

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, MARCH 9, 2001, 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, March 9, 2001.

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**II. INVOCATION**

Mr. Van Johnson gave the invocation.

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**III. PLEDGE OF ALLEGIANCE**

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

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**IV. ROLL CALL**

The Clerk called the roll.

PRESENT:	Dr. Billy B. Hair, Chairman Dr. Priscilla D. Thomas, Vice Chairman, District Eight Frank G. Murray, Chairman Pro Tem, District Four Jeffrey D. Rayno, District One Joe Murray Rivers, District Two Martin S. Jackel, District Three Harris Odell, Jr., District Five David M. Gellatly, District Six B. Dean Kicklighter, District Seven
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IN ATTENDANCE:	R. E. Abolt, County Manager R. Jonathan Hart, County Attorney Sybil E. Tillman, County Clerk
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**ORDER OF BUSINESS**

Chairman Hair said, I'm going to change the agenda just slightly this morning. I'm going to first --, we have an extremely important guest with us today, and before I do the proclamations I'm going to ask if the Grand Marshal of the St. Patrick's Day Parade, Robbie McGrath, if you would join me down front.

[NOTE: Item VI-1 was taken out of order and was heard at this point on the agenda.]

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**V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

**1. PROCLAMATION TO DECLARE “AMERICAN RED CROSS MONTH” TO BE PRESENTED TO RICHARD WALTER.**

Chairman Hair presented the following proclamation to Mr. Richard Walter.

**WHEREAS**, individuals who were victims in over 270 single family fires were assisted in Bryan, Chatham, Effingham and six additional surrounding counties through the helping hands of the Red Cross; and

**WHEREAS**, over 1700 services were provided to military personnel and their families through the Savannah Chapter and Hunter Army Airfield; and

**WHEREAS**, one of the greatest volunteer movements in history is illustrated daily in our area through the work of the people who believe that a successful life must include serving others; and

**WHEREAS**, thousands of persons needing blood received it due to the recruitment, collection and distribution of blood donated through the Red Cross Blood Services; and

**WHEREAS**, over 18,000 people benefitted from the community programs offered by the Red Cross, through training courses offered CPR, Standard First Aid, HIV/AIDS Education and Water Safety Instruction during 2000.

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

**AMERICAN RED CROSS MONTH**

in Chatham County and urge all citizens in our community to continue your generous support and assistance to the work of this humanitarian organization.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 9th day of March 2001.

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

**ATTEST:**

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

Mr. Walter said, Chairman Hair and Commissioners, on behalf of our Board of Directors and some 700 volunteers who are working every day in the community, we'd like to thank you for the opportunity to be before you and accept this proclamation for Red Cross Month. With me is David Mason, who is our Chairman-Elect seated in July, and Ann Marie Jones, who's our Director of Public Support. Chairman Hair and Commissioners, thank you very much.

Chairman Hair said, thank you very much. Keep up the great work.

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**2. PROCLAMATION TO DECLARE “PROFESSIONAL SOCIAL WORK MONTH” TO BE PRESENTED TO WAYNE WELCH.**

Chairman Hair presented the following proclamation to Mr. Wayne Welch:

**WHEREAS**, life can change in a second; the business of social work is helping people make that change; and

**WHEREAS**, professional social workers are found in the most amazing places including Fortune 500 companies, courts, mental health centers, managed care companies, state and federal legislatures, schools, child welfare agencies, nursing homes, hospices, health care settings, employee assistance programs, and public and private agencies; and

**WHEREAS**, employers hire professional social workers because they provide compassionate services that make good business sense; and

**WHEREAS**, professional social workers help individuals, families, and children cope with problems and prevent troubles, saving the community and the taxpayers money in the long run.

**NOW, THEREFORE**, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim the month of March 2001 as:

**PROFESSIONAL SOCIAL WORK MONTH**

in Chatham County in recognition of professional workers and all they do to increase the well-being of individuals and of society and call upon members of this community to join with the National Association of Social Workers in celebration and support of social workers and the social work profession.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 9th day of March 2001.

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

**ATTEST:**

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

Mr. Welch said, thank you, Chairman Hair and Commissioners. We thank you for your giving us some valuable time for this recognition. Representing Social Workers in the Southeast Georgia we are honored to be able to serve our citizens in the various capacities that we do and we look forward to being with you next year, and I enjoyed being part of this great celebration. Thank you.

Chairman Hair said, thank you very much. Thank you for coming.



**3. PROCLAMATION TO DECLARE “PURCHASING MONTH” TO BE PRESENTED TO BILL PARSON.**

Chairman Hair said, our next proclamation we get to recognize some of our own employees. I'm going to ask Bill Parson if he will join me and also Lt. Craig Hopkins. I'll first read the Purchasing proclamation and then I'll present the plaque to Lt. Hopkins. Chairman Hair then presented to following proclamation to Bill Parson, Director, Chatham County Purchasing Department:

**WHEREAS**, the purchasing, contracts and materials management profession has a significant role in the quality and profitability of business and government throughout the United States; and

**WHEREAS**, the purchasing, contracts and materials management profession works for private and public, profit and nonprofit organizations, and

**WHEREAS**, in addition to the purchase of goods and services, the purchasing, contracts and materials management profession engages in or has direct responsibility for functions such as executing, implementing, and administering contracts; developing forecasts and procurement strategies; supervising and/or monitoring the flow and storage of materials; and developing working relations with suppliers as well as other departments within the organizations; and

**WHEREAS**, the purchasing, contracts and materials management profession has tremendous influence on the economic conditions in the United States, with an accumulative purchasing power running into the billions of dollars; and

**WHEREAS**, the Chatham County Purchasing Division has contributed significantly to meeting the needs of the County by providing professional, reliable and economical service while working together in trust and with open, honest communication to provide efficient and effective customer service, procuring goods and services at the best value for the taxpayers; and

**WHEREAS**, the National Institute of Governmental Purchasing and its Coastal Georgia Chapter and the National Association of Purchasing Management and its Savannah affiliate and other purchasing associations in the United States and around the world are holding activities and special events to promote the awareness of the general public on the vital role of purchasing within business, industry and government.

**NOW, THEREFORE**, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim the month of March 2001 as:

**PURCHASING MONTH**

in Chatham County and encourage the appropriate recognition thereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 9th day of March, 2001.

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 /s/ Dr. Billy B. Hair  
 Dr. Billy B. Hair, Chairman  
 Chatham County Commission  
**ATTEST:**  
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 /s/ Sybil E. Tillman  
 Sybil E. Tillman, Clerk

Mr. Parson said, I'd like to thank the Board of Commissioners very much and I'd like to introduce our professional Purchasing staff. We have James Jones, Minority Business Development, Margaret Fisher, Buyer III, Leslie Prouty, Lead Buyer, and we have one absent today, Kathy White's the Contract Administrator, and Robert Mashall is another Contract Administrator.

Chairman Hair said, I'm also going to ask Bill [Parson] if he will introduce --, for the first time we're actually giving a Liaison Award from our County, and I'm going to ask him to introduce the purpose of the award and also I'll give the plaque to the recipient.

Mr. Parson said, in keeping with Purchasing's vision of new beginnings for this new millennium this is our first award for Department Liaison. Each department has a liaison representative that interfaces with Purchasing daily on the different --, you know, providing information, meeting with communications [inaudible], and this award is based on --, just some of the principles were based on professionalism and integrity and providing detailed information to complete the procurement action, timely response to inquiries, adhering to policies and procedures of the Purchasing Ordinance and Purchasing Manual, and provide appropriate funding information. We're pleased to present this first award and have the Chairman present it to Lt. Craig Hopkins, and with that would Chief Sprague come up also.

Chairman Hair said, I'll read the plaque:

FIRST LIAISON AWARD PRESENTED TO  
 LT. CRAIG HOPKINS  
 CHATHAM COUNTY POLICE DEPARTMENT  
 IN RECOGNITION OF DEMONSTRATING PROFESSIONALISM AND INTEGRITY  
 IN ACCORDANCE WITH THE PURCHASING PRINCIPLES  
 MARCH 9, 2001

Lt. Hopkins said, thank you very much. I'd like to thank the Purchasing Department. They make it very easy to work with them and they always help us out. Thank you very much.

Chief Sprague said, I'd just like to say one thing. Lt. Hopkins takes care of the Police Department's, all of its budget procurement and he keeps it straight. He holds a Masters Degree from Armstrong Atlantic State University. He's been with the Police Department 25 years and he does an outstanding job. He's a good family man and a good church goer.

Chairman Hair said, thank you very much.

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## **VI. CHAIRMAN'S ITEMS**

### **1. INTRODUCTION OF THE ST. PATRICK'S DAY PARADE GRAND MARSHAL, ROBERT MCGRATH.**

Chairman Hair said, I wish I had this many aides. You know, I could do a lot more work if I had this many aides, you know that. Well, I can only guess what it's like to be selected as the Grand Marshal. Mr. McGrath said, oh, it's the greatest feeling in the world. Chairman Hair said, but on behalf of the entire County Commission, Mr. McGrath, we certainly want to honor you and first I'd like to read the proclamation and give it to you and then we have some other mementoes to give you. Chairman Hair then presented the following proclamation to St. Patrick's Day Parade Grand Marshal Robert McGrath:

**WHEREAS**, one of the highest honors to be bestowed upon an Irish Catholic in Chatham County is to be elected Grand Marshal of the St. Patrick's Day Parade; today we salute with great pride, this year's Grand Marshal, Robert James McGrath; and

**WHEREAS**, Mr. McGrath, a native Savannahian, followed the examples set by his relatives and nurtured his Irish roots. He served on the Parade Committee and the Irish Heritage for many years and proudly marches annually in the St. Patrick's Day Parade with this wife, Alieze, their nine children, and other family members; and

**WHEREAS**, as visitors along with Chatham Countians join in remembering St. Patrick, the patron saint of Ireland, we look forward to this renowned parade with its colorful floats and the comradeship of its participants.

**NOW, THEREFORE**, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim, Friday, March 9, 2001 as:

**GRAND MARSHAL ROBERT J. MCGRATH DAY**

in Chatham County as we salute him for having this prestigious title bestowed upon him and feel assured that Irish eyes will be smiling as he leads the 177th St. Patrick's Day Parade.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 9th day of March 2001.

/s/ Dr. Billy B. Hair

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Dr. Billy B. Hair, Chairman  
Chatham County Commission

**ATTEST:**

/s/ Sybil E. Tillman

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Sybil E. Tillman, Clerk

Chairman Hair said, other tokens we'd like to present to you so you'll remember Chatham County. Mr. McGrath said, I can't forget Chatham County. Chairman Hair said, well, we hope you'll remember the Chatham County Commission. Mr. McGrath said, that's really nice, thank you, sir. Chairman Hair said, and then we have a pin. Mr. McGrath said, good. Chairman Hair said, thank you. We'd appreciate if you'd like to make some remarks very much.

Mr. McGrath said, I just want to thank everybody for having me here and want to see all you guys out for St. Patrick's Day. Dean [Kicklighter], I want to congratulate you for being here, it's nice to see you. Dean [Kicklighter] played ball with my boys at B.C., so I'm glad to see him up here with y'all. Thank you very much for having us. I appreciate it. Chairman Hair said, thank you and thanks to the aides for coming.

Mr. Ted Robertson, General Chairman of the St. Patrick's Day Parade Committee, said, Dr. Hair, we would like to make a presentation to you. We have printed up some flags this year. If you can find a place to fly these, it has [inaudible] the flag. Chairman Hair said, I'm sure we can find a place. I'll make an executive decision, we'll find a place. Mr. Robertson said, thank you very much. Chairman Hair said, thank you very much. That's great. Thanks a lot. Thank you, gentlemen. We appreciate y'all being here.

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**2. M.T.C.B. TRADE CENTER PERFORMANCE.**

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, yes sir. I need Mr. Monahan and the Construction Manager.

Mr. Pat Monahan said, Mr. Chairman, I think you requested that MTCB attend the meeting to provide an update of the project. With us today is Group Vice President Philip Roy. I think he's going to provide the update. Chairman Hair said, thank you.

Mr. Philip Roy said, I appreciate the opportunity to address the council here and the Board on the Maritime Trade Center. I'm a Group Vice President with Beers Construction out of Atlanta. My sole purpose six weeks ago was to come down here at the direction of our President to resolve the open issues that unfortunately continue to plague some of the areas of the Trade Center. Some of those are open punch list items and various traits, and others are the financial aspects that are tied in in the resolution of some of these subcontractors. I would say over the last six weeks we've made a pretty good dent into forging closure on the open punch list items. I updated Mr. Monahan yesterday. Out of 727 items that have been open for unfortunately a substantial amount of time, right now we're about 171 items left so over the last six weeks we've

been able to reassemble the subcontractors that built the project and get them back out here and get the items completed. Some of the items we have taken under our own auspices to have completed. Some of the subcontractors opted not to join in the effort of getting it done. But out of a spirit of collaboration, we've taken the initiative under our belt and assumed that responsibility to get it done because we owe it to you and to the citizens of Chatham County.

I met with several of the major subcontractors over the last two days, both being mechanical and electrical that really are the remaining items. I have personal commitments from both Diamond Electric, Gable Diamond Electric and from Erickson's that we will have these items completed in the next two weeks. Pending the disputed items, which are about 95 items which would continue to work with your team on getting those resolved, and we would be out of here by the end of March. We're also working around SMG, who's the operator, their schedule, and that's been pretty taxing, but I'm not here to get any accolades in doing that. It's our responsibility, but it's been a taxing project. Unfortunately, I'm a new face to everybody on this Board, but I had come down six weeks, probably the first part of February, and met with Pat Monahan, told him what my intentions were, what my initiative was. I believe uncontested Pat [Monahan] will communicate to you that we have made substantial progress in the last six weeks to get these issues resolved and put them on the table and put them off to the side. I don't carry a lot of the emotions that has been projected on this project. My goal is to get it done, get an equitable resolution to it and move on. It's a beautiful project. I hope everybody's proud of it. We are. But unfortunately the open items and the period of time it's taken us to get to this point taint some of that. So on behalf of MTCB and Beers Construction I want to apologize for the inconveniences that this has caused the members of the Board here and SMG. I'm open to any questions.

Chairman Hair said, I have one question. Have you addressed the issue of the subcontractors, some of the subcontractors not being paid, their payment schedule? Mr. Roy said, I have met with every single subcontractor over the last six or seven weeks. The subcontractors have been paid contractually what we have been paid to do. Above and beyond that I want to mention though that we have --, we have paid and financed out of pocket additional payments to get some of these subs to come back down here. A lot of them are small guys that can't work without money. So we have tried to do our best in the last six weeks. Harry McDonald was there when we had, about four or five weeks ago, probably about 35 subcontractors down here, representatives of each of the trades that were affected on the punch list. Many of those it took getting a little bit of money in their pockets to get them down here to get them enticed to finish. And I'm continuing to do that as we speak today.

Chairman Hair said, Commissioner Murray first and then Commissioner Jackel.

