

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, APRIL 14, 2000, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.**

**I. CALL TO ORDER**

Chairman Billy Hair called the meeting to order at 9:00 a.m., Friday, April 14, 2000.

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**II. INVOCATION**

Commissioner Martin L. Jackel gave the invocation.

Chairman Hair said, I'm going to ask that all of us join in a moment of silence in honor of Tisha Abolt. [A moment of silence was observed.] Chairman Hair said, thank you.

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**III. PLEDGE OF ALLEGIANCE**

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

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**IV. ROLL CALL**

The Clerk called the roll.

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

IN ATTENDANCE: Patrick Monahan, Assistant County Manager  
R. Jonathan Hart, County Attorney  
Sybil E. Tillman, County Clerk

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**YOUTH COMMISSIONERS**

Chairman Hair said, I'd like to introduce the Youth Commissioners who are with us today. We have Zadonna Slay, who is in the 10<sup>th</sup> grade at Jenkins High School and representing also the Girl Scouts of America, and we have Wilbert Smith,

who is a junior at Jenkins High School and representing the Youth Leadership Forum. We're glad to have you this morning and please feel free to join in and raise your hand and I'll recognize you. I think you, Zadonna [Slay], you have an announcement you'd like to make, I believe.

Ms. Slay said, yes. On April 22<sup>nd</sup> the Chatham County Youth Commission will be sponsoring our third annual Youth Rally. We'll have free food, [inaudible] basketball tournament, and it's a nice time to come in and listen to what the youth have to say. Chairman Hair said, thank you very much. We encourage everybody —.

Commissioner Saussy asked, what was that date? Ms. Slay said, April 22<sup>nd</sup> from one until five at Lake Mayer. Commissioner Saussy said, thank you.

Chairman Hair said, thank you, Zadonna [Slay].

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**V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

**1. PROCLAMATION FOR GAIL JONES ON HER RETIREMENT FROM PROBATE COURT.**

Chairman Hair said, our first proclamation this morning is to honor one of our own. We have a proclamation for Gail Jones on her retirement from Probate Court if she will join me at the podium.

Chairman Hair read the following proclamation into the record:

**WHEREAS**, it is befitting that we recognize employees who have provided dedicated service to Chatham County, and in that regard, we salute with pride, Gail R. Jones; and

**WHEREAS**, Gail Jones, a native of Truetlin County, decided to accept a position in the State Court Sheriff's Department as a Fiscal Clerk in January, 1973; and

**WHEREAS**, after serving the Sheriff's Department with many years of loyal service, she transferred to the Probate Court and began working as Secretary to the Judge. Her position was later changed to Administrative Assistant for the Court. She also tirelessly managed the Courts Record Room; and

**WHEREAS**, Chatham County has benefitted greatly by having high caliber employees such as Gail R. Jones.

**NOW, THEREFORE**, I, Dr. Billy B . Hair, Chairman, on behalf of the Board of Commissioners of Chatham County, do hereby extend grateful appreciation to:

**“GAIL R. JONES”**

for over twenty-seven years of dedicated service to Chatham County and extend best wishes for a long, happy, healthy retirement.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 14th day of April, 2000.

/s/ Billy B. Hair  
Dr. Billy B. Hair, Chairman  
Chatham County Commission

**ATTEST:**

/s/ Sybil E. Tillman  
Sybil E. Tillman, Clerk

Mrs. Gail Jones said, as I told Dr. Hair earlier, it's been a memorable 27 years, and the two things that stand out most are the benefits that Chatham County employees have. I think they're the best in the Southeast and thank you for your approval and the Human Resources Department for working diligently for the employees of Chatham County. I appreciate that very

much. Thank you also for approving the Pension Board's recommendation of the 25/55 without a penalty. Because of that I'm able to go out, so thank you so much.

Chairman Hair said, thank you, Gail [Jones].

Commissioner Jackel said, Gail [Jones], let me just say one thing. I just want to thank you for the work you've done for the County, and times I've come by you were most helpful. You always had a smile on your face. You always were a pleasure to work with. Thank you.

Mrs. Jones said, thank you. I've accumulated so many friends and the memories. The friends are still friends and the good memories will continue with me and thank you for that, sir.

Chairman Hair said, thank you.



**2. PROCLAIM APRIL 22 AS EARTH DAY 2000 IN CHATHAM COUNTY.**

Chairman Hair said, our next proclamation is for Earth Day. Is there anyone here —? Good morning. I'll read the proclamation first.

Chairman Hair read the following proclamation into the record:

**WHEREAS**, Earth Day was established in 1970 to have a national demonstration of environmental concern and to force environmental issues onto the political agenda of national priorities; and

**WHEREAS**, April 22<sup>nd</sup> is recognized internationally as Earth Day; and

**WHEREAS**, the environment is key to our economy, prosperity and quality of life, and future generations rely on current generations to conserve natural resources for their well-being; and

**WHEREAS**, children are open-minded and can learn at an early age the importance of sustainable living habits; and

**WHEREAS**, the Earth Day 2000 in Chatham County will foster environmental awareness and provide a wholesome family atmosphere in which to learn about natural resources; and

**WHEREAS**, the theme of Earth Day 2000, "The Future Is In Your Hands," is a celebration of what has been accomplished in the past and a look ahead to the new millennium to help us recognize the connection that we have with our planet and to celebrate the earth's health and our role as caretakers of the earth.

**NOW, THEREFORE**, I, Billy Hair, on behalf of the Board of Commissioners of Chatham County, recognize and support April 22, 2000, as

**EARTH DAY 2000**

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed on this the 14<sup>th</sup> day of April, 2000.

/s/ Billy B. Hair  
Dr. Billy B. Hair, Chairman  
Chatham County Commission

**ATTEST:**

/s/ Sybil E. Tillman  
Sybil E. Tillman, Clerk

Ms. Deatre Denion said, I'm Deatre Denion from the Metropolitan Planning Commission. I'm this year's Earth Day Coordinator. I'd like to invite all of you to help us celebrate Earth Day. This year it's an all-day event starting at nine o'clock. They're doing a Great American Clean-Up from nine to noon in surrounding areas. We're having a recycling drive-through in DFCS parking lot on Henry and Drayton from ten to three, and then we're having a festival and concert in Forsyth Park from noon to four, and we have all kinds of activities going throughout the day, but also we'll encourage people to be aware of our environment throughout the year. Thank you.

Chairman Hair said, thank you very much. Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy said, one of the things that I've been interested in for many, many years, every time I see somebody throw a piece of paper out of a car or something like that I blow my horn because I hate to see litter, and I didn't realize there was such a thing that you could —. If you see that, I'm going to pass these cards to the Commissioners, if you see that you can send these —, take their license plate down and the location and all and send it in, and they will get a letter —, it's my understanding they will get a letter from the City stating that this is what they've done and stop doing it. There is no charge, but at least it reminds them that they need to keep Savannah clean, so I think everybody ought to have one of these cards so hopefully we can get a bunch more than this and put them maybe up here so people can pick them up. I just want the public to know that. I didn't know it was available, so I certainly will use a lot of them.

Commissioner Price said, maybe, David [Saussy], this would be something that the County ought to do in the unincorporated area. Commissioner Saussy said, yes, right.

Commissioner Murray said, a number of years ago I brought this up and there was —, to try to combine and consolidate the Keep Savannah Beautiful Committee and have one in Chatham County providing countywide. I don't know what the reasons were why we couldn't do it. As a matter of fact, I used to serve on that committee, and they do a terrific job. They've been able to get some ordinances passed in the City of Savannah. I think it's something that we need to look into again because it doesn't stop on the Savannah line where the line quits, but I think it should go countywide and I think if we could look at that again just to see if there's any way to combine that group and make it a countywide program. They could still keep the name Savannah, they could still operate it, but I just think we need participation countywide with all the municipalities involved too.

Chairman Hair said, Pat [Monahan], if you'll have that researched and then bring back to us some options, we'd appreciate that.

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### 3. PROCLAMATION TO DECLARE APRIL AS FAIR HOUSING MONTH IN CHATHAM COUNTY.

Chairman Hair said, okay, the next proclamation is for Fair Housing Month.

Chairman Hair read the following proclamation into the record:

**WHEREAS**, the Federal and State of Georgia Fair Housing Laws prohibit discrimination in housing based on race, color, religion, sex, disability (or handicap), family status or national origin; and

**WHEREAS**, the month of April has been designated by the U.S. Department of Housing and Urban Development as National Fair Housing Month; and

**WHEREAS**, April 12, 2000 marked the 32<sup>nd</sup> anniversary of the passage of Title VIII of the Civil Rights Act of 1968, the Federal Fair Housing Law; and

**WHEREAS**, the first housing discrimination court decision under the State of Georgia's Fair Housing Law was resolved in Chatham County; and

**WHEREAS**, Chatham County affirms the right of all citizens to choose where they wish to live without encountering discrimination.

**NOW, THEREFORE**, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim the month of April, 2000 as:

**“FAIR HOUSING MONTH”**

in Chatham County, Georgia and call upon all citizens to participate in ceremonies and activities supporting the Federal Fair Housing Law.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed on this the 14<sup>th</sup> day of April, 2000.

/s/ Billy B. Hair  
Dr. Billy B. Hair, Chairman

Chatham County Commission

ATTEST:

/s/ Sybil E. Tillman  
Sybil E. Tillman, Clerk

Mr. Terry Tolbert said, my name's Terry Tolbert. I work at EOA, a long time resident of Chatham County, grew up with Joe Murray Rivers, right across the square. Commissioner Price said, we won't hold that against you. I live in Nottingham and Dr. Priscilla Thomas is on my Board of Directors, and I just want you to know that the Chatham County Fair Housing Council appreciates the County Commissioners proclaiming Fair Housing Month. Our actual meeting is on the 28<sup>th</sup> at the Marriott from 1:00 to 2:30 and we have a national speaker that will be in, and we'll be sending you invitations on that. We have for the last three years had a number of complaints in Chatham County. I continue to receive complaints and it is our mission actually is not to litigate, but to inform people with what we found and many people are just not aware that they're breaking the law. So we're actually educators and our mission is to educate everybody about fair housing laws so that they won't continue to discriminate against anyone. Thank you so much. Chairman Hair said, thank you. I appreciate your work.

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**VI. CHAIRMAN'S ITEMS**

**1. PRESENTATION BY MARK LEAHY ON GRAND OPENING OF THE SAVANNAH INTERNATIONAL TRADE AND CONVENTION CENTER.**

Chairman Hair recognized Mark Leahy.

