

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, MARCH 23, 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 23, 2001.

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**II. INVOCATION**

Commissioner Harris Odell, Jr., 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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**YOUTH COMMISSIONERS**

Chairman Hair said, I'd like to introduce our Youth Commissioners who are with us today. We have ZaDonna Slay, who's a Junior at Jenkins High School, representing the Girl Scouts. We have Wilbert Smith, who is a Senior at Jenkins High School, representing Leadership Savannah; and we have Stephanie Tillman, who is a Junior at St. Vincent's Academy. We appreciate having y'all today and as we go along if you'd like to make a comment or ask a question, raise your hand and I'll recognize you.

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## **V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

- 1. BRIEF PRESENTATION BY JANE GARRISON OF THE HEALTH DEPARTMENT, COORDINATOR OF SAFE KIDS OF SAVANNAH COALITION, REGARDING THE FEDERAL HIGHWAY ADMINISTRATION'S PEDESTRIAN ROAD SHOW. THE CHATHAM COUNTY HEALTH DEPARTMENT WILL BE HOSTING THE WORKSHOP ON APRIL 17, 2001.**

Chairman Hair said, the first thing on our agenda today, we have a brief presentation by Jane Garrison of the Health Department. Is Ms. Garrison here? There's Ms. Garrison.

Ms. Jane Garrison said, good morning. Thank you, Chairman and Commissioners. I'm Jane Garrison with the Chatham County Health Department. I'm also with a few of our Safekids of Savannah Coalition members. I have a folder that was left by your chairs, a red folder, and in that is an invitation. We'd like to invite you to attend the Pedestrian Road Show. It's a workshop developed by the Federal Highway Administration. It will be Tuesday, April 17<sup>th</sup>, to be held at the Civic Center in the Green Room. We're inviting leaders like you. We hope that you will attend. The idea is to promote pedestrian safety in Chatham County. You'll learn about some successful programs in other communities, and we'll discuss local issues. Prior to that we'll be holding three focus groups in the community, one at Fellwood Homes, one on Wilmington Island and one in Georgetown, and we'll bring that information to the workshop, at which time we'll go over what the citizen input includes. We're also conducting a childhood injury data collection report at the Health Department and preliminary information indicates that pedestrian injury for children in our community is a significant problem. We'll have a final report in the file and we'll get that information to you. I'd like for the folks with me to introduce themselves so you'll know who they are.

The following persons introduced themselves: Officer Diane Williams, Community Outreach for Chatham County Police Department; Maryann Pappas, [inaudible], Chatham County Health Department; Blaine Goss [phonetic], Board of Education Risk Manager and Vice President of Safe Kids; Capt. Lightfoot, Savannah Fire; and Al Mungin, District Program Manager for Chatham County Health Department.

Ms. Garrison said, that concludes our presentation. We do really hope that you'll attend. We need your attendance because your ideas are important and the workshop is designed for folks just like you. Thank you.

Chairman Hair said, thank you very much and we appreciate y'all coming this morning.

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- 2. REPORT FROM YOUTH COMMISSION ON THEIR TRIP TO WASHINGTON, DC (COMMISSIONER THOMAS).**

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman, members of the Commission. We're delighted to have this opportunity this morning to bring you a group report on the Youth Commission's trip to Washington, D.C., and to New York City. I want to tell you that it was an experience that we all will always remember. It was most educational. I think it was one of the most complete trips that we have ever had as far as gaining information and experience. So I'm going to call on Mr. Van Johnson, who will give you a brief report and then each of the Commissioners—, Youth Commissioners will give you their report.

Mr. Van Johnson said, good morning, Dr. Hair, Dr. Thomas, gentlemen. One 56-passenger bus, \$6,000; 14 hotel rooms in two states, \$4,000; miles from here to there and back again, 1,600; the opportunity to meet Secretary of State Colin Powell, Senator Zell Miller, Representative Jack Kingston and Queen Latiffa, as well as to visit the New York Stock Exchange, the United Nations and the U. S. Capitol, not to mention the Today Show, in four days, priceless. Priceless would be the ideal term to describe the real value of the Youth Commissioners' trip to Washington, D.C. Even as we awoke this morning to hear of the latest tragedy to occur in a public school in California, just miles from where a fatal shooting took place just two weeks before, we can still find a glimmer of hope embodied in Chatham County youth, specifically through the Chatham County Youth Commission. We can find this hope because you decided by your moral and financial support to adopt a vision of Dr. Priscilla Thomas. You decided by your support to be proactive in addressing the needs of our youth in this community. You decided to give the youth the opportunity to be a part of the solution instead of being part of the problem. It is my opinion that this trip was blessed from the very start. We left Savannah under a major winter storm advisory for the entire Northeast. Record snowfall was expected from Washington, D. C., to New England, but as often happens when you're trying to do the right thing for the right reason, the storm mysteriously shifted to the East. The snowstorm that was to cripple the entire Northeast provided a beautiful winter backdrop for the Chatham County's latest blessed adventure. The *New York Post* said it best on the front page of their paper: What snow? Your young people were at the National Association of Counties annual legislative conference where they were the guests of honor at the luncheon that featured the Secretary of Transportation. Your young people were the guests of Secretary of State Colin

Powell and received a personal tour of the majestic staterooms and receiving rooms where various world leaders discussed issues. We had a 15-minute meeting scheduled with the Secretary of State, and this meeting lasted over an hour and a half. Your young people were given a VIP tour of the New York Stock Exchange where they learned about the global economy. Your young people visited the United Nations where they learned that Savannah and Chatham County is a part of a much bigger and larger international community. Your young people were in the studio audience for two tapings of the syndicated Queen Latiffa Show where they heard from men that had been convicted and even in one case had been placed on death row for crimes they did not commit. Your young people were featured on national television in 29-degree weather on the Today Show where even as the school shooting tragedy was a major news story of the day, Katie, Matt and Al also saw a glimmer of hope in the fine representation of Chatham County youth. Your young people met with Senator Zell Miller in his Senate office and questioned him quite intently about the support of his various initiatives. Your young people met with Congressman Jack Kingston, who gave them an after-hours, behind the scenes tour of the Capitol to include the balcony of the Speaker of the House's office suite. This was possible because of your support. We cannot begin to thank those who have been so instrumental in making this event happen for our youth, particularly our parents that entrusted their young people to us. Certainly Dr. Thomas, who was riding in the front seat of the bus the entire way keeping our drivers on task. Our County Manger, Mr. Abolt, our Human Resources Director, Mr. Kaigler, Mrs. Debra Allen of my staff, and especially Peter Nichols, who accompanied us on this trip took photos and video footage of our experiences and was an instrument to coordinating our media coverage in Washington, New York and in Savannah. We now ZaDonna Slay of the Chatham County Commissioners to share a couple of her experiences.

Youth Commissioner said, good morning. Two weeks ago I experienced a once in a lifetime trip. Having a chance to meet with Secretary of State Colin Powell, Senator Zell Miller and Congressman Jack Kingston, visiting the New York Stock Exchange, United Nations, as well as other known places in Washington, D.C., and New York City, not only educated me in a political and business aspect of the United States, but it also helped me further my career decision. I would like to thank all the County Commissioners and other County employees for planning a successful trip. Because of you we are able to spread the positive things youth do in America and not the negative. We are able to broaden our education and plan a prosperous future. Once again, thank you.

Mr. Johnson said, we also have Wilbert Smith.

Youth Commissioner said, on behalf of the Chatham County Youth Commission and me representing Jenkins High School and the Leadership Savannah, I would like to thank you, the County Commissioners, for giving us that once in a lifetime opportunity to meet Colin Powell, Senator Miller and Congressman Kingston, going to the U.N., being in a NACo conference, and all the other things that you let us do, it was a wonderful trip, and we would like to thank you for donating your time and your money. Thank you. Chairman Hair said, thank you very much.

Mr. Johnson said, Stephanie Tillman.

Youth Commissioner said, I never thought in my life I would get a chance to meet Secretary Powell, and it was just a wonderful experience, and I'd like to thank each and every one of you for your financial support and everything that you do for us. It was really, really –, we really enjoyed it, and we also went to the United Nations. It was very interesting there. I don't think any of us have ever been to New York City before. It's just a wonderful experience and I'd like on behalf of all of us just to thank you from the bottom of our hearts. Thank you.

Mr. Johnson said, thank you for your continued support.

Chairman Hair said, thank you very much, Van [Johnson]. Again, we owe a great deal of gratitude to Dr. Thomas for starting this program years ago. Dr. Thomas, this affects a lot of people's lives and without your leadership it would not have occurred, and I personally appreciate it.

Commissioner Thomas said, thank you. I have one other thing to say, that we do have a video available, about 45 minutes or whatever, and it is available, and I think Mr. Nichols started on Channel 16 on Wednesday and we've had so many calls from so many people talking about that video. So if you would like to see it, Mr. Nichols can tell you what the schedule is, and if you need a copy of the video, we could probably find some funds to reproduce the video for you.

Mr. Pete Nichols said, just for a public announcement, the video will run –, it's about a little bit longer than an hour, it will run every Wednesday night for the next month at 8:30.

Commissioner Thomas said, thank you. Thank you all very much. Chairman Hair said, thank you, Dr. Thomas.

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## **ORDER OF BUSINESS**

Chairman Hair said, I'm going to ask unanimous consent to add two items to the agenda. One's for me on department consolidation that I'd like to discuss with Item 4 on Individual Actions and one from Commissioner Odell, who needs to add a resolution for the Homeless Authority, without objection. Okay, thank you.

[NOTE: Two items were added to the agenda.]

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## VI. CHAIRMAN'S ITEMS

### 1. ACCEPTING STATE GRANT FOR THREE K-9 VEHICLES FOR SHERIFF.

County Manager Abolt said, Mr. Chairman, if I may. This was added on yesterday. With your permission the Sheriff had submitted a request, which I believe you received in your packets in days gone by. Staff misunderstood it as being the issue stated was that the County would fund. In conversation yesterday the Sheriff, as I understand it now, it's not to fund, but to accept a grant. So your action—, the Sheriff I believe is here and could answer it, but there's something time critical on that. I had raised two initial questions dealing with, number one, a fund source and, number two, the policy of the Board to buy local, and my conversations with the Sheriff verified, and again by Mr. Persaud, funding is not an issue because it is grant reimbursable, and then the issue on the vehicle purchase, that is on State contract and the County as such is not buying the vehicles, just accepting title to them.

Chairman Hair asked, Sheriff, did you want to explain this please?

Sheriff Al St. Lawrence said, what this boils down to is that at the last Control Board Meeting —, you know, the last 18 months since we had a problem with K-9 and the State oversees and they have a man assigned here, what they wanted to do is to help out another task force. They want to give us three brand new vehicles with all the equipment in it. In exchange we've got to give three old vehicles with mileage on them to that other task force that they can't fund. Now, there's no reimbursement. They're going to take and send Chatham County, based on a note signed by David Persaud yesterday, \$93,184 and some change. We'll get to hold that money until the vehicles are delivered, at which time we just swap it. We give them the money and we've got three brand new vehicles with everything in it minus only the radios because our 800 system, we keep our radios, but everything else goes and we get all brand new stuff in return. It doesn't cost Chatham County anything. As a matter of fact, they make big money off the interest. They've got the checks in the bank.

Chairman Hair said, sounds like a no-brainer to me. I'll entertain a motion to approve. Commissioner Kicklighter said, I'll make a motion to approve. Chairman Hair asked, second? Commissioner Odell said, I'll second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you, Sheriff.

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

Commissioner Kicklighter moved to accept a State grant for three K-9 vehicles for the Sheriff's Department. Commissioner Odell seconded the motion and it carried unanimously.

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## VII. COMMISSIONERS' ITEMS

### 1. RECONSIDERATION: LIBRARY PURCHASE OF COMPUTERS (COMMISSIONER JACKEL).

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I'd like to make a motion for reconsideration on the purchase of Library computers. Chairman Hair said, okay, that does not require a second. All those in favor —.

Commissioner Murray said, wait. I want to ask a question first. Chairman Hair said, certainly. Commissioner Murray said, first of all, I think this is against our rules, against the *Robert's Rules of Order*. I think —, I don't think you can reconsider right now. That reconsideration was not asked for until a week after our last meeting. You need —, the way you need to handle it involves just make a motion to rescind the action that was taken and we'll bring it back up, but I don't think we need to start skipping over things that for this group —, we can't use it for one and not use it for others, and so for that I would say —, if you want to address that, Mr. Attorney.

County Attorney Hart said, Mr. Chairman. Chairman Hair said, certainly. County Attorney Hart said, the Commission is governed by *Robert's Rules of Order*. Technically, a person that voted for it, on the prevailing side, which Commissioner Jackel did, would have to make the motion. *Robert's Rules of Order* states on page 310, subsection b, that the making of a motion is subject to time limits. In a session of one day, such as an ordinary business meeting or one-day convention, the motion for reconsideration can only be made on the same day that the vote to be reconsidered was taken. In a convention or meeting that lasts more than two days, it must be taken on the next succeeding day of the original vote. I think

Commissioner Murray is technically correct. This motion would be out of line. I also think that if Commissioner Jackel wanted to raise a motion to rescind the previous action, he would be in his rights to have that asserted.

Chairman Hair said, okay, the motion's out of order. Do you want to ask for –. Commissioner Jackel said, I made the motion as an accommodation for Commissioner Rayno after he supplied us with certain information. I would leave it to him to make the motion. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, just let me make a comment before I make the motion. We approved computers that were worth \$1,322 apiece and I found what I consider to be a comparable computer, not of the same model make form the same company, but it's got the same specifications with a few shortfalls in the RAM speed and also the size of the monitor because the savings –, the computer I found was only \$799, with an additional soundcard bringing the price up to \$829, and if they purchased these computers they could buy 60 computers than close to 40 computers at the same price. That's why I think the County Commission should look at the Library getting the most bang for their buck or at least buying 40 computers and saving money. In our tight budget problems we're having now, I know these are SPLOST funds and all, but we should look at every dollar as being very valuable because it comes from the taxpayers, and that's the reason why I'm bringing this up and I'd like to discuss it further, so I'd like to make a motion that we rescind our previous action and –.

Chairman Hair said, we have a motion to rescind our previous action of approving computers. Do we have a second? Commissioner Murray said, second. Chairman Hair said, all those in favor vote yes, opposed vote no.

Commissioner Rivers said, Mr. Chairman. Chairman Hair said, yes sir, Commissioner Rivers. Commissioner Rivers said, hold that up right there. Let me have the Library Director and have discussion –. Chairman Hair said, well, let's get the motion to reconsider [sic] first and then we can discuss it and reapprove it if you –. Commissioner Rivers said, well, I think we can discuss it and we may not necessarily have to rescind it, in that order, if we may.

Chairman Hair asked, would you like to withdraw your motion, Commissioner Rayno, until we –. Commissioner Rivers said, no, no. Commissioner Jackel said, he wants discussion. Commissioner Rivers said, the motion is good. This is just discussion on the motion. Commissioner Rayno said, that's right, we can discuss it before we vote. Commissioner Rivers said, I just want discussion on the motion before we vote. Chairman Hair said, Mr. Johnson, come forward please.

Commissioner Rivers asked, have you seen this computer? Mr. Bill Johnson said, yes sir, I have. I've seen the flyer that Mr. Rayno had. I saw it this morning for the first time. Commissioner Rivers said, okay. Does that do exactly the same as the computer that you want or what's the difference and are there any encumbrance [sic] on Library staff as to what you've got? Mr. Johnson said, there are differences. There are differences in the amount of memory in the computer, the size of the monitor, the soundcard. You add all of that up and I estimate the cost of that computer to be, rather than \$800, to be \$1,088, in that neighborhood. The major difference is that they are different classes of computers. Dell makes essentially two classes. They make the Optiplex line of computers, which is a business class computer, and then they make the Dimension line, which is aimed at the home market. The computer Commissioner Rayno is suggestion is a Dimension-L and the L stands for low priced. It's a special that they're offering to the home market. The Optiplex line is a very robust computer, very high quality components, and I –, I don't have any experience within the work environment with the Dimension line Dell computers. I do have a lot of experience with the Optiplex line, and my experience with them has been that you take them out of the box, they work out of the box and they continue working, and you don't spend staff time on hardware issues with that particular line of computers. They are from the standpoint of robustness and saving staff time in maintenance and dealing with issues of hardware, they're –. Commissioner Rivers asked, why do you think you need to buy a more expensive computer other than those computers that's there that's at a lower price? Are there specific reasons why you need to have –? Mr. Johnson said, I think we will save money in staff time spent on keeping the computers running.

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, yes, I just wanted to piggyback on what Mr. Johnson just said in terms of the differences in the computers. The Dell that you were talking about and the one that –, I don't know the name of the one that you're talking about, but to me from what I'm hearing would be –, the difference would be in the memory and also talking about the Optiplex, because that's what we have, the Optiplex, which is featured by Dell, if you don't have enough memory in your sound, and et cetera, then you can't really do the job that you need to do. It may be on a smaller scale, but it will limit your ability to do exactly what you need to do. Mr. Johnson said, your ICS department purchases the Optiplex line of computers. Commissioner Thomas said, right. They're much better than that Dimension-L. Mr. Johnson said, and let me say also that the price of the PC's since we initially submitted the purchase request, that \$1,322 has gone down to \$1,279.

Chairman Hair said, okay. Any other questions? Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno asked, how many of the computers in the Library actually use the soundcard to the point where they're actually listening to streaming audio as they're cruising the web? Mr. Johnson said, right now not many, but that's primarily because we lack sufficient headphones to deploy them. Commissioner Rayno said, but most libraries only have like five or six where they're actually listening to the sound. Mr. Johnson said, we have more public access internet computers than most public libraries. Right now for the moment we're doing very well. Commissioner Rayno asked, would the average person realize the difference between a 64-megabyte RAM computer and a 512-megabyte RAM computer in terms of speed? Mr. Johnson said, yes, I think they would and we're not suggesting 512, we're suggesting 256.

Commissioner Rayno said, I stream audio on mine, a 200-megahertz computer with 64-megabytes RAM. It streams fine. There's minimal packet loss, there's minimal buffering that goes on. I think you're asking the public to pay for something that they don't actually need and you're assuming that because this is a less expensive model it's just going to break down when it comes with a one-year warranty. If it makes it through the first year, you've only got to go two more years before you replace it. If you buy more computers for less, you would have some that you could cannibalize for once it breaks down and you wouldn't have to buy parts for them. Mr. Johnson said, well, I'm not an engineer, sir. Commissioner Rayno said, but you're making a recommendation now -. Mr. Johnson said, so that a technical discussion -. Well, the recommendation is coming from the professional technology staff. It is very similar -, the configuration that we're requesting is the configuration that your professional technology staff has been purchasing for about six months now. It is also the same configuration that the Gates Foundation spent a couple billion dollars on nationwide. Very high quality components, Pentium 3800, 256-megabytes RAM, 17-inch monitor. Commissioner Rayno said, but the Gates Foundation recommended the Gateway computer as opposed to a Dell computer. Isn't that correct? Mr. Johnson said, they worked with Gateway to configure a particular computer. That computer was built specifically by Gateway for the Gates Foundation program. It was not an off-the-shelf Gateway computer.

Chairman Hair asked, any other questions?

Commissioner Rivers asked, do you have anybody here from your staff that recommended that? Mr. Johnson said, no sir, I don't, but I do offer again that my technology staff arrived at essentially the same conclusions that your professional technology staff did and that the Gates Foundation did with all the resources and expertise at their disposal.

Commissioner Rayno said, I just don't think it's fair that your department gets to buy something that I feel is a little bit more expensive than you should get when we've asked other departments out there to do more with less.

Chairman Hair said, we have a motion to rescind and a second. All those in favor of rescinding vote yes, those opposed to rescinding vote no. Commissioner Rayno, Commissioner Gellatly and Commissioner Kicklighter voted in favor of the motion. Chairman Hair and Commissioners Rivers, Jackel, Murray, Odell and Thomas voted in opposition. The motion to rescind **failed** by a vote of six to three. Chairman Hair said, the motion fails. Okay, thank you.

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

Commissioner Rayno made a motion to rescind the Board's action on March 9, 2001, regarding the purchase of computers by the Library. Commissioner Murray seconded the motion. Commissioner Rayno, Commissioner Gellatly and Commissioner Kicklighter voted in favor of the motion. Chairman Hair and Commissioners Rivers, Jackel, Murray, Odell and Thomas voted in opposition. The motion to rescind **failed** by a vote of six to three.

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## **2. ARTICLE IN SUNDAY PAPER REGARDING PROBLEMS IN CASTING BALLOTS (COMMISSIONER JACKEL).**

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I was surprised when in Sunday's paper an article by Kathy Cox and how the State is moving forward with new technology. I wasn't so much surprised at that because there had been a good bit of talk about that, but what did surprise me is the under vote in Savannah, particularly as it states in the Black precincts like Moses Jackson 9.6%, Oglethorpe Academy 9.3%, St. Anthony's Parish 8.4% and W. W. Law Center 8.7%. It had been my understanding that everything had worked fine and that there were no problems, and it was disturbing to read that in the newspaper, and I thought we ought to have an explanation.

Chairman Hair said, well, we have the entire staff of the board here. Chairman Hair recognized Mr. Stillwell.

Mr. Brooks Stillwell said, thank you, Mr. Chairman. I'm Brooks Stillwell, Chairman of the Elections Board, and we did read Secretary Cox's article. I think to give you kind of an overview of how the election went in Savannah, we had 78,381 votes in the presidential election, or people who were given ballots to vote for the presidential election. Of those numbers, 671 of those ballots were blank so somebody, either by oversight or by design, did not choose to vote in the presidential election. We had 1175 votes, or 1.5%, which are what we call over votes, and that means that someone either voted for two candidates for president or they voted for one and then wrote in the name of the same person or took some other action that spoiled the ballot. The machine would not read the ballot unless it's only one person voted for or one oval filled in, and I suppose the most common mistake that results in an over vote is when somebody, for example, votes for Martin Jackel for Commissioner and then just to make daggummed [phonetic] sure that we know that, writes in Martin Jackel as a write-in candidate for County Commissioner. Well, by doing that, you void the ballot because you can't have a write-in and a vote because, of course, the machine is not reading the name, it just knows there is one there. So when you vote for two, it spoils the ballot. The correct number of votes that were cast in Chatham County was 76,535 votes, or overall 97.6% of all the people who got a ballot voted it correctly in the presidential race. Now Secretary Cox is correct that there were some that there's obviously a difference between the various precincts and the level of the over votes and blank votes

that occurred, and I do have a breakout that I'm going to distribute to you in a minute that all of you can look at at your convenience, and it does show a pretty direct correlation between the precincts that have the lowest educational levels and then I would assume the highest level of illiteracy obviously have the highest level of over votes. I think that that is, and this is a supposition on my part, I haven't done any kind of scientific study on it, but we do have a relatively new type of voting system. There were many, many years in Chatham County when we used lever machines. There was a tradition in the community where a lot of people, if you can all remember looking on the signs on the side of the road, saying Vote for Martin Jackel, Pull Lever 7-B, or whatever, and a lot of people would write down on a card pull -, vote 7-B and whatever, but you can't do that any more because we have these little ovals to fill in, and we attribute the over votes essentially to lack of understanding of the manner in which ballots should be filled out by voters. Now, I certainly think that there's room for improvement there and that it presents an opportunity for the community to do better education of the voting public on what should be done, how it can be done. I know it doesn't -, you can see that people who are, let's say, drop out of school and are older people or illiterate would be much more likely to not do it correctly. Actually, to give you a personal antidote, I read a biography recently of the founder of Netscape, a guy who's one of the most brilliant technical minds in America, who flunked out of high school because he was so bored with it and went in the Navy and was classified as being retarded by the Navy because he had never seen a standardized test before and he filled in every single oval on the page instead of picking the one that was right, and they had him down swabbing below decks a year before somebody figured out the guy was a genius. So I only tell you that story because it does illustrate that people who -, I'm sure we all can imagine that there are people in our community who have never taken the SAT or never taken a standardized test and perhaps don't know how to fill out the ovals on a ballot, and again I think there's an opportunity there to improve that level of voting, particularly in certain precincts, and I'll give you all the lists and you can see them. Secretary Cox is correct that there are some areas where it's significantly higher than in others, but overall the numbers are very, very low. Now, we would not attribute really any of the problems in Chatham County to dysfunctional machines or any problems with the equipment. There is one thing about the equipment that could very much improve and that is that the optical scanning equipment that we use can be programmed so that if someone over votes, they vote for two, for Martin Jackel twice as I illustrated earlier, that ballot would be kicked out and the person would have the opportunity to revote or vote a new ballot, have that one spoiled and get a new one. Unfortunately, the present rules of the Elections Commission in Georgia do not allow that to be done, so we don't have the right to do that. That problem has been passed on to Secretary Cox. We have received some indication there was going to be a change about that in the future and that we will be able -, and I think that would be a significant improvement because obviously some people just make a mistake. It's also possible that somebody could change their mind on who they're voting for and not erase it well enough so that it marks twice or whatever.

