and trust? We worked very hard on this situation with our constituents when we were trying to get all of this passed so that we could have this facility and other things built, and I think someone mentioned about the rat was out. Not only is the rat out, but the cat is playing with the rat, and I'm not for —, I'm not for downsizing anything more on that Trade Center at all because I feel just like most of the other Commissioners. I think that the company needs to live up to its contract and do what you say you're supposed to do. That's what I wanted to say.

Chairman Hair said, okay, we have a call for the question. All those in favor of the motion vote yes, opposed vote no. Commissioner Thomas asked, what was the motion? I wasn't here. Chairman Hair asked, pardon? Commissioner Thomas said, I wasn't there. Commissioner Odell said, not one more dime. Commissioner Thomas said, okay. Chairman Hair said, okay. Do you understand —? Commissioner Thomas said, I understand. Chairman Hair said, all right, everybody needs to vote. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Saussy moved that we tell the builder he signed a guaranteed maximum price contract for the Trade Center, that he will not get any more money, that he will build it for the guaranteed maximum price, that he will not make cuts, and that he will build the Trade Center on time. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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X. ACTION CALENDAR

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

Chairman Hair said, that takes us to the Action Calendar. Anybody like to pull anything off the Action Calendar? Commissioner Murray said, yes, I think I have some. Commissioner Jackel said, yes. Chairman Hair said, well, let me know what it is. Commissioner Jackel said, Item A. Chairman Hair said, okay. Commissioner Jackel said, B. Chairman Hair asked, B or D? Commissioner Jackel said, B like in bravo. Chairman Hair said, okay. Commissioner Jackel said, Echo. Chairman Hair said, Echo. Commissioner Jackel said, Golf, G. Chairman Hair said, Golf. Commissioner Jackel said, [inaudible]. Chairman Hair asked, which one after G? Commissioner Jackel said, P, Q. Chairman Hair said, okay. Commissioner Murray asked, did you have E? Commissioner Jackel said, oh, we haven't done the motor vehicle thing. We need to go back and do that. We need to go back and do the motor vehicles. [Inaudible]. Commissioner DeLoach said, it's in Second Readings, isn't it? Chairman Hair said, it's in Second Readings. We'll get to that. Commissioner Price said, that's after this. Commissioner Saussy said, A. Chairman Hair said, A's already pulled, I believe.

Commissioner Price said, yes, A's pulled. Chairman Hair asked, what else? Commissioner Jackel said, that's it for me. I had E, I had E. Chairman Hair said, all right. Commissioner Murray asked, did you have K and L? Commissioner Jackel said, no, I didn't have K and L. Chairman Hair asked, do you want K and L? Commissioner Murray asked, what about N? Commissioner Jackel said, no. Chairman Hair asked, do you want that? N. Okay, that's Murray. Commissioner Murray asked, what about T? Chairman Hair said, T, no. Chairman Hair said, okay, I'll accept a motion to approve the balance of the Action Calendar.

Commissioner Odell said, so moved. Commissioner Thomas said, moved for approval. Second. Chairman Hair said, motion and a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.]

ACTION OF THE BOARD:

Commissioner Odell moved that the Action Calendar be approved in its entirety with the exception of Items 10-A, 10-B, 10-E, 10-G, 10-K, 10-L, 10-N, 10-P, 10-Q, 10-S and 10-T. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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

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1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON OCTOBER 8, 1999, AS MAILED.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the minutes of the regular meeting on October 8, 1999, as mailed. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD SEPTEMBER 30 THROUGH OCTOBER 13, 1999.

ACTION OF THE BOARD:

Commissioner Odell moved that the Finance Director is authorized to pay claims for the period September 30, 1999, through October 13, 1999, in the amount of \$9,355,486. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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**3. REQUEST FROM P. C. SIMONTON & ASSOCIATES, AGENT FOR RANDE DUKE CONSTRUCTION, TO RECORD THE FINAL PLAT FOR THE COLONY AT GEORGETOWN, PHASE 2 (FORMERLY KNOWN AS BURROUGHS VILLAGE), TO COMBINE THE STREETLIGHT ASSESSMENT DISTRICT WITH THE EXISTING DISTRICT, TO APPROVE CONSTRUCTION OF THE IMPROVEMENTS, AND TO BEGIN THE 12-MONTH WARRANTY PERIOD.
[DISTRICT 6.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request from P. C. Simonton & Associates, agent for Rande Duke Construction, to record the final plat for The Colony at Georgetown, Phase 2 (formerly known as Burroughs Village), to combine the streetlight assessment district with the existing district, to approve construction of the improvements, and to begin the 12-month warranty period. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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- 4. **REQUEST BOARD APPROVAL FOR A STREETLIGHTING PLAN AND ASSESSMENT RATE DISTRICT FOR LAMARVILLE SUBDIVISION.
[DISTRICT 5.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request for a streetlighting plan and assessment rate district for Lamarville Subdivision. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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- 5. **REQUEST FROM THE ENGINEER FOR THE DEVELOPER, WIDC, INC., TO RECORD THE SUBDIVISION PLAT FOR THE SETTLEMENT EAST, PHASE 2, ACCEPT THE FINANCIAL GUARANTEE AND RECOMBINE THE SUBDIVISION INTO THE EXISTING SETTLEMENT STREETLIGHTING ASSESSMENT DISTRICT.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request from the engineer for the developer, WIDC, Inc., to record the subdivision plat for The Settlement East, Phase 2, accept the financial guarantee and recombine the subdivision into the existing Settlement streetlighting assessment district. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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- 6. **REQUEST BOARD APPROVE THE EARLY ACQUISITION OF PROPERTY OWNED BY J. C. THAGGARD, JR., 1534 BACON PARK DRIVE, TRUMAN PARKWAY PHASE III.
[DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the early acquisition of property owned by J. C. Thaggard, Jr., 1534 Bacon Park Drive, Truman Parkway Phase III. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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- 7. **REQUEST BOARD STRIKE OR DELETE AN AMENDMENT TO THE CHATHAM COUNTY PERSONNEL PROCEDURES MANUAL STATING THAT A PERSONNEL ADVISORY BOARD HEARING WILL NOT BE CONVENED FOR ANY EMPLOYEE WHO HAS ACTIVE LITIGATION OR DISCRIMINATION CHARGES AGAINST THE COUNTY.**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request to strike or delete an amendment to the *Chatham County Personnel Procedures Manual* stating that a personnel advisory board hearing will not be convened for any employee who has active litigation or discrimination charges against the County. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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- 8. **REQUEST BOARD APPROVAL TO EXECUTE A GRANT AGREEMENT FOR COASTAL ZONE MANAGEMENT FUNDS TO CONDUCT A WATER SUPPLY PLANNING COORDINATION CONFERENCE.**

ACTION OF THE BOARD:

Commissioner Odell moved to adopt a resolution and enter into an agreement with the Department of Natural Resources to accept \$12,496 in Coastal Zone Management funds to conduct a regional Water Supply Planning Coordination Conference. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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- 9. **REQUEST BOARD APPROVAL OF A REFUND TO THE TYBEE ARTS ASSOCIATION, ACCEPT THE EXECUTED INTERGOVERNMENTAL AGREEMENT FOR IN-KIND SERVICES AS SUBMITTED BY THE CITY OF TYBEE AS CO-SPONSOR OF THE EVENT, AND AUTHORIZE THE CHAIRMAN TO SIGN THE AGREEMENT.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve a refund of \$900 to the Tybee Arts Association, accept the executed Intergovernmental Agreement for in-kind services as submitted by the City of Tybee Island as co-sponsor of the Tybee Arts Association Festival and authorize the Chairman to sign the agreement. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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10. 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. Change Order No. 2 to the contract to provide administration of the health care and ancillary program for County employees to provide the SBG-I-CARE program to employees	Human Resources	Jones, Hill and Mercer	Not to exceed \$70,000	Group Health
B. Annual maintenance for the fire alarm and control system	Juvenile Court	Simplex Time Recorder (sole source)	\$5,211	General Fund/M&O - Juvenile Court
C. Change Order No. 3 to the contract for intersection improvements at SR 204 and King George Blvd. for additional work to repair and improve the embankment to a slope damaged during heavy rains in June 1999	SPLOST	APAC-Georgia	\$20,825	SPLOST (1993-1998) - SR 204/King George Blvd. Project
D. Change Order No. 2 to the contract for the relocation of Science Drive for remobilization to complete the contract	SPLOST	Triangle Construction	\$48,354.44	SPLOST (1993-1998) - Science Drive Relocation
E. Covert surveillance platform	CNT	AccuQuest Corporation	\$150,000	Confiscated Funds - CNT
F. Declare as unserviceable surplus two (2) large pieces of equipment and disposal of equipment through a combined public auction with the City of Savannah	Fleet Operations	N/A	N/A	Revenue Producing
G. One (1) Ford Taurus	Human Resources	J. C. Lewis Ford	\$14,394	Vehicle and Equipment Lease
H. One (1) Ford Explorer	Police	Willoughby Ford	\$22,036.70	CIP - Vehicle Replacement
I. Reject bids received for cargo mini van	I.C.S.	N/A	N/A	N/A
J. One (1) 2x4 pick-up truck	Administrative Services	J. C. Lewis Ford	\$14,149.50	CIP - Vehicle Replacement
K. One (1) 4x4 pick-up truck	Solid Waste	Dan Vaden Chevrolet	\$17,952	Solid Waste Enterprise Fund
L. One (1) 4x4 heavy duty pick-up truck	SPLOST	J. C. Lewis Ford	\$21,035	SPLOST (1993-1998) - Trade Center (FF&E budget)
M. First renewal option to the annual contract to provide trash collection and trash container service	Various	Republic Waste Services	\$39,729	•SSD - Various •General Fund/M&O - Various
N. First renewal option to the annual contract to provide service uniform shirts, trousers, civilian clothing and jackets	•Sheriff •Detention Center •Police	•Uniforms by Patrick •Frank's Uniforms •West Chatham Warning Devices	Varies by item	•General Fund/M&O - Sheriff •General Fund/M&O - Detention Center •SSD - Police
O. Annual contract with option to	Various	Waste	\$27,817.20	•General Fund/M&O -