Commissioner Murray said, the Chairman asked one of my questions, that was have all your subs been paid. The other comments I'd like to make is if I understand right you are one of the Vice Presidents with Beers, who is the general contractor. Is that right? Mr. Roy said, that's correct. Commissioner Murray said, all right, and you've said that some of the subs that y'all could get or couldn't get and so y'all are spending money out of pocket in order to fix some of these things, as a general contractor that's your responsibility. The other thing, you keep talking about what it cost to bring these people back into Savannah to do this. We had a number of companies locally that bid on some of those particular subs on that project and then after y'all went back and rearranged everything and came back here with a whole other plan, those people were not on their doing the jobs. If y'all had used more local people, you probably wouldn't have had to pay the extra money to bring them back, but that's beside us now, that's already past. The other question I have is why? If you were able to accomplish that much in six weeks, why wasn't it done before then? Why weren't these things addressed before then and taken care of? Why do we keep lingering on and on and on? Mr. Roy said, that's a very valid question. And again, I'm not here to make excuses. Commissioner Murray said, well, I'm not --, I asked --, just a direct answer is all I'm asking. Mr. Roy asked, why wasn't it done eight, nine months ago? Commissioner Jackel said, yes. Mr. Roy said, it should have been done. That's the bottom line. Why that decision was made or wasn't made or was discussed or not discussed, I don't know the answer to that. All I know is that I was told --, that's what I do for the group that I work for. They put me into projects that are unfortunately on a track that's going in the right direction but not fast enough. I would have loved to be able to stand up here eight months ago and said I've got another two and a half weeks to go. That didn't happen, but my commitment over the last six weeks and the actions that I've taken are moving us in the direction that we need to go. I could talk all day long about projects --. Commissioner Murray said, well, we aren't concerned about your other projects. We're just concerned about the one across the river. Mr. Roy said, and I am too. Commissioner Murray said, I've got one more question. Was that decision, to linger this on and on, made in Atlanta at y'all's headquarters or was it made here locally? Mr. Roy said, I don't quite understand the question. Commissioner Murray said, not to correct these things on the punch list before now. Mr. Roy said, no, I think --, I'm going to answer this as I know the project over the last eight, nine weeks. There was not a conscious decision to say out of 795 items we aren't going to do it. That was not the decision. There were quite a few changes on this job. The met the obligation to get the facility open. The facility is operating and had been operating without any mechanical, electrical or any other life safety issues that impeded the operation of the Trade Center. Unfortunately, we're working around an owner. I'm not here to make excuses, but over the last five weeks we were shut down for two weeks because of conventions that were in town, which is great. I told Pat Monahan the other day, I said, to be disrupted because they're carrying on events there is great. That's been part of the problem is there are days --, they're working around a lot of different schedules. I'd like to go on and give you example after example. The bottom line is by the end of March we are out of here, and my initiative is to come to an amicable resolution to some of these open items that still remain on the project. And I received payment last week. I appreciate that. That sincerely helped getting quite a few of the subs re-motivated. So I don't want --, I'm not a historian. I'm a --. They use me as a seal. I go in, I look at the issues, and I've taken on quite a bit of responsibility to get this project to the state it's at right now. I have spent, and Mr. Monahan will back this, I have spent probably \$35,000 or \$40,000 on issues totally unrelated to MTCB's responsibility to show a good faith effort. Did I have to do that stuff? No, I didn't. I did it to prove to Mr. Monahan that I'm serious about

getting this place where everybody can walk out and go it's a good project. Was it the best? No, it wasn't. I've never been on a best project, but I am here to get it to where we can walk out of here proud of what we've done. Some of you may not feel that this is a project to try to walk away from. I try to leave every project with that feeling, and I've got to have the subcontractors walk out that what they did over the last two and a half, three years was worth their while, and I think it was. I don't know if that answers your question. Commissioner Murray said, well, I don't think I could get a whole lot of answers to my questions because this has been lingering since the project started, but that's another story.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, give me your name again please. Mr. Roy said, my name is Philip Roy, R-O-Y. Commissioner Jackel asked, and what's your title? Mr. Roy said, I'm a Group Vice President. Commissioner Jackel said, now I'm to understand that you come down here and you don't know why we've had all these problems, you were just sent down here without any history of it. Mr. Roy said, no, that's not correct. Commissioner Jackel said, well, that's what you said a moment ago. Mr. Roy said, no, I –, what I said was I'm not a historian, I am not here to get into the fine details that have transpired over the last four or five years. I do have a great deal of history of this job. I work very close with Mr. Chuck Winstead as an operations person inside of his group dealing with multiple projects. This is one of the projects that has been lingering on and in our staff meetings was brought up every single week. Commissioner Jackel said, okay. Mr. Roy said, so do I have the history of the steel issues and the other modifications that were made and problems that we had, I don't know the finite details to it. I know a 30,000 foot view of them, and that's really all I want to know. Commissioner Jackel said, all right now, on what you said also, it's my understanding that the subs have been paid, but you had to bring them back in town to get additional work done. Mr. Roy said, no, no, it was mainly around the open punch list items. Commissioner Jackel said, I see. Mr. Roy said, some of them were warranty items that –, I mean, some of the doors weren't swinging right on the exterior of the building, we had to bring those people back in, but not all the subs have been paid a hundred percent. Commissioner Jackel said, well, that's what I was wondering. I think usually there's a hold-back until they get it done –. Mr. Roy said, that's correct. Commissioner Jackel said, and get it done right. Mr. Roy said, but there were some subs –. Commissioner Jackel said, so I don't see why they had to be paid additional money. Mr. Roy said, well, it's not additional money, it's money that reduces the final retainage in their contract, so I have lessened the retainage that's being held on us and, in turn, it's held on them. Some of the subs I have paid off a hundred percent, the smaller guys, the guys that can't afford to stay out there 12, 14, 16 months. I have paid those guys. Some of them we are settling even today and mitigate the claims and liens they have against our bond on this job. So there's a lot of other circumstances that –. Commissioner Jackel asked, how many claims do you have on your bond? Mr. Roy said, I have six claims. Commissioner Jackel asked, and is that average for a project like this? Mr. Roy said, there are –, I mean, I just came off [inaudible] where I had 35 claims. I've come off of \$2 million projects that have had five claims. It's –, I think every project is very unique in their own nature. Commissioner Jackel said, well, let me tell you the way I see this thing. Your company got up here and told us they would do it right, we could count on them, and then we kept getting people up here it'll be done right, it'll be done on time, on and on, and we've had all these projects and then the person we're working with is gone and they bring you in. Is your role the sacrificial lamb? Is that what you're here for? I don't know, I don't care, trust me again, we'll get it done right. Mr. Roy said, no, I think my actions over the last six weeks have spoke [sic] for themselves. No, I'm not a sacrificial lamb for Beers Construction. My energies are focused in on taking projects that are in a struggling state or in a closed-out state with multiple issues. Some of the projects from a owner's standpoint there are no issues. Some of them totally relate to subcontractors. This one is very unique. This one has architectural issues, it has owner issues, it has our own MTCB issues, it has subcontractor issues. Commissioner Jackel said, all right. Mr. Roy said, it has insurance issues which we're all aware of. Commissioner Jackel asked, all right, so what's the deadline? The end of March now? Mr. Roy said, the end of March we from a punch list standpoint, are out of here. I made a commitment to Pat [Monahan] that I'd be out of here the end of February. We were held up two weeks because of the schedule –. Commissioner Jackel said, that's to be anticipated when you're late. Mr. Roy said, but I don't –, I mean, again like I said, the two majors that are left on the punch list outside of the disputed items, I have commitments from those subcontractors. One of them is a local company here, Erickson, and they're very committed in getting their stuff done. Part of their problem is they have a subcontractor underneath their umbrella that they've had a tough time getting back over to the job. Commissioner Jackel said, and Erickson's telling us that they haven't been paid. Mr. Roy said, no, I think that's –. Commissioner Jackel said, they did tell us that. Now it may have changed, but they did tell us that. They sent us a letter threatening to sue us. Mr. Roy said, well, I'm sure they did. Commissioner Jackel asked, well, what's the status of that? Mr. Roy said, but I had paid them the exact amount that I had been paid by the owner. I mean, MTCB is not a bank. But irregardless of that, I mean, we could get into a discussion of every single subcontractor and the balance that is still owned them. Erickson has been paid, actually \$50,000 above and beyond what I've been paid by the County because I funded them some money to get their subcontractor out here two weeks ago. Commissioner Jackel said, so you're not going to be back to see in April with more excuses. Mr. Roy said, no. I am out of here at the end of March. I will be back down here working with Pat Monahan and hopefully some other members on the owner side to resolve some of these other open issues that I am not willing to discuss at this panel today, but there are going to be some lingering follow-up from us. I mean, we still have work on the riverwalk that we're doing, so physically I'm probably still going to have some people here.

Chairman Hair said, but you're saying the punch list items will be done. Mr. Roy said, yes, in relation to the punch list items they are going to be done. And, again, on behalf of MTCB, I know it's been very taxing for you people up here to have to have this on your docket. I'm very cognizant of that, and again I'm not going to make excuses. I didn't make excuses to Pat Monahan six weeks ago when I came in here and I'm not going to make them to you.

Commissioner Jackel said, okay, let me ask you one last question. In the future we will probably get correspondence from other governmental entities and stuff like that asking us whether we should give you a thumbs up or a thumbs down. From your perspective how do you see it? I know how I see it from mine. Mine's thumbs down, but how do you think we ought to rate what you did? Mr. Roy said, I can't answer that. Commissioner Jackel asked, well, you don't know how well you did? Mr. Roy said, no, I mean -. Commissioner Jackel asked, you didn't have expectations, you don't know whether you met your expectations or not? Mr. Roy said, Commissioner Jackel, I could sit here and tell you that I would like very much a month from now, month and a half, when I think we will have all of the other issues resolved, for the committee to sit there and say, well, you know what, it took them nine months longer to do what they said they were going to do, but you know what, they said what they were going to do and we got a good product out of them. I mean, I could give you a thumbs up from a quality standpoint. I think you got an absolutely fantastic facility, state of the art, very complex, very architecturally pleasing. That's a thumbs up, and I commend the team of people that worked to get it to that state. From a communication and a management standpoint, maybe the thumb isn't totally up, maybe it's over to the side, but I would not -, I won't stand here and say this is a thumbs down project because what you will be doing -. Commissioner Jackel said, I'm not saying the project, I'm just saying that another governmental entity says we're going to spend \$100 million, should we consider this company, what kind of problems did you have? Mr. Roy said, I think you should, but again how much -, I mean, I'm not a marketing guy. I'm not a public relations person to speak on that question, but I hope we're going to get a thumbs up.

Chairman Hair said, thank you, Mr. Roy. I appreciate you coming. Mr. Roy said, thank you.

Commissioner Rivers said, Mr. Chairman, can I ask a question. Chairman Hair said, certainly, I'm sorry. Commissioner Rivers said, of Pat [Monahan]. From your standpoint are we well on the way of eliminating all of the inequities that we had within this project, and are they done well? Mr. Monahan said, we are -, we have seen a noticeable change in the approach of MTCB since Mr. Roy's arrival. I'll give him that. We probably, as he said, accomplished more in the past six weeks on the punch list and the open items than we have seen in the past several months, and I think -, I will attribute that to his presence. Because he is a Group Vice President, it's a little bit higher level than we've had on the local scene for some time. We are making -, they are continuing to reduce the size of the punch list and I, you know, I believe him when he says he will be out of here by March. Commissioner Rivers asked, so you feel that by March or by when will we have the total -? Mr. Monahan said, by March we'll have the punch list done. We've got a few more meetings to address some of the other items. One of the reasons that some of the sub-contractors are not getting paid do not relate to MTCB, but relate to the County's position that was recommended by the architect on non-conforming work. If the work is not conforming, even though the subcontractor thinks it's done and the architect recommends no payment, I won't pay, I can't pay. At the end of the project the County has at its option whether to go contrary to the architect's recommendation and make that payment, but until that time comes I'm not willing to put the County in that awkward a position. Commissioner Rivers said, okay, on those particular items, are we coming to some resolve? Mr. Monahan said, yes sir. We're -, I talked with Mr. Roy yesterday, I understand his plan. I didn't fully appreciate what he was telling me until yesterday, but we will bring the architect in to review the hundred or so items that are in dispute. We'll get to a resolution of those within the next week or so. So, yes, we're making good progress on that front.

Commissioner Rivers said, Mark [Leahy], can I ask you a couple of questions? Mr. Leahy said, I'm Mark Leahy, Manager of the Trade Center. Good morning. Commissioner Rivers said, okay, Mark [Leahy], you're there at everyday operations. From your standpoint where are we, what do you think, do you think that we have most of the things resolved? Are we having any breakdowns within the building or malfunctioning? Mr. Leahy said, we have some -, there are some warranty issues, which are being addressed. It's a building that we use everyday. Many times we use it 24 hours a day. We push every button that that building has, and any time you try out a new building, you have systems, you have new operating things and there are some warranty issues that we've had. We've put the call in and they do get taken care of. I think from an operations standpoint we're coming off an outstanding month of February. We had tremendous convention activity. We were busy in that building every single day going well into the night on many of these events. In fact, we've been running six weeks straight, so for MTCB to have a moment, we took the building over in February basically, and we look forward to this March because we had few weeks to go and I think it finishes things up, but from an operations standpoint yes, we have some issues, we're working very closely with them getting these warranty things taken care of because from the Trade Center Authority's standpoint and operating budget standpoint, our fiscal year begins June -, July 1, so we're already looking into that budget from a maintenance standpoint so the warranty items and the warranty issues are there so that we can do the maintenance contracts on a lot of this equipment.

Chairman Hair said, Commissioner Murray has a question.

Commissioner Murray said, during the question and answer period we had a few minutes ago the comment was made that there were some other issues out there but would not be discussed at this setting. When will we as the Commission know what those items are? I just don't want us to get blind-sided again when something's not being done. Mr. Monahan said, well, I would say, based on what Mr. Roy told me yesterday, he will know probably within the next, let's say, ten days based on his closeout of the project. I have my own list that I keep separate from his, so I have some good ideas myself, so I would assume they're published sometimes the first week -, first meeting in April, we'll come back and hopefully that will be where we'll report on the close-out. Commissioner Murray said, okay.

Chairman Hair said, thank you. Thank you very much. I appreciate -, Mr. Roy, I appreciate you being here. Mark [Leahy], I appreciate you being here. Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, gentlemen, I'd just like to point out, I know it's obvious to y'all but for the benefit of the community, were it not for the excellent management skills of Mr. Monahan and also by SMG, we would not have this optimistic of a picture to give. They're being very kind in my estimation. Chairman Hair said, thank you.

**ACTION OF THE BOARD:**

Update report received as information.

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**VII. COMMISSIONERS' ITEMS**

**1. FLOOD DRAINAGE PUMPS (COMMISSIONER KICKLIGHTER).**

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. My fellow Commissioners, what I'm about to ask of you here today I believe will be the biggest thing I will ever ask from you, whether I'm here four years, eight years, twenty years. What I'm about to ask of you today will have a definite effect on the Cities of Bloomingdale, Pooler, the City of Savannah, the City of Garden City and the City of Port Wentworth. What I'm going to ask for today is a conceptual approval of flood pumps along Pipemakers Canal, which runs along the Seventh District draining all of those areas that I just mentioned, all of those cities. The County has already shown with their planning for the future out on the Westside with the parkways that it's easier to go in in a preventive mode to get in there before things develop, before it's a crisis, and I'm asking you to please continue that line of thinking and keep that in mind when I present this here. I want to just start right here, show you a few pictures here, slides. This is the Savannah River, the exit of Pipemakers Canal. You're looking in along that area right in there [indicating] would be your flood gates. It's actually high tide there so you can't, you know, you can't even see the gates. It's all the way, you know, to the top there. Go to the next one. Okay, this is the interior side of the gates there, which you can see that the water level's much lower on this side here and what happens during major storms at this point is the water comes in, it's, you know, full on this side also. High tide comes in, the gates shut and the water has no where to go. We've already experienced massive flooding in Bloomingdale, Pooler and in Garden City due to this. Now again the City before -, I mean, the County before, looking ahead, you presented back and got your SPLOST funds in a more of a crisis type situation for the drainage projects, and that's going to do good. That's going to definitely help eliminate the problem, but looking ahead, planning for the future, back about five years ago when the engineers presented this plan to everyone, they said 10 or 15 -, well, 15 years or so you'll need flood pumps on this canal. Now disagreed then because I live near there and that actually flooded and went under water. I felt as if we needed them then, you know, right now, but definitely there's no way the engineers or anybody could have anticipated the growth that we would have in this area since the time the told us that five years ago. I want to move to the next one here. We have -, this is just a picture. This will be with the current plan, the funding that we have in place now, that will be eliminated, but I just thought you'd like to see that. That's actually a warehouse built over the canal right there on the ports. Go ahead and get to the next one. Talking about the growth in the area, the Georgia Port expansion is a stone's throw away from the canal. This is on the Garden City side. You can see everything developing. It's a huge development where the runoff is going to head right towards the canal. Go ahead to the next one. The City of Port Wentworth port expansion, again another just huge development right there at the exit of the canal. This is a Garden City canal here and basically, you can't really see it in the picture, but the City does a good job of maintaining this canal. Probably three weeks before I took this picture here the dug it out really good, but really to no avail because what happens, this particular canal drains in the Pipemakers Canal and during a storm that entire area you're looking at there is under water. That's Smith Avenue up there where you see the culvert going under the road there. That whole road's under water in that area there and the homes all in that area goes under water because there's no place for it to drain at high tide when the -, when it all backs up. I do want to back up and say that although we're planning -, right now the current plans have flood gates, new gates, wider which will let more out, that's good, but a picture that did not show up when we took it with the high tide was the water actually spewing back into the area of the canal from the river, so that can happen also. Speaking of the development areas, this is the new golf course in Savannah in the airport area there. In my picture you can't see it there, but you can see the flag at the gold course there, that right there in front of you is actually Pipemakers Canal, and a stone's throw away from there is JCB, Wal-Mart, Home Depot, which is all of this in Pooler. All of this runs right near the canal here. New houses, apartment complexes, SEDA's development is all out there. They're all out in this area and it's all growing just faster than anyone could ever have imagined. This is just a picture of the canal right there off of I-95. You can see how wide it is. That's really -, the golf course is off to your right there. During a storm and again talking about something like this during a drought, it's -, you know, it's been a while since we've got a good rain so this is tough talking about that, but when you get the water flowing from Bloomingdale through Pooler with this type of canal all running, it's going to get in there faster with all the development. We're going to be in trouble, big trouble in Garden City. When it can't exit there, we're going to be in big trouble in the Savannah Industrial Park where SEDA's at, we're going to be in big trouble around the Wal-Mart area, we're going to be in big trouble in Pooler, we're going to be in trouble in Bloomingdale because I ask you on this to please consider giving us a conceptual approval for the flood pumps

for the future. And being realistic listening to the –, everything I know about the finances, I'm going to ask Russ [Abolt] to explain in just one second how we're going to plan on phasing this in and please just listen to this and give me your vote on this conceptual approval please.