Mr. Leahy said, good morning. My name is Mark Leahy. I'm the General Manager of the Savannah International Trade and Convention Center and, Mr. Chairman, as you know, over the past few years SMG has been working with Chatham County on some pre-opening services including consultative services with the project architects to bring the real world operating requirements to the Trade Center. We've also been working to identify and assist in the procurement of fixtures, furnishings and equipment for the Trade Center and develop and implement marketing campaigns, including advertising, public relations, collateral material and sales initiatives. Although we remain in a pre-opening phase given the state of construction of the building, SMG has entered into its management agreement with the Trade Center Authority for the long-term operation of the Trade Center; however, we have one remaining responsibility to you, and that is to produce, plan and execute a grand opening of the Trade Center, and I'll read one line from the contract that says we have to plan and execute a grand opening which sets the tone which will become the standard for Trade Center operations. I asked Pat Monahan for a little more direction and he said he's not going to have the Commission just cut another ribbon. So I got the green light for a little whizbang and a little pyro, a little techno, so we're going to have some fun on May 5<sup>th</sup> and 6<sup>th</sup> for the grand opening, the dedication of the Trade and Convention Center, and I'd like to go through that schedule with you to give you some highlights as to what we have planned as we dedicate this building. The most important thing is any time we have planned these grand openings, it's very important to involve the entire community. Obviously, these projects take many, many years, many, many people are involved from all walks of life and that we do in fact try to include everybody in that. So we've laid out two days of activities that will attract the public at large, the business community, the military community, and a number of other commun—, groups within our community.

Mr. Leahy said, on May 5<sup>th</sup> we will start with an appreciation breakfast where the Commissioners will get a chance to thank those many, many workers, architects, trades people, designers, engineers that have built this Center. And, if I may, we had —, to give you an idea, we had an appreciation luncheon one day at the Trade Center thanking those workers. It was also a little incentive to get them to hurry up and make sure the building was ready for the Reading Conference. We had some 410 workers in the building that day, and it was just a thank-you. We fed them lunch in an hour. We actually cooked enough for 600 people and they ate everything, and we also asked them to sign their name to a very large four by six rendering of the Trade Center. We recognize too that usually on these dedication breakfasts and appreciation breakfasts, the bricklayers, the drywallers, they're off on other jobs and they may not be able to take that day off to come back and be recognized, so we did ask them to sign a rendering and have their name and we'll have that on display throughout the ceremonies and throughout the weekend, but hopefully they'll join us that day for the appreciation breakfast. We then will move to the dedication ceremony, which will be official marking of the dedication of the building, and that's where we have a little whizbang going on and, again, we've marked that with speeches and the Commissioners on the head table along with the Trade Center Authority, and we've involved the military community as well, and what started out we asked for a little Piper Cub maybe to fly over, last report is we will have a B1 Bomber fly over, F18's, Howitzers, the 3<sup>rd</sup> Infantry Band Rhythm of the Mind, and a number of other activities taking place on the esplanade marking this momentous occasion. The Coast Guard also asked if they could participate, and they're going to have some sea rescue demonstrations, and the last we heard they want to light a boat on fire in the middle of the Savannah River to demonstrate what they can do.

So we're —, the military people are starting to get a little competitive and the Navy found out, and they told us they want to come in with something. So we're going to have some fun. It could bring air shows back to Savannah after this is over.

Mr. Leahy said, we will then move to a luncheon. Casper Weinberger has been invited as our speaker, obviously former United States Secretary of the Defense and now Chairman of Forbes Magazine. I also point out that we, along with the whole business community, will be taking out an insert in Forbes Magazine in that May issue. It's going out, of course, to all the readers of Forbes Magazine and we will be showcasing Chatham County and Savannah, and the Trade Center has taken out an ad in that. And it's just wonderful that we can coincide this new business opportunity in the Forbes Magazine as well. Casper Weinberger will be our speaker that day. We will then follow that afternoon with tours of the facility. Again, guided tours roughly a half hour each and they've invited as much of the public as possible.

Mr. Leahy said, on Saturday a host of activities. This is where we get into really our public open house list of events. We will begin the day with the start and finish of the Bridge Run. It's advantageous to us because as we open our open house, the Expo, we will have some 2,000 to 3,000 people finishing that race and going right into the Trade Center to participate in the festivities that we have planned inside which include a Future Fest Expo and Ice Cream Saturday. We have partnered with the Greenbrier Children's Center. We're going to have a tent outside and we'll be having an Ice Cream Fest that all those proceeds will benefit the Children's —, the Greenbrier Children's Center, and it's been wonderful working with them and they've been very interested in having a great turnout for that. The Future Fest will include everything from Chatham County Police is coming in with their Marine Patrol and Bomb Squads and fingerprinting for children, Savannah Fire Department, we're going to have some carnival rides, and three stages of entertainment ranging from gospel singers to jazz to children's stages and things, so we have a whole community, a whole list of events going on that day. We will also then have the black tie gala, which will round out the evening and the entire celebration with fireworks, working with the Waterfront Association, fireworks over the river about 8:30. The Savannah Symphony will be playing inside for the reception and then we move into the Esplanade black tie gala and the chef had asked what we thought the menu we'd like to have, and I gave him some direction and that —, there's lots of things that I can't pronounce, so we have designed one gourmet menu that evening. It will be a five-course meal. The Trade Center Authority has identified the Children's Place, The Candler Foundation as the recipient of those net proceeds, and that program has virtually sold out as of this moment. Tickets have done very, very well. We're having the Impressions as our headline entertainment that evening, along with Character, which is an outstanding dance band. That will round out —, round out the evening and bring our grand opening ceremonies to a close.

Mr. Leahy said, I wanted to talk also on some of the sponsorships that we've looked at. There's been a great deal of interest to have the business community participate with us in these openings so we've sold numerous sponsorships to help defray a lot of these costs and the community at large has come out very, very nicely for us. Also, to give you an idea of the promotions that we've done. Again it's trying to get the community aware that this building is open for business, and so often what happens is convention centers come on line, we've been selling to convention groups and private trade shows that very often the general public does not get a chance to come into the building as often as they'd like because we have booked it with some private trade shows and conventions and bring those people in from out of town. So on these grand openings we'd like to again involve as much of the community as possible so we've started an aggressive advertising campaign, and hopefully you've seen our newspaper ads. The radio coverage just began, billboards have just gone up, and throughout town we have 10 billboards that will be out throughout the community, and also on that we even got some TV coverage. Actually, live remotes going on all week and certainly on that Friday and Saturday there will be all kinds of live coverage. Printed collateral, direct mail, we have mailed out thousands of pieces ranging from our fliers, and hopefully you've seen all these, to actual invitations and I believe you've all received those invitations to the dedication ceremonies, and additionally working with Greenbrier they have mailed out some 14,000 pieces, the Children's Foundation another 13,000 pieces. So we have tried to get the word out as much as possible that this is taking place.

Obviously, it's your building. The Commission has been invited to everything. I will be communicating with Pat Monahan to give you those specific timings of where to go and so everyone understands what we're planning on those few days. Obviously you're all invited to everything and, again, through Pat [Monahan] if there's anything we're missing or want to reemphasize, please let us know. Thank you very much.

Chairman Hair said, thank you. Commissioner Murray and then Commissioner Price.

Commissioner Murray said, mine has nothing to do with that. It was a good presentation. I appreciate it, but the article in yesterday's paper about the over —, not the overruns, but the —, what it will cost us to operate, the operation budget of the Trade Center, and I remember when we first approved that to go on a referendum Alan Beals was then the CEO at the Chamber, and he had worked a deal out where the City of Savannah and Chatham County municipalities would vote and raise the hotel/motel tax by one percent, that money would be dedicated to the Trade Center. The Trade Center only. Mr. Leahy said, yes sir. Commissioner Murray said, and that would take care of the operating deficit of the Trade Center until the Trade Center started doing and bringing in the money and the revenue was there to support it, which was going to be a long-term process. Recently I understand that the Trade Center Authority negotiated with the City of Savannah to use some of those funds on the Civic Center and it's the City of Savannah. I question whether they have the authority to do that or not since it was approved by this Commission and the City Council at that time and the State monies in it also, and I would like that looked into to find out because that money was dedicated to the Trade Center, used only to that, and

this Commission approved later on when they came to us and asked for money to market it, we approved a certain amount of money to be used for marketing, and that was the only thing this Commission's approved, Pat [Monahan], if I'm not mistaken.

Mr. Monahan said, yes sir, you might let me address that a little bit to get Mr. Leahy off the hook. Commissioner Murray said, I'm not trying to put him on the hook. I just want it addressed to find out where it stands. Mr. Monahan said, the agreement between the Trade Center Authority and the City of Savannah allows the use of the additional one percent, which you are correct it was adopted to give the community assurance that there would be no tax funds going to the support of the Trade Center. That agreement provides, I believe it's like an eight or a ten-year phase-in period before the City of Savannah would even begin to consider to receive any funds for the Civic Center, and it's only after all operating expenses of the Trade Center are paid for would there be any consideration for any excess funds going to the Civic Center. So, one, there —, a considerable amount of time must pass before that even kicks in and, two, it's the Trade Center's the first priority and the Civic Center would be the second priority. That's actually stated in their formal agreement between the Trade Center and the City of Savannah —, the Trade Center Authority and the City of Savannah.

Commissioner Murray asked, well, why was not the State and Chatham County involved in those negotiations? Mr. Monahan said, well, the difficulty is in the way the law was written. The law was written, and none of us considered it at the time, it says convention facilities, which the Civic Center does provide some convention capability, so it is considered a convention facility. So technically under the law the Civic Center would be an eligible use. I think the Board of Aldermen and the Mayor agree that, you know, the intent was first Trade Center, second Civic Center, and I think that's the way the agreement has been structured with the Trade Center Authority. Commissioner Murray said, well, the intent was it was all a hundred percent going to the Trade Center. Mr. Monahan said, well, here's —. Commissioner Murray said, and we were the ones that —. Mr. Monahan said, the reality. Commissioner Murray said, that authorized money to be spent for marketing that Trade Center. Mr. Monahan said, yes sir. The extra one percent is generating somewhere in the neighborhood of \$1.2 million. Mr. Leahy said, 1.2 million, yes. Mr. Monahan said, the —, the operating deficit of the Trade Center once it levels out is going to be somewhere in the neighborhood of maybe three-quarters of a million dollars. So you can see there's an excess right there, and I think that's what the City of Savannah's realized, there's going to be an excess, but the City —, what the Mayor and the Aldermen are fearful of is the Civic —, that the Trade Center will actually get more money than it needs. Commissioner Murray said, well, I just think it needs to be addressed and I think we should have been involved when that took place, and, Jon [Hart], I don't know whether you've looked at any of that or not, but if you haven't, if you would look at it —.

County Attorney Hart said, I think Mr. Monahan has correctly stated when the Legislature went ahead and passed that, apparently they broadened the definition to convention facilities as opposed to Trade Center, so, you know, under that classification that makes the Civic Center eligible under that local piece of legislation.

Chairman Hair said, maybe the appropriate thing to do here would be —, first, I think Commissioner Murray is correct, I think we need to look into that, make sure it's [inaudible] agreement, and the second thing, Mark [Leahy], we certainly need to put something in place that would prohibit any future agreements because if the City of Savannah could do it, you know, Port Wentworth could do it, Garden City could do it, they all could take monies from that and put it in, you know, convention facilities in their communities, and I think there needs to be some tightening up of that that would prevent that from happening in the future.