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
P. Annual maintenance agreement for the fire alarm control panel system	Police	Simplex Time Recorder (sole source)	\$1,323	SSD - Police
Q. Change Order No. 1 to the contract for the operation and management of the Aquatic Center due to unanticipated electricity costs and the extended pool closure and loss of revenue	Aquatic Center	The Champion Corporation	\$30,000	General Fund/M&O - Aquatic Center (pending Board approval of Contingency transfer of \$23,000 and General Fund/M&O - Parks and Recreation \$7,000)
R. Final renewal option to the annual contract to provide an employee assistance program and to increase the rate as provided by contract provisions	Human Resources	Resource EAP	\$9.71 per employee per year	General Fund/M&O - Human Resources
S. Amendment No. 3 to the contract to provide professional legislative liaison to perform assistance in preparing legislative program and liaison during the 2000 session of the State Legislature	Commissioners	Robert McAlister DBA McAlister and Associates	\$25,000	General Fund/M&O - Commissioners
T. Terminate the annual contract for certain uniform accessory items and exercise the first renewal option for the remaining uniform and uniform accessory items	•Police •Sheriff •Detention Center	•Uniforms by Patrick •Frank's Uniforms •West Chatham Warning Devices •Fund Mon Express (WBE) •Smyrna Police Supply •G.T. Distributors	Varies by item	•SSD - Police •General Fund/M&O - Sheriff •General Fund/M&O - Detention Center
U. Final renewal option to the annual contract to provide landscape architect services	SPLOST	Hinesley-Hickson Association (WBE)	\$50 per hour	SPLOST (1993-1998) - Road Improvement
V. Change Order No. 4 to the contract for the design of the Truman Linear Park, Phase I for additional survey and design work	SPLOST	Hinesley-Hickson Association (WBE)	\$6,250	SPLOST (1993-1998) - Truman Linear Park
W. 36 month lease agreement for nine Pitney Bowes copy machines	Detention Center	Herrin Business Products	Varies by machine	General Fund/M&O - Detention Center
X. Month to month extension of the lease for Board of Equalization offices pending satisfactory conclusion or abandonment of negotiations for a one year renewal of the lease	Board of Equalization	110 E. President, LLC	\$875 per month	General Fund/M&O - Board of Equalization

Commissioner Odell moved to approve Items 10-C through 10-X except Items 10-E, 10-G, 10-K, 10-L, 10-N, 10-P, 10-Q, 10-S and 10-T. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

Item 10-A:

CHANGE ORDER NO. 2 TO THE CONTRACT TO PROVIDE ADMINISTRATION OF THE HEALTH CARE AND ANCILLARY PROGRAM FOR COUNTY EMPLOYEES TO PROVIDE THE SBG-I-CARE PROGRAM TO EMPLOYEES;

DEPARTMENT: HUMAN RESOURCES; SOURCE: JONES, HILL AND MERCER; AMOUNT: NOT TO EXCEED \$70,000; FUNDING: GROUP HEALTH.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I wanted to bring this up because this is a wonderful program, as I read it. This is going to do great things, I think, to reduce our medical costs. We're going to have to spend some money, but it's that pay me now or pay me later deal. We're going to spend some money now, but I expect we're really going to save some money in the long run. I think it's a great investment that —, in the health of our employees and the quality of life of our employees, and I want to applaud y'all for coming up with this and moving ahead with this. This is great.

Chairman Hair said, I'll entertain a motion. Commissioner DeLoach said, so moved. Commissioner Thomas said second. Chairman Hair said, motion and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

Item 10-B:

ANNUAL MAINTENANCE FOR THE FIRE ALARM AND CONTROL SYSTEM; DEPARTMENT: JUVENILE COURT; SOURCE: SIMPLEX TIME RECORDER (SOLE SOURCE); AMOUNT: \$5,211; FUNDING: GENERAL FUND/M&O - JUVENILE COURT.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, okay, we've got —, I know you say you're satisfied with that price, but we're doing another place we're doing the alarm system for a lot less money. Commissioner DeLoach said, that's the Courthouse though. Commissioner Jackel said, you know, at \$20 an hour that's 260 hours that they would spend working on this project. If you double it to \$40 an hour, they're spending 130 hours on this project. It just seems to me that that price is high.