Commissioner Jackel said, okay, that -, what it -, I mean, what steps can we take and y'all take or should we take -, I mean, we understand that there's a problem and in particular areas. What do we need to do, what do y'all doing to help correct it? Mr. Stillwell said, well, I think the most important thing that can be done is voter education, it's for churches, community groups, political parties to go out and hold meetings and educate people about exactly how you go about doing that, and of course that's been an ongoing process for many, many years by a lot of groups, including the League of Women Voters and a lot of churches and so forth, and I think we probably need to rededicate ourselves to that issue. If -, the Elections Board does conduct extensive training for our poll workers and I think they are overall very well trained by comparison to most in the country, but the education probably needs to focus on voters, and we don't have the staff to go out and run, you know, systematic large number of voter education projects, but we are -, of course, if we had the funding, we could do that to add more people or we can assist in volunteer efforts. Commissioner Jackel asked, what about -, can you work with our public access channel-? Mr. Stillwell said, absolutely. Commissioner Jackel asked, and get something up before the next thing, and the City's got one. They probably would be glad to run it, and then, of course, most of the TV stations would run it in a very short form probably. Mr. Stillwell said, we have done a lot of that, but certainly we can refocus on that, but in my opinion the most helpful thing we could do in that regard would be to be able to mail out sample ballots to every household before the election because then you would be able to have a ballot at home to go over it with your spouse and your children and, you know, argue about what the language in the Constitutional Amendments is and so forth, mark it up ahead of time so that you know what you're going to do in the ballot box. Now unfortunately we don't have the resources to do that, but that's strictly a monetary issue. We asked the -, our staff put together the numbers on that and probably for approximately \$60,000 in a general election we could do that mail out. Most of that is postage, but right now we don't have the funds. That would about increase the cost of running an election by about 50% to 60%. Commissioner Jackel said, the newspaper is publishing that so I'm not sure we're aiming at a target area with doing a mass mailing. I'm not sure that's the way we need to spend our money, but that's a decision to make -, to be made later. Let me focus on one further thing. I got several complaints from people out in the Georgetown area, and I think our County Manager also mentioned when we were discussing this thing, that there were long lines at the voting place, and when you finally got up to the desk you could see that quite a few of the voting stations were empty so there was a bottleneck in the processing in. You know, how aware are y'all of that problem and what steps can we take to correct that? Mr. Stillwell said, well, we're very aware of that. We had I think something over 70% turnout in a lot of our precincts in this last election, which was excellent. As different areas of the County grow at different rates some of our precincts are a lot larger than others. Some of the ones like Georgetown that are in heavy growth areas have perhaps gotten to the point where they need to be split in the future, and I know splitting a precinct and creating new places to vote is a big deal. You've got to go through the Voting Rights Act process, you've got to find a new place and so forth, so it's not something we can do over night. We did, hire a significant number of additional poll workers and put a bunch of additional ballot boxes in the last election. I'll let -, Kathy Rogers here is our Elections Supervisor, and I'll let her address Georgetown because she's familiar with that.

Commissioner Kicklighter said, if I could on that -. Chairman Hair said, let's stay in order. Commissioner Kicklighter said, okay. I'm sorry. Chairman Hair said, go ahead. We'll have Commissioner Murray, Commissioner Rayno, Commissioner Rivers and then Commissioner Kicklighter, in that order, okay.

Ms. Kathy Rogers said, I just wanted you to know we were aware of the problems at Georgetown. We were aware that day. We have technicians who were out in the field. We have one at the [inaudible] precinct and we're in touch with them hourly and we were notified early that we had a problem out there, and we had a manager out there a very long time, a very capable lady, but presidential election, when you've gone from 20% turnout to 80% turnout, it was very overwhelming to her. She unfortunately won't be managing probably that particular precinct again, but will be working, but we're very –, were very aware of it at the time and did send people out there to help with it.

Chairman Hair said, thank you. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Brooks [Stillwell], you mentioned that if the ballot is filled out wrong it's not programmed to kick the ballot back out. Mr. Stillwell said, right. Commissioner Murray said, that is not the case because I saw them being kicked out. Mr. Stillwell said, well, it will kick it out if it won't read it for some reason, if it's bent or there's some reason it won't accept it, but if there's an over vote in one election, it doesn't void the whole ballot, but let's say that in –, I'm picking on Martin [Jackel] today –, if somebody –. Commissioner Murray said, he's easy to pick on. Mr. Stillwell asked, he's easy to pick on? If we had somebody who voted for Martin [Jackel] and his opponent, but then they voted correctly in the presidential election, that ballot would still count in the presidential election. The vote would just not count in the one race where there was an incorrect count. But, yes, they sometimes do kick them out if for some reason it won't read, but it doesn't kick them out, it's not programmed to kick them out if there's an over vote, but it –, that can be done, and the equipment we have does allow that. It's just that the rules of the Georgia Elections Commission don't allow that right now, but we hope that will change by the next election. Commissioner Murray said, well, the reason I bring that up, where I vote the person that went behind me put his in and kicked it back out. The lady came over and asked him about did he make some marks in certain places and evidently he did. She then took it, put it in a folder without looking at it, walked him over to the desk, took that one, discarded it and brought another one and assigned another ballot to him and he went and revoted. I mean, to me it works great. I think the equipment is working good, and I can understand the concerns that some people have, but I can tell you that what we went through this last election, these machines was much, much better than what we've been going through in the past, and even though we did have long lines in some areas, it was not near what we had when we were having to have people stand in those big steel things and pull levers down. Mr. Stillwell said, right, well we certainly concur with that. The Board of Elections is very happy with the equipment that we have. I would point out there's a –, I haven't seen the final version, but Secretary Cox's legislation to basically change the election procedure or update the election procedure of the State passed the Legislature overwhelmingly, and that is going to call for some test projects in the next year, and it has a very, very ambitious goal of replacing all the election equipment in the State with these electronic machines so that it's sort of like an ATM machine where you vote on the screen by four years from now. Now in order to do that, it's going to be very, very expensive because if you think about it, the way the optical scan equipment works is you can have numerous ballot boxes in a particular precinct, have an unlimited number of places to fill out your ballot, but there's only one machine or two machines in a precinct that actually takes the ballots and scans them. If you go to the new equipment, they call it DRE, direct record electronic systems, then you have to have, in effect, an ATM machine for every ballot box. So we would go from having one optical character reader per precinct to having maybe 10. So we'd go from 110 optical scan equipment machines to maybe over a thousand. Those are all going to be very expensive. They're going to have to be calibrated, tested, stored in an air conditioned warehouse, transported. You know, very expensive proposition. On the other hand, there is no question, I don't think the Board of Elections certainly questions that that is the future, that is going to be how we're probably all going to be doing it 20 years from now. Whether we're all going to be doing that two years is another question because in Georgia we recognized that there are improvements to be made in our system, but our system is light years ahead of a lot of other counties in Georgia in terms of training and equipment and sophistication of the voters and a lot of other things. So we are concerned about the rate of change and the ability of the government, first of all, to fund the change and, second of all, to get the training to the level where it's useable by the voters, but I won't unless you want me to, I can go through some of the other things they're proposing, but there are a lot of very good proposals in that legislation. There are some others that we're concerned about in terms of cost and time.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, personally I think you guys do a great job, a fabulous job. The one problem that occurred during the primary where five ballots were kicked out, it occurred about 1:30 in the afternoon and I think they had it solved by 5:30 and all the voters who had their ballots kicked out were allowed to revote if they wanted to within a four hour period. Now that's a phenomenal system. Just to criticize that I think is wrong. Also, I was wondering if when you got the sample ballots you might consider printing them and then asking the people that deliver to homes for free, such as *Connect Savannah*, *Penny Saver*, same company, let them put it inside there. It wouldn't cost you anything and they could distribute it for you. Mr. Stillwell said, well, the newspaper already prints it, but the real problem with doing that is all of you, if you think about it a little bit, can recognize there's something like in 110 precincts in Chatham County, there's something like 75 different ballots and that's because the reason for the precinct division is that School Board Commissions –, Districts overlap, let's say, City of Savannah Aldermanic Districts or Legislative Districts or State Senate Districts, so it's possible to have precincts side by side, they're both in Commissioner Jackel's district, that have different State Senator or different Aldermen or whatever. So it's somewhat –, we're concerned that that might be –, that is one of the reasons for some of the confusion with voters. If you get a printed ballot in the newspaper, you go through and fill it out, then the one you get in your precinct might not be like that. You know, you may get in the newspaper Commissioner Murray and then your actual precinct might be in Commissioner Rayno's district, so that's a problem. Commissioner Rayno said, the reason I suggested that, Mr. Stillwell, is specifically what you want sent to a particular zone, so you could say this ballot goes there, and if it's an overlapping zone, you'll put both ballots in and make it very clear that this is for people that live in this particular

section and this for that section. Mr. Stillwell said, well, you theoretically could do that, but I think realistically with 75 different ballots and the confusion with where the precinct lines are and all, that the only effective way to make sure that Voter X gets the ballot that he's really going to see in the precinct would be to mail them, and you're talking about, as I said, for a countywide deal our lowest estimate is about \$56,000 to do that, and the majority of that is mailing costs. Now I personally think that's a good idea, but, you know, you have a lot of other budget issues, and I've certainly been through that before, so I wouldn't presume to decide what your priorities are at that. Commissioner Rayno said, my final comment is I view these new machines that are being pushed by the State as being an unfunded mandate because they're going to force us to come up with the cost and maintenance and storage things that we're not prepared for, and I think the learning curve on those machines is going to cause more problems because it's going to give the option are you sure you wanted to vote this way, and it's going to take more time as the person keeps pressing buttons on a touch screen. If you want a good example, people on the learning curve, you go to a local grocery store were they're scanning their own stuff and people's confused that the machine causes the problems and taking the time going through a procedure. So I like the optical scan method and I hope we'll resist the new method as long as possible. Mr. Stillwell said, well, I personally agree with you on that. I think that at least in the short run, you know, as I described, there are people that don't know how –, who never took the SAT and don't know how to fill out the ovals, we all know more people than that who have never sued an ATM. So those are going to be –, there's going to be a significant learning curve as well as an expense issue there.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, I just have a couple of suggestions and observations. One, I think that the poll managers need to be more adept in what they're doing, especially at W. W. Law, and I'm taking this –, this is one poll, that's my poll, and while there I observed certain things and the fact that I've called Kathy [Rogers] on a small thing, just whether you could use a pencil or whether you have to use a dark pen. That should be automatically clear. Secondly, there should be someone to render assistance in filling out those ballots for the elderly people or those that don't know –, I don't know how we could arrange that, the people being there. I know you can't do it. Ms. Rogers said, the law doesn't provide for the poll workers to do it, and the law provides that they have to bring somebody with them. If they don't bring somebody, my workers are instructed to try to help them find somebody at the poll, but I wish that there was a better way to assist and I have been taking with different people about that. It's a problem, but they're hindered from helping at all. Commissioner Rivers said, some way or another we need to try to find a solution to that. Ms. Rogers said, I agree. Commissioner Rivers said, those are basically two things that can help because people aren't familiar with filling out their ballot properly or they need to [inaudible] assistance.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, yes sir. I've got two comments here. Basically, I think the government can throw all the money they want to at something like this and it's not going to really help out, one being if illiteracy is a big part of the problem there, there's a good chance they're not going to be receiving a newspaper because they can't read it, so they're not going to see the ballot. If you mail the ballot to them, they're still not going to actually get to read it. It's going to take one-on-one, neighborhood groups, showing direction and it's something the government, I believe, needs to stay out of because it takes the one-on-one, and that's something the community has to come together as a whole to do there. Two is myself and Mr. Gellatly here, Commissioner Gellatly, we represent the Georgetown area and in our talking earlier, we both agreed that we do not want any other districts [sic] in our Georgetown areas. He has one side and I have the other. What we would like to see to eliminate future problems would be possibly more staff members there at the tables, more tables actually set up, that way we could avoid the confusion of new districts and telling people where to go at the different places there. So that's our preference being it falls in our districts. Mr. Stillwell said, if you'd like, Kathy [Rogers], we can do this. We'll set up a meeting with the two of you, if you'd like, at your convenience to kind of go over Georgetown and specifically what we're doing in that area. We do have –, there's no election where we don't have some problem where we have –, we have some where we have handicap access issues or we have too small a poll or something like that. So anytime any of you hear of something like that or witness it yourself, if you'll just let us know, we'll be glad to meet with you and try and work it out because our objective is to get those numbers up. We were delighted to see over 70% turnout and we'd like to see it be 100%, and I agree with what you said, Commissioner Kicklighter, that all the money in the world and all the best machines in the world are not going to overcome someone not knowing how to vote, and so the real opportunity for those areas that have over votes or under votes is in voter education, and I do believe that that is best undertaken at the community level one on one. So we will do everything we can to support that.

Mr. Stillwell said, if you don't mind, I've got most of the members of our Board with us. I'd like to introduce them to you because they all work very hard. Len Fahlander, Ernestine Jones, Marie Braziel, and our Deputy Superintendent Diane Carver are all here with Kathy [Rogers] and me. So we're pleased to come any time.

Chairman Hair said, we have two more Commissioners –, Commissioner Odell and then Commissioner Jackel, hopefully for final comments. Mr. Stillwell said, sure.

Commissioner Odell said, Brooks [Stillwell], I'm going to be very brief. I'd for the members of the Board to stand because I think you all are to be commended and I'd like for fellow Commissioners to join in giving them a hand. We didn't have the problem they had in Florida. We anticipated it. You're to be commended. I don't care what the article said or Kathy Cox. I live in a world of imperfection and looking at 78,000 voters and looking at 1,100 being kicked out, that's less than a 2% error rate, or a 98% we got it right rate, I think you're to be commended. Chairman Hair said, have the Board stand please. [Applause.] Commissioner Odell said, and just so that you all are aware, I'm very proud that the Fifth District is

represented by Ernestine Jones, and so I'm certain that we got it right there. I don't think that we'll ever get it 100%. I think that we can spend a lot of money in that effort, and it would not be a wise expenditure. I think that there's some fine tuning. I agree with Commissioner Kicklighter, a lot of the problems at this point are going to have to be solved by the community as far as voter education. I don't want the election people to tell people how to fill out theirs, so we have to check this, because it places you all in a position where you might be accused of an impropriety favoring one candidate over another. I understand the law, I agree with the law. My sister takes off every year to go down, every time there's an election, to go down and help my mom vote. My mother's 82 years old. She votes, most often she cancels out my vote, but she votes, but a family member helps her to vote, and maybe you could help us in some literature that we could distribute to churches identifying and quantifying the problem and providing what kind of things they could do. Mr. Stillwell said, we'll talk about that and, as I said, we're delighted to assist any group that wants to do that. If --, actually I think it would be an excellent undertaking for a civic organization in town to try and develop a better voter education program, and we would be glad to work with them in any way we could. So we are --. Commissioner Odell said, Brooks [Stillwell], I'm [inaudible] in all honesty, seeing what happened in Florida makes you grateful that we had a system in place and we had anticipated it, and 2% to me is not a --, I mean, if there's an educational problem with people's inability --, the example you gave, to do the oval, we can address that. It's not a problem with the system, it's a problem that exists in the community, but whatever system we have, we've had that kind of problem, but a 98% success rate to me is to be commended, especially after our presidential election. So I thank you.

Mr. Stillwell said, I want to say one other thing. We had over --, was it 800 poll workers last time? Ms. Rogers said, yes, we increased it by 250, there were 882. Mr. Stillwell said, we had 882 poll workers who basically donated a day of their time. Our poll managers make \$125 a day and our clerks in those polls make \$75 a day to work from 6:00 in the morning until 7:30 or 8:00 at night, and I don't think anybody's going to argue they got overpaid. Well, you know, from time to time, we have people come in and say I think you need smarter poll workers or you need younger poll workers or you need more poll workers. We are always looking for poll workers. You can imagine though out of almost 900 we had this time, they are hard to scare up and train. We put them through extensive training. So any time any of you have got anybody you want to nominate or have them call us, please do us. We're looking for good people all the time.

Chairman Hair recognized Commissioner Jackel for final comments.

Commissioner Jackel said, I'm glad I invited everybody up here and that we were able to have this discussion. I think it's really enlightened everybody. Everybody knows Commissioner Odell is one of my close friends, but I must just disagree with him on one point. Certainly the less than 2% overall is very good, but very few elections --, most of the people that win, win by 2% or 3%. Some of us are fortunate enough to have won by a greater margin, but if those precincts were the ones --. Mr. Stillwell said, some of us are fortunate enough to have lost by that margin. Commissioner Jackel said, but if we had had a close race in these precincts where there's a 9.6% or 9.3%, then we have a real problem if the difference between the candidates was 1% or 2%, then the error --, the people error would have fudged the election, and you understand that problem, I understand, and that's why I wanted to --, you know, the article was in the paper and I wanted to get it out. People are here that see it, the news media's here, it's on television from our thing, so people understand we're working on the problem, we need to improve it. We really appreciate y'all coming up and giving us all this good information.

Chairman Hair said, thank you very much. Mr. Stillwell said, thank you. I want to give y'all a copy of these and you might --, and I agree with what Martin [Jackel] said, and I think it's a great opportunity for those precincts that do have this problem, it's very easy to see where the problem is and, you know, shame on the people there if they don't do something about it next time. Chairman Hair said, all right, if you'll hand those to the Clerk, Brooks [Stillwell], she'll give them to us. Thank you very much. We appreciate y'all coming.

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

Received as information.

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### **3. DEFINITION OF FAST FOOD RESTAURANTS (COMMISSIONER MURRAY).**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I know at some point everybody's going to be --, get tired of hearing these things come up, but, you know, I'd requested at the last meeting certain things. Of course, it's not going to happen in this meeting because the Zoning Administrator is not going to be here to give us his definition, which I requested at the last meeting. I do have reports that all of you received from MPC on how they arrived at that, how they arrived at Wendy's being a fast food --, not being a fast food restaurant. It said the issue of fast food was never addressed and the fact it should have been addressed. If you go on the Internet, you can find all kind of things talking about the fast food news, McDonald's, Burger King, Wendy's, Krystal. All of them are in it. You've also got another one that comes out, Wendy's Fast Food Toys, things that are given out at Wendy's, which is a fast food restaurant. I would also like to ask staff to please go back and pull the minutes from the May 4<sup>th</sup> MPC meeting and look at paragraph three, paragraph four, paragraph five, paragraph seven, and the action that the MPC took, and then come back and explain why they didn't refer to all this information before that

kind of determination was made. My personal feeling is that we're trying to sidestep the issue, and there's no way that you can convince I don't think anyone, except those people that want to be convinced, that Wendy's, McDonald's, Burger King, any of those restaurants, just because they have a few seats inside, are not considered fast food restaurants. They are in fact fast food restaurants. Those restaurants advertise that way, and that's where I have a problem with it, and I think something needs to be clarified on this, and it is not clarified. This issue about how they arrived at it, it's just a sidestep, and I'd like to know what's going to be done about it for the future.

Chairman Hair asked, who do you address your question to? Commissioner Murray said, I'm addressing it to anybody on staff that can answer or wants to answer. Chairman Hair asked, can anybody –, can anybody answer it? Mr. Abolt? County Manager Abolt said, well, I'd like –, with MPC staff here, Mr. Chairman and Mr. Murray, the guy that –. Chairman Hair asked, is Mr. Newton –, can you answer Commissioner Murray's question?

Mr. Milton Newton said, I don't have the section that you referred to in front of me, but I'll try to respond. Commissioner Murray said, I have an extra copy if you'd like it. County Manager Abolt said, it's your memo, Milton [Newton]. Chairman Hair said, just refer to your memo. Mr. Newton said, you referred to certain paragraphs. Commissioner Murray said, I was referring to paragraphs in the minutes of the May 4<sup>th</sup> meeting. Mr. Newton said, oh. Commissioner Murray said, that's something I asked staff to look at. Mr. Newton said, right. Commissioner Murray said, not that you can discuss now because we don't have copies of it. No, I was referring to the justification that was given, and this memo came from you, of how y'all arrived that that is not a fast food restaurant, Wendy's is not a fast food restaurant. Mr. Newton said, we arrived at that finding based on the definitions in the Chatham County Code. That was the only basis that we had to go on, and we concurred with Inspections Department's determination based on the reading of the Chatham County Code. Commissioner Murray said, then there was another article –, writeup that I got, and I don't have –, can't find it right this minute, but I've got it somewhere, that states the Zoning Administrator never addressed fast food. County Manager Abolt said, that's correct, sir. That's in the –. Commissioner Murray asked, if it was never addressed, how can you say that it's not a fast food restaurant?

County Manager Abolt said, if I may on that one, I'm just reading from the memorandum we attached to the report that you have in front of you, the Zoning Administrator made an interpretation that a Wendy's qualifies as a sit-down restaurant through the interior seating capacity. The Zoning Administrator has made no interpretation relating to the fast food question. And as I understand it again, I'm distant from it, but the issue has to do with the inadequacy of the definition. The definition is limited to a determination of whether or not one can sit inside the restaurant. Commissioner Murray said, so we can consider Wendy's, McDonald's, Burger King, Krystal, anybody that has a table inside and a couple of chairs is considered not a fast food restaurant. Is that what we're saying? County Manager Abolt said, sir, advice comes from Mr. Hart here, but I said the County ordinance has no reference to the term fast food.