Commissioner Murray asked, could we technically say the pier at Tybee uses —, convention people utilize that from time to time, couldn't we use money to do something down there? I mean, it's the same thing. Chairman Hair said, well, I think you're right. That's my point. I mean, I think it probably does need to be tightened up. Commissioner Rivers said, that's stretching it, Frank [Murray]. Commissioner Murray said, it might be stretching it, but it still —. Chairman Hair said, but it's a good point. Commissioner DeLoach said, Tom Triplett Park. Chairman Hair said, and I think it does need to be —. Commissioner DeLoach said, Tom Triplett Park. [Unintelligible comments when several Commissioners were speaking at the same time.]

Chairman Hair said, Commissioner Price and then Commissioner DeLoach.

Commissioner Price said, my question is and it's nowhere near the seriousness that Commissioner Murray's question had, but in all of the grand opening that's going to happen, what —, is there any participation by Savannah Harbor, by the Westin in any of this? What's their level of participation is you have any? Mr. Leahy said, one other thing that's going on throughout this grand opening is we've invited meeting planners and potential clients. The Westin Savannah Harbor is one of our platinum sponsors, and that's going for \$7,500. So they have participated with rooms, monetarily, we're talking about maybe a golf tournament for the —, our guests that are in town, and they've stepped up with all that —. Commissioner Price said, great. Mr. Leahy said, and John Carswell said whatever you need, we're all part of the project, and so I believe they have stepped up with some cash.

Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, I was going to follow up on Frank's [Murray] comments. I think the —, what happened was that each community collects that tax dollar and puts it into a kitty, and basically what the City of Savannah held the Trade

Center hostage and told them unless they came up with this agreement and agreed to it, and this is basically what happened, they said if you don't do this, you're not going to get any of it and we'll take it to court and see who does get it.

That's what happened to the Trade Center Authority and, therefore, the County got reamed and any other municipalities got reamed because the City of Savannah held them hostage holding the money. That's what took place and that's where we are today. That's in a nutshell right there.

Chairman Hair said, well, we've got to —, we're going to look into it from both the past and also the future and hope that we can rectify this.

Mr. Leahy said, I can't say that no monies have been dedicated yet. I mean, all that one percent is going into the Trade Center Authority budget and looking to offset —. Commissioner Murray said, there's also a percentage that y'all used to market the Trade Center too. Mr. Leahy said, yes, and that's all in that budget. Yes.

Chairman Hair said, thank you, Mark [Leahy]. We appreciate you coming and sharing the plans with us. Commissioner Price said, we look towards the —. Chairman Hair said, we look forward to participating. Thank you.

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

Report received as information. Staff was directed to look at the agreement between the Trade Center Authority and the City of Savannah regarding the one percent tax collected from the hotel/motel tax and designated for the operation of the operation of the Trade Center to determine if the Trade Center Authority was authorized to enter into such an agreement.

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## **VII. COMMISSIONERS' ITEMS**

### **1. SCIENCE ALLIANCE (COMMISSIONER SAUSSY).**

Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy said, yes, we'd like to move this to the next meeting if we could because of the circumstances that happened in the past week.

Chairman Hair said, all right. We'd like to put that on the next agenda.

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

This item was postponed to the next agenda.

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### **2. LIBRARY MATTERS (COMMISSIONER MURRAY).**

Chairman Hair said, Commissioner Murray would like to add an item under this section to discuss some library matters. I'll entertain a motion to add the item. Commissioner DeLoach said, so moved. Commissioner Saussy said, second. Chairman Hair said, motion and section. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. I'll recognize Commissioner Murray.

Commissioner Murray said, with the recent things that transpired with the Library and the Library Board this week, and after looking at it and finding that what the Library Board did based on what we can tell is not legal with their bylaws, they would have to change the bylaws in order to do that, I've got two motions I would like to make and hope that y'all would support these to see if we can't rectify what has been done and then maybe they can get on the right track and do what's needed. The first motion is I make a motion that the Board of Commissioners pass a resolution directing the Chatham County members of the Chatham-Effingham Library Regional Board of Trustees to make a motion and vote to rescind the direction that the Vice Chairman of the Library Board assume additional powers to deal directly with the Library Director to the exclusion of the Chairperson since this current action violates their bylaws. The second part of that is to make a second motion that during to the current instability on the board with three members of that Board's vacancy to occur shortly, that the Board refrain from entering into any contracts with any employee of the Library Board. Commissioner Saussy said, second.

Chairman Hair said, we have a motion and second. Commissioner Price asked, discussion? Chairman Hair said, discussion. Certainly.

Commissioner Price said, his last part was the only part that I really didn't understand, which was that they should not enter into any contract with any members of the board of the Library. Can you explain that? Chairman Hair said, employees. Commissioner Murray said, employees. Commissioner Price said, so what you're saying —.

Commissioner Murray said, well, I think until they get their act together, they should not be binding another board coming in and there's a possibility they may have three new members coming on. We don't know that, and that's up to us to appoint or if we want to reappoint.

Chairman Hair said, and also it's a very short term. Those other three board members are coming up here in a month. I think —, Commissioner Murray and I have discussed this, and I think it's an excellent motion and I do think it would be good for the County Commission to go on record stating our firm position on these matters. Commissioner Odell and then Commissioner Jackel.

Commissioner Odell asked, Frank [Murray], in your motion would we be directing them to make a motion to rescind their —. Commissioner Murray said, we're doing a resolution. Now they don't have to do that if they don't want to. We would —, that would be our request to them basically. It would be a resolution. Jon [Hart], you might want to make some comments based on that.

County Attorney Hart said, yes, technically the —, you know, this Board appoints the Chatham County Board and then the Chatham County Board serves on the Regional Board, and the Regional Board, Library Board, is created by statute. It's a creature of statute, so it's not like a county or a municipality under the law, but as part of that statutory scheme they are required to adopt a constitution and they're required to adopt a set of bylaws, and that constitution and that bylaw must be in compliance with the State regulatory scheme for the State Library Commission. In other words, they have sort of a model set of constitutions and a model set of bylaws and they have to operate in accordance with those constitutional provisions and in accordance with the bylaws provisions. We requested at the request of a number of Commissioners to receive a copy of the set of bylaws. Commissioner Murray this morning provided me with an additional set of bylaws that he had received from the Library, and under Article II, Section 2, of those bylaws defining the various duties and responsibilities of the officers, it states that the Chairman is the person —, or the Chairperson is the person that is appointed and serves in all ex officio committees and presides over all meetings and then under Section 2 of that provision it says in the absence of the Chair, the Vice Chair shall preside at regular meetings, which is what you would expect to see, and called meetings of the board, and then it goes on to state that all other duties of the Vice Chair shall be assigned by the Chair, so that the Vice Chair's duties according to their bylaws are derived by those duties and responsibilities as assigned by the Chair. And based on the actions that we're seeing, you know, if they are correct as stated and reported, it would appear that the Vice Chair did not assign the duty of dealing directly with the Library Director —, I mean, the Chairman did not assign that duty to the Vice Chair. So I think it calls into question as to whether that action was being operated in accordance with their constitution and in accordance with their bylaws.

Commissioner Odell said, one additional question. Do we provide them legal services or do they have an independent counsel? County Attorney Hart said, well, you know, that's an interesting question, and it's a very good question, Commissioner Odell. In the past we have traditionally —, Chatham County has traditionally provided them with legal services, and certainly at any time that they have had a Human Resource problem or liability problem or other problems like that, the County Attorney's office has been intricately involved in representation of them. It is my understanding, however, that as of late they have retained other counsel to give them legal advice, and we have not been involved insofar as appointing that counsel or funding that counsel's services except through the budgetary process. Commissioner Odell said, assuming arguendo that their actions are in contradiction with State law, other than a resolution, what would be our options, or is that something that we'd have to discuss in Executive Session? County Attorney Hart said, well, I would prefer to —, I think the resolution is absolutely appropriate if this Commission has a policy decision, and that is up to you folks to make a decision to request that action because based on my reading, assuming this is a current copy of the bylaws, it does not appear to that the action was taken in accordance with their bylaws, and you are requesting that your people appointed to that committee operate within the terms and conditions of their bylaws. Should they choose not to do so, then that would raise other legal issues and obviously at that time what types of avenues that would be taken would certainly have to be explored by counsel as well as this Commission. Commissioner Odell said, Frank [Murray], I think that's a good motion.

Commissioner Murray said, the only thing we're doing is asking for the Chatham County appointees —. Commissioner Odell said, no, I think it's a good motion.

Chairman Hair said, I think it's a very good motion. Commissioner Jackel and then Commissioner Thomas.

Commissioner Jackel said, well, I have concerns about this motion. Now, I —, it appears that our County Attorney cannot give us a definitive answer because he doesn't know whether he has the latest bylaws or not. County Attorney Hart said, well, it has been represented to —, correct me, Commissioner Murray, but that these are the current bylaws. Now we have, and unless there has been something amended at the last meeting that we don't know about —. Commissioner Jackel

said, all right. Are you prepared then to tell us that they're acting in violation of their bylaws? County Attorney Hart said, yes. Commissioner Jackel asked, rendered as a legal opinion. County Attorney Hart said, I'll render an opinion that they're not following Section 2 of Article II of the duties of officers unless there has been an amendment to this section. Commissioner Jackel asked, and how are they not doing that? County Attorney Hart said, because the Vice Chair has not been assigned the duties of dealing with their personnel by the Chairman, which in their bylaws that is placed in her purview. Commissioner Jackel said, I thought the board had passed —, now all I know is what I read in the newspaper, but I understand that the board directed the Director —. Commissioner Saussy said, that was in violation. Commissioner Jackel said, the Director to report —, to deal with the Vice Chairman and they did that because there was some sort of personality conflict with [inaudible]. County Attorney Hart said, I do not know the reasons. I —. Commissioner Jackel asked, whatever, whatever the reason you don't think they have the power to do that? County Attorney Hart said, well, you know, they are a creature of statute, they are a creature of their constitution, and they are a creature of their bylaws, and as you well know, Commissioner Jackel, that pretty well says that you've got to adopt a constitution and you adopt bylaws and you get the right to write it the way you want to write it, and once you write it, until you amend it or modify it in accordance with the provisions of that, you're required to follow your own rules. Commissioner Jackel said, well, I understand that. We ought to follow the rules as they're provided. I have not seen their bylaws and —, all right. I understand that, but I think we're getting into an area that we don't necessarily need to get into with our resolution on telling them what to do. Certainly they're supposed to follow their bylaws. They're trying to sort through some problems. They seem to be making every effort to do that. They've gone several different ways. I also have concerns about the second part of that. They're currently trying to hire some employees so they can get fully up to speed. Maybe you want to —, would consider that to be at a certain level update on hiring or extend the Director's contract or something like that, but any employee I think is far-reaching. I don't think we ought to recommend that they micro manage the Library and, you know, I kind of feel like we're not saying what this is about in passing this resolution. Commissioner Murray said, I'll be glad to tell you what it's about. Commissioner Jackel said, I know what it's about, and I think that's the way it probably —, I mean, this is obviously some attempt to say that we support Mary Ellen Sprague. Commissioner Murray said, that's not what I'm saying, Martin [Jackel]. If you'd give me a chance I'll explain what I just said. Commissioner Jackel said, you've had your chance. Commissioner Murray said, well, I'll get another chance. Commissioner Jackel said, you get another chance, that's fine. I'd like to be able to finish please. I think that that's where this motion is coming from. It has never come up anywhere before about their bylaws. Commissioner Murray said, it just took place. Commissioner Jackel said, all right, I understand that. Let's —, I mean, let's be open about what this thing is apparently about to me what it's about, and I don't know that we ought to be taking sides in this fight right now.