Mr. George Lynch said, Commissioner Jackel, you're completely right. The contracts on the Administrative Annex and Juvenile Court do have very great differences in price. Neither are very big numerically, but on a ratio basis, and the reason for it is they're two completely different contracts. They're two different contract approaches. The Juvenile Court contract takes care of not only the inspection which is being done on the Administrative Annex, it takes care of parts, labor, the full treatment. In other words, something breaks, you don't pay for it. On the Administrative Annex, this is a very skeletal inspection. They find something, they fix it, they get paid for fixing it. They're about \$150,000 worth of this equipment in Juvenile Court. The Juvenile Court is concerned that if something goes wrong, it's better to be well covered.

Chairman Hair asked, okay, let's move on. Commissioner Jackel, have you got any further questions? Chairman Hair said, I'll entertain a motion. Commissioner Price said, move for approval. Commissioner DeLoach said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

Item 10-E:

COURT SURVEILLANCE PLATFORM; DEPARTMENT: CNT; SOURCE: ACCUQUEST CORPORATION; AMOUNT: \$150,000; FUNDING: CONFISCATED FUNDS - CNT.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, Frank [Murray] and I have talked about this. We want better accounting of the Confiscated Funds. Chairman Hair said, I think we've gotten that. County Manager Abolt said, yes sir. Chairman Hair said, we got it last week. County Manager Abolt said, it includes that. Chairman Hair said, if you want any more information, it was sent to us last week.

Commissioner Murray said, well, it came out and I read it and everything I read on that shows that we have bought and purchased and spent all the money that has come in on that, five hundred and something thousand dollars. I don't have a copy with me, but now all of a sudden we've got another \$150,000. How did we get it so fast? County Manager Abolt said, no sir, that's part of it. You approved this back the first part of September. That was part of your accounting. Commissioner Murray asked, we approved \$150,000 in September? County Manager Abolt said, yes sir. Commissioner Murray asked, well, why are we voting on it today? Commissioner Jackel said, that's —. County Manager Abolt said, you had to shift the money in first, give the authority to do it, and then we were about the solicitations for the equipment. Mr. Lynch said, this is the —.

Chairman Hair said, Sheriff —, wait a second. Sheriff, do you want to make a comment on this? Sheriff St. Lawrence said, I don't know what you're talking about. Chairman Hair said, we're talking on the \$150,000 —. Commissioner Jackel said, that's not his department. Chairman Hair said, CNT. You're not —, I thought you wanted to make a comment. Sheriff St. Lawrence said, no, no. Chairman Hair said, I know it's not your area. Sheriff St. Lawrence said, I'm not involved in that. Chairman Hair said, you usually only walk to the front, Sheriff, when you want to say something. You usually stand back at the back when you don't want to say something. Sheriff St. Lawrence said, I started to walk to the front a while ago

when you were discussing the freeze and who's going to make these decisions on nonessential items and so forth. I can't live with that. Chairman Hair said, we've got it covered. Okay. Questions? I mean, whatever you need we'll provide you. I mean, if you need information, tell us what information you need and we'll provide you.

County Manager Abolt said, we always come here first to shift the money. Commissioner Murray said, I got the report on that. I guess what bothers me with this is we've got over half a million dollars that's spent this year out of Confiscated Funds, which is not a budgeted item, so all these items that we're buying are not budgeted. They're not up front. We can always come back and find them. I know it has to be spent on certain things. We can't just spend it in any department, but I just don't see how we can continue to spend without knowing at least the needs of these areas so we at least have an idea of what's going on in it. I mean, I'd love to have a budget that I could go out and purchase whatever I wanted to from Confiscated Funds and not have to put it on a budget line, and that's what's happening with this.

Commissioner Jackel said, and there's no priority here. We can't see what other items might have had a higher or a lesser priority here.