County Manager Abolt said, thank you, Commissioner Kicklighter –.

Commissioner Jackel said, Commissioner, I –, it was my understanding that part of the SPLOST we were not supposed to have flooding anywhere in the County unless we had over nine inches of rain in 24 hours. Now what you're saying is when we put this plan into place it didn't anticipate growth in your area –. Commissioner Kicklighter said, yes sir. Commissioner Jackel said, so we need to do additional work there. Commissioner Kicklighter said, yes sir, absolutely, Mr. Jackel. It –, with this current plan, it's a good plan and it's going to help eliminate the flooding, but they never could have anticipated the growth in the area like we're having out there, so this would be a preventive measure because they anticipated with the current plan that in 15 years we would need flood pumps. So with the phase-in period, this will put us close to that 15-year period. Actually, it probably speeds it up about five years where we're actually ahead of the game and we're not all coming up in five or ten years in an emergency type situation where we're trying to bail five cities out of water. We'll be ahead of the ball game. And one other thing I want to say to obtain Corps approval, my recommendation is to actually have the flood pumps only come on at flood stage levels. That way we're not draining the wetlands, which is a definite concern for the Corps. So please, if you would, just listen to our Manager here tell how we would phase this in. Commissioner Jackel asked, and do we have any idea what the cost of this will be in addition to the \$196 million we already have committed? Commissioner Kicklighter said, yes sir, I'm going to let the County Manager explain funding right now.

Chairman Hair said, Commissioner Kicklighter, I've got one question. My –, I was going to ask the same question that Commissioner Jackel asked. I want to know how much money we're talking. You're saying you're asking for conceptual approval, but in essence if you vote for this today, you really are voting to spend the money. Is that not true? I mean, if you –, how are you going to approve something conceptually that you say down the road you're not going to spend? I mean, so you really are voting on the money. Is that not true? Commissioner Kicklighter said, well, you're really not voting on the money because the money has not been approved in a future SPLOST project. If you'll please just listen to the way we're proposing funding. No sir, you cannot approve funding right now because the voters and Chatham County has not approved a new SPLOST.

Commissioner Jackel said, I didn't understand that. This is to be a future SPLOST project, is what you're saying? Commissioner Kicklighter said, yes sir. Commissioner Jackel said, okay, I just thought –.

Commissioner Rivers said, Mr. Chairman, why don't we let –. Commissioner Kicklighter said, and if I could ask that –. Commissioner Rivers said, why don't we let the Manager –. Commissioner Kicklighter said, the Manager to explain for us, and this will help answer your questions.

County Manager Abolt said, Dr. Thomas, Dr. Hair, gentlemen, thanks to Commissioner Kicklighter. In meeting with Commissioner Kicklighter on this I'm impressed with the fact that he is doing what the County has done in other parts of our County with an awful lot of precedence on the Westside, namely in advance of growth, in advance of problems, to have certain type of improvements in place in expectation of what will transpire in the mid-term. So in response to Commissioner Kicklighter's request, staff has looked at what we now have and what we could have. What we now have, as you might notice in the memorandum I sent to Commissioner Kicklighter, as we have sufficient funds to buy the land in the current SPLOST, it would eventually be the site of the pump station that Commissioner Kicklighter has outlined for you. The engineering staff certainly as again Commissioner Kicklighter has referenced, has never questioned that in the mid to long-term these facilities are justified and in fact it can be made to work with certain assumptions. But, in effect, what Commissioner Kicklighter is doing, conceptually, if you picked up on, he's asking for direction from the Board that would go to staff that as we proceed in looking at the wisdom of continuing SPLOST, if you choose to do that, that this project would have a high priority. In the –, and again without specific engineering in place, the estimate cost is about \$18 million. Commissioner Kicklighter requested that staff further break that down over a five-year period with the assumption that your SPLOST would –, it would be there in 2003 and he'd be looking at a five-year period. To that end we've come up with a total over four years expenditure estimate and it's an estimate of \$18 million, but then by the end of those five years you would have in place a functioning tide gate or series of pumps I should say. In addition, again Commissioner Kicklighter [inaudible] that the major point beyond staff's control, but the idea of the argument is very sound, namely in gaining permits from the Corps of Engineers. The one dynamic over which we have no control is what Mother Nature continues to do on the Westside from the standpoint of providing marshlands and wetlands. With a premium placed on preserving those, we must deal with the potential that the type of civil engineering improvement outline would if it functioned every day of the year lessen, lower the water and lessen the amount of wetlands. Knowing the desire again of the Corps of Engineers and also this County to be sensitive to that resource, we would be asking the Corps of Engineers, as this project would be pursued and continued, that they would give us a permit to operate this type of facility only when it is imminent that high water would be a factor. So that would, in effect, give you a plausible and a defensible way in which to approach the Corps. The conceptual approval, as Commissioner Kicklighter and you all have hit on right now, would be that the significance of your direction today would set us on the first step of a long road.

Chairman Hair said, okay, we've got Commissioner Murray, Commissioner Odell, Commissioner Rivers and then I'd like to ask some questions.

Commissioner Murray said, if I understand you correctly, no monies would be spent unless it's approved in the next sales tax referendum, if we decide to do another one. County Manager Abolt said, yes sir. That's short of a grant or something like that which we've never been successful at. The only plausible way I, in discussing it with Commissioner Kicklighter is to say that you're looking towards the continuation of sales tax, which would have to be determined by the voters, and you'd be placing priority on this project. Commissioner Murray said, all right, on Pipemakers Canal where it starts at the Savannah River entrance and goes all the way through, who owns the land that Pipemakers is on, all the way through this facility? County Manager Abolt said, much of it is Port Authority. County Attorney Hart said, a lot of that is Port Authority land. The picture of the building that's sitting out there, is Port Authority land. Chairman Hair said, and the airport. County Attorney Hart said, and the airport. Commissioner Murray asked, where does it –, from there and it winds on around though the different municipalities, is that correct? County Manager Abolt said, yes sir. Commissioner Murray asked, who's going to be responsible for the ditches and stuff within the municipalities? County Manager Abolt said, in the current direction we're going, of course the County assumes maintenance responsibilities for all major ditches. Commissioner Murray said, okay, so you –, you are not suggesting that any of the funds that is set aside for drainage right now in the present referendum will be used for this? County Manager Abolt said, no sir. All I –, I've responded to the question of Commissioner Kicklighter, what is there now in place already that would facilitate, and the only thing we have is the acquisition of about one and a half acres that would become the site for the pump station. Commissioner Murray said, all right, is Al Bungard here? Al's not here? County Manager Abolt said, he is –, he's on training. He's not in the County. Commissioner Murray said, well, because I noticed in the writeup and stuff that they don't feel like the pump station is needed. County Manager Abolt said, they –, excuse me. Engineer Bungard can respond to that. The question with them has been the timing. They have made certain assumptions and, again, even on the question of Commissioner Kicklighter to me is he is saying given certain assumptions, and we're not about to build any of this until obviously all those questions can be answered. Commissioner Murray said, and I understand where all this is coming from and I think that there's probably a need to do something on that if the funds are available to do it, but I would just like to also state that those are not the only areas in Chatham County that are flooding. County Manager Abolt said, yes sir. Commissioner Murray said, and even though we've got this tremendous drainage plan that we're working on with the sales tax, it's not going to eliminate flooding in all these areas that we're telling people it's going to eliminate it in, and I still get calls any time we get just a little bit of rain, especially in the Islands area, where people's property are flooding because of certain drainage things, ditches not being maintained, and other things not happening. County Manager Abolt said, the very important –. Commissioner Murray said, and I have a real problem to commit this much ahead of time unless we have an overall plan for this total community. County Manager Abolt said, it's a very important point because, as you all know, the \$147 million, which is part of the SPLOST which we are now appropriating to drainage improvements, we acknowledged from the get-go, and as Commissioner Jackel said, the goal of reducing the potential for structural flooding is based on this being just the first chapter in addressing major drainageways throughout the County.

Chairman Hair asked, did you want to respond?

Commissioner Kicklighter said, if I could. I also would like to remind the Commission that, yes, there are other areas in Chatham County that can be developed, but really this area that we're talking about here is the last major area of land for development in Chatham County and we're all talking about money, courting businesses, this is where all the major businesses are locating right now, the industry, the things that's putting tax money back on –, back in our project, and to have that area flooding in ten years, major flooding, when we can take one step right now to prevent that is a tragedy. This is preventive. This is preventive measures and planning ahead like you did with the road system. Commissioner Murray said, and I understand that, but to me this really should not be an issue until we decide whether we're going to do a referendum, and when we do the referendum then this could be put on that. I understand no work can be done towards this until the funds are available, and they won't be available unless we pass a referendum with this on it. Commissioner Kicklighter said, right, and that's why I say conceptual approval is what I'm asking.

Chairman Hair said, Commissioner Odell and then Commissioner Rivers then myself and then Commissioner Rayno. Commissioner Thomas said, and then I'd like to –. Chairman Hair said, and then Dr. Thomas.

Commissioner Odell said, I've got a couple of questions for Russ [Abolt]. Do we have an overlay as to what would be approved in this SPLOST, how this would impact it? County Manager Abolt said, yes sir. If you recall, and again Al Bungard's, I believe his power point is the brand name, presentation he showed you, each drainageway, including Pipemakers, and that overview is there. Commissioner Odell asked, but if we approve today conceptually, we're not approving any money? County Manager Abolt said, no sir. Commissioner Odell said, okay. Some point down the road we would be approving in today's dollars about \$18 million. County Manager Abolt said, and that's a big about, yes sir. I mean, that's a guesstimate. Commissioner Odell said, we've done great projections for various areas, districts, have we not? County Manager Abolt said, yes sir. Commissioner Odell said, okay, and although the Westside is not in my district, obviously it's one of the fastest growing areas and one of the largest land mass for potential growth in the next ten years. That's where the growth is going to be. Is there a general consensus? County Manager Abolt said, from staff, yes sir, between Godley Station, the railroad track and all that, that's where the action will be. Commissioner Odell said, conceptually if we approve this today will this approval be necessary to do things, i.e., with the Corps of Engineers? Would that give staff –? County Manager Abolt said, not yet, no sir. In that regard, no sir. This is certainly a very concerted [inaudible] from one of your membership to begin us in a certain direction, and all it will do is it will give staff an indication, number one, that there is interest in going forward in 2003 and beyond with sales tax funding for drainage, and that as we begin to give you options between now and the time you would consider that in final form, we would take conceptually your direction to include over the first four years the type of capital improvement investment in that SPLOST that we've outlined today. Commissioner Odell said, okay, so the approval basically today is to set direction and to say this is an area and

this is a project future SPLOST we may be interested in. Commissioner Odell said, that's correct. Commissioner Odell said, it makes no obligation as to funds. County Manager Abolt said, no sir. You all as a body have used the concept, no pun intended, you've used the term conceptual approval. It's always been informative and instrumental in moving you to a point somewhere in the future where you might have all the information in front of you and allow you to make a decision. Commissioner Odell said, if the Chair would entertain, I'll make a motion that we approve the conceptual plan as outlined by Commissioner Kicklighter. Chairman Hair said, we have a motion. Commissioner Thomas said, I'll second it.

Chairman Hair said, all right, we still have some discussion I think, other people want to speak I think. Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, Russ [Abolt], you said the acquisition cost. County Manager Abolt said, covered in your current SPLOST. Commissioner Rivers asked, have you –, it's covered in the current SPLOST? County Manager Abolt said, yes sir. Commissioner Rivers asked, how much are we projecting, or are you willing to say that? County Manager Abolt said, I don't believe that –, I don't know and if I did know I'd seek advise both of the Attorney and the Engineer, but there are funds to do it. It is impacted, as you well know, and you saw the very visual on the warehouse –. Commissioner Rivers asked, the Port Authority owns the land? County Manager Abolt said, I believe in this case it's all Port Authority. Commissioner Rivers said, Mr. Chairman, one thing –, Mr. Chairman, one thing I'd like to see done is to look at it as a project, a future project, approve the concept of it, and look at it as a future project, but immediately start to look at grants, economic development grants, section eight grants, community development grants, and I think that through the State if we can prove our case that we are having flooding in those particular areas and homes are under flooding and also businesses are coming under flooding, and this would improve the economic outcome of this area, then I think we would be eligible for community development block grant money through the State, and I would like to get in on this project to push the State even more so if we get grants, not that it would negate us from having a referendum for SPLOST, but at least we will head out in that direction. I wouldn't want us to just wait until SPLOST comes. Chairman Hair said, I think that staff probably always pretty much routine with that –. Commissioner Rivers said, but I would like –, I would like to push it and I would like to have us to meet with the community development people.

Chairman Hair said, sure. I think that's appropriate. I certainly don't have any problems conceptually here, but the timing does bother me a little bit. As Commissioner Murray pointed out, our engineers are saying that we don't need the pumps, and it bothers me that we sit up here as policy makers and say we're going to override our engineering expertise. That's number one problem. Number two problem is we're saying that we want to approve something that might go into a SPLOST revenue that we might not even put on the ballot, and three years from now we could very well have flooding much more severe in other parts of the County, and if we've already conceptually approved to put flood pumps there when we really need flood pumps some other place three years from now, none of us have crystal balls. We don't know –, I certainly agree the Westside is growing dramatically, but also you've got the southwest quadrant hasn't grown at all yet. There's no infrastructure there. That's going to be an area you're going to need to do a lot of work in. We're really saying, if we vote today, we're saying three years from now this is still going to be the highest priority in Chatham County, and I have a little bit of problem with that because we don't know three years from now if that is going to be the highest priority. The highest priority might be in Frank's [Murray] district three years from now, and if we've already approved that we're going to put the pumps there and we need the pumps some other place, then how are we going to deal with that issue. That bothers me, and –.

Commissioner Rivers asked, can I answer that for you? Chairman Hair said, certainly. Commissioner Rivers asked, can we eliminate the high priority and just make it an issue of a problem that we're going to have –?

Chairman Hair said, I would like to see us –, I would like to see us add two caveats to the motion, and I have –, absolutely have no problem with voting in wholehearted supporting it if we have two caveats. Number one is we added that it only is going to be built if SPLOST is on the ballot and it passes, number one, and number two, that there is no other higher priority at the time that it needs to be built. If those two caveats are added to the motion, I have no problem whatsoever with it. Commissioner Rivers said, but I don't want to eliminate –.

Commissioner Kicklighter said, I don't object to the first one, would be fine, but the second one –, and, Mr. Chairman, I'm not saying that I'm brighter than the engineers. That's why I'm asking to phase in the pumps so that they will be available near the time the engineers anticipate they will be needed. I'm not asking for the funds today because I realize you're not going to take my opinion on this over educated engineers in this field of work. That's why I'm proposing a phase-in period to actually beat this to the punch and that it would be available to –, in the future, and if you live in that area and you've already gone under water, there's a many a people that could stand up here today and say we need them right now, contrary to what the engineers has said, and I cannot anticipate it –, anything being any worse than watching the people's homes go under water in the area that has gone under water in the past, and we now have a chance to do the preventive measures. So I personally would not mind the first part you said about if the SPLOST funds are approved, but the second part –, we know this is a needed item. We know –. Chairman Hair said, we know it's needed, but we don't necessarily know it's needed more than something else is going to be needed three years from now. That's my problem, and also I have walked in many flooded houses in Chatham County, and quite frankly ninety percent of the houses I've walked in that were flooded in Chatham County have been in Commissioner Odell's district in Westlake and in Ardsley Park, and I'm not –. I know you've got a problem, don't get me wrong, Commissioner Kicklighter. I want to be supportive of this, but at the same time I think we have to be prudent here and if we're passing something that's just a warm fuzzy, that's one thing, but if we're passing something that we really are legitimately behind and going to follow through on, the timing of it bothers me a little bit because, again, if there is no other higher priority three years from now, I certainly would obviously have no

problem supporting this, but if all of a sudden Wilmington Island needs something more than the Westside three years from now, then –, and we've already committed to do something in an area that's less needed, that bothers me.