County Attorney Hart said, the matter is that the zoning ordinance at the time this matter occurred did not have a definition of fast food restaurant, and it talks about restaurants having interior seating, and if you have interior seating, then you qualified –, the way the definitions were written at that time under that zoning classification. I think the fact that you brought up Wendy's and these others as being fast food is a definitional problem that needs to be addressed insofar as the definition that could become part of the zoning regulations. It's my understanding the MPC is currently involved in trying to define the various classifications of restaurants and has had an ongoing discussion with a number of people that have this same concern.

Mr. Newton said, Mr. Chairman, I might add that we will have that definition consideration at the next MPC meeting on April 3<sup>rd</sup>.

Commissioner Rivers said, let me ask you a question. In the City's ordinance they disallowed fast food restaurants along the MLK corridor. Is that correct? Mr. Newton said, my recollection is that the City ordinance does have a definition of fast food. Commissioner Rivers said, so they're n to allowing any more fast food –, you can put a restaurant on MLK, and so they must have a broad definition. Maybe we need to look at their definition because they have disallowed the McDonald's and that type.

Chairman Hair said, Commissioner Kicklighter and then Commissioner Rayno.

Commissioner Kicklighter said, thank you, Mr. Chairman. Would –, some things –, I know nothing's simple in life, but could we just simply come up with a definition that if food is served through a window, it's a fast food restaurant? I mean, that's –, if it has a drive-in, and food is actually served through a window, it's a fast food restaurant, and I thought about that, what other type restaurants will qualify because you wouldn't want to hurt what they call a seated restaurant. Hilliard's has a drive-up, but it's actually not served through a window. They walk through the doors and bring the food out to your car, so it wouldn't hurt an establishment such as Hilliard's, a sit-down restaurant, but –, I mean, it's certainly not a window. It's fast food and we need to have zones where fast food restaurants are allowed.

Chairman Hair said, well, I think the problem is –, obviously by the fact that Commissioner Murray put this on the agenda today, the problem is how do you define it. I'm not sure you could –, I'm not sure it's quite that simple. Commissioner Rayno and then back to Commissioner Murray.

Commissioner Rayno said, I just have a brief comment. I just think it's sad that we're all sitting here talking about something so silly when the MPC could just apply common sense. We apparently have to have a definition, but it just seems so sad that we just can't apply common sense in government because it just makes us all look foolish, this whole situation.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes. To address Commissioner Kicklighter's comment, I wish it was that simple, but you do have some restaurants just opened –, there's a Barnes' Restaurant that is really a sit-down restaurant, but you can drive up to a window –. Commissioner Kicklighter said, I didn't know that. Commissioner Murray said, and get food handed to you to take out. So I think it really has to be defined. And also to address Commissioner Rayno, I agree with you, but as you're finding out, I think, there are no common sense in government unfortunately. Commissioner Rivers said, common sense will get them in court. Commissioner Murray said, but I really have some problems with the way this whole thing was handled. It goes much deeper than just this one issue, but there's no sense in getting into all that today because I've been through it before, but I will say one thing. Next time I sit down with someone and I look at what they are offering and what they say they're going to do and I agree to support it, that's not going to happen anymore with me. I've learned my lesson and it won't happen again. Not from my standpoint.

Chairman Hair said, okay, thank you. Thank you, Mr. Newton.

Mr. Ken Earls said, excuse me. One more question. What is the City's definition of a fast food? That seems like that would fix the issue. Chairman Hair said, I have no idea. Mr. Earls said, well, you have Mr. Newton here. Chairman Hair said, I have no idea. We can look into that. Mr. Earls said, well, that –, you should have asked that. Commissioner Rivers said, I just asked him. He didn't give me a [inaudible]. I asked him did they have one, and he said yes.

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

Received as information. The definition of fast food restaurants will be considered at the next MPC meeting on April 3, 2001.

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#### **ORDER OF BUSINESS**

Chairman Hair said, without objection, I'm going to take the next item, Individual Item 4 –, actually it's #3, excuse me.

[NOTE: Item IX-3 was taken out of order and heard at this point on the agenda.]

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#### **4. SOFT TRACK AT LAKE MAYER (COMMISSIONER RAYNO).**

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I started getting memos in November of 2000 about Commissioner Jackel's request for a soft track on Lake Mayer. Here we are in the midst of a budget crisis and we're talking about the possibility of spending \$128,000 on something new for the County, and I think that the County really needs to start looking at things in terms of essential and nonessential services when we're spending our money because you're asking a population base of 275,000 people to fund a budget of \$323 million and, you know, this fish bowl gets a little dry after you keep tapping into it, and we've got a lot of things that need to be addressed prior to us putting in a soft track around Lake Mayer. There's already a soft track around Lake Mayer, it's called grass. If you run on it, bikes can't go on it, roller blades can't go on it. People have been running on it since the dawn of time, and it doesn't cost us a thing. I'm afraid if we go forward with this project, we're going to have maintenance costs and replacement costs and all kinds of problems that we don't need with our budget problems we're going through right now.

Commissioner Kicklighter said, Mr. Chairman, I'd like to speak on [inaudible]. Commissioner Jackel said, Mr. Chairman. Chairman Hair said, Commissioner Kicklighter first and then Commissioner Jackel. Commissioner Kicklighter said, I'd like to agree with Commissioner Rayno and especially one thing. Here we are talking about enhancing a super nice park when we have Triplett Park out on the Westside that is absolutely nothing with portable toilets, overgrown weeds, mud, everything, no lights out there. It's a disaster area at Triplett, and I'm not opposed to nice things in other parks, but when the park's already beautiful and you're talking about enhancing it, when we have another supposedly County-ran facility out on the Westside that's just a pure disaster, it really bothers me over whelmingly of us working together to better the entire County. I believe we need to –, if we're in the method of improving parks, let's improve the ones that are in need of improvement before we worry about enhancing already beautiful, nice facilities that we have.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I don't disagree with what the other two Commissioners have said, but let me just point out one or two things about this. I had this idea a couple of years back. I was contacted by several senior citizens who said the composition of the track out there, it was hard for them to walk on it, they needed a softer, more forgiving surface to take their that was —, would improve their health. Their doctors were recommending it, but when they walked on the hard surface, even with good shoes, they had trouble with their feet, their joints, their hips, or other things. There is not a facility like this in the County. In addition, I've heard from other runners and things the problem with running to there is the bikes, the scooters and roller bladers and everything else has made it somewhat dangerous. A soft surface, one that's not suitable for bikes and roller blades and things like that would also increase the safety. This is also a great, great problem for our senior citizens. Not only do they need for their health purposes a safe place to walk, a soft place to walk that won't injure their joints. Further, they're more scared than a younger person about being hit by someone on roller blades because they realize if they fall, then their hip could be shattered instead of just falling and getting up like a young child does. So it's somewhat of a safety issue for our senior citizens. And then we also have serious runners who, as you say, often run on the grass, and the place looks like it. They've worn a path, and when it rains it's slippery, water problems and other things. Why Lake Mayer, why not Tom Triplett Park? Well, the usage at Lake Mayer is phenomenal, the number of people there. It's constantly in use, virtually almost 24 hours a day, 365 days a year. That's the place where it would be used. It would be the only facility of its kind Chatham County, and I think our seniors or athletes, other people would come from all over to use a track that would not injure them and that they would feel safe on. Now as far as the cost goes, I was told that there was room in the existing budget for us to do that, and the staff has come up with certain ways for a good deal of it to be donated. So we're talking about a minimum cost presenting something that is needed in this County that's nowhere else available in this County. It also has safety reasons in it where the people who want it will not be hurt by people on bikes or roller blades, provide something for our athletes, provide something for our senior citizens. There's a lot of positives here. Now if you don't want to spend the money, that's understandable, but part of what we do here is provide services for our people.

Vice Chairman Thomas said, Commissioner Odell and then Commissioner Kicklighter.

Commissioner Odell said, I think basically what we need to do is just have a study done of all the parks to do unmet needs to evaluate what is in fact needed in each of the parks. I know Lake Mayer is in your district. I really don't want everyone to be forced to one side of the town or the County. My recommendation is that we take no action as to the soft track and that the Recreation Director be directed to provide an evaluation as to what facilities are needed throughout the parks, and that would be from Wilmington Island to Tatumville, which is in my district, to —, I don't know the name of your park. Commissioner Kicklighter said, Triplett. Commissioner Odell said, Triplett Park. Vice Chairman Thomas said, and you've got Scott Stell. Commissioner Kicklighter said, but it's farther along than Triplett, so —. Vice Chairman Thomas said, yes, I know. Commissioner Rivers asked, can we put all those on the wish list?

Chairman Hair said, let's just stay in order here please. Commissioner Odell, are you through? Commissioner Odell said, yes. Chairman Hair said, Commissioner Kicklighter and then Commissioner Murray.

Commissioner Kicklighter said, okay, as far as the safety of soft tracks, I believe the County has spent a lot of money in the past to build a soft track at Savannah State, so if you want to go out there and exercise, you can walk on the soft track. I also believe the Board of Education would gladly allow you to walk around Groves track, jog around it. It's a very nice soft track. I'm sure if you check at the other schools throughout the area, they're open for people to walk out there around a soft track if that's the need of it all. Again, talking for one of specified safety, of course, Lake Mayer is the most used park around. Twenty-four hours a day, you can't use Triplett Park at night because there's no lights out there. Safety issues, if you're talking seniors, they could fall down going in and out of the portable toilets there. It's a disaster area there and, again, we need to prioritize. I mean, it just is there, and I know that's a stretch on that, on the safety issue, but it's bad. Y'all need to come out and visit. Commissioner Rivers said, don't lobby, man, don't lobby.

Chairman Hair said, Commissioner Murray and then Commissioner Rayno.

Commissioner Murray said, first of all, it's in the First District, not the Third District, Lake Mayer is, but what Commissioner Jackel brings up sounds good and I think it would be something we put on our CIP list; however, that list is unfunded. I cannot support spending more money to add something new to any of our recreational facilities without upgrading those facilities we have already. I know that the Charlie Brooks Park on Wilmington Island, it's embarrassing to even go out there when people are there conducting anything because all we get is complaints, and that's been going on since I've been on this Commission. As a matter of fact, the park was just built when I first went on the Commission, and it was dedicated to Charlie Brooks, who was the outgoing Chairman at the time, but I just cannot see us spending more money without these parks being brought up to where they need to be before we spend money on new parks —, new things to go in the parks. The other issue I think Commissioner Odell brought up about having our Recreation Director come up with a list, we've already had that list. As a matter of fact, that list came out of what it was going to cost to bring each park up. If I'm not mistaken, it was something like \$5,000 or \$6,000. It was a pretty high figure, just to put the parks back in shape, all of them the County's responsible for, so before we start adding I would have a problem putting something like that on the CIP list because that just is unfunded and that's just a feel-good for those people that are out in the audience when we put something on that list because it's not going to get done anyway.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I appreciate Commissioner Odell's comments. I think it's a good idea, and the fact that Frank [Murray] brought it out that it's already partially been done, I think we should always be looking at these things to know where we want to be and what we should be, but it goes back again to the point where we just don't have the money. What's more important, is it more important to have a soft track or is it more important to make sure the ditch outside of someone's home is maintained properly so that when the rains come again this Summer, which they will, the water flows where it's supposed to go, and there's situations all over Chatham County where you look in the ditches as you drive home and see them, those ditches are full of weeds, they're full of garbage, and here we're talking about spending \$125,000, and when you look at that ditch and you say to yourself -- Commissioner Murray said, make more tracks soft [inaudible].

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, if I may, only for the benefit of the media, Mr. Chairman and members of the Board, this was an innovative approach trying to get donations. We're not about, even though I realize the amount of money, and Mr. Monahan's memo is important to evaluate the project, but the dollars involved would have to come at the source of a benefactor for which, if the Board wished obviously to proceed, we would probably seek to name the track after this individual, but it's purely innovational. It is not anything that is flexible where we could say let's put it some place else. Mr. Golden certainly is a master of this over the years at no cost to the taxpayer, and now Mr. Monahan with his running experience is able to develop some interest in possible donations. The maintenance issue is extremely valid. I do not want the media to feel like somehow we have \$100,000 out there that has some discretion to it. Not at all.

Commissioner Rayno said, and I again contend, every time we build something we have to maintain it. That goes into the M&O budget, and again you're back in a budget problem later on down the road.

Chairman Hair asked, do you have a particular action you're seeking? Commissioner Jackel said, I do. Commissioner Rayno said, I make a motion that we stop further action on this soft track. Chairman Hair said, okay. Does that motion have --, I'm not --. Let's see if we can --, I'm not sure that's a --, the wording of the motion. I guess we could vote on stopping on the action. Commissioner Rayno said, Mr. Odell had a better motion. Do you want to frame the motion for us? Chairman Hair said, okay, what's your motion? Commissioner Jackel said, I'd like to make a motion. Chairman Hair said, well, let's get --. [Unintelligible comments when several Commissioners were speaking at the same time.] Chairman Hair said, I'll call on Commissioner Jackel to make a motion.

Commissioner Jackel said, my motion is that we move ahead on the track at Lake Mayer and see if we can secure donations to get it done and the County not expend a sum in excess of \$40,000. Chairman Hair asked, does that motion have a second? Commissioner Odell said, I don't think so. Chairman Hair said, okay, the motion fails for lack of a second.

Commissioner Odell said, I'll make a motion for Jeff [Rayno], we take no additional action regarding the soft track, but we instruct the Director of Recreation to do an updated list as to the unmet needs of all of the parks throughout Chatham County. Chairman Hair asked, second? Commissioner Rayno said, yes, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you. Commissioner Rayno said, thank you, Mr. Odell.

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

Commissioner Odell moved that the Board take no action regarding the soft tract at Lake Mayer, but that the Director of Parks and Recreation prepare an updated list of the unmet needs for all Chatham County parks. Commissioner Rayno seconded the motion and it carried unanimously.

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### **5. HOMELESS AUTHORITY (COMMISSIONER ODELL).**

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, let me just say that we had received a fax from the Homeless Authority, and the purpose of the fax was that, as most of you know, we have a crisis as far as the gas bills. Gas bills have gotten to the point that those people who are on minimal fixed incomes are literally being forced to decide whether or not they have gas or whether or not they have food. There are several organizations, and the Homeless Authority is one, that provide assistance to those in lower incomes regarding their utility bills. The Homeless Authority has sent a letter to our Governor requesting that the Governor allocate discretionary funds to the various agencies in Chatham County, i.e. the Homeless Authority would be one, probably the EOA would be another, to assist the elderly and the low income with their utility bills. The method for doing this would be a proclamation that we would trail on what has been said by the Homeless Authority and that we would send the Governor a proclamation to be worded by our County Manager and Mr. Hart in support that discretionary funds needed for the State, they're need to assist the elderly and low income individuals in paying their utility bills. People should not have to make a decision between heat and food, and that's the gist of it. I got this this morning. Commissioner Rivers

asked, Commissioner Odell, wouldn't a resolution be more appropriate. Commissioner Odell said, a resolution would do it.

Chairman Hair said, okay, you made a motion to pass a resolution supporting this initiative. Commissioner Odell said, yes sir. Chairman Hair asked, do I have a second? Commissioner Rivers said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Jackel was not present.] Chairman Hair said, the motion passes. Thank you very much.

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

Commissioner Odell moved that the Board direct the County Manager and County Attorney to prepare a resolution to be sent to Governor Barnes in support of the State of Georgia giving discretionary funds to organizations to assist the elderly and low-income with payment of their utility bills. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was not present.]

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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 placed before the Commissioners for consideration.

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- \* 2. **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 said, I'll entertain a motion to take that off the table. Commissioner Kicklighter said so moved. Chairman Hair asked, second? Commissioner Rivers said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Chairman Hair asked, Mr. Abolt, do you want to address that issue?

County Manager Abolt said, this issue was put on the table at the request of Commissioner Murray. It occurred at the tag end of your last meeting. There was some interest in whether or not this particular property was a part of a concern along a bike path where there was a dirt road or dirt path that might create a proximity of accident to pedestrians, bicyclists, runners that use the path. That matter has been solved. This is not in the same general area, that specific area I should say. It's in the same general area. There's no reason not to proceed with this recommendation.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I've just got some questions about the diagram that's in our packet. If I'm not mistaken, the residents, the people that are requesting this, live on one side of Mayer Avenue, is that correct? County Manager Abolt said, I'm looking at the same diagram. I'm also looking for an Engineer. Commissioner Murray said, it's kind of confusing, this diagram. Chairman Hair asked, who do you need? County Manager Abolt said, let me ask Pat [Monahan]. Pat

Monahan, would you call Al Bungard please. Yes sir, if you could –. Commissioner Murray said, it also shows an arrow going to two other parcels on the opposite side of Mayer Avenue. I assume that these people have already been quitclaimed those two parcels. Is that correct? County Manager Abolt said, please, sir, let me defer to my expert. I'm looking at the same map as you. I may come up with a different interpretation than actually is factual. Commissioner Murray asked, do you want to go to something else while –. County Manager Abolt said, we can come back to –, yes sir, please. Chairman Hair said, well, we can.

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County Manager Abolt said, Mr. Chairman, Mr. Bungard is –. Chairman Hair asked, are you ready? You ready? He's here? Okay, we'll go back to –, Mr. Bungard, if you'll come forward. We'll go back to Item #2 on the tabled items. Commissioner Murray has a couple of questions for you.

Commissioner Murray said, yes. Have you got a map or a drawing of this? County Engineer Al Bungard said, yes. Vince [Grevemberg] drew it and he's here, so –. Commissioner Murray said, all right, where the petitioner lives in on one side of Mayer Avenue, correct? Mr. Vincent Grevemberg said, yes. Commissioner Murray asked, and you've got two arrows going across on two other parcels of land. Mr. Grevemberg said, that's correct. Commissioner Murray asked, were those also quitclaimed by the County to them? Mr. Grevemberg said, they were previously, yes. There's a lot of previous quitclaims in this area. That's why it's so confusing. Commissioner Murray said, and then we moving to what is basically what is 6th Street that is unopened, and it will be the end of 6th Street and Charles Street. By doing that way, why isn't that just squared off? If we're going to do it, why don't we just square off Charles Street? Mr. Grevemberg said, yes, it's real squared off. Commissioner Murray said, well, it doesn't appear to on this drawing. Mr. Grevemberg said, I'm sorry, sir. Say it again. County Engineer Bungard said, the area being quitclaimed happens to be irregular because that's the way it's shown on the tax records. There was an earlier quitclaim that's not show along the Bull River Shoals, and those have been quitclaimed away over the last decade or two. Commissioner Murray asked, Charles Street has already been quitclaimed, is that what you're saying? County Engineer Bungard said, yes. Commissioner Murray asked, all the way down as shown on this map? Mr. Grevemberg said, all the way through the Bull River Shoals property, and then you've got behind the Lewellyn property you've got quitclaimed and the little bit left over is what the Scotts want, Lawler-Scott wants. Commissioner Murray asked, where does the bike path cross down at the end where we were adding additional signage? Mr. Grevemberg said, way far north. County Engineer Bungard said, several –, a quarter mile away northward. Mr. Grevemberg said, it goes down the side of Johnny Mercer here and crosses into Charles Avenue north of the Bull River Shoals. Commissioner Murray asked, is this unopened 6th Street, once this court claim is approved, is that still unopened 6th Street, is that still County property? Mr. Grevemberg said, there's –, yes, it still is, but there's a pending quitclaim request we'll be bringing to you in the next month or two for that portion. Commissioner Murray said, okay, I just wanted to make it clear where we were we're okay. I'll move for approval. Commissioner Odell said, second.

Chairman Hair said, motion and second. Commissioner Murray said, somebody wants to speak. Chairman Hair said, yes.

Ms. Jean Valentine said, Jean Valentine, President of the Islands Citizens for Logical Growth. We have –, we'd like some answers. I heard through the grapevine that they're intending to put some townhomes there, 32 or something, and that the DOT had said that they cannot have an entrance or an exit on U. S. 80, therefore they want this property so the exit and entrance would be on Johnny Mercer, which is right near where all the lights are and a cross and of course we're having another –, there's another opening at 10th that's going to be coming out of that developer's property where we were talking about before. I really wish you could table it so we could find out what's going on. We are terribly concerned, as you know, which we've been saying for years, about the safety of the people on the Islands, the traffic concerns. As you know, there's a 115-foot condominium going up right almost adjacent to this at the foot of the bridge, and I –, for the safety of the Island and everything else, could we please have some kind of a delay so we can find out what's going on?

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, you know, that was the reason I tabled it at the last meeting. Now we've had two weeks since then. Have you found out anything since that time? Ms. Valentine said, I just found out last night that DOT told the MPC staff that they could not use 80 as an entrance or an exit on that property so I think we need some more input to find out what's going on. Commissioner Murray said, well, I don't know how they would use 80 anyway an entrance to that by the location.

Chairman Hair recognized County Engineer Bungard.

County Engineer Bungard said, this is totally unrelated. This is unrelated. As you go north, Charles Avenue was already quitclaimed, as I said, many years ago. Commissioner Murray said, there's no way to get through there anyway. County Engineer Bungard said, you can't get through there. This is a request to develop a request for a curbcut onto U. S. 80 east of where the trail now ties in at U. S. 80. In other words, you go to Chu's and then towards U. S. 80 towards Tybee they want a curbcut between there and the bridge, and there's a piece of Charles Avenue in there we're using for the bike trail. That's totally unrelated. They cannot get from this property from here up to that. That was what we tried to make, unrelated. Ms. Valentine asked, you promise me? County Engineer Bungard said, promise. Chairman Hair said, he's on record as promising. Commissioner Murray said, that portion had already been quitclaimed anyway, so there's no way of getting through there. County Engineer Bungard said, exactly.

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

**ACTION OF THE BOARD:**

- 1. Commissioner Kicklighter moved to take this item from the table and place it before the Commissioners for consideration. Commissioner Rivers seconded the motion and it carried unanimously.
- 2. Commissioner Murray moved to approve the request from Pat Lawler-Scott, who owns one parcel (PIN 2-0045-08-011) 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 Odell seconded the motion and it carried unanimously.

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- \* **3. 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, the staff had recommended that we take that off the table today. I'm going to request that we leave it on because we have a meeting with the Mayor and the City Manager and the County Manager and the two City and County Attorneys to discuss this on April 16<sup>th</sup>, and I'd like to delay that until we have our meeting with the Mayor. So we'll leave Item #3 on the table.

**ACTION OF THE BOARD:**

Chairman Hair requested that this item be left on the table until after a meeting is held on April 16, 2001. Therefore, this matter was not placed before the Commissioners for consideration.

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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. **BOARD CONSIDERATION OF APPEAL FROM EUNAE JOYCE FOR RECONSIDERATION OF THE DISAPPROVAL OF HER 2001 RENEWAL APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE RENEWAL FOR BEER, WINE AND LIQUOR, RETAIL PACKAGE SHOP FOR 2001, CHATHAM BEVERAGE CENTER, LOCATED AT 5921½ OGEECHEE ROAD.  
[DISTRICT 7.]**

Chairman Hair said, my understanding is that Mr. Gross is in the audience. He's going to recommend that we -- County Manager Abolt said, yes, it's in your packet, sir. Chairman Hair asked, Mr. Gross, are you going to recommend that we continue that or table that?