Commissioner Odell said, I think the Chief by submitting it makes that determination. Chief Sprague said, I'm familiar with the purchase from the CNT and, of course, we have a Confiscated Funds account at the Police Department too, and it's under rigid spending condition on the department head, going to jail or not going to jail on legitimate purchases. But in this particular instance, this surveillance item is replacing an item that I believe was purchased in 1976. Commissioner Jackel said, we bought surveillance items earlier this year. Commissioner Saussy said, well, there's more than one surveillance. Chairman Hair said, there's more than —, exactly. Commissioner Murray said, well, I'm not questioning whether it's something that's needed or not. My whole point is —. Chairman Hair said, you have a bigger issue. Commissioner Murray said, yes. Chairman Hair said, well, if you could give us or staff exactly what you're concerned about, we'll make sure they give us a report or whatever you need. I mean —. Commissioner Murray said, there's not another department in the County work force that can't get something without going through a budget. We've got over a half a million dollars being spent this year so far from Confiscated Funds for things that I'm —, and I say they're needed, I'll support you on that. I'm not questioning the need for it, but my point is why don't you have a prioritized list of those items that you're going to need and it can be on a CIP list, a separate one that we have coming out of the —, it would come from Confiscated Funds, so we can look at that too. Not just come up to a meeting and here's another one for \$150,000 from Confiscated Funds for whatever it might be for. I mean, I think we, the ones that make those decisions of yes or no on it, should at least have the right to have a prioritized list of those items that y'all are going to be needing throughout the year that if the confiscated funds are available, then in fact we know it's coming. We know what it's for and that type thing. I just think we need more accountability.

Chairman Hair asked, is there any reason why it couldn't be done? County Manager Abolt said, sure. County Manager Abolt said, the challenge is, like the Chief said, there's very specific restrictions on how you can use the money. Commissioner Jackel said, I don't question that. Chairman Hair said, well, don't put anything on the list if it doesn't meet the restrictions. Commissioner Murray said, I understand that. Chairman Hair said, well, sometimes you might have to go to item three because there might not be enough items —, money to buy one and two. County Manager Abolt said, we'll do our very best. Chairman Hair said, okay.

Commissioner DeLoach asked, can you do for everyone that has confiscated funds? Chairman Hair said, absolutely. You should. It should be the same. Commissioner DeLoach asked, who else uses confiscated funds? County Manager Abolt said, Police, CNT, DA and the Sheriff. Commissioner DeLoach said, okay. Chairman Hair said, okay. Commissioner DeLoach said, so we just —, they're going to tell us their priority, is that —? Chairman Hair said, right, develop a prioritized list and then as the money becomes available, they'll come right off the top of the list.

Chief Sprague asked, one of the key factors in the laws regulating the confiscated funds is that it cannot be used to supplant funds that should be furnished by the governing body, in this case the County. Commissioner Odell said, because if we do then it looks like we're out there maybe lawfully or unlawfully seizing funds —. Commissioner Murray asked, well, this surveillance platform could not be put in the regular budget? Commissioner Jackel said, yes, explain that. Chairman Hair said, he said, no, it could be [inaudible]. Commissioner Jackel said, I heard what you said, but it's [inaudible] because we could certainly spend normal budget —.

Chief Sprague said, for instance, for instance, I cannot use any of our confiscated funds to buy a marked patrol car, a standard detective vehicle, unmarked; however, there are other type of vehicles that it's not irresponsibility to furnish to the Police Department to carry out its mission that I can use those funds for, and it covers —, where you see most of your spending is in surveillance type items, technological equipment that's used in surveillances or to gain evidence in the court, and those are justified completely in spending. Commissioner Odell said, Chief, may I just say this, I strong support law enforcement and I will make the motion that this item be approved, although I have a —. Commissioner Saussy said, I'll second.

Chairman Hair said, we have a motion and a second. Any further discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

Item 10-G:

ONE (1) FORD TAURUS; DEPARTMENT: HUMAN RESOURCES; SOURCE: J. C. LEWIS FORD; \$14,394; FUNDING: VEHICLE AND EQUIPMENT LEASE.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I know I've said this before, but again this is that local preference that we had, and I want to let everybody know that this is working and it's working for our benefit —. Chairman Hair said, I'll entertain a motion for approval. Commissioner Price said, move for approval. Commissioner Thomas said, second. Commissioner Jackel said, we get lower prices.

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

Item 10-K and 10-L:

- K. ONE (1) 4X4 PICKUP TRUCK; DEPARTMENT: SOLID WASTE; SOURCE: J. C. LEWIS FORD; AMOUNT: \$17,952; FUNDING: SOLID WASTE ENTERPRISE FUND.
- L. ONE (1) 4X4 HEAVY DUTY PICKUP TRUCK; DEPARTMENT: SPLOST; J. C. LEWIS FORD; AMOUNT: \$21,035; FUNDING: SPLOST (1993-1998) - TRADE CENTER (FF&E BUDGET).