Commissioner Rivers said, Mr. Chairman, we don't have –. Chairman Hair said, let's go in order. Commissioner Rayno and then Commissioner Thomas and then we'll get to everybody else. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I think that Dean [Kicklighter] is trying to be a visionary. He's trying to look towards the future and move the County from being a reactive type of a government to a proactive type of government, and I think a really common sense drainage plan would be one where you have pump stations that work from the outside and work to the inward area of the city, so that when you push water from Ardsley Park or from Wilmington Island to outer areas, there's a pump station on the outer area to pump that water away from there as well, and then all pumps work together in harmony to create an actual drainage system that works. Unfortunately, one of my big beefs before the last SPLOST that we didn't really have a drainage plan. The County doesn't really communicate with the City on a regular basis as to what is going on. I tried to have a meeting with Michael Brown about this and he hasn't even returned my letter over the past week and a half about drainage issues in Paradise Park. So I think what Dean [Kicklighter] is trying to do is visionary. The only problem I see, I'd like to approve conceptually today what he wants to do, but the problem with SPLOST referendums is the fact that we pile projects on top of it that make it very unappetizing for me. You're going to find people that want a brand new Grayson Stadium, you're going to find people that want to have a new ball park in Pooler, you're going to find people that want greenspace in their particular neighborhood, and before you get done you've got this big pork barrel SPLOST project on your hands, and I'm against that, and when it comes time to vote for something like that, I'll going to vote no. But I've promised my voters in my district if it's a one issue SPLOST referendum, I'm for it. If it's for drainage, which is infrastructure, I'm going to vote for it. If it's for roads to get the Truman Parkway fixed where it's an actual belt, one issue, I'm for it, but all these pork projects added on, I'm not. And I appreciate you being visionary and thinking about having a pump station that will work in harmony with other pump stations to actually move water from the inner parts of the City outward.

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman, members of the Commission. I don't see a lot of the things that we have placed on the agenda as far as SPLOST is concerned as pork, Commissioner Rayno, because a lot of things that we have done has certainly made a tremendous difference in this County, you know, as far as, you know, the money that we have received, and it has certainly helped us in a lot of ways, so one sector sees it as pork, others see it as progress. I am for progress, I am for long range planning, and I think this is a part of that possibility of looking long range to do something that is very worthwhile. I do know that in that area, because I have a portion of that area as well, the Pipemaker Canal also runs into or feeds off into the Eighth District as well where we've had a lot of flood, and if anybody can talk about flooding, I can talk about flooding. I do know that if we can kind of look at this in the conceptual stage as being presented, and I think we [inaudible] looking at it long range, and I think that is the type of thing that we need to do, and I would support that because not only are we looking at growth, we're looking at those present homes that are now being flooded and I can tell you he didn't mentioned those, but those areas on Big Hill Road, Hawkinsville Road, right now we have no drainage in there at all. None whatsoever, and those people in there need relief somewhere along the line, whether we do it ten years from now, five years from now, but I do know that we need be looking at those particular areas in an immediate, an immediate sense because those people need relief.

Chairman Hair said, Commissioner Odell, Commissioner Rivers and Commissioner Murray. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I think we have a consensus. Listening to what Jeff [Rayno] said, listening to what Dr. Thomas has said, and compare what Dr. Hair said and what David [Gellatly] said, we can only do this if it's approved by SPLOST. Commissioner Thomas said, right. Commissioner Odell said, we will make a determination as to the priority. We would make that determination, and if there are substantial problems in Frank's [Murray] area, which we as a body, or the body sitting at that time, deem, it greater then obviously that will have a higher pecking order. My motion is not to imply that this is A-#1 in the universe of Chatham County. It's not. It is conceptual [inaudible] faith in something that we need to review, and that's not to say that we should not review it in conjunction with what's happening in other districts. So I accept the Chairman's offer of amendment and I made detailed notes, Mr. Chairman, only built if the SPLOST is approved and no –, there's no other higher priority, and I think Dean [Kicklighter] has admitted if there's no other higher priority.

Commissioner Kicklighter said, that's –, again –. Commissioner Rivers said, just remove the priority and put it in pecking order when we get ready to it.

Chairman Hair said, at the time it should take it's natural priority at the time that it's in there if it passes. If we do that, I have no problem.

Commissioner Odell said, I think we've got a consensus –. Commissioner Kicklighter said, I have no problem with that. That sounds fine. Commissioner Odell said, and there's no –, I don't think there's any dissent on the Commission. Chairman Hair said, I have no problem with it. With those two caveats I have no problem with it. Commissioner Jackel said, well, let's vote. Commissioner Odell said, I call for the question.

Commissioner Murray said, well, let's finish the discussion. Chairman Hair said, okay. Commissioner Rivers and then Commissioner Murray and then –.

Commissioner Rivers said, I'm going to yield. They called for the question, so I'm going to yield to that and then I'm coming back –.

Commissioner Murray said, I've just got two comments. One, to clarify some of the things that have been said. They keep referring to the Fourth District, my comment was that we have flooding in every district, not just the Fourth or the Seventh, but we have it in all districts. The other thing, I would have felt a lot more comfortable with this coming up had the County Engineer been available to answer some questions with this type discussion going on. I mean, I don't have a problem voting in favor of this, but I just feel like that there's some things that needed to be addressed, and quite frankly I don't think it's adequate right now when the County Engineer's not here to address or answer questions to it, but if y'all want to vote today I'll be glad to go ahead and vote, and I'll support this the way the motion reads now. Chairman Hair said, okay. Commissioner Murray said, as long as we understand no funds will be spent unless it's approved.

Commissioner Odell said, all right, I have a call for the question. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

Commissioner Rivers said, Mr. Chairman, I'd like to get something else in. I would like to have the staff and the Engineers to come back on the pump situation. I would like to really get an idea of whether we're handling flooding, whether it affects that development out there, especially SEDA development, the development that's going on at I-95 and the Pooler Bypass. These are economic issues and if we come back with a positive notion that there is flooding out there, and the Engineers determine that these pumps won't do it, then I would like to propose that the staff immediately compile all of that together and begin to submit for community development block grant money. Chairman Hair I said, I think that's [inaudible].

County Manager Abolt said, I want to make sure we don't leave you with the thought that the district this is imminent. As Commissioner Kicklighter said, he wanted this in place in advance of the growth. So, if I understand your question, neither, you know, Mr. Bungard or his staff would be available to say, yes, by golly, if this is not in by tomorrow something's going to happen. They realize that any improvement like this would be mid to long range in benefit required.

Commissioner Rivers said, I understand that point of it too Rus [Abolt], but I'm saying that if there is potential flooding on the businesses that we've got building up out there so rapidly now, you have one, two hotels that came up immediately, Home Depot, Wal-Mart, apartment complexes, and everything. I mean, I just drove around there the other day and it's surprising, it boggles my mind one day going out there and the next day coming up four walls [inaudible]. I mean, it's unreal. So I would like you to do that and then if we can determine that there's a need for those pumps, whether it's future or not, and we can get community development block grant to do it rather than a SPLOST project, then we pursue that.

County Manager Abolt said, I will do it and, as the Chairman referred, we will already begin that process. Chairman Hair said, yes. County Manager Abolt said, we'll give you options.

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

Commissioner Odell moved to conceptually approve the plan submitted by Commissioner Kicklighter regarding flood drainage pumps subject to SPLOST being approved for 2003 and that it will take its natural priority at that time. Commissioner Thomas seconded the motion and it carried unanimously.

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## **2. MONTGOMERY BOAT RAMP CLOSING (COMMISSIONER RAYNO).**

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, Dr. Thomas and gentlemen, staff did a fine job preparing an information packet you find in your big book concerning the Montgomery Boat Ramp and its history of problems starting all the way from being a lover's lane to a potential drug smuggling site, and the problems surrounding this facility are just incredible, and I'm very in tune with what's happening there because it's only about a half a mile from where I live and I drive by this ramp every day so I've watched its decay over time over the course of the number of years I've lived in my neighborhood, and campaigning in that area I received numerous complaints about this facility in terms of illegal crabbing that's going on, people going out in boats and deer hunt and bringing back the carcasses and gutting them there and leaving the carcasses on the shoreline, trying to turn around in the small lane area with their boats on the back and destroying vital wetland areas, not to mention encroaching upon private property. There's no bathroom facilities there so they're doing that business there as well, and quite frankly it's made the neighborhood quite scared. What was once a public asset from many years ago when crafts were smaller and vehicles were smaller has become a public nuisance in this area and I'm quite concerned for the safety of the people that would have legitimate uses for this ramp area that they might get involved in some of the illegal activities going on there and come to someone getting into trouble that wouldn't want to. The nearest boat ramp close to there is only 3.9 miles away at Skidaway Narrows and it only takes five minutes to drive there if you follow the posted speed limits.

They have bathroom facilities, ample turn-around space, ample parking, ample security, ample lighting, ample bait shop there, all the things that you would expect in this day and age a boat ramp would have they have there and it's only five minutes away. I don't feel like it would be an unnecessary burden on the community if we close the Montgomery Boat Ramp. I think a temporary closure to the gates [inaudible] would be in order, and if our Manager would have anything to that or Chief Sprague, I would appreciate it.

County Manager Abolt said, the documentation is there, as Commissioner Rayno referenced. Certainly, Chief Sprague can be more specific, but you'll notice in the police reports and right on point with what Commissioner Rayno has said, there are some problems out there that are not going away and you'll notice that the Police Department does support it. The County Attorney has given us some sage advise as to how to approach it because of some history behind it, but we feel that if you wish to follow the lead of Commissioner Rayno to direct staff to post it for a hearing first before your body saying that this will be a temporary closure, and then the opportunity would be afforded to those who may not be aware so far of the issue to come forward and offer their testimony and then you can make the final decision.

Vice Chairman Thomas said, Commissioner Odell then Commissioner Murray and then Commissioner Jackel.

Commissioner Odell said, I'd like to hear from our Chief, and let me just we have the best Chief of Police in the unincorporated area.

Chief Sprague said, Commissioner Rayno brought this to our attention. Captain Williams, his staff worked on this as far as an evaluate and survey the area, and what concerns us are the same things that were brought up by Commissioner Rayno, much better than I could have done it by the way, but what concerns us are the safety issues involved. We have a one-way road that's dirt, potholes in it, when it gets rainy weather we've got a slush pond going in to a dock facility that's basically in disrepair. So there's safety hazards associated with that also. With regard to the survey, the Marine Patrol officers that went out there, conducted it, they also found a lot of debris, beer cans, et cetera, so now we have an extension because what it looks like is young people, under age drinkers, are going down there, lover's lane type thing, have a few beers and drive out of there, and all we can hope for now is that they haven't had too many before they hit the highways out of there. So that's, in our perspective, that's a problem also. We firmly recommend for safety purposes that the police be allowed to close this road and boat ramp.

Commissioner Jackel asked, you close that ramp that's going to stop all of that? Chairman Hair said, Commissioner Murray first. Commissioner Murray and then Commissioner Jackel.

Commissioner Murray said, I would agree because we've had problems with that for years. My only question right now is when this issue first came up a number of years ago, we were with the understanding it was a private property, that it's a private ramp, and I know the research has been done now to show that it is actually County right-of-way. So I guess there's several concerns I have with that now. If it's County right-of-way and it's always been a County boat ramp, why in the world wasn't it maintained and on our list to maintain them or to keep them what they're supposed to be to be safe or be closed, one or the other? But that's not your recommendations at this point. I mean, you weren't even involved at the time, but I don't know how this particular boat ramp has gotten in the shape its in. Being County property and it's never told it was ours. We've had complaints over the years, a number of years, and I would support closing it down. I don't think it's to anybody's advantage to keep it open right now, but I think we do need to go through the proper processes. I think it's been —, it's in our writeup, what we have to do in order to do that with a public hearing and everything. My real question though is once it is closed, if that's the decision that's made, where will the barricades be and what's going to stop people from still going down there and utilizing things, or is it just going to be barricaded and left and nothing else done and that's it, we forget about it, or what? County Manager Abolt said, it's a job we cannot forget. Commissioner Murray said, well, it's been forgotten about all these years. Until Commissioner Rayno brought it up it's been forgotten about. We've got all these complaints down there and all this stuff going on, stolen boat parts, people put boats in from there and go steal things off of people's dock and bring them back too. That's gone on for years. Why has nothing been done before now? Y'all don't have any excuses for that. The County has no excuse that is a legitimate excuse to say other than we just are not going to do it, period, and that's what's been done.

Chief Sprague said, Commissioner Murray, with regard to the past illegal acts that we know and suspect have been done there, the Marine Patrol does have it on its intelligence hitlist. Commissioner Murray said, well, they can't sit there 24 hours a day and watch that ramp. I understand that. Chief Sprague said, no sir, they can't. Commissioner Murray said, I'm not trying to throw off on the police. Chief Sprague said, well, with regard to the closing for the safety reasons, actually we have a boat ramp which is very little use for legitimate purpose and a very intelligence image that indicates that it has much more use for other purposes.

Commissioner Murray said, I'm in favor of the recommendation, I'm not opposed to it. Chief Sprague said, what we would like to do first is closed off the road based on whatever the engineers tell us or the County Attorney what we can do to close it off with cable, heavy cable so that you can't get a car or truck down in there for some sort of drug off-load, but also to keep the cars out with underage drinkers using that location. As Commissioner Rayno mentioned, it's basically one lane so you have to back a boat in there to —. Commissioner Murray said, oh, I've been in there, I know what it's like. Commissioner Rayno said, 800 feet you back in and if you park there, nobody else can use the ramps.

Chief Sprague said, exactly, so for those purposes, the debris, and for the possible damage to the ecology there in the marshlands and for the disrepair of the boat —, I mean, the ramp over the years, it just does not seem proper to keep it open. Commissioner Murray said, and I agree with you.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, well, my concern is as a boater I remember using the Bell's Landing ramp and it had no bathroom facilities. The boat went on and when I was through boating I'd have no idea whether it had some of the same problems or not. I guess after they built the restaurant and the condos, I guess they didn't have too many problems. It was a ramp that needed additional attention, but I also put in at the ramp in Thunderbolt where you turn in off of Isle of Armstrong. The one off of Isle of Armstrong, and I can tell you that even though Skidaway ramp is close by, there are not enough ramps in this County. When you get the peak time during the Summer, you can wait an hour, hour and a half for a chance to put your boat in or pull your boat out. There's just not sufficient ramps, and maybe what needs to be done is improve this ramp, have better policing, put up port-o-johns, put in a circle where people could circle around. I mean, I don't know about cutting down on facilities. You say the ramp's not used much. Well, of course, it's not used much. You don't have bathroom facilities, you don't have a turn-around place, it's not –, the trash is not picked up, and it's not adequately policed. Why would anybody use it that frequently? If it was cleaned up and some minor improvements made, maybe that would alleviate some of the pressure from the other boat ramps. Chief Sprague said, I believe Commissioner Rayno mentioned it's only 3.9 miles from Skidaway Narrows. That doesn't seem like much, Commissioner Jackel, from this location, but there is plenty of drive-in parking, et cetera, for boats. Commissioner Jackel said, but you go there during the peak time you're going to wait a substantial amount of time to put your boat in and out. That facility is overused, and it's not always a question the drive time, but the question is the distance from where you put in to where you want to go by boat. Chief Sprague said, I think it was the only –. Commissioner Jackel said, now if you put in at the Skidaway Narrows and you need to go to a place that's around that ramp, you might spend an hour in your boat just getting there.

Chairman Hair said, Commissioner Jackel, I think that's another issue. Commissioner Jackel said, I don't know if it is or not. I'm just saying –. Chairman Hair said, well, we're not going to solve that problem today, that's another –.