County Attorney Hart said, yes sir. I received a request prior to this meeting that there are apparently some State documents which Mr. Gross feels important to his --

Chairman Hair asked, you're requesting that we table it? Mr. Benjamin Gross said, yes. Chairman Hair said, okay. I'll entertain a motion to table. Commissioner Rivers said, so moved. Commissioner Odell said, second. Chairman Hair said, motion and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rayno was not present.]

**ACTION OF THE BOARD:**

Commissioner Rivers moved to table to the next meeting consideration of an appeal from Eunae Joyce for reconsideration of the disapproval of her 2001 renewal application for alcoholic beverage license renewal for beer, wine and liquor, retail package shop for 2001, Chatham Beverage Center, located at 5921½ Ogeechee Road. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rayno was not present.]

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**2. BOARD CONSIDERATION OF WAIVER OF LATE PENALTY FOR TARDY ALCOHOLIC BEVERAGE LICENSE RENEWAL AFTER DUE DATE. JUDY L. JOHNSON, D/B/A THE LANDINGS YACHT CLUB, LOCATED AT 71 GREEN ISLAND ROAD.  
[DISTRICT 4.]**

Commissioner Murray asked, is she here? Chairman Hair asked, is someone here to represent—? Okay. Are you Ms. Johnson? Mrs. Johnson said, yes. Chairman Hair said, okay. Would you like to state your reasons why you'd like a waiver of the late penalty.

Ms. Judy Johnson said, yes sir. We received a late penalty for \$1,000. We originally mailed our check on January 29<sup>th</sup> to the street address of the Regulatory Board. We called them asking for an address, that's what we received from them. We realized from the post office later, from the bill later that it should have gone to a post office box. Apparently there are two post office boxes associated with that street address. It went to the wrong one, it was forwarded there, then went back into the mail stream and was post dated with a February 3<sup>rd</sup> postmark, which made it late, but we feel that it, you know, we did do due diligence in attempting to get the correct address, and we'd like to get that penalty removed.

Chairman Hair said, Commissioner Odell and then Commissioner Rivers.

Commissioner Odell asked, when was the due date? Ms. Johnson said, January 31<sup>st</sup>. Commissioner Odell asked, and you mailed it on January 29<sup>th</sup>. Ms. Johnson said, 29<sup>th</sup>. Commissioner Odell asked, and you had called the office requesting information regarding where to mail it? Ms. Johnson said, uh huh. Commissioner Odell asked, and you were instructed —. Ms. Johnson said, we were given a street address. Commissioner Odell asked, and it turned out it's [inaudible] —. Ms. Johnson said, it was supposed to go to a post office box.

County Manager Abolt said, Mr. Chair, Dr. Thomas, members of the Board, just to enter it into the record, staff of course does not have the ability to waive this, but we do want to enter into the record the staff which indicates that we acknowledged the problem that the petitioner, the applicant, or the appellant is making; however, in fact, we have received mailings addressed to the post office box —, excuse me, to the correct address regardless of whether it had the street address or P. O. box.

Commissioner Odell asked, do you have that document? Ms. Johnson said, I have a document for the post office indicating that they —. Commissioner Murray said, that's in our book. Ms. Johnson said, they forwarded it to a different post office box and that that is a common occurrence to go to that post office box. Commissioner Odell asked, and it shows the postdate of January 29<sup>th</sup>? Ms. Johnson said, uh huh. Commissioner Odell asked is that true? Ms. Johnson said, yes, my original invoice has a postdate of January 29<sup>th</sup> and a second postdate of February 3<sup>rd</sup>, when it re-entered the mail stream.

Chairman Hair said, Commissioner Rivers and then Commissioner Murray.

Commissioner Rivers said, I notice that staff had recommended that this not be approved, but with all the documents that came to me, then this should be approved so I'm going to make a motion that we allow the waiver. Commissioner Odell said, second. Chairman Hair said, we have a motion to waive and a second, but we still have to hear from Commissioner Murray and Commissioner Jackel. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, and I can't make it out on this copy that was sent out, it's an envelope, but this first stamp that's on here that I can't read, that's the one that says January the 20—. Ms. Johnson said, 29<sup>th</sup>. Commissioner Murray said, 29<sup>th</sup>. Ms. Johnson said, correct. Commissioner Murray said, all right. Was that done by your machine? Ms. Johnson said, yes sir. Commissioner Murray said, so even though it was postmarked the 29<sup>th</sup>, it doesn't necessarily mean it was mailed then, is that correct? Ms. Johnson said, I cannot prove that, but I know for certain that it did, and my conversations with the post office confirmed that in order for it to have gotten through the mail system and been re-postmarked on the 3<sup>rd</sup>. It seems logical that we did mail it on the 29<sup>th</sup>, and that's mailed to the Skidaway Island office, which is —, probably take some time to get back to this one.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I noticed your check is dated the 24<sup>th</sup>. Why was the check the 24<sup>th</sup>, but it was not mailed until the 29<sup>th</sup>? Ms. Johnson said, I can't answer with certainty. We were trying to get all the documentation together and the packet's fine. Probably waiting for signature from our General Manager at the Yacht Club. As I recall, I believe he was out of town in conference at that time. We waited for him to return to get his signature. Commissioner Jackel said, oh, okay, so the check was written on the 24<sup>th</sup> —. Ms. Johnson said, the check was written —. Commissioner Jackel said, but may have not been signed until later. Ms. Johnson said, exactly. Commissioner Jackel said, all right, now you were saying there's a \$1,000 check. I thought the penalty was 10%. Ms. Johnson said, \$1,080 as I recall. Commissioner Murray said, they had more than one license. Ms. Johnson said, we have three licenses. Chairman Hair said, oh, I see. Ms. Johnson said, beer and wine licenses. Chairman Hair said, so there's three licenses and the penalty was \$1,000 but the cost of the license was \$2,000, so it's really about 50%. Ms. Johnson said, correct. Chairman Hair said, that does seem rather

steep for a small mistake. Ms. Johnson said, we're not in the best financial positions, so \$1,000 is a lot of money to us.

Chairman Hair said, okay, we have a motion and a second to waive the penalty fee. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Ms. Johnson said, thank you.

**ACTION OF THE BOARD:**

Commissioner Jackel moved to approve the waiver of late penalty for tardy alcoholic beverage license renewal after due date for Judy L. Johnson, d/b/a The Landings Yacht Club, located at 71 Green Island Road. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rayno was not present.]

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**3. REQUEST WAIVER OF HIRING FREEZE:**

- **SUPERIOR COURT: WARRANT CLERK (1 POSITION) AND JUDICIAL CASE MANAGER (1 POSITION).**

Chairman Hair said, we have the Judge here, I'm going to ask him to come forward and basically just state your reason, Your Honor, for asking for a waiver.

Judge Perry Brannen said, first, thank you for taking me. I'm between uncontested divorces and guilty pleas. You're actually helping the administration of justice by taking this out of order, and I thank you for it. We have presently four positions that are unfilled and encumbered by the hiring freeze. We're asking that the hiring freeze be waived for two of the four positions, one-half of our unfilled positions. Both of these position affect the criminal justice aspects of the court. One is a Warrant Clerk, who processes all of the warrants that come into Superior Court. This is a matter of making sure that co-defendants are joined together, that probation sentence is out there, that the warrant is assigned back to the judge who originally probated the sentence. There's a number of permutations that have to be done before these things can go to Grand Jury. There's one person that controls the flow of the warrants in court. That position is unfilled. We're asking that it be filled. The second position is Judge Bass' Criminal Case Manager. He is presently the only judge who does not have one. It's an unfilled position. Again, this impacts on the criminal justice system since this person is solely responsible for scheduling and arranging for the dates, following up on the hearings that are held, following -, tracking the cases for Judge Gadsden [sic]. Right now that position is unfilled, and he is without that capability. The other two positions are not essential to the operation of our court and we can live without them for a while, but if there any questions that you have -.

Chairman Hair said, Commissioner Odell has a question.

Commissioner Odell said, not a question. I'll make a motion that the Criminal Case Manager for Judge Bass. We have -. Chairman Hair said, there's two positions. Commissioner Odell said, I'd like to separate them. Chairman Hair said, okay, separate them. Okay, we'll do the Warrant Clerk first -, Case Manager. Commissioner Odell said, Case Manager.

Chairman Hair said, all right, do we have a second to that motion? Commissioner Rivers said, second. All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Jackel and Odell voted in favor of the motion. Commissioners Rayno, Murray, Gellatly and Kicklighter voted in opposition. Chairman Hair said, the motion -, everybody voted? Dr. Thomas is not here. Commissioner Murray said, it's a tie vote so it's defeated. Commissioner Odell said, we're not over it yet. Over because Dr. Thomas is coming back right now. Chairman Hair said, Dr. Thomas, we need your vote on the motion of Commissioner Odell. Commissioner Odell said, the motion is to approve the Case Manager position for Judge Bass. All the Superior Court Judges have a Case Manager. This is a person that runs the cases for a particular judge. Bass is the only one who does not. This would fill the position for him. I made a motion to approve. Commissioner Thomas voted in favor of the motion. The motion carried by a vote of five to four. Chairman Hair said, all right, the motion passes. Commissioner Odell said, thank you.

Chairman Hair said, I'll entertain a motion to approve the other position. Commissioner Odell said, I'll make that motion to approve. Chairman Hair asked, second? Commissioner Jackel said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Jackel, Odell and Thomas voted in favor of the motion. Commissioners Rayno, Murray, Gellatly and Kicklighter voted in opposition. The motion carried by a vote of five to four. Chairman Hair said, the motion passes.

Chairman Hair said, I would like to say this, Judge, while you're here. I cannot say enough about how much I personally appreciate you coming in last week. I mentioned -, actually two weeks ago. I mentioned at the last Commission meeting that we asked all the constitutional officers to come forward and help us with our budget situation. Judge Brannen came personally and was very helpful, and I want you to know in public that I appreciate that very much. Judge Brannen said, thank you, and I appreciate being invited. I thought it was a very constructive meeting. Any time you'd like to talk to me or any of the judge, any of you Commissioners, we meet every Wednesday at nine o'clock, and you have a standing

invitation. Chairman Hair said, thank you, sir. Judge Brannen said, thank you. Chairman Hair said, we appreciate it very much.

**ACTION OF THE BOARD:**

1. Commissioner Odell moved to approve the request of the Superior Court for waiver of the hiring freeze for the following position: Judicial Case Manager (1 position). Commissioner Rivers seconded the motion. Chairman Hair and Commissioners Rivers, Jackel, Odell and Thomas voted in favor of the motion. Commissioners Rayno, Murray, Gellatly and Kicklighter voted in opposition. The motion carried by a vote of five to four.
2. Commissioner Odell moved to approve the request of the Superior Court for waiver of the hiring freeze for the following position: Warrant Clerk (1 position). Commissioner Jackel seconded the motion. Chairman Hair and Commissioners Rivers, Jackel, Odell and Thomas voted in favor of the motion. Commissioners Rayno, Murray, Gellatly and Kicklighter voted in opposition. The motion carried by a vote of five to four.

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**BOARD CONSIDERATION OF MERGER OF CHATHAM COUNTY POLICE DEPARTMENT AND CHATHAM COUNTY SHERIFF'S DEPARTMENT (CHAIRMAN HAIR).**

[NOTE: This item was added to the agenda by consent of the Board.]

Chairman Hair said, that takes us to the item that I have placed on there. It's above Item 4 because they are somewhat related and we can discuss them jointly. This is Board consideration of budgetary and policy issues affecting the current and future fiscal years. I'm very aware that what I'm about to propose is not going to make everybody happy, but I also think sometimes that leadership implies that you do the right thing even if everyone doesn't agree with you. I think the time is ripe for us to consider merging the Sheriff's Department with the Chatham County Police Department. I think we're in a very tight budget situation right now. This proposal will save conservatively \$700,000 or \$800,000 a year, plus I think if we do it properly I think we could put more patrol officers on the street with this proposal. I think there are several other reasons why this is a good proposal. Number one is no one would lose their job under my proposal. Everyone would maintain their position. The only savings in personnel would come as people retired and resigned and those kinds of things. So no one would get hurt by it in terms of a County employee. I think you're going to hear a lot of arguments in a few minutes as to why this is a bad idea. You're going to hear people say, well, we do different things and you're going to hear a lot of arguments that's going to tell you it won't work. I would remind my fellow Commissioners as we consider this that we keep some objectivity. There are only 11 counties out of 159 counties in Georgia that still have a dual system. If it works well in 148 counties, I don't know why it wouldn't work in Chatham County, and I think that, you know, we often talk about consolidation of City and County, but this gives us an opportunity to consider a consolidation within the County that we have a hundred percent control over. We don't have to get permission from someone. I think we need to have a forum and public debate of this issue. I think everybody needs to have their say, but at the end of the day or after this discussion I would hope that we would vote to do this. And I will recognize Commissioner Rivers first.

Commissioner Rivers said, the only thing I've got to say, Mr. Chairman, when we're looking at consolidating a department and you've thrown out a figure, send it to me beforehand, let me look at it and let me decide. Don't sit me up here in a forum and talk about consolidating a department. I think that's well based. Give me the figures that you're talking about, sir, let me analyze them, and let me determine whether I can make the big decision somewhere else other than before this forum here and talk about that.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I think everybody knows I've been against this, and I'm against it for several reasons. One, I'm philosophically opposed to it. I think the Sheriff runs the courts and the jail and provides the service of warrants and subpoenas and summonses. I think that's a separate function than policing. I also know that in other counties the Sheriff also runs the jail. I do not think in a free society it's appropriate, where possible, that the police ought to run the jail. It ought to be a separate function. No one knows whether they or one of their loved ones or whoever will be in the jail, and the police ought not be running the jail. It ought to be someone separate from the police in a free society. I think that is a very important philosophical thing that I think is the separation of powers. Let me talk about how things, too –, the military learned years ago, and I believe all military organizations throughout the world follow the rule of 150. When any organization gets above 150, you have to go to another level of management. When you're 150, you know all your people. When you get over 150, it's very hard for anyone to know all the people in your organization. This is not to criticize anyone that runs a big organization. I mean, I know the County Manager doesn't know everybody. I, as a Commissioner, don't know everybody that works for us because we're up to 1,600, and what happens is the military and other organizations break it down into 150. They keep breaking down their groups. I think that's why civic clubs once they get to 100 they always split up. People find it doesn't work as well. With someone running our police department with the numbers they have, it's a good size for someone to run it. I also think from a philosophical point of view that the police ought to be responsible to us Commissioners. The police should not be elected and responsible to a single elected official. I think that's too much of a concentration of power. When I was on the campaign trail, I told people Americans don't trust their government. Americans shouldn't trust their government, and I say that even though I'm a part of it. We should have separation of powers and we should have counterchecks, and the police ought to be responsible to the nine of us, not an elected official who will be running that. This budget, as I understand it, of the Sheriff is about 25% of our budget. When you add the Police

to it, we're getting up to close to 50% of our budget. To have all that money and all that power in an elected person is fine. This is no criticism of St. Lawrence. St. Lawrence is a friend of mine, he's doing an excellent job, but I don't know who the people will elect next. All you've got to look at what's happened at DeKalb County, the power their Sheriff had there. Their Sheriff had the power to award the medical contract. Who awarded the medical contract in this County? We did. Well, a medical contract in DeKalb County was millions of dollars and there was a big kickback. The Sheriff was operating bail bondsmen out of his jail. Things like that don't go on here. We've got good people and we've got separation of power. No one has all the power to tell the Commission I'm going to do it, I'm an elected official, I answer to people that elected me, not you. We can't have a Police Chief in that situation. They do it in other places, but it is not the proper thing in a free democracy to have that. We're a system that believes in checks and balances. That's why we have a Senate, that's why we have a House, that's why we have the judiciary. We don't want any one group to have all the power, and someone in this County will have 50% of the budget, run the jail, run the police, service the courts, have 600 –, over 600 of the 1,600 employees in this County. It's creating a situation to me that may lead to trouble. We don't know who will be elected to that position in the future. I would like to see also how it's going to save money. When we have combined departments in the past, I have not seen any savings. If anything, I've seen the costs go up, and I'd like to see it in black and white. If there are hundreds of thousands of dollars to be there to be saved, I would certainly be for it, but I don't see how. It's just a –, it's restructuring. There's the issue of costs, there's the issue of not trusting our government, and there's the issue of concentration of power, there's the issue of running the jail. Now let's look at one other factor here. We get in a new Sheriff and the new Sheriff runs on the basis of –, this is after Al [St. Lawrence] retires, of course, happily retires –, we get a new Sheriff and he runs on the basis of law and order; I'm going to lock them all up. Well, when he gets in and he takes charge of that police force and they're locking up people left and right, and they need to be locked up, and he's also running the jail that they're put in and then one of the federal judges comes over and says, wait a minute now, your jail's overcrowded, you've got too many people in that jail, and we had this happen in this County not too long ago, and put us under a court order. Then all of a sudden he says, whoops, I'd better do something about the jail and he forgets about the police department that he's in charge of running and our police department goes to hell in a handbasket because he's under a federal court order and he's scared to death the federal judge is going to lock him up. We need someone there that's day after day responsible for the police, that that's his job, that's his pride, that's what he's fighting for, not someone that's wearing so many hats he can't see where he's going. It's just a bad idea. It's not going to save us any money. It's a road that's got so many potholes in it and pitfalls that it's a road we don't need to go down.

Chairman Hair said, okay, here's the order we're going to go in. Commissioner Odell, Commissioner Gellatly, Commissioner Rayno, Commissioner Kicklighter, Commissioner Thomas and then Commissioner Murray, but before I call on Commissioner Odell I want to respond to one thing Commissioner Jackel said. First of all, as I stated in my opening statement, you're going to hear all these reasons why it won't work, and you've heard Commissioner Jackel mention a hundred of them. My point is this, it works quite well in 148 out of 159 counties, and I don't know why we're so different in Chatham County that we have to again be the sovereign State of Chatham. It won't work here, it'll work everywhere else in Georgia but it won't work here, and I ask you to consider that. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, my understanding of the proposal is that no one would lose their job, we'd save between \$700,000 and \$800,000. Chairman Hair said, initially no one would lose their job. Commissioner Odell said, okay. Chairman Hair said, the attrition –, the savings would come as people retired and resigned. Commissioner Odell asked, and the \$700,000 to \$800,000 in saving, is there a summary that we could see of where the savings would come from? In that personnel is the major cost? Chairman Hair said, that's correct, that's where it would come from, personnel primarily. Probably \$400,000 personnel. Commissioner Odell said, okay. So someone would lose their job. Chairman Hair said, no one would lose their job. We would not refill positions once they became vacant. Commissioner Odell asked, and what time period is the 400 –, I'm sorry, the \$700,000 to \$800,000 savings, over what time period would we realize that savings? Chairman Hair said, I don't think anyone could say. My guess is it probably would take 12 months to do that, 14 months, because again we'd do it through attrition.

Commissioner Rivers said, I know I'm out of order, Mr. Chairman, but where is all this information at? If you're telling me to make a decision, where's this information? Chairman Hair said, well, Commissioner Rivers, do you not believe if you combine positions and elimination positions there wouldn't be savings? Commissioner Rivers said, anytime you eliminate anything there will be savings. Chairman Hair said, okay, so there would be savings. Commissioner Rivers said, and I don't have no quarrel with that, but a major decision like this to make and you're telling me I'm going to have this and I'm going to have that, hey, there's been times up here before that people have come before us and said, hey, you're going to save this, and we ended up spending a bundle of money, much more than –. Chairman Hair asked, why would other counties do it if they didn't save money? Commissioner Rivers said, I don't care about other counties, Mr. Chairman, I've got to deal with this county right here. Chairman Hair said, okay. All right, Commissioner Gellatly. No, I'm sorry, Commissioner Odell. I'm sorry.

Commissioner Odell said, I'm not done yet. My concern is several. One is that the Chatham County Police Department has approximately 1.8, 1.9 officers per thousand. The City of Savannah has 3.8, 3.7 per thousand. We have a large area to patrol. If we're not going to save money, because the City of Savannah is –, has twice as many people there to patrol as Chatham County, so if we're not going to save money in Chatham County Police Department, then the implication has to be –, unless we're going to reduce the number of patrol officers per thousand, the savings would have to be in the Sheriff's Department. So if the savings of \$700,000 to \$800,000, therefore, would come from the Sheriff's Department, it is our recommendation, as this motion is, that if there's a savings of that large that we extend it now to the Police Department. Is that the logic? Chairman Hair said, not to me, no. That's your interpretation. Commissioner Odell said, yes, but, Billy [Hair], and you and I have worked on a lot of budget projects together, and this one absolutely is not personal,

but my concern is that if we have 1.8 officers per thousand and the City of Savannah, where the gentleman to my left just left, has 3.6 to 3.8 per thousand, and we're going to do it from a reduction, where is that reduction coming from? It cannot –, they're already reduced to death. Chairman Hair said, you have a number of administrative departments that are duplications: Internal Affairs, Quartermaster, all that is duplicated, fueling of vehicles, all of that's duplicated, so the savings would not come from the patrol officers, but the savings in the administrative departments. They're just –, you know, their department is no different than any other County department. The biggest salaries are in the upper end. You know, the \$100,000 salaries and the \$75,000 salaries, the majors and captains, that's where your biggest salary savings would come, not from patrol officers. Commissioner Odell said, yes, but Billy [Hair], you and I know, having both been students of management and having both taught management that the simple fact that you can reduce the number of departments doesn't mean that you're going to reduce the number of supervisors. Supervisors should only supervise X-number of people. I mean, you're not going to double the amount of people with one manager supervisor. Or perhaps you shouldn't because they lose their effectiveness to individually supervise. But other than following the rationale, if we only have 1.8, the City of Savannah, where David [Gellatly] came from, has 3.6 to 3.8, the cuts are not going to be there. If the cuts are not going to be there, and there's this savings projection of \$700,000 to \$800,000, then that savings has to come from the Sheriff's Department, and my numbers show that they have a budget of \$22 million. So, in that they are the ones that have the excess, we're going to extend them to the Chatham County Police Department. And I know that's just one logic, but the other concern is that we're looking at a budget of \$22 million, and correct me if I'm wrong, Russ [Abolt], for the Sheriff's Department. County Manager Abolt said, I believe the Detention Center is \$18 million –. Commissioner Odell said, it's 18 and 4. County Manager Abolt said, and \$4 million and change for –. Commissioner Odell said, that's 22. County Manager Abolt said, yes sir. Commissioner Odell said, okay, now, I went to just a little old country school in Christiana, Tennessee, so we don't do those big numbers, but it looks like \$22 million to me. If we add that, the Sheriff's Department, my concern is that we need to stop meeting. I mean, we can just let the Sheriff people decide. He'll have 50% of the budget. I don't think I was elected so that the Sheriff can make that decision, and I like Al [St. Lawrence]. I think Al [St. Lawrence] is the greatest sheriff in the State of Georgia. This has nothing to do with Al [St. Lawrence]. Al [St. Lawrence] is not going to be here forever. Just like you're not going to be here forever, I'm not going to be here forever. I'm not worried about under Al [St. Lawrence]. I'm worried about if we don't have Al [St. Lawrence]. That gives me a concern. Commissioner Rivers said, I'm going to be here forever. When I die my spirit will be right here. Commissioner Odell said, we really need to be careful and take heed to what Commissioner Jackel said about separation of the police and the jail. That creates an absolute opportunity for criticism, that creates an absolute opportunity for misconduct. That does not provide the necessary checks and balances, and it is insufficient for me to accept a proposal simply because everyone else did it this way. Everyone else did a lot of things that were wrong. They were doing it wrong, they did it wrong. So everyone else theory to me is not a justification. I need to see some numbers, and I guarantee you the –, there's no \$700,000, \$800,000. There's not going to be that in 10 years, and we can all embrace this, but this has nothing to do with anything other than control. This is not –, can't be justified as savings. This ain't going to save anybody any money. This has to do with control, and what it does is it moves the control, and there are a lot of Commissioners who won't see it, from the Commissioners to the Sheriff. I cannot live in a police state. I will do everything to oppose a police state. The people elected us to make the hard decisions. I think we need to do that. This proposal is not right. It may be right when we have the numbers, but simply to do it today is inappropriate. It's unfair, and we'll regret it if we do it. I yield.

Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, well, I think to begin with I have the utmost respect for both departments, both the Sheriff's office and the County Police, the administration and the personnel. I think they're among the finest law enforcement agencies in the country, if not the world. I want to make that clear up front. I think if we were flush with funds, I think that the two separate departments would be a good idea, but we're not, and I disagree with some of my fellow Commissioners in that the consolidation of the two departments would not create a police state. I would point out that some of the most competent law enforcement agencies in the United States are sheriff's departments and the size has nothing to do with it. Some of the sheriff's departments are 3, 4, 10,000 people in number, and they're recognized as the most competent in the country. Some of the largest sheriff's departments in the United States are also nationally accredited law enforcement agencies, so I totally disagree with that. I think that the merger of the two departments obviously it would save money at the top, administrative-wise it would, as far as communications, it would save a lot of money. There's a lot of duplications of services. Deputy sheriffs are every bit as qualified as city police officers, they go to the same training academies, State training academies. There isn't a nickel's worth of difference between the two as far as their qualifications are concerned. I really truly believe that we are in very financial times and it's –, we're going to have to make some difficult decisions. I think the consolidation is –, would work. We would talk about an elected official. The beauty of an elected official, if they don't work, you can unelect them, and many times that does occur. I think that what you're going to find in Chatham County is that we're very fortunate now. I think we have probably one of the most competent sheriff's in law enforcement officers in the United States in office right now, and I hope he stays in forever, but that won't happen. There will be someone that will follow him, and I think that right now because of the status of the sheriff's office and the salary that the sheriff's office gets right now, you're going to find some very competent people with extensive backgrounds in law enforcement and from law enforcement administration that are going to be seeking that position in the future. So I think there's no question about that we're going to have a –, always have a competent sheriff in this County, and the sheriff is ultimately answerable to the people of Chatham County. Like I say, if we were flush with money, I think we need to go on our merry way, but we're not. We've got –, we have a budget crisis and I think that we are going to have to look and make some tough decisions. As has been pointed out, there's 150-plus counties. The vast majority of them, 145 or 148 of them are well-served by a sheriff's office without a county police department. I just want to be on the record that I wish we could afford two departments. We can't afford two departments. There would really truly, in my opinion, be salary savings and I think we need to take a look at it. Not only that, but I think it would increase the efficiency of both

departments by putting them together. The sheriff has process servers that are in uniform, they have marked cars, they wear guns, and they could be –, the two departments –, papers could be passed out at roll call to be served. You'd have –, in my opinion, you'd have more officers on the street assigned to specific police duties than we do now. For the record, I would support this consolidation. If we had lots and lots of money, which we don't, we might have to take a look at something else. Thank you.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I'm glad that the Chief [Commissioner Gellatly] spoke before I did because I really appreciate his opinion highly because he's been in law enforcement for so many years and is well respected as a law enforcement official, and I tend to agree with everything that he's said and reiterate the point that there's going to be no loss of jobs if this occurs. If you looked at the headlines across the State, there's been no headlines of problems in other municipalities where they're done this. There's no people screaming it was a bad idea. There's no bad situations like what happened in DeKalb County. That's an isolated incident, I think, and I think if we joined the two departments we act as if the sheriff's department could not reach the level of the police department. Through effective cross-training I don't think that that would be any problem whatsoever. We have good people on both departments, very intelligent people, very capable people who can rise to the task that we're setting before them, and I think that we should trust them. And, of course, I know in many municipalities there are fights between the County Commission and the constitutional officers [inaudible] the sheriff's office, but we're very fortunate in the fact that we live in Chatham County, an area of good people, an area where when they people vote someone in office, they vote a competent person in office, a person of high skills, of high integrity. That's always been the case, and I think that will always be the case. We don't have to worry about an incompetent person assuming the office of sheriff and causing us embarrassment in the future. So at this time, based on what you said, Chairman Hair, based on what the Chief [Commissioner Gellatly] has said, based on some of the other comments, I'd like to make a motion that we consolidate the two departments, the sheriff's department and the police department, under the direction of the sheriff, as directed by the Constitution of the State of Georgia. Chairman Hair said, we still haven't [inaudible], but we have a motion. Do I have a second to get it on the floor? Commissioner Kicklighter said, second. Chairman Hair said, second, okay.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you. I'd just like to basically kind of follow what the former Chief here has said. I agree we have an excellent sheriff, an excellent police chief. What bothers me, as an elected official, is what I've kind of heard here earlier is how much will we save. How much? Let's see how much. If we can agree that it will save the taxpayers \$100, I mean, you know, whatever. A savings is a savings for the hardworking people out there paying their taxes, and this will not jeopardize safety whatsoever. There will be a savings, and again whether it's \$700,000 or \$100,000, there's going to be a savings, and this merger they will be able to fight crime, they will be able to do it just as good as they've been doing, but this will be a savings to Chatham County. One thing I said, I guess, while I was campaigning, I talked about possibly a merger of Chatham County Police and the Sheriff's Department was that I –, it's always been my belief that it was a power issue, that the County Commission wanted to be able to tell the Chief what to do. That's a shame when you're talking about tax dollars, people's hard earned tax dollars. You're charging these people more money on their taxes just so you can have power. You know, I didn't run for power. I ran to help the people, help lower taxes, help work for the people, and as long as we can do that, work and lower their taxes, keep their taxes under control, keep them safe, then we're doing I believe what we were elected to do. And like the Chief [Commissioner Gellatly] said earlier, I believe it was him, if the future sheriffs aren't doing a job, that will be for the people to elect another one, get somebody in there that will. But it's not up to us to see who's powerful. I don't want to be powerful, and that's not why I'm here. I'm here to help the people. If whatever keeps money in their pockets for food on their table, then we're helping the people, and this move will not jeopardize safety. This move will not fire one person. Everyone will retain their current positions, their jobs, and it's something we need to do for the people, which is what we were elected to do. We weren't elected to be powerful or power-hungry people. So let's release a little bit of that what some of us may feel as power and do what's right for the people.

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman. Now I really have mixed emotions, and the reason why I have mixed emotions at this time is the fact that I'm hearing a lot of things. Number one, I've heard about control. Number one –, another thing I've heard is we've talked about checks and balances and that type of thing, longevity of the sheriff and many other things. I'm for consolidation; however, I'm not for phasing out a whole lot of positions that are necessary. Now we say that once positions are no longer needed, that these will not be replaced. Right? All right, I've looked in this report, and maybe I missed it, but I haven't seen it, I would like to see us in all fairness treat this as we do other items of this nature before I vote. I'd like to see some figures. I'd like to know where these savings are coming from. We're talking, but we're not showing anything, and like I say, don't get me wrong. I want to consolidate wherever. I think if we have bulk purchasing power, that's a big savings because then that's across the board. You can do that with other municipalities, and so forth, but now when we come down to the police and the sheriff's departments, I think we need to have a more accurate account of what we're looking at. I'm very much concerned about whether this would be the right thing to do at this point. I was not prepared to vote on this today. I thought that we were going to discuss this today, but not vote on this today. So I'm not really ready to vote on it today. So I want to make it perfectly clear, yet I want to have as much savings for the people, and I think I represent the people very well. No one works any harder than trying to save the people in terms of taxes and so forth than I do, but we have to make sure that we're not up here trying to –, what's the word –, delve out our own feelings about some things here. Now when the Chief –, when Sheriff St. Lawrence again is no here, then that's another concern.

I'm also concerned about the fact that we have to be concerned about the situation where we cannot —, we cannot even ask a question when sometimes people will tell you, well, no, you can't —, I can't deal with that because, you know, I represent the people and I have to answer to the people. So if we have to answer to the people, then we have no concerns over this. Okay? Now my final thought here is that I would like to deal with the consolidation, but I would also like to have some information to help me with that.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes. There's been a lot said about the 148 counties that already do this. Anybody that knows the makeup of Georgia realizes we have a tremendous amount of rural counties in the State of Georgia, and that's all they have is a sheriff's department. Some only have one or two officers at the most. The courts are not the same as the courts we have here. They don't have jails, they go to other counties for their jail services. You know, that is one issue. The other is does anyone realize how many counties in the State of Georgia actually have a Special Service District as we have? What, three or four at the most in the whole state is set up like Chatham County is. The County Police Department is fully funded by the SSD budget. Those of us that live in the unincorporated area pay for that police department. M&O budget pays for the sheriff's department, which everybody in Chatham County pays for, so if you want to start talking about double dipping here, we double dip. We pay both. My other concern is, and people who've talked with me about this, I've have told each one of them, take the individuals and personalities out of it. Look at the position that we have, look at what that position is, and then let's deal with it. To me, we have, and you know, I can appreciate what Commissioner Kicklighter said about control and that type of thing, but if this goes through to approve, we as the Commission lose total control of a budget. We can go to the chief and tell him he's going to have to cut five percent out of his budget, we can go to the sheriff and we can ask him to do it, but that's all we can do is ask, whether that's Sheriff St. Lawrence or whether it's somebody else down the road, and this to me is a band-aid effect that we're trying to do right now. It's not long term. You talk about long term. Chief Gellatly [sic], I respect his opinion, but would you have done when you were Chief of the Savannah Police, and, Al [St. Lawrence], would you have done this when you were Chief of Chatham County Police? I don't think so because it came up those times and we were opposed to it. I have some real problems with not being able to control a budget and have to fund that budget. We do that with the judges, we've been through that process, some of us that have sat on this Commission for any length of time, we've gone to court over that process and we have lost. We have had to pay the requests of those departments. I just have a real problem trying to do this. It has even gotten to a political thing, and I'm not going to say where it came from, it's been a partisan issue comment to me saying that if I ever want to do something else down the road, then it was really going to hurt me to vote against this. Well, let me tell whoever said that, and they may be in this audience, I really don't care. That's not my job to rubber stamp what somebody else wants. My job is to represent the people of the Fourth District, and that's what I'm doing, and I don't think the majority of those people would be in favor of consolidating these departments and some other things I have. First of all, it's about —, not quite 72,000 people that live in the total unincorporated area of Chatham County. Out of that, right at 34,000 of those people live in the Fourth District. Now that's almost fifty percent of the total population of the unincorporated area. So I think I know where I'm coming from with appeal of the people that we represent and the people that the Chatham County Police Department protects. Well, we might not always agree with a speeding ticket or some other things that may happen, but they do happen, and I think we've got a good County Police Department, and I am adamantly opposed to consolidating these two departments. As far as cost savings, there is no way that you can show me that it's going to save us money unless whoever's in that position would agree to trim their budget when they're asked to trim it, the amount that we ask to trim it, and those type things. We don't have any control over that once that's gone out. The other thing is, you know, I'm kind of like Commissioner Rivers, I'm a little concerned and upset that this has come into this meeting and been placed on the agenda as it's been placed on the agenda and then told that we want to make a motion and vote on it today. This is too important an issue for us to try to even consider taking a vote today. I know there's a motion and second on the floor, but if I count my votes right, and I think I can count, the votes aren't there to do it, and I would hope that those people that have made the motions would reconsider that.

Commissioner Rayno said, I make a motion to table. Chairman Hair said, motion to table. Does it have a second? Commissioner Kicklighter said, second. Chairman Hair said, okay. All those in favor of the table vote yes, opposed vote no. Commissioners Rayno, Jackel, Kicklighter and Thomas voted in favor of the motion. Chairman Hair and Commissioners Rivers, Murray, Odell and Gellatly voted in opposition. The motion failed by a vote of five to four. Chairman Hair said, the motion passes. Commissioner Murray said, no, it doesn't. Chairman Hair said, it fails. Okay. The motion to table fails. Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, first of all, let's get something straight, Mr. Chairman. There are always people that will say why you can't do things. That's not what I'm coming from. Don't trivialize my argument by saying there are always nay-sayers. I'm saying we shouldn't do it, and I think I stated very valid reasons why we shouldn't do it. That's different from saying, well, we can't do it. I know we can do it if you have the votes, but the question again philosophically is should we do it. Now let's look at the history a little bit. It wasn't too long ago we had a police chief that we had some problems with. We didn't have to wait for an election. It could have been three and a half years to an election. We got rid of him within 24 hours. He was gone. He was out of the County within a week. Now how are you going to do that, you say you can get rid of them at the polls. Well, maybe you can get rid of them at the polls after you wait three and a half years, and then maybe he's now got —, he's now got so many employees and their families and stuff and other things, and he's so popular in other ways that he's still there, he can win an election. That's one problem. You know, I thought that most of us up here agreed that the government closest to the people is best, but that also goes on for managing a program. The police chief that's —, there's a police chief in the police department is closer to it than a sheriff's who has got a police chief underneath him. Now let's look at the practical side of this thing too. We've all had problems, I've got unincorporated county,

Commissioner Kicklighter does, Commissioner Gellatly, Commissioner Rayno, Commissioner Murray –, everybody has some. We have all had some problems where we needed to call the County Manager and say here's what we need done about the police, and we got it done. Now if it's a separately elected official, he can take our calls or not take our calls, he can respond or not respond. I don't want to be in a position when I get a call from a citizen and say, I'm sorry, you've got to call the sheriff if you want something done, I can't do anything about the police. And if you don't think that's true, I see it every day with the judges, and we see it up here with the judges. They're elected and they'll tell you in a minute, we're elected by the people, we don't have to listen to you. When you're talking about the police, we're giving up that thing where people call us and we can call the County Manager and get something done, we have to go to the separate elected official, whoever that is, and say we want something done. Isn't that a problem? Don't you see that as a problem for your constituents that you've got to go to another elected official to ask him to get something done rather than our control over the police to get something done? I see that as a real problem, and maybe you can characterize it as control, but it's necessary control. I can tell you my experience from living in the City with the Savannah Police Department. I call over there, it's like a black hole in space. Nothing happens. I call over there again, nothing happens. Well, I don't need to deal with that, I'm a County Commissioner. I call Michael Brown. Well, two weeks later maybe I get a call. I don't need to do that. I'm personal friends with most of the Aldermen. I call them up and they say, well, we'll contact the police, we'll get something done. Nothing's been done yet. All right, I want to put that on the table here. I've got some problems in my neighborhood. Who wants to volunteer to get done with the City with the present system the way it is? You can't get it done. With our system I call up the County Manager, he gets after the Police Chief and we get it done. I just think we're going down a slippery slope. Bigger is not better, bigger is not better. Closer to the people is better. Closer to the people you manage is better. Let's not –, and also the issues that I raised earlier. Don't trust your government, separation of powers, checks and balances. That's what keeps this country in prospective, and I think Commissioner Murray is right. What is it, 148 counties? If you look at all the major counties –. Commissioner Murray said, 159 in the State. Commissioner Jackel said, there's 159 in the State and we're told 158 have one person –, 148. I'm sure the ones that have separate are probably Columbus, DeKalb, Cobb, Richmond, Muscogee, all the major ones because of the problems in the area when you have a sheriff running everything, and that's not to say they don't have problems in those smaller places. I mean, I've heard enough stories and anyone that's lived in Georgia or read anything about Georgia history has read enough about the evil sheriff in the town that pretty much ran everything, locked up those he wanted to, and everything else. Chairman Hair said, and you think that won't happen in Chatham County. Commissioner Jackel said, I don't have a crystal ball. I know that we're creating a position where someone will have tremendous power, run the police, run the jail, run the security for the things, have almost half our budget, have almost half our employees. Now let's consider one other thing. You say we're going to cut costs. Let's look at history again. History is sometimes a good predictor of the future. When we consolidated our three sheriff's departments, we used to have one in Magistrate Court, we used to have one in State Court and we used to have one in Superior Court, and we consolidated in one. I think if you'll look at the record, the number of our employees has doubled since we consolidated. Now how did we save money then when we doubled our department and quadrupled their budget? Commissioner Rayno said, you voted for it. Commissioner Jackel said, I didn't vote for that. That came in before I did, the consolidation. Now if you look at that, if that's the –, if the past's is a predictor of the future, that consolidate –. Now, it's true, it's true. We had three sheriffs. We only have one sheriff now, but we have six majors. So we've gone from three sheriffs to one sheriff and six majors. We've gone from less than 200 employees to over 400 employees. Now, you know, this is partly the result of the [inaudible] and stuff, but if the past is any way the reflection of what's going to happen in –, an indicator of the future, I don't see where we're saving money, and I agree with the others we ought to have something up here on something. This is for –, before we get here we should have something laid out to show how we're going to save the money and also comparable with other cities of our size, how they handled that problem and whether it's working there to benefit or not.

Commissioner Rayno said, I withdraw my motion. Chairman Hair asked, will you withdraw your second? He withdrew his motion. Do you want to withdraw your second? Commissioner Kicklighter said, I'll withdraw the second. Chairman Hair said, the motion was to approve. Chairman Hair said, we already voted on that and we lost. Chairman Hair said, no, we've not voted on the motion. It was a motion to table. Commissioner Rayno said, I'm withdrawing my motion.

Chairman Hair said, Commissioner Rivers –, here's the order we're going to go in: Commissioner Rivers, Commissioner Gellatly, Commissioner Kicklighter, Miss Tillman, Mr. Earls and Mr. Pierce. Commissioner Odell said, the motion is withdrawn.

Commissioner Rivers said, I'm still going to –. Chairman Hair said, he still wants to speak, and anybody else withdraws –, withdraw your comments after Commissioner Rivers. Commissioner Rivers said, Commissioner Gellatly, one thing I liked about your police department when you used to run it is the diversity, and I'm talking about the diversity in the upper echelon. Now, I served on the Savannah Civil Service Board for eight years. You were over there during the time. Officers that were terminated had a direct line –, you had –, you set it when they came through department heads and came on up, it came on up through the City Manager. Whatever the decision we rendered, that was the decision that was understood and unless you wanted to go in Superior Court with it, and you had that option. No so on this side. See, I got a rude awakening when I came from the City of Savannah to this Civil Service Board, and I realized that half of the people in Chatham County did not have the same opportunity that you had over there, or your personnel had. How many of you folks remember Jesup? Anybody remember Jesup, anybody recall Jesup when the sheriff wiped out everybody? He wiped out everybody and that was because his personnel did not have direct line to a civil service. That meant that he could come in and wipe out everybody. So it lies with our constitutional elected officers. The only thing that we've got is a volunteer system that can volunteer in and opt out and, folks, I'll tell you that it's a weak-kneed situation, and I accepted it because I couldn't get one that was stronger. I have lobbied since I've been here, and I've been here 17 years, to have civil service put under one jurisdiction. That's one thing that I find that's wrong with it. To you who are just coming, we did a study maybe

about six years ago of what constitutional elected officers we could eliminate because they –, as we understand it as Commissioners, around the State they are a problem with they're out there by themselves. Now I'll tell you plain, very plain, that when you look at Chatham County, all of the reduction in force has been done on the County Manager's side. We do not have the strength to go over there and get a reduction on the constitutional elected officers out there. I was a part of a suit when we disallowed two people and the judges took into court and, hey, we lost and we'll lose most of it wherever we don't have any control. Now I don't know how many of you remember when the County Police was allowed, and Chief you remember, to patrol the eastern sector of the City of Savannah. They did an outstanding job, but it was still under our control. I just don't see us combining these departments. There will be no savings, and as Frank [Murray] said, you know, it's funny how people change when they're in a position that they control the department to some extent because the control rests with the Commissioners. They didn't want to merge. This is nothing new. It's here. Now, you all are talking about savings. Savings. I can't fault you new Commissioners because you wasn't here, but it's a fact. It's a fact that we gave the Sheriff a raise when we didn't have the money in the budget, \$442,000 that wasn't there, and then on the next budget cycle we needed \$800,000, pretty close to \$900,000, which wasn't there, and when you look at these kind of things, this is what brought us to this point that we're grappling with now. We shouldn't even be here at this time, but now instead of us taking some courageous action to correct and stabilize this budget, we're going to talk about furlough, we're going to talk about this, we're going to talk about that, we're going to talk about selling this, all those short-term fixes, but I tell you what I'm going to do for you guys. I'm going to bring you back something that I want you to consider and I'm going to bring it back to you long enough that you'll have time to look over it and consider it where it would be meaningful because the only way you're going to save some money is you're going to have to eliminate some things. That's the only way you're going to get this budget right. Other than that, we'll be fooling ourselves. After July we'll be right back to this same spot here saying the same things, I'll guarantee you, because we never took the courage to do what we need to do. Chairman Hair said, okay. Are you finished? Commissioner Rivers said, no, I'm not finished yet. Millage rate –. Commissioner Jackel said, he's just getting warmed up. Commissioner Rivers said, millage from SSD to M&O. Hey, my folks ain't going to stand for that. Now, we ain't going to pay. You know, that's double dipping. Hey, man, you're transferring almost a whole, almost a mill. I mean, hey, this thing –, Mr. Chairman, you brought something to me today that shouldn't even be here at this point here, but until you can not only do something with the diversity and somebody have –, I've been here 17 years, and somebody will have to show me some better diversity than they have already, and they're going to have to show me –, I can't –. I don't know, you talk about power and control, Mr. Kicklighter, but I like the control that we have over our departments in saying whether they reduce their budget and everything. I put it over there with the Sheriff, I can't guarantee that because he runs his bailiwick. He was elected to do so. A constitutional elected officer and he's elected just like I am, so I can't tell him nothing about his budget. I couldn't even tell him to be a part of the civil service. That's a volunteer situation. And then they wouldn't do it under the way that we had it so we had to change it and make it a weak-knee situation. I am totally opposed to it, will be opposed to it, and I'll do all within my power to stop it. I don't think it's going to save us no more money, but I will bring you something that will save us a whole lot more money than what the Chairman's talking about. I'll do that.

Chairman Hair asked, are you through now? Commissioner Rivers said, I didn't make another sound. Chairman Hair said, well, he's withdrawn his motion, withdrawn the second, so I'm going to suspend debate. There's no need to talk about something that's not on the floor because Commissioner Kicklighter and Commissioner Rayno have –. Let's continue this debate in the Board consideration of budgetary and policy issues affecting the current and future fiscal years.

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

Received as information. No action was taken by the Board.