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I move for approval on both of them. I'm not going to ask any questions right now. Commissioner Saussy said, second. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

Item 10-N:

FIRST RENEWAL OPTION TO THE ANNUAL CONTRACT TO PROVIDE SERVICE UNIFORM SHIRTS, TROUSERS, CIVILIAN CLOTHING AND JACKETS; DEPARTMENT: SHERIFF, DETENTION CENTER, POLICE; SOURCE: UNIFORMS BY PATRICK, FRANK'S UNIFORMS, WEST CHATHAM WARNING DEVICES; AMOUNT: VARIES BY ITEM; FUNDING: GENERAL FUND/M&O - SHERIFF, GENERAL FUND/M&O - DETENTION CENTER, SSD - POLICE.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, the only reason I had that on there is to show —, thank you, they're all coming from Savannah companies if I'm not mistaken. Mr. Lynch said, that's correct, except —, yes, you're right. Commissioner Murray said, move for approval. Commissioner Saussy said, second. Chairman Hair said, motion and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

Item 10-P:

ANNUAL MAINTENANCE AGREEMENT FOR THE FIRE ALARM CONTROL PANEL SYSTEM; DEPARTMENT: POLICE; SOURCE: SIMPLEX TIME RECORDER (SOLE SOURCE); AMOUNT: \$1,323; FUNDING: SSD - POLICE.

Commissioner Jackel said, move for approval. The General [Lynch] has already answered that question. Commissioner Saussy said, second. Chairman Hair said, all right, motion and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.]

Item 10-Q:

CHANGE ORDER NO. 1 TO THE CONTRACT FOR THE OPERATION AND MANAGEMENT OF THE AQUATIC CENTER DUE TO UNANTICIPATED ELECTRICITY COSTS AND THE EXTENDED POOL CLOSURE AND LOSS OF REVENUE; DEPARTMENT: AQUATIC CENTER; SOURCE: THE CHAMPION CORPORATION; AMOUNT: \$30,000; FUNDING: GENERAL FUND/M&O - AQUATIC CENTER (PENDING BOARD APPROVAL OF CONTINGENCY TRANSFER OF \$23,000 AND GENERAL FUND/M&O - PARKS AND RECREATION \$7,000).

Chairman Hair said, we've already dealt with that issue. Commissioner Jackel said, we've already dealt with that. Chairman Hair asked, motion? Commissioner Jackel said, I move to approve. Commissioner Price said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

Item 10-S:

AMENDMENT NO. 3 TO THE CONTRACT TO PROVIDE PROFESSIONAL LEGISLATIVE LIAISON TO PERFORM ASSISTANCE IN PREPARING LEGISLATIVE PROGRAM AND LIAISON DURING THE 2000 SEASON OF THE STATE LEGISLATURE; DEPARTMENT: COMMISSIONERS; SOURCE: ROBERT McALISTER D/B/A McALISTER AND ASSOCIATES; AMOUNT: \$25,000; FUNDING: GENERAL FUND/M&O - COMMISSIONERS.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I move to approve. I think Bob [McAlister] has done an excellent job. Chairman Hair said, he certainly has. Commissioner Saussy said, second. Chairman Hair said, motion and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

Item 10-T:

TERMINATE THE ANNUAL CONTRACT FOR CERTAIN UNIFORM ACCESSORY ITEMS AND EXERCISE THE FIRST RENEWAL OPTION FOR THE REMAINING UNIFORM AND UNIFORM ACCESSORY ITEMS; DEPARTMENT: POLICE, SHERIFF, DETENTION CENTER; SOURCE: UNIFORMS BY PATRICK, FRANK'S UNIFORMS, WEST CHATHAM WARNING DEVICES, FUND MON EXPRESS (WBE), SMYRNA POLICE SUPPLY, G. T. DISTRIBUTORS; AMOUNT: VARIES BY ITEM; FUNDING: SSD - POLICE, GENERAL FUND/M&O - SHERIFF, GENERAL FUND/M&O - DETENTION CENTER.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I move for approval. I've just got one question. Is there anyway that we can do these uniforms the way we're doing the automobiles? Mr. Lynch said, sir, we —. Commissioner Price asked, we do, don't we? Chairman Hair said, yes. They're low bid. It's the same thing. Mr. Lynch said, yes. Commissioner Murray said, okay.

Chairman Hair said, all right, I have a motion. Do I have a second? Commissioner Odell said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.]

Commissioner Price asked, what is that? Smyrna Police, what is that? Commissioner DeLoach said, that's Smyrna, Georgia. Mr. Lynch asked, sir? Commissioner Price asked, are we buying uniforms from the Smyrna Police? Chairman Hair said, no, that's the name of the company. Mr. Lynch said, it's the name of a company.

Chairman Hair said, Mr. Alston, for your benefit, you may not be aware of the ordinance. What we have is an ordinance that we passed about a year ago. What it does, it says that the low local bidder has the right to match the low bid and if they get —, if they match the low bid, they get the business and if they don't match, it goes to the out of town supplier. So that particular one obviously didn't have anybody low in Chatham County that wanted to match that bid. So we still have things going outside of Chatham County, but only after the low local bidder has the right to first refusal. Okay, that completes the Action Calendar.