Commissioner Jackel said, I think the question then comes down to is do we take away a facility that we have or we bring it up to standards that it's useable. Chairman Hair said, you can't do that. Commissioner Murray said, but you can't bring it to standards when the space is not –.

Commissioner Rayno said, but there's no room on that plat to expand it. It's there and there and that's it. There's nothing else.

Chairman Hair said, I'm going to –, the Chair is going to recognize Mr. Lee for questions or comments.

Mr. Lee said, thank you, Mr. Chairman, Board of Commissioners. In the past seven years that ramp, well, it's been a long time ago and one of the very reasons I didn't use it was because it was so aggravating to use, and that was my question Mr. Rayno just answered part of it was if the County owns the property there, why not go ahead and acquire some more property, and rather than taking, just as Mr. Jackel said, rather than doing away with the public's use of this ramp, go ahead and make this ramp –. They had the same problem out in our area down at the Ogeechee River at Morgan's Bridge. There was a lot of riff-raft there just as we're talking about, beer cans, a lot of drinking stuff going on. What they did there to solve that problem was the State came in and took that ramp and made it a State ramp where there was no alcoholic beverages allowed to be drunk there, and put in trash containers, and the police started policing that area. If they had all the problems that our Police Department were talking about with the underage drinking and so forth, it looks to me like there should be some more patrols out there. Rather than also [inaudible] seen before. I'm retired from the Fish and Wildlife Service, and I saw the Fish and Wildlife Service close their ramp, a much used ramp in the Harris Neck area, simply because the big boss over the Fish and Wildlife Service wanted to show everybody he could do it, and that's exactly what happened there. That statement was made by him and was stated by some of the people under him. I happened to work under him further down and didn't hear him make that statement, so I'm in disagreement with closing this ramp. I'm in agreement with bringing this ramp up to size and expectation where it can be used by the public because just as Commissioner Rayno said, I've spent a lot of time on the water myself. Whereas it's only five minutes to drive over to the Skidaway Landing, that is a very busy ramp. Also, it may take you, depending on how far from where you wanted to go, it may take you a drastic amount of time to get around there. You consider that in the event of an emergency also. The extra time required to get around to Skidaway Landing, if you had an emergency on the water, you could cost somebody's life. So I simply state that you look at this thing very seriously before you consider closing this as to bringing this ramp up to standard where the public can use it. That's all. Thank you.

Chairman Hair said, thank you, Mr. Lee. Commissioner Rayno, do you want to make a motion? Commissioner Rayno said, I'd like to make a motion that we move forward on the temporary closure with the support of the Chatham County Police Department and public reaction. Chairman Hair asked, do I have second? Commissioner Kicklighter said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rayno, Rivers, Murray, Odell, Gellatly, Kicklighter 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.

County Manager Abolt said, Mr. Chairman, just for the benefit of the record, what you're doing is we will now post the site and set a public hearing before you, so your final decision will come after that hearing. Chairman Hair said, oh, we understand that.

Commissioner Jackel said, Mr. Chairman, I'd like to make a motion on that. Chairman Hair said, okay. Commissioner Jackel said, the motion as I understood Commissioner Rayno made was a temporary closing of the facility. I move that

we investigate the possibility of improving the ramp, the road, put trash containers –. Commissioner Murray said, I'll second that. Commissioner Jackel said, whatever is necessary to bring it up so it will be a useful facility in the County.

Commissioner Rayno said, I'd like to make a comment. I'm not going to be in favor of condemning private property to expand this ramp. There's some nice homes in there with very narrow plots and they're not going to be favorable to losing their property to do this and it's just a waste of funds when it's only 3.9 miles away I drive by the Skidaway Boat Ramp every single day, and the only time it's busy is on the weekends. During the week it's wide open, there's hardly anybody there. Commissioner Jackel said, I have to work during the week, Commissioner Rayno. I can only use it on the weekends.

Chairman Hair said, I'm going to recognize Commissioner Murray and –.

Commissioner Murray said, you know, I will support the motion strictly because I think it will bring some other things out once it's investigated. The property is not there to enlarge it. I am not in favor of condemning property to enlarge it, and that's what you would end up doing, going through a condemnation. Chairman Hair said, well, that's what the motion would do. Commissioner Murray said, he said just to let staff look at it.

Chairman Hair said, all aright, we have a motion and a second. All those in favor –.

Commissioner Kicklighter said, let me ask what the motion is. Commissioner Jackel said, the motion is that we look into the possibility of improving the facility so we can again have a useful boat ramp for the --. Commissioner Rayno said, you'll still [inaudible] condemning my constituents property and taking it from them. Commissioner Jackel said, they may not do that. Chairman Hair said, well, it would have to because that's the only way you could expand the road is to condemn –. Commissioner Odell asked, this is in Rayno's district? Commissioner Rayno said, yes.

Chairman Hair said, all those in favor vote yes, opposed vote no. Commissioner Jackel and Commissioner Murray voted in favor of the motion. Chairman Hair and Commissioners Rayno, Rivers, Odell, Gellatly, Kicklighter and Thomas voted in opposition. The motion failed by a vote of seven to two. Chairman Hair said, the motion fails.

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

Commissioner Rayno moved that the Board move forward on a temporary closure of the Montgomery Boat Ramp with the support of the Chatham County Police Department and public reaction. Commissioner Kicklighter seconded the motion. Chairman Hair and Commissioners Rayno, Rivers, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Jackel voted in opposition. The motion carried by a vote of eight to one.

Commissioner Jackel moved that staff investigate the possibility of improving the road at the Montgomery Boat Ramp and bring the Montgomery Boat Ramp up to a useful facility. Commissioner Murray seconded the motion. Commissioner Jackel and Commissioner Murray voted in favor of the motion. Chairman Hair and Commissioners Rayno, Rivers, Odell, Gellatly, Kicklighter and Thomas voted in opposition. The motion **failed** by a vote of seven to two.

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### **3. REFUND OF \$1,180 FEE PAID TO ZONING BOARD OF APPEALS (COMMISSIONER MURRAY).**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, you know, we had quite a bit of discussion on this at our last meeting and I think the votes were probably here to waive that \$1,180 fee that was paid so they would appeal to the Zoning Board of Appeals groups. The reason that we did not do that is because had we waived [sic] that \$1,180 it supposedly from a legal standpoint would have hurt one party's appeal to that Zoning Board for whatever reasons. I found out Monday after that meeting we had on Friday that they really can't even appeal it anymore because they don't have standing, and I'd like to have, first of all, a definition on standing and just what that means.

County Attorney Hart said, sure. Legal standing means that you are an entity that is recognized by law to have an appealable right over which a legal body may take jurisdiction over you and hear your case.

Commissioner Murray said, so in other words, what we're saying then is that a group of citizens in any particular area will not be allowed to appeal something –, a ruling that the MPC or the County Commission or someone has made on any development or anything that's in their area. Why? County Attorney Hart said, no sir, we're not saying that. Commissioner Murray said, that's what it sounds like. County Attorney Hart said, no sir, we're not saying that. What we're saying there is in order to have a case and to be a party in a case, you must have legal standing and the Court of Appeals of Georgia and the Supreme Court of Georgia is very clear on what that requires. A community citizens group that is an unincorporated group of citizens that attempts to appeal an issue that does not have any special damage to them in regard to that issue probably does not have legal standing. Whereas, if you take two individuals or one individuals [sic] that are contiguous or have a special right in the property that is contiguous to that, that their damages are different than what the

ordinary general public would have, would have an appealable right. The reason for that is so that someone across the County can't just as a matter of whatever reason as a citizen, to bring a legal suit in regard to a zoning matter, an appeals matter, in a separate portion of the jurisdiction. The courts are very clear about the standing and the standing issue of a particular group in front of that body. There were five cases that were directly on point. Each one of those cases had clearly ruled against an organization that was similar to this type of organization, and that is why we ruled that way. Currently there is a bill pending in the State Legislature that recognizes that as an issue. That bill would invest certain rights in groups similar to this group and, if it passes, in the future they may have standing. That piece of legislation clearly recognizes those two Supreme court decisions and those three Court of Appeals decisions that have ruled against groups of this nature, and that is why the County Attorney's office felt compelled irrespective of the interest in the public, irrespective of the rights being raised, that it was the correct legal decision to make.

Commissioner Murray said, all right. The next question I have on this issue is that this appeal process started probably two weeks prior or maybe three weeks prior to our last meeting, and you as the County Attorney in giving your legal opinion on all the way through how to properly proceed with this, and then after we had said we would not do the waiver at our last meeting, this still had not been brought up. Why with all the investigation and legal research and everything that was supposed to have gone into this, why wasn't this done before that? Why did you wait until after that fact to come up again –? County Attorney Hart said, because the –. Commissioner Murray asked, did it come from the developer? County Attorney Hart said, no sir. Two things happened in that. Because the County Attorney's office was not asked to rule on that issue until the appeal was made, and then we were specifically asked by the MPC and the Zoning Board Administrator to review issues. In the interim period of time we received correspondence from the adverse party to that, probably three or four separate occasions, raising legal issues that they intended to raise on the other side of that issue. Those came down on approximately Wednesday or Thursday before that Friday meeting. We did not have time to look at all the legal issues that were raised. The recommendation that we made to this body in that last meeting was not to waive the fee because our concerns were that until we knew the consequences of that, it might prejudice one of the parties where this body was attempting to do something good for that body that could have an adverse and intended consequences. Therefore, we felt that the decision needed to be made at that time that the Commission should back off, let the parties be among themselves, give the County Attorney's office an opportunity to look at the legal issues and make rulings. We ruled on five issues. We ruled on three of those issues favorable to the group in question, and we ruled adversely to them on two. Unfortunately, the standing issue is an issue that severs their ability to raise that issue before the Zoning Board of Appeals.

Commissioner Murray said, okay, the other thing is that they're being told now that it will be two weeks before they can get their refund from this money that was given. I want to know why. They gave the check in good faith –, I'm not addressing it to any particular person. Whoever wants to answer it. They gave it in good faith. The check was cashed and run through the bank. Why can't they get a check back in return now that they can't issue that within a day's time? County Manager Abolt said, that's the first I've heard of it. You pass a motion today, we'll cut the check today. Commissioner Murray said, that's fine, and the other thing I want to ask, and I'll make a motion to that effect in a minute, the other thing I want to ask is who is the Zoning Administrator? County Manager Abolt said, Mr. Jensen. Commissioner Murray said, all right, now during this whole process where this appeal was coming up, if I'm not mistaken, the Zoning Administrator made the comment that a fast food restaurant, this particular restaurant that's going there, is not a fast food restaurant. I understand that was not in writing, it was just verbally. And this particular restaurant on their web page advertises as a fast food restaurant. I would like for the Zoning Administrator to come to this meeting and explain to us why that determination is being made and why MPC followed that based on his verbal comment and not in writing. County Manager Abolt said, all I can say on that, sir, I remember the discussion at MPC and cannot attribute it to any one person, but I believe it was MPC's understanding that, again without trying to name the restaurant, or not naming the restaurant, that for whatever reason it was not considered fast food, but I –. We'll get the answer for you, sir. Commissioner Murray said, well, I would like to have that answer and once we get the answer, and if the answer's what I think it's going to be, then I think that needs to come back up on that particular project. But I would move now that we refund their money today. Commissioner Rayno said, second.

Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.] Chairman Hair said, the motion passes. Thank you.

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

Commissioner Murray moved that because it has been determined that the Islands Citizens for Logical Growth has no standing to file an appeal, that the \$1,180 fee paid to the Zoning Board of Appeals be refunded today to the Islands Citizens for Logical Growth. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

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#### **CHATHAM AREA TRANSIT AUTHORITY**

The Board recessed as the County Commission at 10:45 a.m., and reconvened as the Chatham Area Transit Authority.

The Chatham Area Transit Authority was adjourned and the Board reconvened as the County Commission at 11:10 a.m.

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**VIII. TABLED/POSTPONED ITEMS**

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



**1. REQUEST BOARD APPROVAL OF THE SAVANNAH AND OGEECHEE CANAL CORRIDOR MASTER PLAN PROPOSED FOR DEVELOPMENT OF THE CANAL CORRIDOR AS A MULTI-USE TRAIL.**

**Tabled at meeting of January 26, 2001. (Note: Please see most recent staff report prepared for your 23<sup>rd</sup> of February meeting.)**

**[DISTRICTS 6, 7, AND 8.]**

**ACTION OF THE BOARD:**

This item was not untabled for consideration by the Board.

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**\* 2. REQUEST BOARD APPROVAL OF THE \$52,880 PURCHASE, THROUGH THE STATE OF GEORGIA CONTRACT, OF 40 DELL COMPUTERS FROM DELL MARKETING FOR THE PUBLIC LIBRARY. The Library Director will be present to respond to questions.**

Chairman Hair said, we need to take Item #2, Request Board Approval of \$52,880 Purchase, Through the State of Georgia, of 40 Dell Computers, off the table. I'll entertain a motion. Commissioner Murray said, so moved. Commissioner Odell said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, Commissioner Rayno was the one that raised this issue I believe last time. I'm going to call on Commissioner Rayno to ask Mr. Johnson any questions. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, my question was concerning the computers we were going to replace. Are they in use now and what's the future for these old computers? Mr. Bill Johnson said, okay. First, let me apologize for not being here last week and taking up your time at two meetings with this. Ten of the computers are new to the system. In 1998 we adopted a technology plan for the Library system, which by the way the DMG Maximus study—, management study that the Board of Commissioners had done, had high praise for that plan. It set forth an optimum number of PC's for each branch library. Ten of these computers are toward meeting those goals in this year. The other 30 are replacements. The plan calls for scheduled replacement of PC's after their 36<sup>th</sup> month of life. All of these have come to 36 months. They are all first generation Pentium computers. Performance is not what we need from them, capability is not what we need from them. They range in age from 36 to 48 months old. Commissioner Rayno asked, are they currently in use now in the library system? Mr. Johnson said, yes, they are. Commissioner Rayno asked, have you received written complaints about those computers and their performance? Mr. Johnson said, no, we have not. Commissioner Rayno asked, you haven't received any written complaints whatsoever? Mr. Johnson said, no written complaints, no. What we see when a public access computer becomes less than optimum is customers avoiding that computer and putting greater pressure on the others that we have. They do not send us written complaints. Commissioner Rayno said, it's just hard to justify spending money on new computers when you don't have documentation of these computers being outdated or unusable and just sitting there collecting dust in the Library. Mr. Johnson said, the advise of my technology staff is the computers are, number one, after 36 months they're out of warranty.

Chairman Hair said, let's get you in order. Commissioner Murray then Commissioner Gellatly and then Commissioner Kicklighter.

Commissioner Murray said, I appreciate you coming and, first of all, let me say that everything that I have heard, the comments I hear coming back right now are very positive about what you are doing as the new director and what's going on with the library system now and the changes that are being made, and that is a compliment to you. Mr. Johnson said, thank you. Commissioner Murray said, we appreciate that. My question though is probably six or eight months ago approximately, it may have been longer than that, y'all came before us and you were purchasing computers through a —, I don't know if it was a Bill Gates Foundation Grant or through the Microsoft Plan or —, anyway —. Mr. Johnson said, yes sir. Commissioner Murray said, that were donated and there were a couple of libraries, Wilmington Island being one that was left out, but —, and that's probably why I remember it, but what are the difference in these computers that you want to purchase now and those that were put in most of the libraries at that time, which was not that long ago? Mr. Johnson said, the plan calls for 346 computers system-wide. We are not there yet. The Gates computers contributed significantly to that. There were 70 of them. The State's Y2K Project contributed another 70 to that. So those were —, we currently have about 325. That's 140 that we did not have to purchase with local money.

Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, can you tell us exactly where this money's coming from. Is this State money? Mr. Johnson said, this is SPLOST money. Commissioner Gellatly asked, it's SPLOST money? Mr. Johnson said, from the current SPLOST revenue stream that was designated for library technology. We've tried to build in —, over the past couple of years we've tried to build in funding for scheduled replacement of PC's so that we can keep our PC's and servers and other

technology so we can keep our technology up to date and not fall a decade behind, which is where we were in 1998. In Effingham and Liberty Counties we've been able to build that into the operating budget. In Chatham County we were very fortunate to have this funding stream from SPLOST to sort of rescue us from that situation.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, looking over these computers, they're pretty hot computers, they're 866 MHz, 256 RAM, 10 gb hard drive. Your computers are on the internet via our cable? Mr. Johnson said, they're on the internet through various networks, yes. Commissioner Jackel asked, and so they're cable or they're modem driven for the internet? Mr. Johnson said, they've on internet networks. Commissioner Jackel said, okay, and -. Commissioner Rayno said, they have a T-3. Commissioner Jackel asked, what are they -, what are most of the computers used for? Are they used for researching? Mr. Johnson said, yes sir. That's our desire at any rate. We have recently -, we were getting a lot of abusers coming in to play games on the computers and do chat and other sorts of personal communications. We have a filter in place that we put in place to block access to pornography actually, but it's much more capable than that and recently we have also blocked access to chat room sites and to game sites to the extent that we're able to so the computers are reserved for people doing research. Commissioner Jackel said, if they're used for research I think you've got more computer power than you need here. Mr. Johnson said, well, we may have more than we need today. My instructions to my staff were to purchase for three years, for a minimum of a three-year life span, and we do try to -, the other thing, sort of catch phrase I use with them is we can't afford this year's technology, we buy last year's technology, and this is -. Commissioner Jackel said, I don't see that as -, I think if you go in most of the lawyers' offices I know if they're running 400 MHz and 128 RAM, they're doing good, and you're double that on all your figures, and they're doing word processing and voice recognition and all that, and you're not doing that sort of thing. Mr. Johnson said, I can't dispute you. These are low cost computers, they're business class computers, they're last year's technology, and the intent is to have them still usable 36 months from now.

Chairman Hair said, Commissioner Rayno and then Commissioner Kicklighter.

Commissioner Rayno said, I've already stated my concerns about the computers. Your internet policy has me concerned because I've traveled all up and down the East Coast and went to Candler County, Daytona Beach, Orlando, West Palm Beach, tried all the different libraries and computer systems, and they all have an internet policy where you have to sign in to use the internet, and you sign a disclaimer that you will not go onto pornographic sites and your use is going to be for research only, you will not go into chat rooms, et cetera, so they have documentation and they have kind of a waiver from each person that uses the internet to make sure that they don't have liability problems, and as we toured the other day, even though you have a good filtering system, we did see kids that were able to access pornography sites by just misspelling certain risqué words, and so I'm concerned that the [inaudible] is not monitored properly enough to keep them all from these pornographic sites and that we need to implement some kind of a policy where people are signing in to use these computers and we know who they are and they know explicitly what our policy is on access to the internet. I think that's very important especially if we're expending public funds on these computers. Mr. Johnson said, I appreciate your comments. They're well taken.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. My question is to Russ [Abolt]. County Manager Abolt said, yes sir. Commissioner Kicklighter said, I don't know on this, with this type of funding, the \$52,000 out of, I guess, SPLOST funds, would that actually count towards a possible deficit in the budget? County Manager Abolt said, no sir. No sir, these are dedicated funds. When the people voted, they were told with a yes vote they'd get this. Commissioner Kicklighter said, okay, so that would not offset any -. Okay. Chairman Hair said, these funds were in the referendum, as the Manager said, for the purpose of this technology. Commissioner Kicklighter said, thank you.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Rivers said, so moved. Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Jackel, Murray, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes. Mr. Johnson said, thank you. Chairman Hair said, thank you.

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

1. Commissioner Murray moved to untable this item and place it before the Commissioners for consideration. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]
2. Commissioner Rivers moved to approve the \$52,880 purchase through the State of Georgia contract of 40 Dell computers from Dell Marketing for the Public Library. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Rivers, Jackel, Murray, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Thomas was not present.]

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**IX. ITEMS FOR INDIVIDUAL ACTION**

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

- 1. REQUEST BOARD AUTHORIZE THE TEMPORARY ASSIGNMENT OF A COUNTY POLICE OFFICER TO THE ADJUNCT STAFF OF THE NATIONAL CENTER FOR STATE AND LOCAL LAW ENFORCEMENT TRAINING AT THE FEDERAL LAW ENFORCEMENT TRAINING CENTER, IN BRUNSWICK, FOR A ONE TO TWO YEAR PERIOD AND TO CREATE ONE OVERFILL POSITION TO REPLACE THE ASSIGNMENT OFFICER.**

Chairman Hair said, I –. Commissioner Odell said, I move –. Chairman Hair said, go ahead. I'll entertain a motion. Commissioner Odell said, I'll move for approve. Commissioner Murray said, I'll second.

Chairman Hair said, I've got a real problem with this, Chief, and I'll tell you why. You know, all you had to do was read the paper this morning and we've got a serious budgetary problem here, and here we are adding another police officer to the Police Department for the purpose of sending one outside of Chatham County. Now I believe the program is a good program, don't get me wrong, and I appreciate –, Commissioner Murray is the one that brought this to our attention, and I appreciate that and the guy made a great presentation last time, but this is strictly a budgetary item. I don't know how we can sit here in this kind of budgetary environment we're in and add a police officer to the staff and send one of our police officers to Brunswick for two years. I just think it's irresponsible and –, from a budgetary point of view, and I certainly cannot support that.

Commissioner Kicklighter said, Mr. Chairman. Chairman Hair said, Commissioner Kicklighter and then Commissioner Gellatly. Commissioner Kicklighter said, yes sir. I actually –, I feel bad because I told you before, you didn't ask me, but I said I supported the position. At that time I felt the request was actually what it says here, to authorize the temporary assignment of a County police officer. I thought the request was to take one that we have and assign him down in that area in Brunswick, not adding an additional person. So I can't –, with the problems we're having, I can't support adding one now, but I could support if you could find the power to send one down, you know, like that, I could definitely support that.

Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, I would like to think that I'm probably one of the most pro law enforcement commissioners on this Commission, but I'd have to tell you also that I have some very serious reservations about it only because of our current budget situation. I don't think that we would –, I think that it would be inappropriate for us to vote for an additional body while we're asking all the other departments to cut back, so I'm sorry, but I cannot support this.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, Mr. Chairman and Commissioner Gellatly and Commissioner Kicklighter have expressed my sentiments.

Chairman Hair said, all right, we have a motion and second to approve –.

Commissioner Murray said, wait a minute. I'd like to hear from the Chief.

Chief Sprague said, number one, we're talking about an overfill position, which would come out of our budget. It's not adding funds to the budget, to answer that question, now or next year. We have experienced, as all Police Departments have, and since I've been with the County government, high averages of police turnover. That creates vacancies during the budget year. We also have funds that when we do budget that are for anticipated problem areas, such as floods, such as hurricanes, such as St. Patrick's Day, et cetera, where there are funds in there in a safety net position, which if they aren't used are returned to the County fund in the form of contingency the following year. What we're requesting here is not a new person, a new position. We're requesting a new body to be funded from existing budget and existing budget next year for this two-year position. With regard to the advantages to Chatham County, and not just the Chatham County Police Department, you can act as a facilitator in getting training that's not available anywhere else into this County for all police departments. Part of that's being done next week via the satellite broadcast. I will say this. Years ago, late 50's and 60's, police officers were given a pistol and a uniform and told to go out and enforce the law. Not just here, in other states also. The police profession has advanced many times over the years to the point where police administrators by its boot straps brought the policing function up to its present level of professionalism in this country and in this County. The things that support maintenance of that professionalism, one of the key components, one of the two legs is training, and

we're in a much more complex society now than we were then. With regard to why I can't take an officer out of current compliment is we are policing 72,000 people with 1.9 officers per thousand. That's the lowest in Chatham County. I can't do that for a program like this, which is very beneficial to the citizens of Chatham County by passing on that training. It's the lowest in Chatham County.

Chairman Hair said, Chief, I've got a question. Chief Sprague said, yes sir. Chairman Hair said, you know, we can call it overfill or whatever we want to call it. You can call it whatever you want to call it, but if we approve this today we're adding thousands of dollars to our budget. At the same time, I've spent the last few days meeting with the constitutional officers asking them to cut their budgets, and I cannot sit --, you know, it's still adding a position. If we approve this, we're going to spend 40 or 50 grand more than if we don't approve this. So how could we call it --, we adding a body, we're adding a position that we're going to have to pay for. So we can call it what we want to call it, but it's adding a position anyway you slice it. Chief Sprague said, yes sir. Chairman Hair said, I just wanted to make that clear. Chief Sprague said, I understand the budget problems. Chairman Hair said, Commissioner Odell and then Commissioner Rivers and then [inaudible].

Commissioner Odell said, Chief, you've been asked to make cuts in your budget, have you not? Chief Sprague said, yes sir, we have. Commissioner Odell said, and you've made --. Chief Sprague said, and we did. Commissioner Odell said, and you've made those cuts within your budget? Chief Sprague said, yes sir. Commissioner Odell having made those cuts within your budget, this is an overfill position, this is not in excess of those cuts, is it not? Chief Sprague said, this --, we've made our budget cuts, and we could fund --, for instance, we programmed it out if it were approved, May 1 to June 30 out of funds that exist now in the budget because we have to have that safety net for these unforeseen things that come up. From obligations and from vacancies, like now, it's in our budget. Commissioner Odell said, here's my point, and my point is that putting things into perspective, the Chair just talked about constitutional officers, you've made the requested cuts. That's a true statement isn't it? Chief Sprague said, yes sir, it is. Commissioner Odell said, and this is an overfill position. Chief Sprague said, yes sir, it is. Commissioner Odell said, you've mentioned that Savannah is --, not Savannah, but Chatham County is 1.9 --. Chief Sprague said, officers per thousand. Commissioner Odell said, per thousand. Do you know what the City of Savannah's rate is? Chief Sprague said, I believe based on the same data that we use, which was MPC and web sites and in speaking with those departments, Savannah is somewhere in the range of 3, but other departments range up to 5 officers per thousand. Commissioner Odell said, okay so --. Chief Sprague said, that effects on efficiency of course. Commissioner Odell said, so putting it into perspective, as our Chief of Police, this is a position that you recommend that we do, this is something that we need to do because of all the reasons you've articulated. Right? Chief Sprague said, yes sir. Commissioner Odell said, you have made the requested cuts in your budget. Chief Sprague said, yes sir. Commissioner Odell said, this is an overfill position. Chief Sprague said, yes sir, and I might add that last year alone, it was an exceptional year, we had approximately 20 vacancies. That money has also accrued. When we had a vacancy some --, in this case it took us some time, two, three, four months to fill them. With 20 vacancies the monies that we've saved in that --, from those vacancies, is still going to be turned over at the end of this year. Because we made --, we did not make them keep one penny from salary savings from vacancies, so that will be an additional pass off to the County funds. Commissioner Odell said, I'd like to just make one last comment, not necessarily a question. I think that applying equal treatment is only valid if there are equal circumstances. You've made the necessary cuts. The question is whether or not the constitutional officers have concurrently made those cuts. To apply the same standard to you as to them without knowing all of the circumstances I think would be unfair to you, and potentially unfair to them too. Chief Sprague said, absolutely.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, Chief. Chief Sprague said, yes sir. Commissioner Rivers said, when you realized how we balance our budget --. Chief Sprague said, yes sir. Commissioner Rivers asked, how do we balance our budget? Chief Sprague said, well, as they explained to me, with various means and ways, but part of it I believe is from an anticipated five percent savings from salaries and benefits over the course of the year. That's part of it. Commissioner Rivers said, that's a part of it, and the rest from fund balance and everything like that. Then when you guys have that money over in your department as a result of not hiring or someone leaving, then we try to rotate that money back in, and that's a one time fund, and what you're asking for is us to do a permanent officer that requires reoccurring revenue in order to do that, and at this point here I would not be willing to do that to add somebody that's going to require recurring revenue because we have to balance this budget out with recurring revenue, and if we give you the okay, that means that everything that we take back from you, we're going to have to look out for that offset. We're going --, right now our fund balance is nil almost. So, you know, it presents a big problem. At this time I'd have to say no.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, first of all, I just want to make it plain that it will not affect me one way or the other whether this is approved or disapproved, but I saw the advantages of doing this with the training and what the training would mean, not just for the Chatham County Police Department but for all law enforcement agencies in Chatham County if they want to take advantage of it because all the training at that point then becomes free. I don't think you can say the 33,000 or whatever, \$33,362 that the officer would cost going down there and back would be that significant based on the benefits that we would receive from it and the type of training they would get and also the fact that, first of all, if somebody's assigned there does not mean they have to stay down there every day for two years or one year. If the Chief has something that comes and they need to be pulled back here, they can be pulled back here at any time. But this is just a benefit to this community for the law enforcement for their training. I also would like to see --, you know, had this not come in this kind of package

and had been a request to hire a patrol officer on the street before that 90-day hiring freeze type thing, and that process had come through, it more than likely would have been signed off on and that person would have been hired. I've seen it over and over throughout the last couple of years through the process we use to waiver the hiring freeze that probably 90% or more of those people have been hired that requested it, and I just, you know, I will support it. The votes don't sound like they're going to be there to do it, but I just see the benefits from it and we approve a lot more money than this on just about every issue that comes up in our agenda books for every meeting, so -, anyway, that's just -.

Chief Sprague said, I'd just like to close with the figures that we presented to the Commission, the 33,000-something, they're based on a 12-year [sic] budget that would begin July 1<sup>st</sup>, and salary savings during that 12-month period.

Chairman Hair said, I'm going to ask Commissioner Kicklighter to make a short statement, Commissioner Rayno and then we'll vote on it. Okay, Commissioner Kicklighter and then Commissioner Rayno.

Commissioner Kicklighter said, I just want to say, Chief, I guess timing is everything. Like the Chairman said, that article this morning did open -, it has to open your eyes to read that, and my eyes have been. Had you been here two months ago requesting it, we probably wouldn't -, I mean, I'd probably have supported sending two, three guys. I mean, but your timing's off and maybe in the future we can get a couple of, you know, get one down there for you.

Chairman Hair said, Commissioner Rayno and then we'll take a vote.

Commissioner Rayno asked, why aren't we using this as learning on something like this where a lot of people could benefit from the instruction that happens down there, whether it's paperwork or instruction things, distance learning. You could have a whole roomful of officers getting the advantage from that.

Chairman Hair said, since we have a resident expert on that-. Commissioner Murray said, I'd like to answer that if I could. That is basically what will be done next week on Wednesday and Friday with two different telecasts that we put out fliers to nationwide where there's a free video about telecasts offered to those people that don't have the capability to downlink to the sites from the satellite. Chatham County has an officer that has worked it out with the 165<sup>th</sup> Airlift Wing to go through their [inaudible] network and downlink so they can go out and view this, so there is training like that going on. It's not the amount of training that they would receive from this, but at the same time that is in the works now to do that, and they're trying to work it out also where they can start putting this same training on the internet and do it, and it's just a learning program down there that this all ties into.

Commissioner Rayno asked, okay, well, let's just direct staff then to possibly look into doing distance learning through the internet or either through some kind of a downlink at the Chief's AV facility there at the headquarters.

Commissioner Gellatly said, all right, motion and send to approve. All those in favor of approval vote yes, opposed vote no. Commissioners Murray and Odell voted in favor of the motion. Chairman Hair and Commissioners Rayno, Rivers, Jackel, Gellatly and Kicklighter voted in opposition. The motion **failed** by a vote of six to two. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion fails. Thank you.

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

Commissioner Odell moved to authorize the temporary assignment of a County Police Officer to the adjunct staff of the National Center for State and Local Law Enforcement Training at the Federal Law Enforcement Training Center [FLETC] in Brunswick, Georgia, for a one to two-year period and to create one overfill position to replace the assignment officer. Commissioner Murray seconded the motion. Commissioners Murray and Odell voted in favor of the motion. Chairman Hair and Commissioners Rayno, Rivers, Jackel, Gellatly and Kicklighter voted in opposition. The motion **failed** by a vote of six to two. [NOTE: Commissioner Thomas was not present.]

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#### **ORDER OF BUSINESS**

Chairman Hair said, before I get to the next item, I understand there's a number of folks in the audience -, the Commissioners have made me aware there's a number of folks in the audience that are here possibly for a discussion of the Ogeechee Canal or Bush Road. That's on the table and it will stay on the table probably for some time to come. You're certainly welcome to come, but we will not be discussing that item today. So feel free to stay if you'd like to do so, but if I were in y'all's position I'd probably leave.