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#### **4. BOARD CONSIDERATION OF BUDGETARY AND POLICY ISSUES AFFECTING THE CURRENT AND FUTURE FISCAL YEARS.**

Chairman Hair said, here's some other things to discuss. Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, gentlemen, this is in response to initially what came about in our midyear financial report wherein certain trends were developing for which staff mobilized certainly your full support to come up with a way to make some corrections in our expenditure plan for the current fiscal year. In part, I would like in my presentation to address it budget by budget and do the relatively easier ones first. As you remember, in the analysis in the six-months period we came up with a problem in Metropolitan Planning Commission because the development fees were not coming in at the clip that had been expected. There was a shortage in the SSD budget of about \$900,000, and then \$5.5 million in M&O based on trends in where the freeze of employment positions were not working. Over the last several weeks with the complete cooperation of all departments, I'm able to give you the following choices, and again I'll break them down starting with SSD, the MPC and then the more difficult being the M&O. The SSD budget in effect can be addressed by making some mid-course, now a little more than mid-course, correction –.

Commissioner Rivers asked, can I ask a question? Chairman Hair said, you have the floor. Commissioner Rivers said, you said that the budget was never corrected, the freeze was never effective enough to correct the budget. Is that correct? County Manager Abolt said, at the midyear report it shows 161 vacancies, 139 had been filled. Commissioner Rivers

asked, have we ever balanced and corrected the budget by having a freeze? County Manager Abolt said, well, yes, well, again, yes sir, you have. Not to this magnitude but, for example, for the last 10 years you've maintained a 90-day hiring freeze, and that has been factored in the slowing down revenue. In your shortened fiscal year, which was, you'll recall, the transition fiscal year, we were able to freeze positions and balance there. This one was the most ambitious attempt at budget slowdown that we've ever had. Commissioner Rivers said, but what you're saying to me now, what you're saying in effect, Russ [Abolt], is that every time we did a freeze, the dollar amount that we proposed to save, we saved that dollar amount. County Manager Abolt said, yes sir. Commissioner Rivers asked, that's what you're saying? County Manager Abolt said, yes sir. Commissioner Rivers said, I'm not talking about getting it from any place else and shoring up the budget now, but I'm talking about directly the amount of money that we looked at that we were going to save from the freeze –. County Manager Abolt said, let me restate my answer so I make sure I'm on point. Okay, during the last approximate 10 years to balance each year's budget we had maintained what amounted to a 90-day freeze and there was a target figure. It's an estimate because obviously your experience is important. In each case we were able to make that target. It was not as ambitious as the current target is. In the transition fiscal year, which was January to June of last year, you were able again to maintain the freeze and balance. This is the first year, because you had a variety of goals, one of which was not to go through a reduction in force, and the way in which we proposed to do it was an absolute freeze on positions with certain exceptions. Commissioner Rivers said, well, you know, I want to analyze that because I know that we have filled basically every position basically that we could possibly fill, especially on the constitutional elected officers side. Whenever they came we filled it. Whenever anybody came with an emergency fill, we did it. I would like to analyze that to see what our projection was versus what the actual savings was because this budget each year we shore it up by doing this freeze and it's only short time money. So it brings us to situations like we have here now, and it doesn't need to bring us to situations like this. We need to stop. We need to stop and correct it all out, and that's what I'm telling my fellow Commissioners. There's some hard things up here that we've got to deal with that if you don't fill in the holes in this budget properly, these same problems and these same questions will be here year after year after year after year after year. Now you don't have a fund balance to undergird what we have done because we have spent it all. So we're at a point that we need to take a serious look, and I think all this stuff here that we talk about as superficial, we're borrowing time. After July 1<sup>st</sup> we'll be right back to the same situation that we're in now, short of getting rid of people. We're going to have to eliminate something in order to make this budget right.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Russ [Abolt], could you have whoever needs to work it up, a report sent to each one of us on each one of these positions. You've got, what was it, 100 and –. County Manager Abolt said, during the six-month period there were 161 vacancies and 139 were filled. We can give you that. Commissioner Murray said, but what I'd like is broken down by department. County Manager Abolt said, yes sir, you'll have it. We could actually do year to date if you'd like, sir. Commissioner Murray said, that's fine, I'd like it year to date.

County Manager Abolt said, if I may continue on. I don't want to interrupt the flow of discussion, but the situation is driven by a need to make adjustments this fiscal year to finish without deficit position. That was staff's charge. And again breaking this down by budget, I want to indicate to you that in the Special Service District budget, again with the cooperation of all departments, we have a proposal for reducing expenditures, department by department, that if you agree to them today we have a reasonable assurance that there's a high probability we're finish within the black [inaudible] position by the first of July. You have another choice obviously, it's to do nothing and then deal with the projected deficit after the end of this fiscal year or give us other direction. We did have in the packet, which I know each of you have read, the consequences of finishing out of balance based on a legal opinion from the County Attorney.

On the Metropolitan Planning Commission budget we made the first major step last year to have fee based services, and the projection for the shortfall in fee based services is strictly that. Given the volume of work that is present in MPC at the six-month point, they're estimating and we corroborating a downturn of about \$183,000 in revenue by the end of June. In cooperation with Mr. Newton and also the City of Savannah, you have a choice, if you wish, to allow MPC to draw down a fund balance that they have that would allow them to make up this projected shortfall of \$183,000 or you could instruct them to tailor their expenditure program reflective of the actual fees that they're charging.

Chairman Hair said, Russ [Abolt], Commissioner Gellatly has a question. County Manager Abolt said, I'm sorry.

Commissioner Gellatly said, is it –, I know we have very competent staff, I know that we can make an intelligent guesstimate as to what type of revenues we're likely to take in during the next year, and we also know what our employees, which is probably seventy or eighty percent of our budget, what they're going to cost us. Can we have a projection as to how many employees that we can afford so we don't have to go through this process of freezes and what have you? I imagine that would be very demoralizing and is demoralizing and –. County Manager Abolt said, yes sir, we can, sir. What –, we're not dealing with, but the charge was the goal we put together they are many and varied: not to increase taxes, to deal with a much needed compensation adjustment for employees and then also drainage, plus high on the list after stabilizing the budget was not possible to do was to avoid at all cost reduction in force, and so the strategy of freeze was an adjunct, a follow-through on that. This certainly may change given your current goals, but that's from which all this explodes, but yes we can do exactly what you said, sir. We can also show, as we do in our budget each year, how much is based on reoccurring versus non-reoccurring revenues. That said –. Commissioner Gellatly said, the other thing that –, the freeze is problematic anyway because we have some departments in government that the only way people ever leave those positions is to die or retire, and then you have other positions, such as in law enforcement and the sheriff's office, where you're dealing with a younger group of people and your turnover is greater. So when you just have an across-the-board

freeze, you'd have a problem in that some departments are more adversely affected than others. This is why when we were setting our goals I recommended that we take a look at a block budget situation where the people in charge of a particular unit of government can make intelligent decisions as to how far their money is going to take them. If they're out of money in November or a month before our fiscal year, why that's their problem. They can make decisions whether they're going to buy a copy machine or fix the rug or keep an employee or something like that, but I really truly believe the Commissioners need to get out of the business of dictating what the people that are in charge of units of government do. I think we need to provide them a reasonable budget and then they need to live within that budget.

County Manager Abolt said, yes sir. Continuing on, again, through MPC, I've arrayed the choices you might have. In the M&O budget, because of the challenge and its enormity, we were able to come to you, and this again as we indicated last time, the Chairman had some what I thought would be very productive meetings with the constitutional officers, and we do have budget adjustments, if you agree to today, that are non-people related that would effect a savings between now and the end of the fiscal year of approximately \$2.3 million. Given again –, these are trends, but given trends, we don't have to affect the positions and deal with them certainly if not this fiscal year and next fiscal year, we're going to have a problem that will reoccur because we do have an expenditure of a situation. If you approve the one alternative on M&O budget today that is short of any reduction in force, you could reasonably amass a savings, again, of about \$2.3 million, but again there's a high probability we would end up in a deficit position at the end of the fiscal year. We do have one particular challenge in dealing with any reduction in force, and that is the short period of time in which we have to do that, and again without going into any specific detail, the analysis has shown you that to make any type of massive reduction in force aimed at trying to target a figure of \$2.7 million would, in fact, not be effective because the cost of reducing the force, the workers' –, the unemployment compensation, the payoff of vacation, would amass but little savings. Commissioner Rivers read from what I referred to, an issue of furlough, which is another option that we've given you, but that again is quite staggering when you look at what would happen between about the first of April and the end of the fiscal year. My concern again, because each of you have been so helpful to me in giving me your own particular perspective, which I value greatly, is that when you leave here today, and certainly if you feel not like doing it today, very quickly, I would urge you to exercise a very decisive direction on how you wish us to proceed so that certainly after the first of July with your next fiscal year we are going to back to where I know you all want to be relative to a stable financial position. I would encourage you today to adopt any type of action that would allow the non-personnel side of the budget to be reduced in the manner arrayed in the attachments. That only will allow us to begin making those savings that I enumerated for you.

Chairman Hair said, what the County Manager is really requesting is that we have a motion to approve the non–, any non-personnel cuts that really basically confirm the cuts that are non-personnel issues, and I personally think that's appropriate, and at some point in time I'll entertain a motion to approve. Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I just want to kind of follow up on what Commissioner Gellatly said there. I believe we need, I believe it's a tough decision, but I think it will save our employees' sanity in the future, to actually go over, like you said, get us a breakdown of the number of employees we can actually afford to have, and I believe with the, you know, with the reoccurring revenues I think that's kind of what possibly got us in the shape we're in is using, you know, revenues that's not reoccurring to fund the employees and we need to look at that, and like Commissioner Rivers said earlier, there's some tough decisions coming up, but it's unfortunately time that tough decisions have to be made and we need to do them. We need to face them now and get them over with and to protect our employees' sanity here in the future. So I believe we need to do this as soon as possible.

Chairman Hair said, Commissioner Odell. Oh, excuse me. I'm sorry. Commissioner Murray, I apologize. Commissioner Murray first.

Commissioner Murray said, Russ [Abolt], I –, you know, through all the budget stuff and everything we've seen, I have not seen anything about trying to implement some type of merit pay raise rather than a COLA. To me the COLA just is not fair to employees. A merit system, if it's done properly, is much better and those people that do the job and do above and beyond the job are rewarded for it, and I think you need –, we need something in there. I don't know whether it would be any savings or not because I do understand every time we give a raise across-the-board it's somewhere in the neighborhood of \$2 million. Is that correct? County Manager Abolt said, sir, I believe the last one was in that –, M&O was about five percent. Commissioner Murray said, about \$2 million increase in the budget. County Manager Abolt said, \$1.8. Again, we're facing the annualized cost of that COLA come the first of July because your increase was effective midyear. Commissioner Murray said, well, I would like to see us look at something like that when we start planning everything else. County Manager Abolt said, with your permission, again –. Commissioner Murray said, I'm not saying do both. County Manager Abolt said, no. I think –, hopefully you're as pleased as staff is. We have an extremely good compensation consultant and there have been certain recommendations made. It's always problematic if you effect one aspect of a pay plan at the expense of not doing another, but what happens is if there's a cost of living issue which is valid, then merit sometimes is misused to somehow address COLA, when in effect you should have both of them. Commissioner Murray said, I understand that and that's why I say we've got to put the right system in place when we do them. The other thing, I looked at the Commissioners budget also and I saw where there was some cuts, not a whole lot, but there were some cuts taken out of the Commission budget, but I had requested a printout to see what we spend out of the Commissioners budget year to date for meals after these meetings, and I can tell you something, it was over \$4,800 so far. To me, we do not need the kind of meals we're getting. A sandwich platter or something else –, I don't know how the rest of the people up here feel, but I don't think we need the kind of meals that we are being furnished at each meeting that we have, and I think that also needs to be addressed. It's a small amount of money based on the overall budget, but I think the nine of us that sit up here that are elected should be the ones setting the example for the rest of the employees, and it shouldn't be

the other way around, and I don't think we're setting a very good example when we spend monies and do some of the things we do and yet expect other departments to make the kind of cuts that we ask them to make.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I believe in the *de minimis* rule, which I'm not certain if we would fall into that *de minimis* rule category. We're talking about a multimillion dollar budget. Commissioner Murray said, I understand that. Commissioner Odell said, yes, what I would like to see us do is, trailing on what the Commissioners to my left have said, Russ [Abolt], can we give a listing –, I know we gave an increase to the Police Department, a pay increase because we were serving as a recruitment source, we did that for the Jail and for the Sheriff's Department, within the last year to 18 months, can you provide a listing of the decisions that we, as the Commission, have made which have been –, which have added costs where there was no stream of revenue and can –, I don't know if that would be helpful to anyone else, but what it would attempt to do is that we've made decisions which have added costs, and I think if we just shake it down and see how many employees we can afford, we need to have those numbers in that. We need to have that. Commissioner Murray asked, may I ask and I think I understand, but I don't want to –, I just want to make sure I do understand, this would not be just personnel related issues, these would be anything that was approved wherein there was not a reoccurring stream of revenue for it? Commissioner Odell said, right. I'd like to just see that –. County Manager Abolt said, we'll do our best, sir. Commissioner Odell said, I'd like to see that by department. Additionally, I'd like to see by department a subcategory, the growth in the last five years. County Manager Abolt asked, total budget or –? Commissioner Odell said, you can give it to me either total budget and a percentage, but I'd also like to equate that to a millage rate. You know, and the reason I say that, and I'm sorry, you were starting to –. County Manager Abolt said, you have that, you have that already, sir. Commissioner Odell said, I haven't read it. County Manager Abolt said, I'll give it to you again. Chairman Hair said, but you had it already. [Unintelligible comments were made when several Commissioners began speaking at the same time.] Commissioner Odell said, we don't want another [inaudible]. County Manager Abolt said, yes sir. Commissioner Odell said, okay, so that's already in my packet? County Manager Abolt said, I'll expand more. Commissioner Odell said, I'm a [inaudible] to make a living rather than quit. County Manager Abolt said, we'll do it, sir. Commissioner Odell said, okay. I'd like to see the cost of vehicles that are being used. We have a lot of vehicles floating around through here. You know, I pay for my own car. A lot of people pay for their own, and I'd like to know by department what they are. County Manager Abolt said, okay, sir.

Chairman Hair said, if there are no other comments, I'll entertain a motion to approve. Oh, I'm sorry. Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I think there's –, you know, this is unpopular, but I think the figure is \$9.8 million on our medical plan. County Manager Abolt said, sir, you will –, and I don't mean to assume what you're going to say, but on your agenda we've scheduled for the 6<sup>th</sup> we will have a detailed breakdown. We will have our health plan administrators present here. So, we'll entertain in whatever fashion we can today, but all I'm saying we'll be better prepared in two weeks. Commissioner Jackel said, okay, but that's something that we definitely need to look at because that's almost ten percent of our operating budget, and as Harris [Odell] well says, you can deal with *de minimis* items, but an item that's \$9.8 million out of a \$100 million budget is an item we have to look at, and the other big thing is the County Jail. Is the County Jail. The other thing we –. Commissioner Rivers said, so [inaudible] health plan and give them a raise. Commissioner Jackel said, well, you know, I understand –. Commissioner Rivers said, they might prefer the health plan. Commissioner Jackel said, we gave the County employees a raise because that was the proper thing to do and we also did it because we had too big a turnover. The turnover mostly was in the area of our new people. I think when they were paid \$18,000 and they saw another job for \$22,000 or \$26,000, they left. They wouldn't –, they don't even really know what the co-pay on the drugs is or what the co-pay on the emergency room is. That's not the reason why they left us. They left us for a higher salary. Our benefits have not changed in too many years and no one has as good a plan as the County, and we just no longer can afford that level where we pay \$4 on generic drugs and \$7 on non-generic drugs. It's staggering to me when I go to the pharmacy and I pay \$4 and the total cost of the drugs was like \$160. That's an incredible benefit, and then when you pay \$7 and you know people that with \$300 or \$400 worth of drugs and they're paying \$7, I don't think \$7 and \$12 are unreasonable figures. Most are higher, but I think those are the two areas that we really need to look at because that's where the –, those are two big elements of our budget and we should make substantial cuts in.

Chairman Hair said, okay, if there are no other comments, I'll entertain a motion to approve the non-personnel recommendations of staff. County Manager Abolt said, Mr. Chairman, to interpret what you're saying and what the vote may be, if you look at your staff report, I understand the motion to adopt Alternative 1 for SSD, Alternative 1 for MPC, and Alternative 1 for M&O. Chairman Hair said, that's correct. I'll entertain a motion to approve. Commissioner Odell said, so moved. Chairman Hair asked, second? Commissioner Rayno said, second. Chairman Hair said, all those in favor vote yes, opposed vote –. Commissioner Jackel said, let's restate the motion please. Commissioner Kicklighter said, we're kind of wondering down on this end what exactly this motion –. Chairman Hair said, Alternative 1 –, all three Alternative 1's in your package. Alternative 1 on all three areas, Special Service and –. Minus any personnel. Okay? All those in favor of the motion vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve Alternative 1 of the staff report for SSD Budget, MPC Budget and M&O Budget. Commissioner Rayno seconded the motion and it carried unanimously.

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**5. REQUEST BOARD APPROVAL OF AGREEMENT TO ALLOCATE GREENWAY AND OPEN SPACE FUNDS FROM SPLOST AND STATE OF GEORGIA.**

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, I'll defer to my colleague here to my right.

County Attorney Hart said, this is a proposed intergovernmental agreement that was worked out that originally came about as a result of the purchase of the Demere tract, which Commissioner Murray was very instrumental in being able to broker an opportunity for the county to acquire the last large acreage tract out on Wilmington Island. The County picked up approximately 152 acres of greenspace and recreational area insofar as passive parks. Part of that deal was the donation of approximately 50 acres by the people to the Islands YMCA, so it's going to be quite a project. In regard to that, there had to be some ways to go about financing that. One of the considerations that was raised with the City of Savannah and agreed upon was that the County would qualify under the Governor's Greenspace Program, and there would be two years worth of funding which the County would use to help pay on the Demere property indebtedness. That has been agreed to by the City. As a condition of that, the City is requesting that the funding for greenspace be disbursed as it comes in. At one point in time this Commission had made a statement and a policy decision of the previous Commission that they would not disburse any money out of any of the SPLOST funds until all drainage programs had been funded and were approved –, completed. Since that time, on occasion this Commission has modified that rule somewhat. Recently we did that with the fire departments for public safety equipment. This is really a win/win situation for the City of Savannah, Chatham County and the smaller municipalities. It allows Chatham County to acquire greenspace money to acquire the Demere property and help pay down that debt rather quickly. It assists the City of Savannah, that is a much more urban area, to trade that off for SPLOST funds in the greenspace that have more flexibility from them from a recreational standpoint. As you can well imagine, in an urban area it's much more difficult for a 50-acre tract of undeveloped land. The benefits to the smaller cities are that they are giving up a very small percentage of what they would be entitled to under the greenspace –, Governor's Greenspace Program and swapping that out for a greater percentage of SPLOST funds. Once again, the benefits to the smaller communities are they have more flexibility in the use of SPLOST funds than they would with the Governor's Greenspace Program. Unfortunately, by the time you divided up the pie on the Governor's Greenspace Program, it left many of the smaller municipalities with money that was inadequate to really run an effective, meaningful project of any type, and this is sort of a reallocation of that, and basically we're asking for conceptual approval and the City of Savannah will take it before their board. Their staff has helped hammer this out. At the same time, we will have to meet with the individual municipalities and obtain their approval, but I would certainly think that if you look at it from a dollars and cents and an economic standpoint, it would benefit them overall to go along with this type of an agreement.

Chairman Hair asked, any questions? Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I'd like to make a motion that that be approved. One thing that I think that needs to be out too is the fact that the greenspace money that we will receive from the State dictates what can and cannot be done with the property where we spend that money. So that tract of land was subdivided or divided in two parcels for that reason. One will be more restrictive than the other section of that land is, but none of it will have anything major done to it as far as large –, recreational complex or anything for at least 20 years anyway. County Attorney Hart said, that's absolutely correct.

Chairman Hair recognized Commissioner Kicklighter. Chairman Hair asked, are you going to second that? The Clerk asked, do we have a second to that motion? Chairman Hair said, no, we don't yet. Commissioner Odell said, you do. I second that. The Clerk said, thank you.

Commissioner Kicklighter said, I have no problem at all with this. What I'd like to staff is in the future just to avoid confusion with the other municipalities, please try to contract them when you contract the City of Savannah also. That way we can –. County Manager Abolt said, we did that. County Attorney Hart said, Commissioner Kicklighter, we have had at least four meetings with the municipalities. Some of the municipalities have chosen to attend, some of the others have chosen not to attend. Commissioner Kicklighter said, thank you.

County Manager Abolt said, I would like to compliment Mr. Newton and his staff. They've done an excellent job of inter-governmental cooperation.

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

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve an Intergovernmental Agreement pertaining to the distribution of funds for the General Assembly Greenspace Grant Program and SPLOST distribution for greenway/bikeway funds with the City of Savannah and other municipalities. Commissioner Odell seconded the motion and it carried unanimously.

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**6. SUMMARY REPORT OF WORKFORCE COMPOSITION BY DEPARTMENT.**

County Manager Abolt said, Dr. Hair, Dr. Thomas, gentlemen, this began based on some discussion of many months ago when Commissioner Rivers asked where were we in assessing periodically the composition and the diversity of our workforce. We gave him an initial analysis, which we shared with the entire Board, dealing with the Police Department. At the same time we renewed our commitment on an annual basis to give you workforce diversity and composition. In front of you, only for information, but because it is very important, we did put it on your individual action calendar to be aware of the report that staff has prepared and also to realize that this report and our continued direction will be to renew the County's affirmative action strategies and we'll be giving you annual upgrades.

Commissioner Murray said, it's a great report.

Chairman Hair said, information only. Thank you. Commissioner Jackel said, great report. Great report.

**ACTION OF THE BOARD:**

Report received as information.

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**X. ACTION CALENDAR**

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

Chairman Hair said, that takes us to the Action Calendar. Does anybody want to pull anything off? Commissioner Jackel? Commissioner Jackel said, I've got a few. Commissioner Murray said, I'll let you go by yours first and I have a couple myself. Chairman Hair said, I tried to get to it while you were out of the room, but --. Commissioner Jackel said, 11-A, 12-A. Chairman Hair said, okay. Commissioner Jackel said, and B. Chairman Hair asked, what? B? Commissioner Jackel said, B. Chairman Hair asked, as in boy? Commissioner Jackel said, like bravo, bravo. Chairman Hair said, we've got 12-B. Commissioner Jackel said, no, I guess that --, it's 14-B. Chairman Hair said, 14-B. Commissioner Rayno said, 14-A. Chairman Hair said, okay. Commissioner Jackel said, I only had three now. I only had three. Commissioner Rayno said, 14-I and J. Chairman Hair said, you're sitting too close to Commissioner Jackel. Commissioner Murray said, well, I had that circled too. Chairman Hair said, okay. Commissioner Murray said, I have 7. Was B one of them? Commissioner Jackel said, yes. Commissioner Murray asked, what about C? Chairman Hair said, no, not C. B was. Chairman Hair said, not C. Commissioner Jackel said, oh, C, I forgot C. Yes, C. Commissioner Murray asked, was E on there? Chairman Hair asked, why don't we just do them individually? E is on there. You're going to pull E? Commissioner Jackel said, E. Chairman Hair asked anybody else?