ACTION OF THE BOARD:

1. Commissioner Odell moved to approve Items 10-C through 10-X except Items 10-E, 10-G, 10-K, 10-L, 10-N, 10-P, 10-Q, 10-S and 10-T. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
2. Commissioner DeLoach moved to approve Item 10-A. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
3. Commissioner Price moved to approve Item 10-B. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
4. Commissioner Odell moved to approve Item 10-E. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
5. Commissioner Price moved to approve Item 10-G. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
6. Commissioner Murray moved to approve Items 10-K and 10-L. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
7. Commissioner Murray moved to approve Item 10-N. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
8. Commissioner Jackel moved to approve Item 10-P. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
9. Commissioner Jackel moved to approve Item 10-Q. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
10. Commissioner Odell moved to approve Item 10-S. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

11. Commissioner Murray moved to approve Item 10-T. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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XI. FIRST READINGS

Proposed changes to ordinances must be read or presented in written form at two meetings held not less than one week apart. A vote on the following listed matters will occur at the next regularly scheduled meeting.

Comments, discussion and debate from members of the public will be received only at the meeting at which a vote is to be taken on one of the following listed items.

1. **PETITIONER, DEBBIE HELMLY, AGENT (FOR JOHN BRUCE, OWNER) IS REQUESTING REZONING OF APPROXIMATELY 0.28 ACRES (12,150 SQ. FT.) FROM AN R-1 (ONE-FAMILY RESIDENTIAL ZONING CLASSIFICATION TO A P-B-C (PLANNED COMMUNITY-BUSINESS) ZONING CLASSIFICATION IN ORDER TO OPEN AN SEAFOOD RESTAURANT THAT WOULD INCLUDE A SMALL BAR. THE PARCEL IS LOCATED IN THE SANDFLY COMMUNITY ON THE NORTH SIDE OF SKIDAWAY ROAD, JUST EAST OF ITS INTERSECTION WITH NORWOOD AND FERGUSON AVENUES. MPC RECOMMENDED DENIAL OF A P-B-C CLASSIFICATION, BUT FURTHER RECOMMENDED APPROVAL OF A P-I-P CLASSIFICATION.**
MPC FILE NO. 99-12753-C
[DISTRICT 3.]

ACTION OF THE BOARD:

Read into the record as first reading.

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2. **PETITIONER, MELISSA ALLEN WITH BROADCAST TOWER LEASING, AGENT (FOR BESSIE MAE SAXON, OWNER) IS REQUESTING THAT 2.13 ACRES OF A LARGER TRACT OF LAND LOCATED ON THE WEST SIDE OF FORT ARGYLE ROAD APPROXIMATELY 5 MILES NORTH OF BUSH ROAD BE REZONED FROM R.-A (RESIDENTIAL-AGRICULTURE) TO A B-2 (BUSINESS-GENERAL) ZONING CLASSIFICATION IN ORDER TO ERECT A 1,729 FOOT GUYED DTV COMMUNITY BROADCAST TOWER. MPC RECOMMENDED THAT THE REQUEST BE DENIED BUT FURTHER RECOMMENDED THAT AN ALTERNATIVE R-A-WT (RESIDENTIAL-AGRICULTURE WIRELESS COMMUNICATION TOWER OVERLAY DISTRICT) CLASSIFICATION BE APPROVED FOR THE ENTIRE TRACT. MPC FURTHER RECOMMENDED THAT THE WT OVERLAY DISTRICT REGULATIONS BE AMENDED TO CLARIFY THAT A DIGITAL TELEVISION TOWER IS ALLOWED IN THE DISTRICT AND TO DEFINE THE CONDITIONS UNDER WHICH SUCH TOWERS MAY BE ERECTED.**
MPC FILE NO. 99-12702-C
[DISTRICT 7.]

ACTION OF THE BOARD:

Chairman Hair read into the record as first reading.

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XII. SECOND READINGS

1. **AMENDMENT TO THE COUNTY PROPERTY MAINTENANCE ORDINANCE TO ADDRESS THE ACCUMULATION OF MOTOR VEHICLES ON REAL PROPERTY AS A HOBBYIST USE GROUP.** *Note: Item was tabled at meeting of September 10, 1999. Revised from First Reading for meeting of October 8, 1999. Second revision submitted for meeting of October 22, 1999.*

Chairman Hair said, I need a motion to take that off the table. Commissioner Murray said, so moved. Commissioner Jackel said, second. Chairman Hair said, motion and second. All those in favor vote yes, opposed vote no. Chairman Hair said, everybody needs to vote. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.]

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, we tabled this at the last meeting —, well, we really didn't table it, we had a lot of discussion on it, but the reason we did is we —, some of us felt like that we needed less automobiles as derelict cars sitting on the residential properties, and the discussion came up that we needed to be the same as the City of Savannah with their ordinance. The City of Savannah does not allow any unless they are tagged. Commissioner Price said, let's do it. Commissioner Murray said, and have a tag. I would like to see us do the same way without a grandfather clause in it, and that's the motion.