Chairman Hair said, all right. Are you finished now, Commissioner Jackel? Commissioner Jackel said, yes, I am. Chairman Hair said, okay. I would like to make a few comments before I recognize Commissioner Thomas and Commissioner Murray and Commissioner DeLoach. First of all, I think the motion is very appropriate. It —, we're only asking the direction of our appointees, which we have every right to do. Also, we're dealing with issues that we're going to have to fund, it certainly falls in our purview. We've got to pay the money, so I think there's no question that the motion's extremely appropriate and very appropriate at the time. Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman. I think that you and others have expressed it very succinctly. I wanted to refer to the current —, to find out whether they were acting, you know, from the current bylaws or whether this was something that was not in full view, you know, for us to consider and I did have another concern about they have hired another —, they have hired a lawyer, so, I mean, you know, they have their own legal representation and how does that equate with what —, you know, with Jon [Hart] from the Commissioners standpoint. There's a lot of loose stuff in here that we really need to have cleared up, and I would like to see that done as soon as possible because we always get caught up in a Catch-22 situation and this type of situation when it's concerning the Library Board. Now I was not very pleased with what I read in the paper, and having talked actually with one board member, you know, how can you —, how can you condemn a person one day and then you're in love with them the next day. You know, I don't understand that, but anyway that's their prerogative to do that.

Chairman Hair said, thank you, Dr. Thomas. Commissioner Murray and then Commissioner DeLoach.

Commissioner Murray said, yes, first of all, the way I found out about this, I got a call from a board member on Tuesday night after the meeting was over telling me what had taken place. I think hung the phone up and got a call from another board member telling me what had happened, and that particular person wanted me to hear it before I read it in the paper the next day, and when they told me what they had done, I said you cannot do that, it's not right to do it that way. I did not know about the bylaws at the time, but I wanted to get a copy of the bylaws. I don't care who the Chairperson is. It makes no difference to me. They change them from time to time anyway, but if the Board is so fed up with it, they should have changed the Chairperson and put another one in, not change the powers that are against the bylaws they have right now. So, no, it wasn't done because of a particular person there and supporting that person. It's supporting the position of the bylaws they have. After I saw the bylaws was when I called Billy [Hair] and asked him about it and we talked to Jon [Hart] this morning, and that's when we decided to do this. It is not right to do the way they did it. It's operating against the bylaws that they have in place, that they have the authority to change if they want to, but they haven't done that. And so I don't care who the person is.

Chairman Hair said, Commissioner DeLoach and then Commissioner Price.

Commissioner DeLoach said, Frank [Murray] covered it —. Chairman Hair said, okay. Commissioner DeLoach said, on that issue about the fact that —, I just want the Chairperson to do his job and not —. Chairman Hair said, just to follow the law. Commissioner Murray said, it doesn't matter who that person is. They have the right to change —. Chairman Hair said, exactly. Commissioner DeLoach said, whether you like the person that's in there or not is not the issue. It's the fact that you've got a certain policy you've got to follow.

Chairman Hair said, okay, Commissioner Price. Commissioner Jackel said, and I'd like to —.

Commissioner Price asked, Shot [Hart], have you looked at the bylaws in regard to the term of the Chairman and how the Chairman serves? Is it at the pleasure —, is it at the will of the majority of the Library Board? Can that Chairperson be removed from the chairmanship, chairpersonship before the end of the term of which the bylaws might state? Have you looked at any of those things? County Attorney Hart said, I have not looked at that. You know, I looked at this this morning. We were contacted yesterday and asked to look at our set of bylaws. The last set of amendments we had was through '89. I was concerned that there were perhaps, you know, other amendments that our office had not gotten copies of, and Commissioner Murray this morning brought me a set of bylaws that match up with what we had, and based on what he received and what our office has, there have been no changes. Commissioner Price said, regardless of those questions which —, I only asked those questions from the standpoint of why did the Library Board do what they did, and who knows? But if there were require —, if there were provisions within the current bylaws to change the Chairman through some type of parliamentary procedures, or whatever the bylaws state, why didn't they do that? I don't know. The bottom line is what they did does not appear to be correct, and I think the motion is correct and I support it.

Commissioner Murray said, I asked that question of the person that told me that, and I was told they wanted to be as positive as they could. Now to me changing the Chairperson out would be more positive than trying to take the powers away that are against your bylaws to begin with. Commissioner Price said, right.

Chairman Hair said, Commissioner Jackel and then Commissioner Saussy, and then I think we're ready to vote after that.

Commissioner Jackel said, I think Commissioner Price is on the right track when he says we don't know what options were available to them, and apparently we're not prepared to get an opinion on that. There may have done what they could in the circumstances. I would feel more comfortable with that if the motion was simplified to say that we urge them to follow their bylaws and stay within the rules and regulations as they are written, rather than giving them specific direction involving one incident. I think I could vote for it in that nature, but when we tell them to rescind a specific action when we don't have all the facts. This just came up this morning. I haven't had a chance to talk to anyone, there's no background information on, on the line of what, what I heard in the newspaper, which I have had reason to doubt their accuracy before, and I think most of all of us have said that too. Maybe if we find out what they really did it might be different than what I read in the newspaper, so —.

Chairman Hair said, we have and a second on the floor. If you'd like to make that motion after we deal with this motion, I'd be more than happy to entertain that motion. We do have a motion and a second on the floor, however. Let's get that motion out of the way first and then we'll deal with your motion if you want to make one. Commissioner Jackel said, well, I'll then make a motion to table this motion until we can obtain the —. Chairman Hair said, all right. We have a motion to table which is not debatable. Do I have a second to that motion? Chairman Hair said, motion dies for lack of a second. Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy said, I think Frank [Murray] is exactly right on his motion. I had a call from one of the board members too. It was not the Chairman, and I just think this thing has just gotten really out of hand, totally out of hand, and I think this motion hopefully will help to solve it. If it doesn't, maybe some other things could be done, and I'm definitely in favor of it.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, Shot [Hart] —. County Attorney Hart said, yes sir. Commissioner Rivers asked, you've got a copy of those bylaws? County Attorney Hart said, yes sir. Commissioner Rivers asked, can I get a copy of that? County Attorney Hart said, yes, I'd be glad to. Commissioner Thomas said, I think we all need a copy. Commissioner Rivers said, let me ask you one other thing. Do the rules —, what rules govern that body? County Attorney Hart said, well —. Commissioner Rivers said, other than the bylaws, what rules govern their meetings? County Attorney Hart said, there's three sets —, there's three sets of provisions that govern the Regional Library. The first is the statute that creates it, the second is the constitution that they adopt, and then the third is the bylaws which they adopt under their constitution. There are limitations as to what they can place in their constitution and limitations as to what they can place in their bylaws in that part of the statutory act that created that entity stated that their constitution and bylaws must generally follow the model constitution and bylaws at the State level, and I can't remember the office of —, that writes that —, those models. Commissioner Rivers asked, what rule of order do they follow governing their meetings and handling their meetings? County Attorney Hart said, well —. Commissioner Rivers asked, do they have a set order or do they go by Robert's Rules or —? County Attorney Hart said, well, they have to right to adopt any procedural matter that is not in conflict with their bylaws and conflict with their constitution. Yesterday when I was flipping through this, I believe, and I'd have to go back

and confirm this, I wasn't focusing on that point, but I saw that they had adopted Robert's Rules of Order it seemed like, and now that was in one of the sets of amendments and I don't know whether that's been changed, but I would assume, you know, like most bodies they probably have adopted —. Commissioner Rivers said, I think one of the most important things in looking at introduction of a resolution by parties other than the Chair or having it on the Chair or getting them to adopt it or put it on their agenda, were those procedures followed in doing that? If that wasn't done, then whatever thing was consummated is out of order. So a point of order brings all that back and erases all of that if the agenda or the procedures was not followed. County Attorney Hart said, your point is well taken. I just don't have enough information at this point in time in regard to the procedural aspects of the motion made. You can look at the plain reading of the current bylaws and, you know, I think most people looking at that would find that it was lacking in the removal of —. Commissioner Rivers said, I would like to with this body here, to look at what we're offering as a motion contingent upon the procedure not being followed and asking them if they did not go correctly according to their procedures or bylaws, then we ask for rescission, but not until we have discovered the procedures that they gone through. So I would, I would —.

Chairman Hair said, if you offer that as a friendly amendment —.

Commissioner Rivers said, I would let the motion go contingent upon that, once we find out that, then we roll with what we've got.

Chairman Hair said, all right, then let's vote on the motion that's on the floor now, the motion and second. I think we've had adequate debate on it. Commissioner Rivers said, I'll offer that as an amendment. Chairman Hair said, okay, do you accept that as an amendment. [No audible response was made.] Chairman Hair said, okay. Let's vote on the motion. All those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Murray, Odell, Price, DeLoach and Thomas voted in favor of the motion. Commissioner Jackel voted in opposition. The motion carried by a vote of eight to one. Chairman Hair said, the motion passes. Now, Commissioner Rivers, if you'd like to make an additional motion I'd be more than happy to —. Commissioner Rivers said, well, I should have substituted an amendment and we could have gotten a substitute motion, but that's —. Chairman Hair said, okay. Thank you. Commissioner Rivers said, but I can, I can hold it up, but I won't hold it up. I can ask for reconsideration, but —. Chairman Hair said, yes, you certainly —. Commissioner Rivers said, but I won't do that, I'll just let it go ahead, but I still think that we should find out what the procedure is.

Commissioner Murray said, well, the reason I said no one of the Board members that was supporting all that is the one that told me what all took place.

Chairman Hair said, okay, let's move on.

**ACTION OF THE BOARD:**

Commissioner Murray made a motion that the Board of Commissioners pass a resolution directing the Chatham County members of the Chatham-Effingham Regional Library Board of Trustees to make a motion and vote to rescind the direction that the Vice Chairman of the Library Board assume additional powers to deal directly with the Library Director to the exclusion of the Chairperson since this current action violates their bylaws, and the second part of that, to make a second motion that due to the current instability on the board with three members of that Board's vacancy to occur shortly, that the Board refrain from entering into any contracts with any employee of the Library Board. Commissioner Saussy seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Murray, Odell, Price, DeLoach and Thomas voted in favor of the motion. Commissioner Jackel voted in opposition. The motion carried by a vote of eight to one.

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**CHATHAM AREA TRANSIT AUTHORITY**

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

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

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**VIII. TABLED/POSTPONED ITEMS**

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

None.

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**IX. ITEMS FOR INDIVIDUAL ACTION**

(Unless the Board directs otherwise, adoption of an Action Item will mean approval of the respective County staff report and its recommended action.)