County Manager Abolt said, Mr. Chairman. Please note number 5 on there, on the printed agenda, we were awaiting a response from the Engineer for this private developer in the hopes that he would submit certain things to the County Engineer. He has failed to do that in a timely fashion. Therefore, we would ask you to pull 5 from the agenda.

Chairman Hair said, okay, 5 will be pulled totally. Okay, I entertain a motion for the balance of the Action Calendar. Commissioner Odell said, so moved. Commissioner Thomas said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously.

**ACTION OF THE BOARD:**

Commissioner Odell moved that the Action Calendar be approved in its entirety with the exception of Items 5, 7, 11-A, 12-A, 14-A, 14-B, 14-C, 14-E, 14-I and 14-J. Commissioner Thomas seconded the motion and it carried unanimously.

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

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**1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON MARCH 9, 2001, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the minutes of the regular meeting on March 9, 2001, as mailed. Commissioner Thomas seconded the motion and it carried unanimously.

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**2. APPROVAL OF CORRECTION TO THE MINUTES OF THE REGULAR MEETING OF JANUARY 26, 2001.**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve a correction to the minutes of the regular meeting of January 26, 2001, Item XII-3, Second Readings, by deleting the "Action of the Board" in its entirety and inserting the following in lieu thereof: "Commissioner Murray moved to approve the petition of Paul H. Felser, Agent/Crown Castle Communication (Landings Association, Inc., Owner), and approve the rezoning of approximately 50 acres of R-A zoned property, including the Landings Association Administration and Maintenance Facility property, from an R-A (Residential-Agriculture) classification to a PUD-R (Planned Unit Development-Residential) classification in order to construct a 180-foot monopole telecommunications tower on the Landings Association property." Commissioner Thomas seconded the motion and it carried unanimously.

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**3. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD MARCH 1 THROUGH MARCH 14, 2001.**

**ACTION OF THE BOARD:**

Commissioner Odell moved that the Finance Director is authorized to pay claims for the period March 1, 2001, through March 14, 2001, in the amount of \$4,856,666. Commissioner Thomas seconded the motion and it carried unanimously.

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**4. REQUEST BOARD APPROVE A REQUEST FOR EARLY ACQUISITION OF PROPERTY OWNED BY MR. AND MRS. GRADY COLLETT AT 1273 BECKMAN AVENUE, TRUMAN PARKWAY, PHASE V.  
[DISTRICT 1.]**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve a request for early acquisition of property owned by Mr. and Mrs. Grady Collett at 1273 Beckman Avenue, Truman Parkway, Phase V. Commissioner Thomas seconded the motion and it carried unanimously.

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**5. REQUEST FROM THOMAS & HUTTON, ENGINEER FOR THE DEVELOPER, FOR THE COUNTY TO APPROVE THE FINAL PLAT FOR RECORDING HENDERSON GOLF COMMUNITY, PHASE 3A. THIS ITEM WILL BE REMOVED FROM THE AGENDA IN THE EVENT THAT THE APPLICANT FAILS TO SUBMIT INFORMATION REQUIRED BY COUNTY ENGINEER.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

This item was removed from the agenda and was not considered by the Commissioners.

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- 6. **REQUEST BOARD APPROVE SALE OF SURPLUS PROPERTY (REMNANT OF PARCEL 13R, VETERANS PARKWAY (SOUTHWEST BYPASS) PROJECT, PIN 1-780-01-011) BY QUITCLAIM DEED TO AILENE ARCHER, ADMINISTRATOR OF THE ESTATE OF DOROTHY G. NEWMAN, FOR THE AMOUNT OF \$650. [DISTRICT 5.]**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the sale of surplus property (remnant of Parcel 13R, Veterans Parkway, Southwest Bypass Project, PIN 1-780-01-011) by quitclaim deed to Ailene Archer, Administrator of the Estate of Dorothy G. Newman, for the amount of \$650. Commissioner Thomas seconded the motion and it carried unanimously.

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- 7. **REQUEST BOARD APPROVAL TO TRANSFER A LARGE DUMP TRUCK FROM PUBLIC WORKS TO THE SOLID WASTE ENTERPRISE FUND.**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Russ [Abolt], I know we have restrictions on that fund. Now can that be transferred in there without any problems from a legal standpoint? County Manager Abolt said, yes sir, and this does require your budgetary action. Commissioner Murray said, I move for approval. Chairman Hair asked, second? Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the transfer of Unit #233, a 1994 Ford tandem axle dump truck, from Public Works to the Solid Waste Enterprise Fund. Commissioner Odell seconded the motion and it carried unanimously.

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- 8. **REQUEST FOR NEW BEER POURING AND SUNDAY SALES LICENSE FOR 2001. PETITIONER: HARRUP KAUR SINGH, D/B/A PAPA DAV PIZZA, LOCATED AT 10-B QUACCO ROAD. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the petition of Harrup Kaur Singh, d/b/a Papa Dav Pizza, located at 10-B Quacco Road, for a new beer pouring and Sunday sales license for 2001. Commissioner Thomas seconded the motion and it carried unanimously.

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- 9. **REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER POURING LICENSE FOR 2001. PETITIONER: CHERI STOKES KELLER, D/B/A JANIE ARKWRIGHT'S KITCHEN, LOCATED WITHIN KELLER'S FLEA MARKET AT 5901 OGEECHEE ROAD. [DISTRICT 6.]**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the petition of Cheri Stokes Keller, d/b/a Janie Arkwright's Kitchen, located within Keller's Flea Market at 5901 Ogeechee Road, for renewal of Sunday sales of beer pouring license for 2001. Commissioner Thomas seconded the motion and it carried unanimously.

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**10. REQUEST FOR NEW SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2001. PETITIONER: JIMMY HARVEY, D/B/A SHAMROCK'S IRISH PUB, LOCATED AT 348 JOHNNY MERCER BOULEVARD.  
[DISTRICT 4.]**

Mrs. Marianne Heimes asked, could I ask for reconsideration of something on the Action Calendar? There were some –. Chairman Hair said, well, first of all, you can't ask for reconsideration. You can ask a Commissioner to –. Mrs. Heimes asked, can I ask Commissioner Murray to ask for a reconsideration on number 10? Chairman Hair said, if he will ask for reconsideration. Commissioner Murray said, I move for reconsideration. Chairman Hair said, it does not require a second. All those in favor vote yes, opposed vote no. The motion carried unanimously.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, go ahead. Mrs. Heimes said, a lot of the people who were here to speak about this had to leave. This possibly may be all right, but I think you need to understand that what you're doing right now is granting a pouring license for a tin Quonset that's open in the back. I'm sure that that plan to make some renovations there. Chairman Hair said, it's rustic. Mrs. Heimes said, it's very rustic, but unfortunately the people behind it many of them are retired and, you know, this loud music from the tin Quonset hut has not particularly endeared them to the idea. I think it can probably be worked out, but I –, at their request, I think you might want to wait until you have some plans that they do indeed plan to renovate the Quonset hut. Chairman Hair said, well, the problem is we've got a legal question and I'm not sure you can –.

County Attorney Hart said, I don't think you can require zoning requirements, modifications to the house. You have an ordinance that says what it says, and if they're in compliance and the application is in compliance, you're obligated to pass it.

Mrs. Heimes asked, you're obligated to let them pour from a Quonset hut to –? Chairman Hair said, if they meet the law for the pouring license. County Attorney Hart said, you're obligated for them to meet the requirements of the law, and if their application –, if there's a defect in the application, we'll be happy to address the defect, but staff has not found one. Mrs. Heimes said, they can pour from the bottle and invite you all out. I do think though that that's a very serious thing to allow the pouring license before any restrictions are placed on what should be done there. This is a complete different –, this is an old law mower repair place that's full of old oil and gas and everything else and the EPA is very concerned about it too. I just think, you know, you're making a serious mistake.

Chairman Hair said, I'll entertain a motion. Commissioner Murray said, let me ask a question. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Jon [Hart]. County Attorney Hart said, yes sir. Commissioner Murray asked, what guidelines do we have to go by for this? County Attorney Hart said, you either have to find that there's a defect in the petition where it does not meet one of the requirements of the ordinance, so state that to the petitioner and deny it on some specific ground. Commissioner Murray said, I'm talking about on a new –, this is a new, it's not a renewal. County Attorney Hart said, yes.

County Manager Abolt said, the issue, this is a Sunday sales. Commissioner Murray said, right. County Manager Abolt said, and the determining factor on Sunday sales is the amount of food, and so they cannot go into it absence some commercial kitchen facilities, which we've kind of lived through ourselves in other matters, but in this particular case, based on their plans, they're showing a commercial kitchen. County Attorney Hart said, and then next year they will have to file their affidavit saying that they're –, at least 50% of their thing is food. If it turns out to be just a –.

Chairman Hair said, we need another vote for approval or disapproval. Commissioner Jackel said, I want to move that we send it back to the police to recheck to make sure it meets all the specifications. Chairman Hair asked, do I have a second? Commissioner Odell said, I'll second that. County Attorney Hart asked, what is the request that you're asking? Commissioner Jackel said, that we have it reevaluated to make sure it meets all the specifications for a license. Commissioner Odell said, so in effect we table it for today, which I think we –. County Attorney Hart said, well, you can table it for a short period of time, but, you know, these people have –. Commissioner Jackel said, I want it rechecked to make sure it meets all the requirements. Chairman Hair asked, why don't you table it until the next meeting and –, with instructions that they do that. Just table –, you can't just table it forever, that's what he's saying. Commissioner Jackel said, that's not tabling it forever, that's direction to staff. Chairman Hair said, table it to the next meeting, okay. Table and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. [NOTE: Commissioner Rivers was not present.]

**ACTION OF THE BOARD:**

1. Commissioner Odell moved to approve the petition of Jimmy Harvey, d/b/a Shamrock's Irish Pub, located at 348 Johnny Mercer Boulevard, for a new Sunday sales of beer, wine and liquor pouring license for 2001. Commissioner Thomas seconded the motion and it carried unanimously.

2. Commissioner Murray moved to reconsider the foregoing action. [NOTE: No second is required.] The motion carried unanimously.
3. Commissioner Jackel moved that this item be sent back to staff to make sure that it meets all the specifications for a license. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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**11. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2001 FOR THE FOLLOWING:**

- A. PETITIONER: CHARLES R. JONES, D/B/A SILVER DOLLAR BAR & GRILL, LOCATED AT ROUTE 3, BOX 304A, HIGHWAY 204. [DISTRICT 7.]**

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, again, I just have problems with these figures here. I thought it had to be over 50% and it's 50% even. County Manager Abolt said, we thought so too, sir. We didn't --. County Attorney Hart said, 50% or more. County Manager Abolt said, it says 50% or more, sir. Commissioner Jackel said, well, that's just too close. I think it's a bar and it's not a big place.

Chairman Hair said, well, make a motion. Commissioner Jackel said, well, I'd like someone, if they want to move to approve it, and I'll just vote against it. Chairman Hair said, okay. I'll entertain a motion to approve. Commissioner Odell said, I'll make a motion to approve B. Chairman Hair said, this is A now, we're talking A, not B. Commissioner Odell asked, well, I'm making both of them jointly. Chairman Hair said, B's already been approved in the Action Calendar. B was not pulled. Commissioner Odell said, right. Commissioner Jackel said, 11-A. Chairman Hair said, this is 11-A. Commissioner Odell said, I'll make a motion to approve 11-A. Chairman Hair asked, second? Commissioner Odell said, Silver Dollar Bar and Grill. Chairman Hair said, all those in favor vote yes --. The Clerk asked, did we have a second? Chairman Hair said, yes. The Clerk asked, who? Chairman Hair asked, who seconded that motion. Commissioner Kicklighter said, I did. Commissioner Odell said, he did. Commissioner Kicklighter said, I will. Chairman Hair and Commissioners Rivers, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioners Rayno and Jackel voted in opposition. The motion carried by a vote of seven to two.

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the petition of Charles R. Jones, d/b/a Silver Dollar Bar and Grill, located at Route 3, Box 304A, Highway 204, for renewal of Sunday sales of beer, wine and liquor pouring license for 2001. Commissioner Kicklighter seconded the motion. Chairman Hair and Commissioners Rivers, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioners Rayno and Jackel voted in opposition. The motion carried by a vote of seven to two.

- B. PETITIONER: JUANA L. DELATORRE PICAZO, D/B/A CANCUN MEXICAN RESTAURANT II, LOCATED AT 216 JOHNNY MERCER BOULEVARD. [DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the petition of Juana L. Delatorre Picazo, d/b/a Cancun Mexican Restaurant II, located at 216 Johnny Mercer Boulevard, for renewal of Sunday sales of beer, wine and liquor pouring license for 2001. Commissioner Thomas seconded the motion and it carried unanimously.

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**12. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER AND WINE POURING LICENSE FOR 2001.**

- A. PETITIONER: HEIDI DONG ZHANG, D/B/A SAKURA PLACE, LOCATED AT 1190 KING GEORGE BOULEVARD, UNIT 4. [DISTRICT 6.]**

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, okay, I put this on here. I need to recuse. I'm in litigation representing the other side against them. Commissioner Odell said, I move to recuse. Commissioner Murray said, second. Chairman Hair said, second. All those in favor of recusing Commissioner Jackel vote yes, opposed vote no. The motion carried unanimously.

Chairman Hair said, all right, now I'll entertain a motion to approve the item. Commissioner Odell said, so moved. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Jackel was recused from voting.]

**ACTION OF THE BOARD:**

1. Commissioner Odell moved to recuse Commissioner Jackel from this item because of his representation in litigation involving the petitioner. Commissioner Murray seconded the motion and it carried unanimously..
2. Commissioner Odell moved to approve the petition of Heidi Dong Zhang, d/b/a Sakura Place, located at 1190 King George Boulevard, Unit 4, for renewal of Sunday sales of beer and wine pouring license for 2001. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Jackel was recused from voting.]

**B. PETITIONER: WILLIAM J. YOUNG, D/B/A PIZZA INN, LOCATED AT 313 JOHNNY MERCER BOULEVARD.  
[DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the petition of William J. Young, d/b/a Pizza Inn, located at 313 Johnny Mercer Boulevard, for renewal of Sunday sales of beer and wine pouring license for 2001. Commissioner Thomas seconded the motion and it carried unanimously.

**C. PETITIONER: MAEYU C. WU, D/B/A HUNAN'S RESTAURANT, LOCATED AT 318 JOHNNY MERCER BOULEVARD.  
[DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the petition of Maeyu C. Wu, d/b/a Hunan's Restaurant, located at 318 Johnny Mercer Boulevard, for renewal of Sunday sales of beer and wine pouring license for 2001. Commissioner Thomas seconded the motion and it carried unanimously.

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**13. REQUEST BOARD CONFIRMATION OF TRANSFER OF JAIL MAINTENANCE FUNCTION FROM CENTRAL SERVICES TO SHERIFF'S DEPARTMENT.**

**ACTION OF THE BOARD:**

Commissioner Odell moved that the Board confirm the transfer of the jail maintenance function from Central Services, Building Maintenance and Operations, to the Sheriff's Department. Commissioner Thomas seconded the motion and it carried unanimously.

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**14. 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.)**

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. Confirmation of the sale of an 80-ft. mobile home	Purchasing	Mr. Jerry Spells	\$1,050	Revenue producing

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
B. One (1) 4x4 pickup truck	Building Safety and Regulatory Services	J.C. Lewis Ford	\$16,812.10	SSD - Building Safety and Regulatory Services
C. One (1) heavy duty pickup truck	Police	J.C. Lewis Ford	\$19,488.70	Confiscated Funds - Police
D. Declaration of 400-gal. tank trailer as unserviceable scrap and confirmation of sale as scrap metal	Mosquito Control	Savannah Steel	\$23.40	Revenue producing
E. First renewal option to annual contract to provide doormat rental service	Various	Riverside Uniform Company	\$15,437.80	•General Fund/M&O - Various •SSD - Various
F. First renewal option to annual contract to provide janitorial services to various "Southside" locations	Various	Quality Cleaning Contractors, Inc.	\$12,744	General Fund/M&O - Building Maintenance and Operations
G. First renewal option to annual contract to provide janitorial services to various "Downtown" locations	Various	Basics Cleaning Company (MBE)	\$157,088.24	General Fund/M&O - Building Maintenance and Operations
H. Change Order No. 1 to the contract for pest control services for additional location	•Building Safety and Regulatory Services •Board of Equalization	Ideal Pest Control	\$420	•SSD - Building Safety and Regulatory Services •General Fund/M&O - Board of Equalization
I. Confirmation of emergency gutter and roof repairs at 17 Minus Avenue	Health Department	The House Doctor	\$11,200	CIP - Health Department (Gateway)
J. Confirmation of emergency window, exterior siding and roof repairs at 5000 Jasmine Avenue	Health Department	The House Doctor	\$14,900	CIP - Health Department (Gateway)
K. Change Order No. 1 to the contract for lawn care service for additional services required at the Eisenhower Drive location	Various	Dreamscapes Lawn Maintenance	\$4,800	•General Fund/M&O - Building Maintenance and Operations •General Fund/M&O - Tax Commissioner •General Fund/M&O - Board of Equalization •SSD - Building Safety and Regulatory Services
L. Confirmation of emergency purchase of reconditioned three blade propeller	Mosquito Control	Southeastern Aircraft Sales	\$17,500	General Fund/M&O - Mosquito Control
M. Confirmation of emergency purchase of the vault door and related security systems for the new Tag Office facility	SPLOST	Mosler, Inc.	\$38,084	SPLOST (1993-1998) - Tag Office Project
N. Motorola 800MHz communications system additions with tower site expansion and electronic control bank upgrade	Police	Motorola, Inc. (sole source)	\$274,708	911 Surcharge
O. One-year renewal of contract to provide an INTELVENT program for the employees of Chatham County	Human Resources	USI Administrators	Not to exceed \$70,000	Group Health

**As to Items 14-D through 14-O except Items 14-E, 14-I and 14-J:**

Commissioner Odell moved to approve Items 14-D through 14-O, except Items 14-E, 14-I and 14-J. Commissioner Thomas seconded the motion and it carried unanimously.

**As to Item 14-A:**

**Confirmation of the sale of an 80-ft. mobile home; Department: Purchasing; Source: Mr. Jerry Spells; Amount: \$1,050; Funding: Revenue producing.**

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno asked, is he assuming that we'll be [inaudible] from the liability to move that trailer? Mr. George Lynch said, I certainly believe so, sir. Yes sir. Commissioner Rayno asked, do we have anything in writing? Mr. Lynch said, I'll check and find out if we do. Commissioner Rayno said, I don't want the County paying for it. Mr. Lynch said, no, the County does not. They take something as is, where is, and haul it away, but I will confirm to make sure that's right, but I can absolutely assure you that we aren't going to pay to have it -. Commissioner Rayno said, motion to approve. Mr. Lynch said, dragged off. Commissioner Odell said, second. Chairman Hair said, motion and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**As to Item 14-B:**

**One (1) 4x4 pickup truck; Department: Building Safety and Regulatory Services; Source: J. C. Lewis Ford; Amount: \$16, 812.10; Funding: SSD - Building Safety and Regulatory Services.**

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I'd like for us to cover B and C together. I think they're the same -. Chairman Hair said, well, Commissioner Murray pulled -. Commissioner Jackel said, okay, but the thing is is with the budget thing right now, is there any way we could delay purchase of these vehicles? County Manager Abolt said, on B, of course, that was the -, no pun intended -, driven by a fund that's separately and separate and apart from M&O and SSD. [Unintelligible comments when several Commissioners began talking at the same time County Manager Abolt was speaking.] County Manager Abolt said, we want that inspector to be out in the field checking. Commissioner Odell said, okay, so this -, they are confiscated funds? Chairman Hair said, confiscated funds and -. Mr. Lynch said, in B and restricted Inspection funds on the Inspections side of it. County Manager Abolt said, that's correct.

Commissioner Rayno asked, how many inspectors do we have? Mr. Lynch said, gosh, I can't give you an answer to that, but where's [inaudible]? Chairman Hair asked, Russ [Abolt], do you -. County Manager Abolt said, they have a department of about 30. I'll bring it back to you. Commissioner Rayno asked, how many trucks do we have? Mr. Lynch said, equal to inspection -, to the inspectors. The Director has a vehicle and I, believe me, I'm doing something off the top of my head -. County Manager Abolt said, let's get the specifics. We'll get the specifics. Mr. Lynch said, okay, we'll get back to you. Commissioner Rayno asked, are there times when there's some inspectors in that are not doing something where someone could borrow a vehicle and go out? Mr. Lynch said, very occasionally. Of course, they will go out and, let's say, they hit a problem and one comes back to work the problem, but by and large you've got them doing the deployment in the morning and when they come back in after they get through with their jobs, it may be a brief overlap. County Manager Abolt said, the management study did address this and our aim is high mobility, being able to, in effect, have the inspector not come to the central location, but as a [inaudible] at the end of one day, they start their next day by actually being out in the field, so the mobility is very important.

Chairman Hair said, I'll entertain a motion. Commissioner Odell said, I make a motion to approve. Chairman Hair asked, second? All those -. Second? Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Commissioner Odell moved to approve Item 14-B. 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.

**As to Item 14-C:**

**One (1) heavy duty pickup truck; Department: Police; Source: J. C. Lewis Ford; Amount: \$19,488.70; Funding: Confiscated Funds - Police.**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I just wanted to know why -, what the heavy-duty pickup truck will be used for? Mr. Lynch said, to pull the bomb containment vessel. Commissioner Murray said, oh, okay. All right, and we don't have anything to do that with now? Mr. Lynch said, no sir. County Manager Abolt said, no sir. Pulled the rear end out of the one we had. Mr. Lynch said, we have one very old military donated vehicle. As you're probably aware, we are required to provide bomb coverage not only here, but throughout -. Commissioner Murray said, move for approval. Mr. Lynch said, the southeastern part of Georgia.

Chairman Hair said, all right. Is there a second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**As to Item 14-E:**

**First renewal option to annual contract to provide door mat rental service; Department: Various; Source: Riverside Uniform Company; Amount: \$15,437.80; Funding: General Fund/M&O - Various; SSD - Various.**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, George [Lynch], the only question I have on this, I read it where it shows that it's less expensive to –. Mr. Lynch said, yes sir. Commissioner Murray said, to do the lease on it than it is to purchase them. Have we looked at each one of these locations where these mats are being used to see if they're in fact already needed at these locations. Two aspects, safety and just flat the way the way it messes the place up. Commissioner Murray said, so moved. Commissioner Kicklighter said, I'd like a little discussion on the door mats if I could before me –. Chairman Hair asked, what's your question. The Clerk said, was there a second? We need a second before discussion. Commissioner Odell said, second. Chairman Hair said, asked, what's your question?

Commissioner Kicklighter said, my question us how many doormats are we talking about for \$15,437? Mr. Lynch said, I believe it's over 100 that we use. Fred [Thompson] –? Chairman Hair said, also it's an annual cost. It's over a year. Mr. Lynch said, number of mats in total. It covers 23 different buildings. My recollection is that it is right at 100 mats, somewhere in that area. This is for a year. They provide the mats, they provide the cleaning of the mats and they change out. I can get you the number of mats, but I'm going to have to do a count on it, sir. County Manager Abolt said, it's a –, George [Lynch], it says in there 106 entrance mats. Mr. Lynch said, okay. Good. Commissioner Kicklighter asked, would our cleaning staff that actually cleans the buildings, they wouldn't dust the mat off or anything? Commissioner Murray said, well, they do that. This is the major clean up and replacement. Mr. Lynch said, it isn't –, yes, daily of course they get vacuumed, but the vacuuming typically doesn't take care of all the stuff that these mats collect in rainy weather, particularly where you get slick floors –. Commissioner Kicklighter asked, in your opinion, that is definitely cheaper? Mr. Lynch said, absolutely, sir. Absolutely.