Commissioner Jackel said, and the City of Savannah —, since we are combining our Inspections Department, it makes sense for our ordinance to be the same. Commissioner Price said, exactly. Commissioner Thomas said, exactly. Chairman Hair said, I totally agree.

Commissioner Saussy asked, do you want to make a motion? Commissioner Murray said, I just did. Commissioner Saussy said, I'll second it. Chairman Hair said, motion and second. Any further —?

County Manager Abolt said, the issue is status quo, so you're denying the amendment. Chairman Hair said, that's correct. Commissioner Murray said, all right, but if we do nothing though, we don't —. Commissioner Jackel said, we want to pass a new amendment. County Attorney Hart said, but you want to direct staff to draft an ordinance to —. Chairman Hair said, that's correct, to come back with and make it equal to the City. Commissioner Murray said, that's what I said, wasn't it? Chairman Hair said, yes. Commissioner DeLoach said, that's what I heard you say. County Attorney Hart said, that's what I thought you said.

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

ACTION OF THE BOARD:

1. Commissioner Murray moved to untable this item and place it before the Commissioners for consideration. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
2. Commissioner Murray moved to deny the proposed amendment to the County Property Maintenance Ordinance to address the accumulation of motor vehicles on real property as a hobbyist use group and instructed staff to draft a new ordinance regarding derelict vehicles to be the same as the ordinance of the City of Savannah, which does not allow any derelict vehicles unless they are tagged, but without a grandfather clause. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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2. **PETITIONER, PHILLIP R. MCCORKLE, AGENT (FOR C. ANTHONY RHODES, OWNER) IS REQUESTING REZONING AN EIGHT (8) ACRES PARCEL LOCATED ON THE EASTERN SIDE OF GEORGIA HIGHWAY 21 SOUTH OF BOURNE AVENUE, FROM I-H (HEAVY-INDUSTRIAL) TO P-B (PLANNED-BUSINESS) IN ORDER TO CONSTRUCT A SHOPPING CENTER THAT WOULD INCLUDE A GROCERY STORE. MPC RECOMMENDED THAT THE REQUEST BE DENIED, BUT FURTHER RECOMMENDED APPROVAL OF A P-B-C (PLANNED COMMUNITY-BUSINESS) ZONING CLASSIFICATION BASED ON THE EMERGING BUSINESS CHARACTER OF THIS SECTION OF HIGHWAY 21.**

MPC FILE NO. 99-12659-C

[DISTRICT 7.]

Note: Original Agenda Item was submitted for the August 13, 1999, meeting and postponed by agent. This was re-advertised, re-posted and adjacent property owners re-notified.

Chairman Hair recognized Mr. Saxman.

Commissioner DeLoach said, move for approval. Commissioner Thomas said, second. Chairman Hair said, I have a motion and second. Any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved that the petition of Robert R. McCorkle, Agent (for C. Anthony Rhodes, Owner), requesting rezoning an eight (8) acre parcel located on the eastern side of Georgia Highway 21 south of Bourne Avenue, from I-H (Heavy-Industrial) to P-B (Planned-Business) in order to construct a shopping center that would include a grocery store be **denied**, but that a P-B-C (Planned Community-Business) zoning classification based on the emerging business character of this section of Highway 21 be **approved**. Commissioner Thomas 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. STATUS OF SURPLUS PROPERTY.**

ACTION OF THE BOARD:

Report received as information.

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EXECUTIVE SESSION

Upon motion made by Commissioner Thomas and seconded by Commissioner DeLoach the meeting of the County Commissioners was recessed at 11:05 a.m., to go into Executive Session for the purpose of discussing litigation, land acquisition and personnel.

Following adjournment of the Executive Session, the meeting of the County Commissioners was reconvened at 11:30 a.m.

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ITEMS FROM EXECUTIVE SESSION

- 1. **REQUEST BOARD AUTHORIZE SETTLEMENT OF CLAIM OF ALEXANDER DEAN (JON HART).**

ACTION OF THE BOARD:

Commissioner Thomas moved to authorize settlement of the claim of Alexander Dean in an amount not to exceed \$6,500. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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

ACTION OF THE BOARD:

Commissioner Price moved to authorize the Chairman to execute an affidavit that the Executive Session was held in compliance with the Open Meetings Law. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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APPOINTMENTS

- 1. **MOSQUITO CONTROL COMMISSION**

ACTION OF THE BOARD:

Commissioner Price moved to appoint Mr. Alan Garrett as a Technical Advisor to the Mosquito Control Commission. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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ADJOURNMENT

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 11:35 a.m.

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APPROVED: THIS _____ DAY OF _____, 1999

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

SYBIL E. TILLMAN, COUNTY CLERK