1. **REQUEST BOARD APPROVE THE FOLLOWING: GENERAL FUND M&O CONTINGENCY TRANSFERS OF \$5,500 FOR SUPPLIES AND EQUIPMENT FOR THE RECREATION DEPARTMENT, \$25,000 FOR A MANAGEMENT STUDY OF THE BOARD OF ASSESSORS, ~~\$1,000 FOR SHUTTLE SERVICE FOR THE VICTORY OVER VIOLENCE MARCH FOR LIFE~~, AND \$4,400 FOR JANITORIAL SERVICE AT THE AQUATIC CENTER; TRANSFERS TOTALING \$117,000 FROM THE 1993-1998 SPLOST RESERVE FOR SPECIFIED PROJECTS TO THE SCIENCE DRIVE RELOCATION PROJECT; TRANSFERS OF \$107,870 FROM THE 1993-1998 UNINCORPORATED DRAINAGE RESERVE TO THE FERGUSON AVENUE DRAINAGE PROJECT AND \$80,000 FROM THE OGEECHEE FARMS PROJECT TO THE FERGUSON AVENUE DRAINAGE PROJECT; TRANSFER TOTALING \$11,150 WITHIN THE ELECTIONS BOARD BUDGET TO RECLASSIFY A POSITION AND FOR TEMPORARY LABOR; A TRANSFER OF \$5,350 FROM SPLOST 1993-1998 CONTINGENCY TO TRANSFER TO GENERAL FUND; AND A BUDGET AMENDMENT TO THE GENERAL FUND M&O TO RECOGNIZE \$5,350 IN REVENUE AND TO APPROPRIATE \$1,500 TO THE COUNTY MANAGER BUDGET AND \$3,850 TO THE ADMINISTRATIVE SERVICES BUDGET.**

Chairman Hair said, I'll entertain a motion to approve. Commissioner DeLoach said, so moved. Commissioner Price said, second. Chairman Hair said, motion and a second. Chairman Hair recognized Commissioner Murray.

Commissioner Saussy asked, you did drop off the —? Commissioner Price said, the thousand dollars. Chairman Hair asked, pardon? Mr. Monahan said, you do need to amend that. The \$1,000 for the shuttle service, Victory Over Violence March for Life. You took out —. Chairman Hair said, that will be —, that will be eliminated, yes. Commissioner Thomas said, take it out. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, the one I have and, George [Lynch], maybe you need to answer it, I'm not sure, but the \$4,400 for janitorial service at the Aquatic Center —. Mr. Lynch said, yes sir. Commissioner Murray said, I see further on back where we, if this is approved, then we've got approval, I think it's 17-S on the other agenda. Chairman Hair said, yes. Mr. Lynch said, yes sir, a change order. Commissioner Murray asked, what —, the people we contract with, what is their responsibility? Mr. Lynch said, their responsibility, sir, is to provide what I would call normal gym custodial service, which they are doing quite accurately and quite well. Nothing wrong with their performance. What this is is that as part of our effort to bring people in during quiet times, usually from about nine o'clock in the morning until 11:45 and from about 1:30 until about 3:00, we're going out and seeking —, they are seeking, the contractor, membership from retired people, folks of that nature. These folks are looking for, if you would put it this way, shower rooms, locker rooms, which are like you would find in a good private athletic club. Because of the peaks and the valleys, they do not have enough custodial service to provide it. This is an effort, and it's a good —, I'm not saying it's frippery or anything of that nature, and it's necessary to attract the clientele we need to get to fill the dead spots, exceeds their capacities. They take about 48 hours a week of custodial service to make sure you've got the stuff that teams that have just gone out have messed up, that you are really keeping up on a daily, daily basis and getting soap scum off showers and things of that nature to do it. This recognizes it's out of scope of the contract. Commissioner Murray asked, so the management group out there does not —, is not responsible for this? Mr. Lynch said, not for that level of service, that is completely correct. Commissioner Murray asked, now this \$4,400 is that through the end of this year —? Mr. Lynch said, no, that's —. Commissioner Murray asked, or through the end of this budget year? Mr. Lynch said, this takes us to the end of the budget year. It covers a 90-day period. Commissioner Murray said, June 30<sup>th</sup>. Mr. Lynch said, the 30<sup>th</sup> of June, that's correct. At that time we're evaluating two

things: (1) are the people who use the Aquatic Center really pleased with this service, does it help to bring in the folks that we're trying to get to fill the slack time, and is there any way that we can come up with that will cost less money to do it? We're doing it for 90 days.

Commissioner Jackel said, it's hard to argue with you, General. Mr. Lynch asked, sir? I'm sorry, Commissioner —.

Commissioner Murray said, I'll support it for 90 days, but I think we need a report back on this before we start into our budget negotiations for next year without it —. Mr. Lynch said, indeed, sir. Commissioner Murray said, because to me it seems like there needs to be some offset. That could get mighty expensive for a year's time if that's only for 90 days. Mr. Lynch said, yes, that's why we're doing it for 90 days.

Chairman Hair said, I'll entertain a motion to approve. Commissioner DeLoach said, so moved. Commissioner Murray said, second. Chairman Hair said, motion and second. Any further discussion?

Commissioner Jackel said, let's discuss this management study for the Board of Assessors just a minute here. Chairman Hair asked, what do you want to —, have you got a question? Commissioner Jackel said, yes, yes. Chairman Hair asked, well, what's your question? Commissioner Jackel said, all right. We just had the Governor's people come down and spend 400 hours going through and we got their report and I didn't think it told us what we needed to know after they spent 400 hours on this thing. Commissioner Saussy asked, you didn't sit in in the meeting on Tuesday then? Commissioner Jackel said, I sat in in the meeting with —. Chairman Hair asked, what's your question? Commissioner Jackel said, all right, and then we also have —, they also had periodic review by the State and then they were part of our recent management study that we spent a great deal of money on. Now what —, I've read what it says in here. Is this going to put us, when we spend this \$25,000, are we going to be that much —, after the Governor's people spent 400 dollars [sic], we spent the money on that major management study, are we going to be that much better off spending another \$25,000?

Chairman Hair said, Mr. Udinsky, would you answer that question please, sir.

Commissioner Jackel said, now if it's going to help us, I'm prepared to spend the money, but if it's just —, we're getting into an analysis paralysis here. I don't know. Commissioner DeLoach said, I like that.

Mr. Gary Udinsky said, the management study that was recently completed, the Countywide management study that was recently completed really didn't do anything in the Assessor's office. In fact, I think the major finding was, and we knew this, that we didn't have enough office space for the people to be productive. They didn't —, they didn't really get into the actual work that the Board of Assessors does. What this study will do is bring in an internationally-recognized expert organization to analyze the work of the Board of Assessors and to do it on two different levels, depending on what you decide you want to do. The first level is the \$25,000 that's being proposed, and essentially what they'll do is they'll review the operations of the Assessor's office, both in terms of the statistics, which is what the Department of Revenue did, but also in terms of the management organization, the functioning of the office and the policies and procedures and report back to you and us whatever they may find. The —, but to keep it in focus directly on the issues raised by the Governor's report. The next level of work that they are proposing they could do would be to would be we'd do a full review of all Board of Assessor activities in Chatham County, not just limited to what the Department of Revenue looked at, but look at all functioning, and that was a cost of about \$35,000. Commissioner Jackel asked, so this is coming from you that you want this done? Mr. Udinsky said, the Board of Assessors has asked to have this done. The actual working —, we're up here making the pitch for this, but it's been worked out with Russ [Abolt] and with the Internal Audit office for the County that the actual work that'll be performed will be performed at the direction of Internal Audit so that we want them —, we want the IAAO to be here doing an independent audit of our office without us being controlling what they're doing, so it's at our request but it'll be run through the Internal Audit Department.

Chairman Hair asked, any other questions?

Commissioner Jackel said, I just —, once we do this and we've had the Governor's crew here, our own independent study, this study and what's going on in the Superior Court, I hope this will at last put these issues to rest. Mr. Udinsky said, so do I.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray asked, who chooses the firm? Mr. Udinsky said, there is really only one recognized international expert, and that is the International Association of Assessing Officers. They are the preeminent source of this kind of work, and they will —, they are —, I mean, they are recognized as the preeminent source. We went to them and asked them if they could do this work. Well, we knew they could, they do it all the time for assessing jurisdictions throughout the world, and they have responded with the proposal. Commissioner Murray asked, is Reese [White] here? Mr. Udinsky said, I don't see him. Commissioner Murray asked, can we table this one issue until Reese [White] can come in the room. I've got a couple of questions I'd like to ask him as Internal Auditor. Commissioner Price said, second. Commissioner Murray said, I just —, I'm —.

Chairman Hair said, that's fine. We have a motion to table and a second —, just this portion of it. Okay. Motion to table —. Commissioner Jackel said, until Reese [White] —. Chairman Hair said, shortly. Probably about an hour or less. Commissioner Jackel said, okay. All right. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

Chairman Hair said, now I'll entertain a motion to approve the balance of the —. Commissioner Thomas said, I move for approval. Commissioner Murray said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

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Following discussion on Item IX-2, Commissioner DeLoach said, Reese [White] is here.

Chairman Hair said, now let's go back, Reese [White] is here, we can go back to the item. This deals with the \$25,000 for a management study for the Tax Assessors office. Commissioner Murray has a couple of questions for you, all right.

Commissioner Murray said, my only question is, and the reason I asked you to come down was because it came up that our Internal Auditors would be handling all this. My question is, is it necessary to go through this process with everything else that's already been done and spend another \$25,000, and once this is done, Gary [Udinsky], I think you're asking for or mentioned that you'll probably ask for another \$35,000 after that. Mr. Udinsky said, no. Commissioner Jackel said, another case. Mr. Reese White said, no, I don't think that's the case. Commissioner Thomas said no. Mr. Udinsky said, the work that the IAAO was proposing to do is at two different levels, either a \$25,000 level, which is just a —. Chairman Hair said, either/or —. Commissioner Murray said, oh, I misunderstood that part, but my question is, is this audit necessary right now? Mr. White said, I think that what's been proposed will give you a much more detailed, in-depth look at what's happening in the Assessors' office and for the amount of money that they propose to charge, I think it will be well worth it. Commissioner Murray said, okay. My other question is, once this audit comes back, we still don't have any say-so in it anyway, do we? Mr. White asked, what do you mean? Commissioner Murray said, I mean if there's something that needs to be changed or anything else we don't have any input in that at all. Is that right, Gary [Udinsky]? I mean, whatever this audit comes back with. Mr. Udinsky said, well, I guess that's right. You do have three members who are recycling off in June anyway, so you have that ability to reappoint members in June, or three members in June at any rate. Commissioner Murray said, I think we need to get to the bottom of it too, and I think that this will set that aside fine, but I have a tough time when we're being asked to fund it, yet when it comes back if something's in there that we don't like, all we can do is complain about it. We don't have any legal —.

Commissioner Saussy said, fund it out of their budget. Commissioner Murray asked, huh? Commissioner Saussy said, fund it out of their budget. Commissioner Murray said, so, that's where I'm having a problem with it, not —.