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#### **2. TEN MINUTE BRIEFING ON N.O.A.A. PROJECT.**

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, yes, Dr. Hair and gentlemen, this is optional. I don't know where you are in your schedule today, but if you'd like to defer, we can defer it. If not, this obviously has caught some attention. The community [inaudible] and all of you are familiar with it. Mr. Monahan stands ready to give you a ten-minute briefing

Mr. Pat Monahan said, thank you, Mr. Abolt. Some of you may be aware –, some of the new members are not aware of a project that the County has been working on with federal agencies for the past six months. So the idea of this briefing was to allow the three new Commissioners to be brought up to speed on the project and also to update the Commission on where we were. Chatham County began making an investment that opened up last year that we call the Savannah International Trade and Convention Center and it provides a new product development in our tourism offering in the community, and that's particularly for the business visitor who visits us in the conventions. It's a highly competitive part of the marketplace. For example, the typical tourist will spend an average of \$130 a day whereas the typical business tourist here for a convention is going to spend an average of \$200 a day. So it's like having an uncle and a rich uncle. You love them both, but you prefer that that rich uncle visits you a little bit more frequently. So that's the instance here where we're creating economic development within the community, increased spending between 150 and 200 million dollars a year. The next phase of that that we're looking at new product development in concert with the Chamber is what we call community tourism or expanding for more family type tourism, and our opportunity here is with the N.O.A.A. Interpretive Center. N.O.A.A., a federal agency, National Oceanographic and Atmospheric Administration, most of us recognize N.O.A.A. because of its weather reports and through catastrophes that might be bearing upon any particular community. N.O.A.A. also is the custodian of the National Marine Sanctuaries Program, which represents twelve federally protected archeological sites off the shores of the continental United States. N.O.A.A. wants a place to tell its story. Congress has mandated that N.O.A.A. tell that story, but N.O.A.A. wants to do more than just tell a story. It wants to be able to tell the story in an engaging manner and in a community where it compliments its ability to tell that story to the type of tourists who are attracted there. This particular exhibit has gone through several changes, and the name is now called the Blue Planet Experience Ocean Exploration. It will become a national attraction. Not an aquarium and not a science center, a little bit of mix of both. Basic project description is it will provide 40,000 square feet of an interpretive exhibits that will show N.O.A.A.'s mission both in oceanography as well as in atmospheric research. I'll run you through some of the exhibits and then I think you can tell the type of facility that we're speaking of. This particular exhibit features the wild ocean and shows N.O.A.A.'s twelve sanctuaries which are located around the Continental United States. You can see them represented on the dots. That one, it's not exactly centered correctly, is Gray's Reef, which is off the –, about 30 miles off the coast of Georgia. But through this it will feature the marine sanctuaries, the work of N.O.A.A., its research vessels and its underwater rovers through live satellite links that will provide 15-minute realtime updates of what is going on throughout these areas that will provide, for example, temperatures, any particular activity that's going in that particular sanctuary. Another one of the features is what's call the storm chaser. This tries to incorporate both N.O.A.A.'s atmospheric research as well as its underwater research. It will provide a 360 degree projection, it provides a satellite view and the amazing part about this particular exhibit, it can trace any storm in the history of man. For example, a recent one might be Hurricane Hugo. It would show how the storm developed off the coast of Africa, give you an atmospheric view, then show the storm's projection as it's bearing upon Savannah, Georgia, and then at the last minute veers and hits the Isle of Palms near Charleston. The –, it not only shows the atmospheric changes that created the storm and the damage that results, but also the effect that it has under water, and as I said, it can be used to create any storm, perhaps maybe even Noah's ark. Another one would be the Living Sea, which is a live broadcast. The interesting part about this, it's a mini-theater and shows ongoing research, but it can show real time broadcasts so that, for example, this camera that will be set up in Savannah, Georgia, can be beamed to not only classrooms in Savannah, Georgia, but classrooms in Seattle, Washington, Kansas City, San Diego, Camden, New Jersey, anywhere throughout the United States broadcast from Savannah, Georgia. We are working with Georgia Tech and Georgia Public Television in partnering some sort of show similar to one of my favorite shows, the New Yankee Workshop, which is actually produced by the boss of GPTV station. This would show similar type of displays, but from Savannah, Georgia. Another one of those will –, another exhibit area will allow for individual exploration through any number of computer generated study. The –, you will see in all these exhibits the mainstay seems to be cutting edge technology and research. This one allows underwater exploration of live coral colonies. There will be very few live exhibits and they will be selective because that runs contrary to N.O.A.A.'s mission to capture live animals, but this one allows underwater exploration, hands on of cameras to show coral colonies. This one, you can imagine, would be very popular with the kids. They might have a row of 12 of these. These are actually what they call their deep work divers, hands on experience, the youngster would be able to get in and actually pick up artifacts just as though he or she were under water. These would be life-size models, full-size models, and provides the real world experience of the deep work tools. There are certain added value opportunities here that we see not only in the exhibits but, for example, this is one of N.O.A.A.'s 200-foot research vessels. It would be parked in Savannah, Georgia. That would become its home port, with the name of the vessel on the back, a Calypso-type name with Savannah, Georgia, featured prominently. This also provides other opportunities for us with this type of partnership with the federal government. We could see other federal agencies participating, perhaps Gray's Reef off the shore, coastal trips to the Federal Wildlife Refuge, maybe even incorporate the parks and –, the National Parks Service at Fort Pulaski as part of it, so it creates a whole other area of potential tourism opportunity. So, as you can see, this is a mutually beneficial relationship for both the federal agency and Chatham County. N.O.A.A. wants a special place to tell its story. Chatham County offers the type of visitor already who would frequent the type of facility that N.O.A.A. wants to develop. Generally, our visitors are interested in history, they're interested in our maritime story, they tend to be well educated, stay an average of 2.7 days. This provides us an opportunity to capture that visitor, expand the type of family tourist who might be coming here, but also get them to stay an additional day or an additional afternoon. A location on Slip 3 on Parcel 7 on Hutchinson Island also allows N.O.A.A. to be featured where it doesn't get lost in the shuffle of a larger urban area, let's say, like Coral Gables, where it becomes part of the fabric

of a downtown area but doesn't stand out singularly as an attraction. Of course, because it does complete this community's emphasis on education, right now we have the Yamacraw Project, which is featuring technology, we have the Marine Biology Program at Savannah State College, we have technology programs with both the new Georgia Tech Campus and Armstrong, so it features a lot of opportunities for us. The other, it does allow the community to provide another opportunity in marketing itself for tourism. This facility on a conservative basis is estimated to attract between 260,000 and 275,000 visitors a year.

Mr. Monahan said, just a little bit about the selection process of where we are. N.O.A.A.'s looking at communities, their criteria, mainly location, its proximity to an existing marine sanctuary, which that provides us an opportunity with the Gray's Reef; second, the market potential of the community. That, of course, will allow —, we can compliment N.O.A.A.'s goal because of the type of tourist who comes to Savannah, roughly two and a half million, who spend one at least one night and more than five million visitors each year, and also on community partnerships which we can offer through, for example, the GPTV televising and Georgia Tech. Part of the selection is, we have completed to date, we have been working with N.O.A.A. is funded \$250,000 this fiscal year to complete its exhibit plan that I've just detailed to you, and another \$150,000 early next year. N.O.A.A. plans to start construction some time with architectural to come in the Spring of 2002 and start construction in late 2002, early 2003, and depending upon the federal appropriation process, perhaps in early 2004. We have, at Chatham County we have an advantage. We have already hosted meetings with the project manager from N.O.A.A. and the economic consultant, invited the consultant to come to Savannah, take a look at the site, take a look at the Trade Center on Hutchinson Island and our plans. We also sponsored a two-day working session with the Director of the National Marine Sanctuaries Program and other key N.O.A.A. staff to orient them to the Savannah community and, probably most important and most impressive, that we are the only community out of the gate that has offered a site, and not just any site but a prestigious site of high value on the waterfront. Based on the consultant's visit to Savannah, and I'll just read this, I captured this from the consultant's report: From a marketing opportunity perspective, Parcel 7, which is on Hutchinson Island, is excellent providing exceptional visibility, support of adjacent uses, sufficient parking and offering attributes to support and enhance the interpretative theme of the facility. By the way, we didn't pay him to say that, he said that on his own. But we do have stiff competition. This type of national facility doesn't just land its way in Savannah, Georgia. For example, some of the other: Providence, Rhode Island, Monterey Bay, California, Corpus Christi, Texas, and of course Charleston, South Carolina.

Commissioner Murray said, Pat [Monahan], you said none of those other areas have the land to offer them. Mr. Monahan said, not yet. They have not offered any land. In Monterey Bay, near the aquarium, Monterey Bay Aquarium is an old Coast Guard, an old Coast Guard Depot and that site has been offered, but I understand it would take so much funding to reconstruct that particular area that it has been marked off the list.

Mr. Monahan said, and just to orient the new Commissioners where we're talking about, this of course is the Trade Center and the Westin Resort. This parcel, which we call Parcel 7 that the County is acquiring from CSX Railroad and in negotiations as we speak, the N.O.A.A. site would be in this general area. This is the slip that's adjoining it as part of the acquisition of the parcel, which is thirteen acres of uplands that includes seven acres of water rights, including the 50-foot easement along this area from the improved wharfs. Of course, some of the other advantages for N.O.A.A. being within proximity of River Street, which is the most visited historic district in the entire community, we will have the water ferries running across, we have the availability of the parking spaces for special events that N.O.A.A. might sponsor. In addition, we've suggested that N.O.A.A. might take a look at sponsoring national symposiums perhaps on the latest in marine research and, of course, the Trade Center with the auditorium would be another advantage of it. So our participation with N.O.A.A. is trying to create these goals in which we share mutually beneficial results. N.O.A.A. would become the anchor on the site for other community tourism development, and I've said it not only would put us on the map because it is a national facility, it's more important than that, it actually puts us on the globe. And just in summary, the economic benefits, the fact we would get 260,000 to 275,000 visitors in the community, the educational opportunity, the marine biology program at Savannah State College, the technology programs at Armstrong State [sic], and Georgia Tech. Our own high school students would be —, would have this type of facility in their back yard, and finally it is a prestige project. They would build —, even though there is a plan to build a series of these throughout the country, this would be the first and would be the flagship of the facilities. Any questions?

Chairman Hair said, Pat [Monahan], I think you've done a great job of putting this together and this is just something that would really benefit our community, and unfortunately it's going to come down to politics. It's going to be a highly political decision that's going to be made in Washington, not in Miller's office but in the halls of Congress. So we need to try to work on that every chance we get. It would be really good for us.

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

Received as information.

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3. **REQUEST FROM CITY OF SAVANNAH TO USE 1998-2003 SPLOST MONEY FOR PARK ACQUISITION. NOTE: This report will be distributed on Wednesday. Additional note 3/7/01: Staff requests that this item be pulled. It is not ready for consideration.**

County Manager Abolt said, not ready, sir. We have asked that it be deferred. Chairman Hair said, okay, we'll just leave it on.

**ACTION OF THE BOARD:**

At the request of staff, this item was pulled from the agenda.

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**4. SETTING SPECIFIC DATE FOR COMMISSION GOAL SESSION BEFORE THE 23<sup>RD</sup> OF MARCH AND REQUEST CONTINUATION OF THE HIRING FREEZE WHILE ASKING ALL DEPARTMENTS TO ONLY PURCHASE MATERIALS AND SUPPLIES THAT ARE MISSION CRITICAL.**

Chairman Hair asked, is there certain days that are good for y'all or bad for y'all, certain days. Let's start with days of the week first. Let's start with Mondays, if Mondays are bad for anybody. Commissioner Thomas asked, is that before the 23<sup>rd</sup>? Commissioner Murray said, Fridays are good for me. Chairman Hair said, all right, Mondays bad for her. What about Tuesdays? Commissioner Thomas asked, of March? Chairman Hair said, yes, we're looking before the 23<sup>rd</sup>. Are Tuesdays bad? Commissioner Thomas asked, what about the 20<sup>th</sup>? Chairman Hair said, the 20<sup>th</sup>. Is that a Tuesday? Commissioner Thomas said, the 20<sup>th</sup> is a Tuesday. Chairman Hair said, if the 20<sup>th</sup> is a Tuesday, why don't we --, what about the 20<sup>th</sup>? Commissioner Jackel asked, what time? Chairman Hair said, well, we're probably looking at probably nine till noon, something like that.

County Manager Abolt said, yes sir. You've suggested we also include the compensation consultant. Chairman Hair said, yes. County Manager Abolt said, we're at your disposal. Chairman Hair said, but we're going to limit that to 30 or 40 minutes. County Manager Abolt said, we're at your disposal. Just set the time and we'll be there.

Chairman Hair said, I don't know that it will take until twelve, but let's block three hours in case. County Manager Abolt said, March 20<sup>th</sup>, Tuesday, March 20<sup>th</sup>. Chairman Hair said, okay, that's when we'll set it. Tuesday, March 20<sup>th</sup>, nine till twelve, and we'll do it probably in this room. Chairman Hair said, yes sir, and you're the facilitator. Chairman Hair said, yes, I'll facilitate. Just make sure I've got all the stuff I need. County Manager Abolt said, yes sir. Chairman Hair said, March 20<sup>th</sup>, at nine o'clock. Thank you.

County Manager Abolt said, Dr. Hair, I realize you understand the importance of it, but would you please ask the Board to continue to request of all departments that they continue the hiring freeze plus in effect only purchase materials and supplies that are mission critical.

Chairman Hair said, I would just like to also add to that too, I mentioned awhile ago, but I probably didn't stress the importance of it, we are working very, very hard on this budget situation, and Russ [Abolt], of course, started with his staff first and did a very good job with the staff. His department heads were very supportive, and then this week we spent two half days, we asked each constitutional officer to come in to meet with myself and Russ [Abolt] and the budget folks, and I can say that they have been very, very cooperative. The constitutional officers have stepped forward. They understand the situation and they have added a lot of additional cuts, and I can't thank the constitutional officers enough. Every single one that came in, they didn't, you know --, most of them came personally themselves and we had some very good meetings. I think Russ [Abolt] would agree with that.

County Manager Abolt said, if I may, sir, I would like to personally and publicly thank the Chairman for what he did because part of our action now is to prepare the organization for a lot of choices. The Chairman chose to take time out of his day to do this. This is very unusual and very much appreciated by staff. I would also point out to evidence what the Chairman has said, if you look at your agenda packet today I hope you're impressed by the minimal amount of purchases being made as well as the [inaudible] we refer to as the omnibus budget report. The departments are cooperating and for that I'm most appreciative.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, you know, the hiring freeze that we will continue to do, I would just like to request that we go back to the way we used to do it where the department head that's requesting it has to come up to those microphones and give us reasons why they need this person. I know it takes a little bit more time to do that, but I think they need to justify to us, and not just a writeup that comes in our papers like we've got right here.

Chairman Hair said, I don't have a problem with that. I think you're going to get --, I will predict that you will get very, very few requests between now and year end because of the situation and also because of their cooperation, but I have no problem with that. But that sounds fine with me.

Commissioner Rayno said, make a motion, Frank [Murray]. Commissioner Murray said, I move that we –. Chairman Hair said, well, I don't think we need a motion. We'll just direct staff to do that from this point forward. We don't need a motion.

**ACTION OF THE BOARD:**

A goal setting session was scheduled for March 20, 2001, at nine o'clock, in the Commission Meeting Room.

The County Manager was requested to notify staff that on all requests for waiver of the hiring freeze, the department head requesting the waiver must appear before the Board of Commissioners to justify his or her need for the waiver.

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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.)

[NOTE: Chairman Hair took X-5 out of order and handled it at this point on the agenda prior to hearing other Action Calendar items.]