Chairman Hair said, we already have a motion and a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**As to Item 14-I and 14-J:**

- I. **Confirmation of the emergency gutter and roof repairs at 17 Minus Avenue; Department: Health Department; Source: The House Doctor; Amount: \$11,200; Funding: CIP -Health Department(Gateway).**
- J. **Confirmation of emergency window, exterior siding and roof repairs at 5000 Jasmine Avenue; Department: Health Department; Source: The House Doctor; Amount: \$14,900; Funding: CIP - Health Department (Gateway).**

Chairman Hair asked, can we deal with those together or are they separate? Commissioner Rayno said, together. Chairman Hair said, together. Okay. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, you put out three bids for these particular projects and the Lufburrow, Incorporated company was no bid. I was wondering why you didn't go for a third bid before you actually placed the bid. Mr. Lynch said, fundamentally, sir, we were under some pressure to get this long, long deferred maintenance done. We had two that had come in. They met the bid. The House Doctor was below our estimate. We felt that represented sufficient competition on it. Commissioner Rayno said, I submit that our budget's under pressure and we deserve to have three legitimate bids and –, so we can get the lowest cost possible, and I think as a policy in the future you might want to go with three confirmed bids or that no bid is not a bid at all. Mr. Lynch said, all right, sir, we for the future shall do that.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, George [Lynch], my concern, I had both of these circled, why are these listed as emergency? Mr. Lynch said, we had been deferring the repair on this building. We were in a situation where we had serious leakage. We were making good lease profit on these buildings and, frankly, Gateway was insistent. We couldn't fund it earlier, but we were able to get the money from the sale of executive –. Commissioner Murray said, I understand that, but our meetings are normally every two weeks. Mr. Lynch said, yes sir. Commissioner Murray said, and then this whole –, all of these bids could have been on here just like any other item. My question is why would it be an emergency bid, when you could have waited –. We could have dealt with it at the last meeting. I don't agree that these should have been emergency situations. Mr. Lynch said, all right, sir. Commissioner Murray said, I think that we could have gone ahead and planned for it just as we do other things.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Murray said, so moved. Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rayno, Rivers, Jackel, Murray, Odell, Gellatly and Thomas voted in favor of the motion. Commissioner Kicklighter voted in opposition. The motion carried by a vote of eight to one. Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

1. Commissioner Odell moved to approve Items 14-D through 14-O, except Items 14-E, 14-I and 14-J. Commissioner Thomas seconded the motion and it carried unanimously.
2. Commissioner Rayno moved to approve Item 14-A. Commissioner Odell seconded the motion and it carried unanimously.

3. Commissioner Odell moved to approve Item 14-B. 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.
4. Commissioner Murray moved to approve Item 14-C. Commissioner Thomas seconded the motion and it carried unanimously.
5. Commissioner Murray moved to approve Item 14-E. Commissioner Odell seconded the motion and it carried unanimously.
6. Commissioner Murray moved to approve Item 14-I and 14-J. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Rayno, Rivers, Jackel, Murray, Odell, Gellatly and Thomas voted in favor of the motion. Commissioner Kicklighter voted in opposition. The motion carried by a vote of eight to one.

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**ORDER OF BUSINESS**

At this point on the agenda, Ms. Marianne Heimes asked that the Board reconsider Item 10 on the Action Calendar. Commissioner Murray moved for reconsideration and the motion to reconsider was approved. The Board reconsidered Item X-10 at this point on the agenda.

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**XI. FIRST READINGS**

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

1. **AMENDMENT TO THE CHATHAM COUNTY SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE TO REQUIRE A SURVEY TO SHOW COMPLIANCE WITH THE MARSH AND MARSH BUFFER REQUIREMENTS OF THE EROSION AND SEDIMENTATION CONTROL ACT (O.C.G.A. 12-7-1 ET SEQ). [ALL DISTRICTS.]**

Commissioner Rayno said, I have a question. Chairman Hair said, okay. Commissioner Rayno asked, does this affect docks too, this buffer in the marsh? County Attorney Hart said, indirectly it could. The issue that has come up underneath the docks is you've got to have some way to get on the dock so you sometimes find yourself with this sedimentation ordinance of getting a 404 permit qualified for the dock, the dock's hooked to the land, and then you've got a setback that the Department of Natural Resources takes the position that nothing can be done in the setback without a variance, and then they take the position that they don't grant variances. So it's a Catch-22 at some point. So when you design your dock, it is very essential that you design it in a manner so that you can get up on the thing. Commissioner Rayno said, I can guarantee this is going to be the source of future headaches for this body. County Attorney Hart said, it already is.

Chairman Hair said, we've got two weeks to, you know, we'll come back and discuss it fully in two weeks. This is a first reading only.

**ACTION OF THE BOARD:**

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

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2. **AMENDMENTS TO REVENUE ORDINANCE AFFECTING FILING FEE, ZONING BOARD OF APPEALS.**

**ACTION OF THE BOARD:**

Read into the record as first reading.

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**XII. SECOND READINGS**

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.]**

Chairman Hair recognized Mr. Bill Saxman.

Commissioner Murray said, I move for approval. Chairman Hair said, we have a motion to approve. Is there a second? Commissioner Kicklighter said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Odell and Thomas were not present.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Murray made a motion to approve 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 structures in the front yard of unusually long, narrow lots. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Odell and Thomas were not present.]

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

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, I'll defer again to Mr. Hart in a moment, but I would suggest that you do have some discussion entered in the record of the resolution. This is obviously an action contemplated that has some consequences, and I would defer to Mr. Hart to make sure those consequences are fairly enumerated and anybody in the audience who wishes to comment, no doubt, you'll want to invite them to do so.

Chairman Hair said, well, certainly. Chairman Hair recognized County Attorney Hart..

County Attorney Hart said, yes sir, I would request that this Board find that the conditions that are contained in the resolution are in fact that which has occurred on the Island. I would also ask that it be entered into the record that this resolution and moratorium notice was published on March 2<sup>nd</sup> and March 7<sup>th</sup> in the Savannah News-Press [sic] and we submit an Affidavit of Publication in that as part of the resolution.

Chairman Hair asked, anybody want to address the moratorium? Anybody want to speak on the moratorium? Do you want to speak on the moratorium? Commissioner Murray asked, would this be considered a public hearing? County Attorney Hart said, yes sir. Chairman Hair said, come forward please.

Mr. Frank L. Bourne, Jr. said, my name is Frank L. Bourne, Jr. I live on Whitemarsh Island, 42 Piney Point Road. I'm co-founder of the Islands Citizens for Logical Growth, I'm a member of the Islands Land Use Study Committee –.

County Attorney Hart said, we've lost a quorum. Commissioner Murray said, let's don't go any further until we at least get a quorum back. Commissioner Murray said, okay, go ahead.

Mr. Bourne said, the Islands Land Use Plan, as we know, was first passed by the Chatham County Commission in 1985 after about a year and half of some work by a committee on the Islands and that was a little over ten or eleven years ago. About five or six years ago we found out it was necessary to start to modify the Islands Land Use Plan because of the many changes to the zoning that had taken place and we were having more multi-family housing and some of the zoning areas were changed from residential to multi-family and that we were looking for a complete rewrite of an Islands Land Use Plan in order to indicate and give special attention to the four islands of Whitemarsh, Oatland, Wilmington and Talahi. We've had –, we're working hand in glove with the Metropolitan Planning Commission and we had three or four staff members working with us and then there was a lax period there for about a year or so, and then we were back into the Islands Land Use Plan again working with the Metropolitan Planning Commission, Mr. Tom Wilson. We now have a working draft that

we're working on and the working draft is --, will take some time to resolve all of the discrepancies and proposals in here. My studying of this indicates that there are some items that perhaps may be infringing upon constitutional rights of the individual residents of the Islands. The --, we'll also take some time to review this matter. We have to go through committee meeting of a --, committee process of reviewing all of these items, various items bit by bit, and then having our proposal turned over to the Chatham County Attorney for his legal advisement on whether we are --, if everything is in compliance with the Federal, State and County regulations. We feel that this particular program and plan that we have come up with is a very fine program, but it will take some time --, several months to get it done, and right now after the experience we've --, I've experienced as a member of the ICLG and the Islands Land Use Plan over six or seven years, when you're up to your butt in alligators, it's hard to remember the mission is to drain the swamp, and what we will find and what we will do at the end is that this completed plan will contain proposed zoning regulations so that upon approval by the Chatham County Commission these zoning regulations will be incorporated immediately into the Chatham County Zoning Regs. In other words, all of the work is being done. One of you said, the government had a lack of common sense --. Commissioner Murray asked, did I say that? Mr. Bourne said, I don't know if you did or not. I heard something about that. Commissioner Murray said, no, I think I did say that earlier. Mr. Bourne said, but we've --. Commissioner Murray said, I said common sense is not in government. Mr. Bourne said, right, not in government. Commissioner Murray said, unfortunately. Mr. Bourne said, we feel that what we're doing here is covering it for the first time with things that we should have done ten or fifteen years ago. The lessons that I have learned, and I apply these, is that the definitions of the regulations must be simple and must be clear. That the '85 Land Use Plan should have proposed zoning regulations, but it did not. I guess it was a first time learning experience for a lot of us that the Commission could have approved including that the procedure for changing a zoning regulation must be clearly defined and hopefully strictly adhered to. So my recommendation --. Yes sir?

Commissioner Odell asked, if I might, you're on number two as far as the moratorium. Is that true? Mr. Bourne said, yes sir, the moratorium. Commissioner Odell asked, and you're speaking in support of --? Mr. Bourne said, I support the moratorium. We recommend that the moratorium be approved. Commissioner Odell asked, and you've referenced the Land Use Plan, is that correct? Mr. Bourne said, yes sir. Commissioner Odell said, okay. What percentage of land on Wilmington Island, Whitemarsh Island, Oatland Island and Talahi Island is undeveloped? Mr. Bourne said, I approximate 325 to 50 acres. Commissioner Odell asked, and that is what percentage of the total? About 8%? Mr.. Bourne said, a very small percentage. Commissioner Odell asked, is it a fair statement to say that 92% of the property on those four islands is already developed? Mr. Bourne said, pretty close. Commissioner Odell said, okay. So the Land Use Plan would direct what would happen to the undeveloped area or would it set a tone for those areas that are already being developed? Mr. Bourne said, it sets a tone, Mr. Commissioner, for not only developing or controlling the developing of the undeveloped area, but we also have a plan for the future redevelopment of the existing developed areas to create more like items that are town centers where your concentration of your commercial districts are made more compatible and more attractive to not only the individual automobile owners but to pedestrian traffic and to bicycle traffic that would get rid of --, as buildings wear out or become obsolete and the --. It's a long range plan. That's our dream down the line, and I probably will not live to see any of this, but the dream is to form at least two town centers that would consolidate all of this commercial development, provide multi-family housing close to or adjacent to it and it becomes compatible with a town center concept and enhance the residential development that we now have and actually improve the bikeway system and increase the number of bikeways and to go through a process of sidewalks in residential neighborhoods that we no longer --, that we do not have them. Twenty years ago, thirty years ago builders didn't put sidewalks in because the automobile was taking over. Now the need for sidewalks has become a little more [inaudible]. We want more and more people to use their legs and their bicycles and their means of transportation other than automobiles from gasoline and powered automobiles to get to the town centers to get to the area where we can have such things as very nice stores and restaurants and things of that sort. Commissioner Odell said, I appreciate your answer. You answered my question. Thank you. Mr. Bourne said, thank you.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, no, I was just going to say that it's not just new development. It's also redevelopment, long term. Mr. Bourne said, yes sir.

Chairman Hair said, okay, continue. Mr. Bourne said, that's all I have. Chairman Hair asked, anybody else want to speak to the moratorium? Mr. Bourne said, we have several. Chairman Hair asked, pardon? Mr. Bourne said, we have several. Chairman Hair said, okay. Come forward and state your name.

Mr. Earl Markee said, my name is Earl Markee and I live on Wilmington Island, and I'm a meteorologist by trade, although retired at the present time, and this may explain where I'm coming from, and I look at the natural phenomenon, I've been doing that all my life and we must remember that the Island is a rather fragile area meteorologically and geologically and so forth, and with the proximity of the ocean, and therefore some of the infrastructure is becoming --, may become critical in the development of the Island, especially this redevelopment, and this is drainage, flooding areas and sewage problems which may crop up, and some maybe even water problems, and so this may impact on the development of the area. This is why we're proposing a moratorium until we can get this straightened out. And the other thing is the hazards. We are vulnerable to hurricanes and we had a close call last year. I guess we have --, everything worked fine, but we didn't have a hurricane. But what if we had had an hurricane like Hurricane Hugo? We talking, what, ten years ago, which fortunately for us it decided to go over to Charleston, but it could just as easily come across for us, and this concerns me because the development is dependent on the brute force of the population in the area and if you increase the population, you're going

to have longer evacuation times and maybe some catastrophic results depending on the exit routes that may be available, and the development area does not include development of the exit areas.

Chairman Hair said, Commissioner Rayno has a question for you.

Commissioner Rayno said, I just want to make a comment. I think you should have full and complete confidence in Phillip Webber and the fact that he will get you off that island long prior to a storm coming in. Mr. Markee said, well, I have confidence and I know Phillip Webber quite well, and we've discussed this and so forth, but if you add more people, you lengthen evacuation time. That's an absolute. Commissioner Jackel said, I'm not saying that -. Mr. Markee said, but the thing is now that increases the forecast. Commissioner Rayno said, I'm not saying that mistakes weren't made in the last evacuation because obviously there were and there's numerous testimonies to that fact, but a lot of changes have taken place since then and I think that, you know you learn from your mistakes, and I think you should have complete confidence that you he will get you off in time, but I do agree with you, we probably should be concerned about growth on the Islands and causing some problems.

Mr. Markee said, one of the reasons I'm concerned is some of the predictions that have been made may cover or partially cover some of our evacuation routes. We haven't experienced this yet, but we -. I hope we don't, but we've had flooding problems on Pennsylvania Avenue and down in that area, low lands right off the area. We've had -, we have flooding problems that have come across on the Thunderbolt side of the Thunderbolt Bridge, and there's the levy that goes over the low lands and once the wind picks up evacuation areas may be in jeopardy. And so part of this plan would be some reconsideration of evacuation routes or modification of the ones that we have now.

Chairman Hair said, Commissioner Kicklighter has a question.

Commissioner Kicklighter said, well, I'd just like to state that I appreciate all of you, and you're welcomed to -, we can talk about it all night long, but I believe Commissioner Murray has the definite support of us up here to put the moratorium on, and maybe that will help out a little bit. And, like I said, you're welcome to talk and everybody talk, but I believe this issue has been handled in a great manner by Commissioner Murray and I believe he has the support here to pass the resolution. Mr. Markee said, thank you.

Chairman Hair asked, anybody else want to speak though? We don't want to deny anybody.

Mr. Richard Parker said, I'm Richard Parker. I own property on Whitemarsh Island, and the one point that I felt was sort of being overlooked here, I am in support of the moratorium. We have a large number of people out there who have invested in their properties and this is one point that I think we need some protection for the property owners, residential property owners mainly, so that in the future they're going to look an appreciation of their property, and I think the change in the zoning laws that would result from the new Land Use Plan would go a long ways toward protecting our property, which is worth considerably more than the small number of developers of the about one percent of our remaining land that's open for development. So I think that -, I would like to express the preponderance of the value of the property owners over the value of the development in support of a moratorium to get a better handle on protecting our values.

Chairman Hair said, thank you, sir. Anyone else? I'll entertain a motion to approve.

Commissioner Murray said, I'll move to approve, but I'd like to make a comment too. Chairman Hair said, do we have a second? Commissioner Kicklighter said, second. Chairman Hair said, okay, Commissioner Murray. Commissioner Murray said, yes, as they've already stated, the draft to this development plan or Islands Use Plan is out. They've already had two meetings to go over that, and I want to state also, because we've all received copies of letters from different people that own property in the Islands area -, they're not residents there, they just own property, they just develop the things -, that they've not been included. They have been notified and they've been included in each one of the meetings, and they will be included in the balance of the meetings and the meetings have already started taking place. So they're going through the process. I appreciate the support the Commission has given on this. My personal feeling is that I think that the draft can be ready for us to vote on probably at the latest within the 90-day time frame and more than likely before that because the draft is a good draft. They're just going through that process now to look at it and make some additions and changes on it. I would move for approval.

Chairman Hair said, all right, we have a motion and a second. All those in favor, vote -.

County Attorney Hart said, Mr. Chairman. Can I state that for the purpose of the -, Commissioner Murray's motion, to amplify that so that it parallels his original motion directing staff to prepare this moratorium several meetings ago, the moratorium to be imposed is to be that we will not issue any approvals or building permits for any development on the Islands for a limited period of 90 days, but may terminate sooner if within that 90-day period there is adoption of the Islands Land Use Plan, and that the moratorium will not affect any applications that require approvals that are pending at the time of the adoption of the resolution. I would like to further state for the record that there is currently a draft plan out there. If people have comments about that plan, if people want to make some change to that plan, if they want to recommend some change in that plan, they need to get it done in the next 90 days. This is not an open-ended moratorium.

Commissioner Murray said, those meetings are public and they are advertised, if I'm not mistaken.

Chairman Hair said, okay, all those in favor –.

Commissioner Jackel said, one point of clarification. You say the moratorium means no further issuance of building permits? County Attorney Hart said, except for those projects that have already been completed and approved in their zoning. Commissioner Jackel said, okay, so if they've cleared the MPC they can do it. Commissioner Murray said, if they've already started the process, they can go ahead.

Commissioner Thomas said, question. Chairman Hair recognized Commissioner Thomas. Commissioner Thomas asked, does this take into account, for instance, homeowners who may have an emergency of some sort that would require, you know –? Chairman Hair said, as I understand it, it would be a moratorium on all building permits period, and you would not be able to get a building permit –. Commissioner Thomas said, no matter what. Chairman Hair said, that's correct.

Commissioner Odell asked, is it building permits or commercial? Commissioner Murray said, it's –. Commissioner Thomas asked, are we talking about –? Chairman Hair said, the way it's written it does not specify commercial. Commissioner Murray said, it's any new development that's not already started going through the process. Chairman Hair said, but it would affect Dr. Thomas –, the answer to Dr. Thomas' question is yes it would affect that person. That homeowner would not be able to get a building permit. That is correct. Commissioner Thomas said, they wouldn't be able to –. Commissioner Odell said, I need clarification. If I own a lot on Wilmington Island –. Chairman Hair said, right. Commissioner Odell said, it's this motion's intent to prevent me, if I haven't started the process, from getting an architect, building on that lot. Is that what you're telling me. Commissioner Murray said, no, you can get an architect and –. Chairman Hair said, you can get all that, but you can't get a permit and you can't –. Commissioner Murray said, you just can't get a permit until this is over with, which is three months or less.

Chairman Hair said, all right, all those in favor of the motion vote yes, opposed vote no. Commissioner Jackel said, I would like –, I'd like to –. Commissioner Odell said, I don't think we can constitutionally do that. Commissioner Jackel said, I'd like to offer an amendment, that there be an exception for individual homeowners in the nature of an emergency –. Chairman Hair said, I'm not sure we can do that if it's already been out in a public hearing the other way. Is that not true? County Attorney Hart said, this body could modify the language in the moratorium. Obviously the moratorium as stated was advertised. There's no specific statement that says you couldn't –. Chairman Hair said, that's my question. You've already advertised it one way, how can we go back against the advertised –? County Attorney Hart said, it certainly would present itself to giving the opportunity for challenge. Chairman Hair said, yes, if you modified the –, they could, you know –. Okay, all those in favor of the motion vote yes, opposed vote no. Commissioners Rayno, Jackel, Murray, Gellatly and Kicklighter voted in favor of the motion. Chairman Hair and Commissioners Rivers, Odell and Thomas voted in opposition. The motion carried by a vote of five to four. Chairman Hair said, the motion –, has everybody voted? We're supposed to have five votes. The motion passes.

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve adopting a moratorium on the issuance of any required approvals or building permits for any development in Wilmington Island, Whitmarsh Island, Oatland Island and Talahi Island for a limited period and duration of 90 days, and may terminate sooner upon the effective date of the adoption of the Islands Land Use Plan; however, the moratorium shall not apply to any applications for required approvals or building permits which are already pending. Commissioner Kicklighter seconded the motion. Commissioners Rayno, Jackel, Murray, Gellatly and Kicklighter voted in favor of the motion. Chairman Hair and Commissioners Rivers, Odell and Thomas voted in opposition. The motion carried by a vote of five to four.

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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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**3. ROADS AND DRAINAGE REPORTS.****ACTION OF THE BOARD:**

Written report received as information.

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**EXECUTIVE SESSION**

Upon motion being made by Rivers, seconded by Commissioner Odell and unanimously approved, the Board recessed at 12:40 p.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 1:17 p.m.

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**ITEMS FROM EXECUTIVE SESSION****1. DISCUSSION REGARDING SERVICE CONTRACT BETWEEN CHATHAM COUNTY AND CHAMPION CORPORATION FOR OPERATION AND MANAGEMENT OF THE CHATHAM COUNTY AQUATIC CENTER (JON HART).****ACTION OF THE BOARD:**

Commissioner Rivers moved to renew the service contract between Chatham County and Champion Corporation for the operation of the Chatham County Aquatic Center for a period of six (6) months with revisions. Commissioner Kicklighter seconded the motion and it carried unanimously.

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**2. DISCUSSION REGARDING CHATHAM COUNTY, GEORGIA VS. 0.269 ACRES OF LAND: JOHN P. BUTTRESS AND BARBARA N. BUTTRESS AND WACHOVIA BANK OF GEORGIA, N.A., SUPERIOR COURT OF CHATHAM COUNTY, GEORGIA (JON HART).****ACTION OF THE BOARD:**

Commissioner Odell moved to approve the final settlement of Chatham County, Georgia vs. 0.269 Acres of Land: John P. Buttress and Barbara N. Buttress and Wachovia Bank of Georgia, N. A., Superior Court of Chatham County, Georgia, by the payment of an additional \$5,500 for a total settlement award of \$24,400. 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 Jackel moved to authorize the Chairman to execute an affidavit that the Executive Session was held in compliance with the Open Meetings Law. Commissioner Odell seconded the motion and it carried unanimously.

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**APPOINTMENTS**

**1. METROPOLITAN PLANNING COMMISSION**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the appointment of Jerry Konter and the reappointment of Jane Feiler to the Metropolitan Planning Commission to three-year terms which begin on April 1, 2001. Commissioner Kicklighter seconded the motion and it carried unanimously.

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**ADJOURNMENT**

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 1:20 p.m.

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

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

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SYBIL E. TILLMAN, COUNTY CLERK