Chairman Hair said, I think we have no more nor no less power than we have now, but I think —. Commissioner Murray said, which is nothing. Chairman Hair said, well, I think —, I disagree with that. I think the ultimate power rests coming up here in June when we have the right to appoint three more members out of five. I think that's 60% of the Board. I think we do have power. Commissioner Murray said, okay. Chairman Hair said, I think that's where our power rests according to the law. Thank you. Go ahead.

Commissioner Murray said, I appreciate it. There's one other thing while we're on that. Well, never mind. Jon [Hart], I'll just talk to you after the meeting.

Chairman Hair said, okay, I'll entertain a motion to approve. Commissioner DeLoach said, so moved. Commissioner Thomas said, second. Chairman Hair said, motion and second. All those in favor vote yes, opposed vote no. Chairman Hair said, Sybil [Tillman]. Sybil, you're a little slow this morning. You have a bad night or something? Commissioner Price said, don't give Sybil [Tillman] a hard time. The Clerk said, I'm getting old. Chairman Hair said, I'm just —, well, we're all getting old. All right. It sure is better than the alternative though, Sybil [Tillman]. The Clerk said, that's true. The motion carried unanimously. [NOTE: Commissioner Saussy was not present.]

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

1. Commissioner Thomas moved to approve the following: General Fund M&O Contingency transfers of \$5,500 for supplies and equipment for the Recreation Department, and \$4,400 for janitorial service at the Aquatic Center; transfers totaling \$117,000 from the 1993-1998 SPLOST Reserve for Specified Projects to the Science Drive Relocation project; transfers of \$107,870 from the 1993-1998 Unincorporated Drainage Reserve to the Ferguson Avenue Drainage Project and \$80,000 from the Ogeechee Farms project to the Ferguson Avenue Drainage Project; transfer totaling \$11,150 within the Elections Board budget to reclassify a position and for temporary labor; a transfer of \$5,350 from SPLOST 1993-1998 Contingency to Transfer to General Fund; and a budget amendment to the General Fund M&O to recognize \$5,350 in revenue and to appropriate \$1,500 to the County Manager budget and \$3,850 to the Administrative Services budget. Commissioner Price seconded the motion and it carried unanimously.

2. Commissioner DeLoach moved to approve a General Fund M&O Contingency transfer of \$25,000 for a management study of the Board of Assessors. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Saussy was not present.]

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**2. PUBLIC HEARING FOR REFINANCING EQUIPMENT PERTAINING TO SOUTHSIDE COMMUNITIES FIRE PROTECTION, INC.**

Chairman Hair said, under the law we have to open a public hearing. Chairman Hair recognized County Attorney Hart.

County Attorney Hart said, Mr. Chairman, I'd like to correct that agenda item. It was put in the report, but actually it's a public hearing for the financing of a fire station. This is just a replacement of the fire station that they lost as a result of Truman Parkway coming through Montgomery Crossroads.

Chairman Hair said, if —, I'll now consider the public hearing opened. Does anyone want to discuss anything dealing with the financing of the fire station on Montgomery Crossroads? Commissioner Jackel said, I want to say I'm for it. Chairman Hair said, okay. Any other —, anybody from the public that would like to —?

Commissioner Price asked, is there an information —, I mean, I don't have anything on item two. County Attorney Hart said, there was no information. Essentially all this is —. Chairman Hair said, this is a public hearing. County Attorney Hart said, yes. All this is is Southside's borrowing money and they're borrowing money through the provision that allows through the public financing for it to be a tax-free exempt loan through a bank. Commissioner Price asked, who's giving them advice? Chairman Hair said, Ms. Marks. She's the attorney.

Ms. Marks said, Melanie Marks. I'm special counsel for the Southside Communities Fire Protection. Commissioner Murray said, that's already under construction. Ms. Marks said, Mr. Hart's correct. There's a provision in the Internal Revenue Code that allows volunteer fire departments —.

Commissioner Price said, what I'm trying to do is make sure I'm not getting in trouble. Who's giving you financial advice? Ms. Marks said, the funds are coming from Savannah Bank. It's not pledging any Chatham County funds. Commissioner Price said, okay, I just have to make sure I'm all right.

County Attorney Hart said, this is totally a private deal, but it has to be —. Chairman Hair said, it's very similar to what SEDA does when they —, they have to run the money through SEDA to get the tax-exempt financing. It's very similar to that.

Mr. Monahan said, it's purpose is to confirm that it's a public purpose. That's all. Chairman Hair said, that's correct. Mr. Monahan said, the County has no interest in it.

Chairman Hair said, all right. Hearing no one —, no other comments from the public, I declare that the hearing is adjourned. Thank you. Commissioner DeLoach said, good job. Chairman Hair said, we don't need to vote on it.

**ACTION OF THE BOARD:**

Pubic hearing was held. No action by the Commissioners was required.

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**3. BOARD CONSIDERATION OF REQUEST FOR WAIVER OF LATE PENALTY FOR TARDY BUSINESS TAX RENEWAL AFTER DUE DATE: MS. MAUREEN O'HARA, FOR THE LANDINGS COMPANY, LOCATED AT ONE LANDINGS WAY.  
[DISTRICT 4.]**

Commissioner Murray said, I move that we deny that request. Commissioner DeLoach said, second. Chairman Hair said, motion to deny and a second. Any discussion? All those —. Commissioner Murray said, the reason I would say that is we've denied on everybody else, and I don't know if the person's here to speak on her behalf or not or the company, but —.

Chairman Hair asked, well, we'd be glad to hear her or anybody —. Is anybody here to speak on this issue? All right, we have a motion and a second to deny. Any further discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Saussy was not present.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the **deny** the request of Ms. Maureen O'Hara, for The Landings Company, located at One Landings Way, for waiver of late penalty for tardy business tax renewal after due date. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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

- **CLERK OF SUPERIOR COURT - CLERICAL ASSISTANT III (ONE POSITION); CLERICAL ASSISTANT IV (ONE POSITION)**
- **SHERIFF - ACCOUNTS CLERK I (TWO POSITIONS); STOREKEEPER I (ONE POSITION)**

Chairman Hair said, I had a call this morning from Susan [Prouse]. She's ill today and she's requested we put that on the next agenda, Pat [Monahan], and she will come back and so we'll strike that one. Chairman Hair recognized Sheriff St. Lawrence.

Commissioner DeLoach said, that's the same people. That's a tough job whatever this job is. Commissioner Murray asked, are these the same ones we approved at the last meeting?

Sheriff St. Lawrence said, these are cashiers. I had quite a turnover. That's shift work and they'd paid as clerks as I'm hoping this compensation study will help us do something about that, but I have a tremendous turnover with cashiers and clerks that work in the Records Room because it is shift work and they're paid, you know, a minimum amount of money for the —, there's no consideration for the shift work and so forth. I just —, I have to keep them in there. They're the ones that handle all the money and the jewelry and everything else. I don't have a choice, and it's seven days a week, 24 hours a day.

Commissioner Odell said, I move to approve. Commissioner Rivers said, second.

Commissioner Jackel asked, would a shift differential, you think, help us in the future? Sheriff St. Lawrence said, no, I don't believe in shift differential. That's my personal opinion. I just think the people that —, in other words, they change shifts, they work some at days, work some at nights, and I just don't believe in shift differential. I think they're all doing their job the best they can do and when it comes their turn to work the evening shift or the night shift then they ought to do it for the same amount of pay as the ones that are going to come up and do it later.

Chairman Hair said, we have a motion and a second to approve. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Saussy was not present.] Chairman Hair said, the motion passes. Thank you, Sheriff.

**ACTION OF THE BOARD:**

1. The request to waive the 90-day hiring freeze was postponed to the next meeting for the following positions: Clerk of Superior Court - Clerical Assistant III (one position) and Clerical Assistant IV (one position).
2. Commissioner Odell moved to approve the request to waive the 90-day hiring freeze and authorize Human Resources to advertise the following positions: Sheriff - Accounts Clerk I (two position) and Storekeeper I (one position). Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy 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 asked, does anybody want to take anything off the Action Calendar? Commissioner Jackel said, Item 9 and 11. Commissioner Murray said, I had 9 on there also. Let's see —. Chairman Hair said, 9 and 11. Anything else? Commissioner Murray said, well, no, we've already addressed the Aquatic Center so I won't pull that. Chairman Hair said, okay, I will entertain a motion to approve the balance of the Action Calendar. Commissioner Murray said, so moved. Commissioner Thomas said, move for approval. Commissioner Jackel said, second. Chairman Hair said, motion and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Saussy was not present.]

**ACTION OF THE BOARD:**

Commissioner Murray moved that the Action Calendar be approved in its entirety with the exception of Items 9 and 11. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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

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- 1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON MARCH 24, 2000, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the minutes of the regular meeting on March 24, 2000, as mailed. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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- 2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD MARCH 15 THROUGH APRIL 5, 2000.**

**ACTION OF THE BOARD:**

Commissioner Murray moved that the Finance Director is authorized to pay claims for the period March 15, 2000, through April 5, 2000, in the amount of \$10,423,598. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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- 3. REQUEST BOARD APPROVE ANNUAL RESOLUTION TO REAFFIRM THE NECESSITY OF THE E-911 AND WIRELESS ENHANCED E-911 CHARGES.**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve annual resolution to reaffirm the necessity of the E-911 and wireless enhanced E-911 charges. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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- 4. REQUEST BOARD APPROVE EARLY ACQUISITION OF PROPERTY OWNED BY DELLE B. KELLEY AND PAULA BOYKIN DEWITT NEAR ABERCORN AND HOLLAND DRIVE, TRUMAN PARKWAY, PHASE V. [DISTRICT 1.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve early acquisition of property owned by Delle B. Kelley and Paula Boykin DeWitt near Abercorn and Holland Drive, Truman Parkway, Phase V. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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- 5. REQUEST BOARD DECLARE SURPLUS PARCELS 28R THRU 33R FOR THE WHEATON STREET WIDENING PROJECT. [DISTRICT 2.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the request to declare surplus six remnant parcels, Parcels 28R thru 33R, Wheaton Street Widening Project, for which the County has no further use. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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- 6. REQUEST FROM ENGINEER FOR THE DEVELOPER, CIRCA PROPERTIES, INC., TO RECORD OLDE TOWNE PLACE, LOT 1, PHASE 2, APPROVE THE CONSTRUCTION OF THE REQUIRED IMPROVEMENTS, ACCEPT A MAINTENANCE LETTER OF CREDIT, AND INITIATE A TWELVE-MONTH WARRANTY PERIOD. [DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the request from engineer for the developer, CIRCA Properties, Inc., to record Olde Towne Place, Lot 1, Phase 2, approve the construction of the required improvements, accept a maintenance letter of credit, and initiate a twelve-month warranty period. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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- 7. REQUEST BOARD DECLARE SURPLUS AND OFFER FOR BID CHATHAM COUNTY'S INTEREST IN 29 VACANT LOTS HELD BY TAX DEED IN THE UNDEVELOPED KELLER SUBDIVISION IN PORT WENTWORTH. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the request to declare surplus and offer for bid Chatham County's interest in 29 vacant lots held by tax deed in the undeveloped Keller Subdivision in Port Wentworth. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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- 8. REQUEST BOARD ACCEPT BY QUITCLAIM PROPERTY AT 2203 WASHINGTON STREET IN THE HOMESTEAD PARK SUBDIVISION FOR PURPOSES OF A DRAINAGE BASIN. [DISTRICT 3.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to accept by quitclaim from Isle of Hope Yachts, Inc., property at 2203 Washington Street (PIN 10376-06006) in the Homestead Park Subdivision for purposes of a drainage basin. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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- 9. REQUEST BOARD APPROVAL TO TRANSFER LEASE AGREEMENTS FOR RENTAL OF PROPERTIES FROM TIDELANDS TO GATEWAY.**

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I'm looking over this thing and I looked in here and I couldn't find anything about why we were paying this real estate commission on this thing and why we were paying it in a lump sum. I didn't see it as part of the contract. Mr. Monahan said, no sir. When —, we will actually —, the attachment that you see is the model agreement that affects all the properties, and we will actually include that in the final lease agreement that the Chairman will sign. The purpose of including the model lease agreement was so that the Commissioners could understand the provisions of the —, of the contract. Commissioner Jackel said, but we had Tidelands in this place and now —. Mr. Monahan said, no sir. What happened is this —, you might recall in this particular location, it went vacant for six months. Commissioner Jackel

asked, but we're transferring it to Gateway? Mr. Monahan said, there may —, the action may not be the correct term. It's not really a transfer because we're not just changing the name. We're actually entering into a totally different lease.