Chairman Hair asked, anybody want to pull anything off? Commissioner Jackel said, I'll pull 3. Chairman Hair said, okay. Commissioner Jackel said, A. Chairman Hair said, 3 and A. Anybody else? Commissioner Rayno said, 9-E. Chairman Hair asked, which one? Commissioner Rayno said, 9-E. Chairman Hair said, E, all right. Commissioner Jackel said, and I have 8. Chairman Hair said, okay. Anything else? Commissioner Thomas said, move for approval. Chairman Hair said, all right, we've got a motion to approve the balance of the Action Calendar. Commissioner Murray said, second. Chairman Hair said, and a second. All those in favor vote yes, opposed vote no. the motion carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

**ACTION OF THE BOARD:**

Commissioner Thomas moved that the Action Calendar be approved in its entirety with the exception of Items 3, 8, 9-A and 9-E. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter 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 FEBRUARY 23, 2001, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the minutes of the regular meeting on February 23, 2001, as mailed. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD FEBRUARY 15 THROUGH FEBRUARY 28, 2001.**

**ACTION OF THE BOARD:**

Commissioner Thomas moved that the Finance Director is authorized to pay claims for the period February 15, 2001, through February 28, 2001, in the amount of \$3,063,599. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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- 3. REQUEST FROM PAT LAWLER-SCOTT, WHO OWNS ONE PARCEL (PIN 1-0045-08-011) ADJACENT TO AND IMMEDIATELY EAST OF THE UNOPENED CHARLES AVENUE RIGHT-OF-WAY, FOR THE COUNTY TO DECLARE A PORTION OF THE CHARLES AVENUE RIGHT-OF-WAY ON WILMINGTON ISLAND AS SURPLUS AND TO QUITCLAIM THE PROPERTY.  
[DISTRICT 4.]**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Russ [Abolt]. County Manager Abolt said, sir. Commissioner Murray said, the reason I'm pulling this right now I wanted to find out, this is not the same person that had concerns about the bike path and signs that are going up there, is it? That called you and Engineering was going to go out with the contractor to put more signs and things up at that particular area. County Manager Abolt said, I cannot identify the name. I will tell you this, in your correspondence from me you'll find that signage and striping has gone in place. If you give me a moment, I'll have to go back to my abeyance file and find it. Commissioner Murray said, I really would just like to table this until the next meeting then until we get more information on it.

Chairman Hair said, we have a motion table. Second? Commissioner Rivers said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Murray moved to table to the next meeting the request from Pat Lawler-Scott, who owns one parcel (PIN 1-0045-08-011) adjacent to and immediately east of the unopened Charles Avenue right-of-way, for the County to declare a portion of the Charles Avenue right-of-way on Wilmington Island as surplus and to quitclaim the property. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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- 4. REQUEST BOARD APPROVE AMENDMENT #2 TO THE AGREEMENT WITH THE CITY OF SAVANNAH FOR UTILITY RELOCATION FOR TRUMAN PARKWAY, PHASE III, IN THE AMOUNT OF \$75,500 TO REPLACE THE EXISTING COUNTY FORCE MAIN WITH A NEW CARRIER PIPE AND A 26-INCH STEEL CASING.  
[DISTRICT 1 AND 3.]**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve Amendment #2 to the agreement with the City of Savannah for utility relocation for Truman Parkway, Phase III, in the amount of \$75,500 to replace the exiting County force main with a new carrier pipe and a 26-inch steel casing. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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- 5. TO AMEND THE INTER-LOCAL AGREEMENT WITH THE CITY OF SAVANNAH TO ALLOW APPOINTEES TO SERVE MORE THAN TWO CONSECUTIVE TERMS ON THE SAVANNAH-CHATHAM LAND BANK.**

Chairman Hair said, on #5, before we get to the Action Calendar, [Tax] Commissioner Danny Powers has requested that be tabled until the next meeting. He's got some information. He was unfortunately unable to get here, so I'm going to recommend that we table Item 5 until the next meeting. Commissioner Jackel said, so moved. Chairman Hair said, that's to amend the interlocal agreement with the City of Savannah to allow more than two consecutive terms on the Savannah-Chatham Land Bank. All those in favor –, do I have a second to the table motion? Commissioner Odell said, second. Chairman Hair said, all those in favor of the table vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present.] Chairman Hair said, the motion passes. Thank you very much.

**ACTION OF THE BOARD:**

Commissioner Jackel moved to table to the next meeting the request to amend the interlocal agreement with the City of Savannah to allow the appointees to serve more than two consecutive terms on the Savannah-Chatham Land Bank. Commissioner Murray Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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6. **REQUEST BOARD AUTHORIZE THE CHAIRMAN TO SIGN A CONTRACT WITH THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC., AND TO AUTHORIZE THE EXPENDITURE OF \$7,395 TO ENROLL THE CHATHAM COUNTY POLICE DEPARTMENT IN THE RE-ACCREDITATION PROCESS.**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to authorize the Chairman to sign a contract with the Commission on Accreditation for Law Enforcement Agencies, Inc., and to authorize the expenditure of \$7,395 to enroll the Chatham County Police Department in the re-accreditation process. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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7. **REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2001. PETITIONER: TED P. SHAW, D/B/A SAVANNAH YACHT CLUB, INC., LOCATED AT RT. 6, BOX 271 BRADLEY POINT ROAD. [DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the petition of Ted P. Shaw, d/b/a Savannah Yacht Club, Inc., located at Rt. 6, Box 271, Bradley Point Road, for renewal of a license for Sunday sales of beer, wine and liquor pouring for 2001. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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8. **REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2001. PETITIONER: ELEANOR M. COURSEY, D/B/A GRANT'S CROW BAR LOUNGE, LOCATED AT 205 JOHNNY MERCER BOULEVARD. [DISTRICT 4.]**

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, all right, this is another one where I don't think the figures are right. At the bottom of the page it says the above figures were obtained from the general ledgers of this business for the year ending, that's not filled out, and can be verified through documentary evidence. I understand and agree to make all records available to audit and a duly authorized representative of the County at any time. I understand and do hereby state under penalty of law that the information contained –. Chairman Hair asked, what's your question? Commissioner Jackel said, I don't have a question. I don't think the figures are right and I would like us to have our first audit of figures to see if they are correct. Chairman Hair said, the petitioner is here if you like to ask any questions directly. Do you want to ask him directly? He's right here. Commissioner Jackel said, that's fine.

Chairman Hair said, Mr. Coursey, Commissioner Jackel has some questions for you.

Commissioner Jackel said, your total gross receipts were \$191,000 last year? Mr. Coursey said, yes sir. That's what –, my wife runs this bar. I'm retired from Captain of the fire department, and my wife is the one that does this. I have a –, we have a certified bookkeeper with Padgett Business Service. We've been there 33 years. Commissioner Jackel asked, and over half your money comes from food? Mr. Coursey said, yes sir. I have a buffet salad lunch every day. It runs from 10:30 to 2:30, and I –, we have sandwiches available and then Sunday I also have a buffet style dinner on Sunday and sandwiches and all are available, and then we have an oyster roast that we put on every Friday night, consumed on the premises about a thousand pounds, and we keep these records according to –, like y'all have audited us before, and we don't have no problems if that's what you want to do again because we do have proof of it. And we've been there, we're the oldest establishment on Wilmington Island.

Chairman Hair said, before I call on Commissioner Odell, I have –, I've known Mr. Coursey a long time, been in his establishment a number of times and, as he said, he's been there 33 years, and to my knowledge we've never had any problems or anything associated with this, and I think he runs a very fine establishment. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, sir, just –, you’ve been there for 33 years? Mr. Coursey said, yes sir. Commissioner Odell said, and we’ve audited you before. Mr. Coursey said, yes sir. Commissioner Odell asked, how many years ago were you audited? Mr. Coursey said, I think it was approximately five years ago. I came up here before this committee [sic] and all. Mr. Hair was not Commissioner, I think it was Mr. Mahany. Mr. Murray was here, which Mr. Murray’s from my district, and we have never had no problems. We run a legit business. Commissioner Odell asked, pretty good buffet? Mr. Coursey said, yes sir. Chairman Hair said, yes. Mr. Coursey said, pork chops every Wednesday. Commissioner Odell said, I’m getting hungry. Chairman Hair said, I can attest the food is good, okay. Mr. Coursey said, we go through 560 pork chops on Wednesdays. That’s called pork chop day. All the guys know that, they’re there. Fried chicken day is Tuesday, they know that. It’s a toss up for the cook. She cooks whatever she wants the rest of the days. Fried chicken on Sunday and we always have that. Commissioner Odell said, I will not tell my mother –. Mr. Coursey said, oysters one night. Commissioner Odell said, because you would double that if she started.

Chairman Hair recognized Commissioner Murray.

Commissioner Rivers asked, oysters one night, Mr. Coursey?

Commissioner Murray said, you might need to refocus on that a little bit. They’ve got down in Brunswick pork chop Tuesdays, but they have fried chicken every day and they have another meat that goes along with it and you get it for \$9.99. Mr. Coursey said, we have it Tuesday and Sunday because everybody wants fried chicken on Sunday. Commissioner Murray said, but what happened years ago when he first applied for the Sunday sales there were some problems, and I think the problems were in the kitchen in not having the right hood and blowers –. Mr. Coursey said, right. Commissioner Murray said, and whatever you call that stuff. Mr. Coursey said, we complied to all that. Commissioner Murray said, that has been done and it’s all been complied with and what we have to go on now, as we do with any of the Sunday sales, is those figures that are given to us, and audits have been done in the past and we quit doing audits I think before you came on because we just didn’t feel like it was –, or some didn’t feel like it was the right thing to be doing because you weren’t getting the figures you wanted to anyway and anybody could keep their books like they want, but based on what he has here and based on what I’ve seen, I have not seen or heard of any problems over the years coming from the Crow Bar Lounge.

Chairman Hair said, I’ll entertain a motion. Commissioner Odell said, I’ll move to approve. Commissioner Rivers said, second. Commissioner Thomas said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

Commissioner Rivers asked, what night is oysters, Mr. Coursey? Chairman Hair said, Friday. Commissioner Rivers said, Mr. Coursey. Chairman Hair said, Friday. Commissioner Rivers said, Friday. Chairman Hair said, thank you, Mr. Coursey.

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the petition of Eleanor M. Coursey, d/b/a Grant’s Crow Bar Lounge, located at 205 Johnny Mercer Boulevard, for renewal of a license for Sunday sales of beer, wine and liquor pouring for 2001. Commissioners Rivers and Thomas seconded the motion and it carried unanimously.

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. One-year lease renewal for office space for Internal Affairs	Police	Mahia K. Wilson (Lease Agreement)	\$12,900	SSD- Police
B. Annual contract with option to renew for two additional one-year terms for oils and lubricants	Fleet Operations	Barrett Oil Distributors	\$26,055.85	General Fund/M&O - Fleet Operations
C. Annual contract for “Wrap Around Services” for Juvenile Court	Juvenile Court	Chatham-Savannah Youth Futures Authority	\$17.57/Hour	Grant from the Children and Youth Coordinating Council
D. First renewal to the annual contract for psychologist services and approval to increase hourly rate from \$37 to \$39	Detention Center	Dr. D’Alessandro	\$39/Hour	General Fund/M&O- Detention Center

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
E. Purchase and installation of a septic infiltrator system at L.Scott Stell Park and a lift station at Jim Golden Ball Park	Parks and Recreation	Lakeside Water Company	\$11,300	General Fund/M&O-Parks and Recreation

**Items 9-B, 9-C and 9-D:**

Commissioner Thomas moved to approve Items 9-B, 9-C and 9-D of the Action Calendar. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

**Item 9-A:**

**One-year lease renewal for office space for Internal Affairs; Police; Source: Mahia K. Wilson (Lease Agreement); Amount: \$12,900; Funding: SSD-Police.**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, my only question on this is do we go off our regular –, outside from our regular facility to do the internal affairs? County Manager Abolt said, yes sir. We have for a –. Commissioner Murray asked, it's not done in the –? County Manager Abolt said, we've done it for a number of years for some very important and very productive reasons. I might just mention to the Board, Mr. Lynch could not be with us today. His wife is quite ill; otherwise, he would answer specific questions, but on this one Chief Sprague initiated a number of years having the off-site particularly when folks have to visit and talk to investigators absence the ability to say they're going to the Police Department. Commissioner Murray said, that was my only question. I don't have a problem with it, but I didn't realize we were doing that.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Odell said, so moved. Commissioner Thomas said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**Item 9-E:**

**Purchase and installation of a septic infiltrator system at L. Scott Stell Park and a lift station at Jim Golden Ball Park; Parks and Recreation; Source: Lakeside Water Company; Amount: \$11,300; Funding: General Fund/M&O-Parks and Recreation.**

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno asked, is someone here to answer the questions in place of George [Lynch]? Chairman Hair said, Mr. Golden was here. County Manager Abolt said, our crackerjack Purchasing Agent is here, recently awarded. Chairman Hair said, he got a proclamation, I know he's here. Mr. Parson said, Robert Drewry is right outside, he was earlier. Commissioner Rayno asked, what kind of vandalism occurred to destroy a whole leech field? Mr. Parson said, you'll have to have Mr. Drewry, I'm not sure on that. Commissioner Rayno said, I'd like to table until we –. Mr. Parson said, well, let me see, I think Mr. Drewry was –.

Commissioner Kicklighter said, if I could on that. The restrooms aren't even working. This will help get the restrooms working. This is not one we need to –.

Chairman Hair said, I think we can get the answer to your question, Commissioner Rayno. County Manager Abolt said, we also had lightning strike, as you know. The lightning struck –. Chairman Hair said, I don't think we need to delay this. This is a safety, a health issue.

Commissioner Rayno said, well, yes it is, but we need to know what caused the problems so that if this vandalism is occurring, we could stop it from happening again, but number two, I'm kind of skeptical, I've put in leech fields before and I'm wondering what exactly destroyed the whole leech field. It might be that the leech field is not as bad as they say it is.

Chairman Hair said, okay, make your motion to table and we'll see if we get a second. Commissioner Rayno said, motion to table. Chairman Hair asked, second? [No response.] Chairman Hair said, the motion fails for lack of a second. I'll entertain a motion. Commissioner Kicklighter said, I'll make a motion to approve. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Jackel, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of eight to one.

**ACTION OF THE BOARD:**

1. Commissioner Thomas moved to approve Items 9-B, 9-C and 9-D of the Action Calendar. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]
2. Commissioner Odell moved to 9-A. Commissioner Thomas seconded the motion and it carried unanimously.
3. Commissioner Kicklighter moved to approve 9-E. Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Rivers, Jackel, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of eight to one.

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**XI. FIRST READINGS**

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

- 1. **AN AMENDMENT TO THE CHATHAM COUNTY ZONING ORDINANCE TO AMEND SECTION 3. GENERAL PROVISIONS, SUBSECTION 3-6-1. LOCATION OF ACCESSORY BUILDINGS ON RESIDENTIAL LOTS, TO ALLOW THE PLACEMENT OF ACCESSORY STRUCTURE IN THE FRONT YARD OF UNUSUALLY LONG, NARROW LOTS. THE MPC RECOMMENDED APPROVAL.  
MPC FILE NO. Z-010126-52746-1  
[NO DISTRICT - UNINCORPORATED AREA - TEXT AMENDMENT.]**

**ACTION OF THE BOARD:**

Chairman Hair read this item into the record as the first reading.

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- 2. **BOARD CONSIDERATION TO APPROVE ADOPTING A MORATORIUM ON DEVELOPMENT IN WILMINGTON ISLAND, WHITEMARSH ISLAND, OATLAND ISLAND AND TALAHU ISLAND.  
[DISTRICT 4.]**

**ACTION OF THE BOARD:**

Chairman Hair read this item into the record as the first reading.

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**XII. SECOND READINGS**

None.

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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:**

Written 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:**

Written report received as information.

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**EXECUTIVE SESSION**

Upon motion being made by Commissioner Thomas, seconded by Commissioner Rivers and unanimously approved, the Board recessed at a.m., to go into Executive Session for the purpose of discussing litigation, land acquisition, and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 12:30 a.m.

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**ANNOUNCEMENT**

County Manager Abolt said, I forgot to mention, Dr. Thomas and gentlemen, if you choose to go to Mosquito Control facility groundbreaking, we will have a bus at 1:30 at Wright Square. Chairman Hair said, we're also going to have tents out there in case of rain. County Manager Abolt said, yes sir, in case it rains.

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**ITEMS FROM EXECUTIVE SESSION**

- 1. CLAIM OF JEFF SMITH FOR REFUND OF DRIVEWAY BOND, 1440 LITTLENECK ROAD (JON HART).

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the request of Jeff Smith for a refund of a driveway bond in the amount of \$300 for 1440 Littleneck Road. Commissioner Kicklighter seconded the motion and it carried unanimously.

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- 2. SETTLEMENT OF CLAIM OF DENNIS RINGS FOR DAMAGES TO SAILBOAT (JON HART).

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve settlement in the amount of \$18,000 for a claim by Dennis Rings for loss of use, mileage and living expenses regarding damages to a sailboat which is used as his main residence. Commissioner Kicklighter seconded the motion and it carried unanimously.

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- 3. 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 Rivers 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 12:32 p.m.

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

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

\_\_\_\_\_  
SYBIL E. TILLMAN, COUNTY CLERK