Chairman Hair said, Tidelands no longer exists. They're just assuming the responsibility.

Commissioner Jackel said, I under —. That's why I don't understand why we had to pay \$15,000 as real estate commission. We don't have a realtor that's going out there to find us a tenant. We had the tenant. Mr. Monahan said, yes, we did. We did have that in this instance. Commissioner Jackel said, well, that's what's not clear to me here because I thought Gateway's coming in where Tidelands was. Mr. Monahan said, no. Commissioner Jackel said, all right, well then tell me what's happening. Mr. Monahan said, the —, Gateway looked at a number of properties within the community. It was actually a real estate agent who contacted Gateway about this particular location because Tidelands had vacated it some six, six to eight months ago, and the same situation existed with some of the other properties. It was actually a real estate agent who put Gateway in contact about the availability of the buildings. Commissioner Jackel said, all right, and you're saying that—. Mr. Monahan said, and generally what happens is that in these instances the real estate agent gets paid four percent of the annual —, of the rent on an annual basis so that every year we would continue to pay the real estate agent four percent as long as Gateway was in there, and what I was trying to do was just make it one lump sum payment, you know, what the real estate agent would be willing to accept rather than just annually paying four percent of roughly \$60,000. So —. Commissioner Jackel said, but I couldn't tell in here how long the contract is. Mr. Monahan said, well, that's one of the difficulties in dealing with a State contract. It's on an annual basis. It renews annually. Commissioner Jackel said, all right, so if they leave after two years we've paid —, paid a very high premium here. Mr. Monahan said, I guess you could say that. The other option is we do go on the annual and pay annually, but over the life of the contract it could be much more. Gateway tells me that their plans that they would be in that West Chatham location for as long as they're in business.

Chairman Hair said, I think Commissioner Odell could add some light to this. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I don't think that we should pay any lump sum. Mr. Monahan said, okay. Commissioner Odell said, the funding for Gateway comes from the Regional Board. I think Gateway, like Tidelands, and Tidelands lost the contract —. Mr. Monahan said, right. Commissioner Odell said, approximately nine months to a year ago, why we had to vacate that property. Gateway was restored the money and they're using the exact location. I do n't know what Martin's [Jackel] point was I think his point was let's do it on an annual basis. We might ultimately pay more, but I would be absolutely honest with you, the Regional Board —, and no offense to David Saussy —, is kind of so unpredictable that —, Marianne Heimes is here. I would like the Chairman —. Commissioner Saussy said, I think we're pretty predictable.

Ms. Marianne Heimes said, I think you are too, David [Saussy]. Commissioner Saussy said, thank you. Ms. Heimes said, I'd like to ask a question, and that is who the realtor is on this. Commissioner Price said, good question.

Chairman Hair asked, Pat [Monahan], who is the realtor? Mr. Monahan said, oh, it's Mack Armstrong Realty. Commissioner Jackel said, now he ought to do it as a community service. Ms. Heimes said, he ought to do it as a community service. Mr. Monahan said, well, it's Mack Armstrong Realty is who it is. Ms. Heimes said, well, you know, I had a real problem with that because I think Susan came to the County and that might have worked out through the County except that he probably jumped in early. I don't know that to b the case, but the money problem that Gateway has, just like Tidelands has just gone through, is going to be terrific, and anything that the County can do to help so that we don't have to go back and ask, you know, for more like happened a few years ago, I just have a problem with the \$15,000 lump sum.

Chairman Hair said, okay, I'll entertain a motion. Let's get a motion on the floor. You've got two —, we can go a couple of different directions here. Commissioner Jackel, since you were raising the question, make a motion please. Commissioner Jackel said, my motion is that we negotiate a reasonable real estate fee for what's done. Now whether it's so much per year or there's a cap for five years or three years or something, but I'm against without knowing more than I know right now \$15,000 —. Well, all right, my motion is that we negotiate a reasonable real estate fee. Chairman Hair said, and then bring it back to us for approval. Commissioner Murray said, I'll second that. Chairman Hair said, all right, we have a motion and a second. Any further discussion?

Commissioner Murray said, I've got some. Chairman Hair said, okay. Commissioner Murray said, Pat [Monahan], I understand what you said and the reasons for doing this, but I —, I really question whether the realtor was even needed in this or not when Gateway was assuming all the responsibilities here. Mr. Monahan said, well, let me go back. If you remember, and I probably took an item to the Board maybe six to eight months ago, there were two properties that Tidelands vacated. Commissioner Murray said, yes. Mr. Monahan said, one was the 5 Executive Circle, which is the Southside satellite office that Tidelands used, and the other was the West Chatham office. The Commission authorized us to find other uses for those buildings. One was since we could sell 5 Executive Circle, let's sell it. You know, let's don't hold it as public property since Tidelands is not using it. That is, that process has already begun with the Southside satellite. The other was West Chatham. The realtor was working six to eight months longer than we ever heard of Gateway. He's been out there advertising it, showing the property to other prospective tenants. It's not —, it's just Gateway happened to come along, but the agent actually did the work long before Gateway came to the scene that we even knew Gateway

existed or was interested in Chatham County. So it's —, there's six to eight months worth of work here that's represented not just in the fact that Gateway shows up. I mean, that's —, you know, realtors will tell you that happens all the time. Commissioner Murray said, that makes sense because we didn't have all that —. Commissioner Jackel said, we didn't have all that in here. Mr. Monahan said, well, I didn't realize it was going to be that much of an issue with the Board or I would have gone into much more explanation. Commissioner Murray said, well, the only reason it's an issue is that the whole thing with Tidelands is an issue. Mr. Monahan said, right. I understand. Commissioner Murray said, and as a matter of fact, so y'all would know and I would request that the Chairman send a letter requesting it in writing, but I had talked with the people at Gateway this week and had requested a copy of the audit. I understand that audit and the one from last year, neither one have been completed yet, but I think we, as the Commission, since we have some dollars involved in that, should know what's going on and what went on, and so we have a clear picture of everything taking place.

Commissioner Saussy asked, are you talking about the audit for Tidelands or are you talking about the audit for Gateway?

Commissioner Murray said, I'm talking about the audit for —, I'm talking about the audit for Tidelands totally. I'm talking also about the management team because if anything's in there, that will come out about it, and I think we, as the Commission, need to know since we have money. I know you serve on the Regional Board, and I don't want to get into that part of it right now, but I do want to get a copy of this audit, and I would request that Billy [Hair] be allowed to send a letter requesting that when it's available so we, as the Commission, can see what went on.

Chairman Hair said, yes, I think we need audits of all the boards. I'd like to see Tidelands, Gateway and the Regional Board. I'd like to see all three of them. Commissioner Murray said, well, I would —.

Mr. Monahan said, the customary payment in this instance would be four percent of the annual lease payment a year done on an annual basis of renewal. If that's the Commission's preference, we will arrange the payment that way as opposed to lump sum. Commissioner Jackel said, I still say we need to negotiate.

Chairman Hair said, well, that's the motion. The motion and second is to negotiate and then they would bring back to us a negotiated fee. Okay? The Clerk asked, did we have a second on Commissioner Jackel's —? Commissioner Murray said, I said second on it. I agree with what he said. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Murray, Odell, DeLoach and Thomas voted in favor of the motion. Commissioner Price voted in opposition. The motion carried by a vote of eight to one. Chairman Hair said, the motion passes, and before we —, Pat [Monahan], before we leave that, if I can get a consensus of the Board that —, authorizing me to write a letter requesting audits of the Tidelands, Gateway and Regional Boards. Commissioner Murray said, so moved. Commissioner Thomas said, second.

Chairman Hair said, motion and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you. And, Pat [Monahan], if you will draft a letter requesting those and I'll sign it. Okay?

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

1. Commissioner Jackel moved that staff negotiate a reasonable real estate fee for the transfer from Tidelands to Gateway Community Service Board the lease agreements for rental properties at 17 Minus Avenue in Garden City (West Chatham Office), Adolescent Residential Center in Bloomingdale, and 5000 Jasmine Avenue (Aging Services Center) in Savannah, and then bring the negotiated fee back to the Board for approval. Commissioner Murray seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Murray, Odell, DeLoach and Thomas voted in favor of the motion. Commissioner Price voted in opposition. The motion carried by a vote of eight to one.
2. Commissioner Murray moved to authorize the Chairman to write a letter requesting audits from Tidelands, Gateway and the Regional Board. Commissioner Thomas seconded the motion and it carried unanimously.

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#### **10. REQUEST BOARD APPROVE THREE MEMORANDUM OF UNDERSTANDING AGREEMENTS BETWEEN GDOT AND CHATHAM COUNTY AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS.**

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

Commissioner Murray moved to approve three (3) Memorandum of Understanding Agreements between GDOT and Chatham County and authorize the Chairman to sign the documents. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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**11. REQUEST BOARD APPROVE AND FORMALLY ACCEPT THE MEMORANDUM OF UNDERSTANDING ENCOMPASSING THE INTER-AGENCY AGREEMENT BETWEEN CHATHAM COUNTY SHERIFF'S DEPARTMENT, ADMINISTRATIVE OFFICE OF THE COURTS OF GEORGIA, AND THE GEORGIA DEPARTMENT OF PUBLIC SAFETY.**

Chairman Hair asked, Commissioner Jackel, do you have question for the Sheriff?

Commissioner Jackel said, I just want to make sure this is what you want us to do. Right? Sheriff St. Lawrence said, yes sir. This is part of the war that we waged and prevailed in the canines. We're getting about \$550,000 a year. We got a lot of help from some of y'all, particularly the Chairman, and we did prevail in that and we have no problem with the Memorandum of Understanding. I submitted it to the County Attorney for the Chairman's signature and everything's —, all the i's have been dotted and the t's been crossed and we're still getting our money and it looks like we'll get it right on if we sign this agreement. Commissioner Jackel said, all right. This sounds like a good thing. Now we're entering into a Memorandum of Understanding so we can do the canine corps on a regional basis. Sheriff St. Lawrence said, yes sir, three people on the control board: myself, Colonel Hightower and a gentlemen out of the District Court. Commissioner Jackel said, all right, and there'll be cooperations so we can use the dogs for finding drugs, explosives and all the things that they do. Sheriff St. Lawrence said, and to operate a regional canine training facility. Commissioner Jackel said, that sounds wonderful. I'm glad we're doing that.

Chairman Hair asked, do I have a motion to approve? Commissioner Jackel said, I'd like to approve. Chairman Hair asked, second? Commissioner Price said, second. Chairman Hair said, motion and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, I would like to add, as the Sheriff said, I think the Sheriff did an outstanding job. He took a case where it could have been —, it was very, very touchy and he put together a coalition with negotiations and brought this to a successful conclusion, and now one of his adversaries is now one of his friends thanks to his diplomatic skills and we appreciate that, Sheriff. I was [inaudible] in that and I can tell you he did a good job. He did a very good job.

**ACTION OF THE BOARD:**

Commissioner Jackel moved to approve and formally accept the Memorandum of Understanding encompassing the inter-agency agreement between Chatham County Sheriff's Department, Administrative Office of the Courts of Georgia, and the Georgia Department of Public Safety. Commissioner Price seconded the motion and it carried unanimously.

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**12. REQUEST CHAIRMAN SIGN THE DEPARTMENT OF NATURAL RESOURCES, ENVIRONMENTAL PROTECTION, SCRAP TIRE PROGRAM, LOCAL GOVERNMENT GRANT PROGRAM APPLICATION FOR FISCAL YEAR 2000.**

**ACTION OF THE BOARD:**

Commissioner Murray moved to authorize the Chairman to sign the Department of Natural Resources, Environmental Protection, Scrap Tire Program, Local Government Grant Program Application for Fiscal Year 2000. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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**13. REQUEST FOR NEW SUNDAY SALES LICENSE FOR BEER, WINE AND LIQUOR POURING FOR 2000. PETITIONER: JOHN A. HENDERSON, D/B/A FUN & GAMES TAVERN, LOCATED AT 4700 HIGHWAY 80 EAST.  
[DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the request of Petitioner John A. Henderson, d/b/a Fun & Games Tavern, located at 4700 Highway 80 East, for a new Sunday sales license for beer, wine and liquor pouring for 2000. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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**14. REQUEST FOR NEW LICENSE FOR BEER AND WINE POURING FOR 2000. PETITIONER: RICHARD GLENDINNING, D/B/A MAMMY'S KITCHEN, LOCATED AT 5794 OGEECHEE ROAD.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the request of Petitioner Richard Glendinning, d/b/a Mammy's Kitchen, located at 5794 Ogeechee Road, for a new license for beer and wine pouring for 2000. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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**15. REQUEST FOR NEW LICENSE FOR BEER AND WINE POURING FOR 2000. PETITIONER: HARGOVIND C. SHARMA, D/B/A CLARION INN & SUITES, LOCATED AT 16 GATEWAY BOULEVARD. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the request of Petitioner Hargovind C. Sharma, d/b/a Clarion Inn & Suites, located at 16 Gateway Boulevard, for a new license for beer and wine pouring for 2000. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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**16. REQUEST FOR NEW SUNDAY SALES LICENSE FOR BEER AND WINE POURING FOR 2000. PETITIONER: ROBBIN LEE HUGHES, D/B/A THE LIGHTSHIP, LOCATED AT 618 WILMINGTON ISLAND ROAD. [DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the request of Petitioner Robbin Lee Hughes, d/b/a The Lightship, located at 618 Wilmington Island Road, for a new Sunday sales license for beer and wine pouring for 2000. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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**17. 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. Confirmation contract award to provide and install graphics/-signage at the Trade Center	SPLOST	AAA Sign Company	\$138,054.55	SPLOST (1993-1998) - Trade Center - FF & E Budget
B. Confirmation emergency purchase of 1,640 lbs. Altosid larvicide	Mosquito Control	Clarke Mosquito Control Products	\$10,938.80	General Fund/M&O - Mosquito Control
C. Confirmation emergency purchase of 35 gallons Altosid larvicide	Mosquito Control	Clarke Mosquito Control Products	\$23,170	General Fund/M&O - Mosquito Control
D. Contract for the Ferguson Avenue Drainage Project	SPLOST	D & R Utility Construction	\$656,975.79	<ul style="list-style-type: none"> <li>•SPLOST (1993-1998) - Drainage Ferguson Avenue</li> <li>•SPLOST (1993-1998) - Unincorporated Drainage Reserve</li> <li>•SPLOST (1993-1998) - Ogeechee Farms (pending transfer)</li> </ul>

<b>ITEM</b>	<b>DEPT.</b>	<b>SOURCE</b>	<b>AMOUNT</b>	<b>FUNDING</b>
E. Contract to demolish and remove eight buildings located on land acquired by the County for Truman Parkway right of way and acceptance of a \$1 bid to purchase and remove one building	SPLOST	•Atlas Sand and Gravel •American House Movers	\$62,634  \$1 revenue for purchase and removal of one building	•SPLOST (1985-1993) - Truman Parkway - Phase III •SPLOST (9185-1993) - Truman Parkway - Phase IV
F. Change Order No. 3 to the contract for the construction of Wheaton Street Widening and Skidaway Road Intersection Improvements for additional work as required due to plan changes, construction conflicts and GDOT redesigns	SPLOST	ARCO, Inc.	\$42,580.91	SPLOST (1985-1993) - Wheaton Street Widening Project
G. Change Order No. 3 to the contract for the relocation of Science Drive for additional storm drain pipe	SPLOST	Triangle Construction	\$80,798.94	SPLOST (1993-1998) - Reserve for Specified Projects (pending transfer)
H. Change Order No. 2 to the contract for paper and related products to recognize a manufacturer imposed price increase on Styrofoam serving trays	Various	Paper Chemical Supply Company	\$13.75/case	•SSD - Various •General Fund/M&O - Various
I. Steam kettle and garbage disposal	Detention Center	Restaurant Equipment Company	\$11,920.48	Vehicle and Equipment Lease
J. Annual contract with option to renew for two additional one year terms for ammunition	Various	•G.T. Distributors •Gulf States Distributors •Master Cartridge Corporation	Varies by item	•SSD - Various •General Fund/M&O - Various •Confiscated Funds - Various
K. Contract to provide and install four individual tower clocks at the Administrative Legislative Courthouse	Building Maintenance and Operations	Verdin Company	\$21,995	Bond Proceeds - Courthouse Improvements
L. Contract for landscaping a portion of Science Drive	SPLOST	Knox Tree and Landscape Consultants, LLC	\$35,843	SPLOST (1993-1998) - Reserve for Specified Projects (pending transfer)
M. Contract to provide mowing of approximately 130 miles of drainage canals	Public Works	Myers and Son	\$44,555 per cycle	CIP - County-wide Drainage Maintenance (pending carryovers)
N. Contract to provide the cleaning of silt, debris and vegetation of approximately 130 miles of drainage canals	Public Works	Public Works	\$436,300	CIP - County-wide Drainage Maintenance (pending carryovers)
O. Contract to apply herbicide to approximately 130 miles of drainage canals	Public Works	Public Works	\$44,450 per cycle	CIP - County-wide Drainage Maintenance (pending carryovers)
P. Confirmation emergency purchase of one model year 2000 Ford ambulance	EMS	Unlimited Mobility	\$66,668	CIP - Vehicle Replacement
Q. Confirmation emergency rental of dump trucks	Solid Waste	Kelly Dukes (MBE)	\$37.50 per hour per truck	SPLOST (1985-1993) - Truman Parkway Phase III

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
R. Change Order No. 4 to the contract for HVAC replacement at the Judicial Courthouse for ductwork design changes	Building Maintenance and Operations	Erickson, Inc.	\$26,801.50	Bond Proceeds - Judicial Courthouse HVAC replacement
S. Change Order No. 1 to the contract for the management and operation of the Aquatic Center for additional janitorial service	Aquatic Center	Champion Corporation	\$4,368	General Fund/M&O - Aquatic Center
T. Final renewal option to the contract for CAT Management	CAT	FirstGroup America, Inc. (formerly ATE)	\$146,964	CAT Operating Budget

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve Items 17-A through 17-T of the Action Calendar in their entirety. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy 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.

None.

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**XII. SECOND READINGS**

- PETITIONER, MARK SHARPE, AGENT (FOR DONALD L. MEYERS AND KELLY MEYERS, OWNERS) IS REQUESTING THAT A 7,833 SQUARE FOOT PARCEL LOCATED ON MAYER AVENUE ON WILMINGTON ISLAND BE REZONED FROM R-1 (ONE-FAMILY RESIDENTIAL) TO A R-2 (TWO-FAMILY RESIDENTIAL) ZONING CLASSIFICATION. THE MPC RECOMMENDED THAT THE REQUEST BE DENIED BASED ON ITS INCONSISTENCY WITH THE ZONING AND DEVELOPMENT PATTERN ALONG MAYER AVENUE AND IN THE IMMEDIATE VICINITY.  
 MPC FILE NO. 00-136-C  
 [DISTRICT 4.]**

Commissioner Murray said, I'll move for denial. Commissioner DeLoach said, second.

Chairman Hair said, I have a motion and a second. Any discussion on that? Commissioner Jackel asked, is there anyone to speak for it? Chairman Hair asked, anyone here wanting to speak on the issue? Okay, we have a motion and a second to deny. All those in favor of denial vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you very much.

**ACTION OF THE BOARD:**

Commissioner Murray moved to **deny** the petition of Mark Sharpe, Agent (for Donald L. Meyers and Kelly Meyers, Owners), requesting that a 7,833 square foot parcel located on Mayer Avenue on Wilmington Island be rezoned from R-1 (One-Family Residential) to a R-2 (Two-Family Residential) zoning classification based on its inconsistency with the zoning and development pattern along Mayer Avenue and in the immediate vicinity. Commissioner DeLoach 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 REPORT ON SURPLUS PROPERTY.**

**ACTION OF THE BOARD:**

Report received as information.

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- 4. **STATUS REPORT ON CONSOLIDATION OF CITY AND COUNTY INSPECTIONS DEPARTMENTS.**

**ACTION OF THE BOARD:**

Report received as information.

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**EXECUTIVE SESSION**

Upon a motion made by Commissioner Thomas, seconded by Commissioner Saussy, and unanimously carried, the meeting of the Board of Commissioners was recessed at 11:05 a.m., to go into Executive Session for the purpose of discussing pending litigation and personnel.

Following adjournment of Executive Session, the meeting of the Board of Commissioners was reconvened at 11:35 o'clock, a.m.

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**ITEMS FROM EXECUTIVE SESSION**

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

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**APPOINTMENTS**

None.

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**ADJOURNMENT**

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 11:36 a.m.

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APPROVED: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000

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

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SYBIL E. TILLMAN, COUNTY CLERK