

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, APRIL 6, 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**

Vice Chairman Thomas called the meeting to order at 9:00 a.m., Friday, April 6, 2001.

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**II. INVOCATION**

Commissioner David Gellatly 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. 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

ABSENT: Dr. Billy B. Hair, Chairman

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

Vice Chairman Thomas said, I'd like to mention that Dr. Hair is out of the country and that is why he is not here today.

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**YOUTH COMMISSIONERS**

Vice Chairman Thomas welcomed the following Youth Commissioners who were in attendance: Aminata Traore', who is a Junior at Savannah Arts Academy, Katie Ussery, who is a Junior at Jenkins High School, and Lynn Vassar, who is a Senior at Johnson High School. Vice Chairman Thomas said, please feel free to participate in our discussions.

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## V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

### 1. PROCLAMATION FOR MARCH OF DIMES WALKAMERICA MONTH - VAN JOHNSON AND SUE GREENMAN WILL BE ACCEPTING.

Vice Chairman Thomas said, we have several proclamations to present today, and I'd like to ask Mr. Van Johnson and Sue Greenman to please come forward to accept one for the March of Dimes.

Vice Chairman Thomas presented the following proclamation:

**WHEREAS**, on an average day in America, 411 babies are born with a birth defect and 18 babies die as a result of a birth defect. The March of Dimes, a national nonprofit organization, has saved millions of babies from death over its 63 year history and is a pioneer in preventing birth defects through programs of research, community services, education and advocacy; and

**WHEREAS**, the nation's hope for ensuring that future generations get the best chance for a healthy start in life depends upon the efforts and commitment of all Americans in events like WalkAmerica. WalkAmerica has been a remarkable success for 30 years raising more than \$1 billion for the March of Dimes lifesaving mission; and

**WHEREAS**, Chatham County Employees have been long time supporters of the March of Dimes WalkAmerica and has been one of the top teams for several years, increasing team totals to an all-time high of \$11,000 for the 2000 WalkAmerica; and

**WHEREAS**, Van R. Johnson, II, a Chatham County employee, has been selected as Chairperson for the 2001 Savannah/Coastal Empire WalkAmerica; and Commission Chairman Billy Hair has been selected as one of the Honorary Chairpersons for the 2001 Walk; and

**WHEREAS**, the Chatham County/Coastal Empire WalkAmerica will be held on Saturday, April 28, 2001, and thousands of Chatham County citizens, businesses and community organizations will be heroes for healthier babies.

**NOW, THEREFORE**, I, Dr. Priscilla D. Thomas, on behalf of the Chairman and Chatham County Board of Commissioners, do hereby proclaim the month of April 2001 as:

#### **MARCH OF DIMES WALKAMERICA MONTH**

in Chatham County and urge all residents to "be a hero for healthier babies", by supporting the vital efforts of the March of Dimes in its successful fight to save babies.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 6th day of April 2001.

**ATTEST:**

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Dr. Billy B. Hair, Chairman  
Chatham County Commission

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Dr. Priscilla D. Thomas, Vice Chairman  
District 8 Representative

Mr. Van Johnson said, Dr. Thomas and gentlemen, I thank you for the opportunity to serve as the 2001 March of Dimes WalkAmerica Chair. I also thank you for the forum and providing the forum and your resolve to ensure that all children born in this community receive the things that so often you and I take for granted: the opportunity to be born, the opportunity to have five fingers on each hand, the opportunity to have five toes on each foot, the opportunity to breath without assistance, the opportunity to learn without impedance [sic], the opportunity to smile without pain. When we support the March of Dimes, we support research that may allow just one family to escape the pain of a miscarriage, the pain of a stillborn child, or the pain of a child born with a debilitating disease or disability. So we certainly thank you for this recognition today. You will find that we provided you with gifts of our esteem and we would hope to see all of you on April 28<sup>th</sup> wearing your T-shirts and drinking out of your mugs on WalkAmerica Day. This would not be possible without the great help of Sue Greenman, who is the new Executive Director of the March of Dimes, and her and her staff have done a wonderful job in helping us get the word out about healthy babies, so if I may, Sue Greenman.

Ms. Sue Greenman said, good morning, and thank you for inviting us here today. I want to personally thank Chatham County for their support of the March of Dimes WalkAmerica. Every year 450,000 babies will be born too small, too soon, and they will struggle to survive, and it is because of those March of Dimes heroes, people like Van Johnson and his County

employees team and the other teams that join us to raise funds for the March of Dimes that we are helping to save these babies, and again I thank you for your support.

Vice Chairman Thomas said, thank you.

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**2. PROCLAMATION FOR CHILD ABUSE PREVENTION MONTH - COLETTE BALDER WILL BE ACCEPTING.**

Vice Chairman Thomas asked, is Ms. Balder here? Oh, there she is. She's here to receive the proclamation we have for Child Abuse, Ms. Balder and Bennett.

Vice Chairman Thomas presented the following proclamation to Colette Balder and Debbie Bennett:

**WHEREAS**, child abuse is a county-wide problem and finding solutions depends on the involvement among people throughout the county; and

**WHEREAS**, statistics of children who are abused and neglected increase each year; and

**WHEREAS**, in the State of Georgia, every 30 seconds a child is a victim of confirmed abuse; and

**WHEREAS**, in the year 2000, 316 children were removed from their homes in Chatham County because of confirmed reports of child abuse and neglect; and

**WHEREAS**, the effects of child abuse are felt by whole counties and need to be addressed by the entire community; and

**WHEREAS**, youth serving programs offer positive alternatives for young people and encourage youth to develop strong ties to their county; and

**WHEREAS**, all citizens should become more aware of the negative effects of child abuse and its prevention within the county and become involved in county-wide efforts to prevent child abuse and neglect.

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

**CHILD ABUSE PREVENTION MONTH**

in Chatham County and call upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in county-wide efforts to prevent child abuse and neglect.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 2nd day of April 2001.

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Dr. Billy B. Hair, Chairman  
Chatham County Commission

**ATTEST:**

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Sybil E. Tillman, Clerk

Ms. Colette Balder said, so far it sounds like a great month for children in Chatham County to me. My name is Colette Balder. I'm Chairman of Lifeline for Children and on Monday of this week we kicked off Chatham County's Second Annual Blue Ribbon Campaign for Child Abuse Prevention Month, which is April. April has been Child Abuse Prevention Month nationally since 1983, and a Blue Ribbon Campaign has become associated with it since 1989, so we're glad to bring this to Chatham County. We're here this morning to present each of you with your blue ribbon and we hope that you wear it, and we've also given some to pass out to your constituents if you would like, so we would like to enlist the support of our Commissioners in supporting the Blue Ribbon Campaign by wearing them, and we've given you permanent ones this year so you can't like lose them and they can't get ragged or something like that. There you go. And I want to tell you also about an alternate promotion that we're running this year statewide in Georgia, and you'll probably be hearing about it if you're watching some of the statewide news starting tomorrow is another promotion for Child Abuse Prevention Month, and that's called Pinwheels for Prevention. Forty counties in Georgia are participating in this particular prevention effort, and so Lifeline for Children wanted to bring it to Chatham County, and we've purchase 1,377 pinwheels just like this. Each one of these pinwheels represents a child in Chatham County that was reported abused or neglected last year. We have partnered with the Savannah SandGnats, and on April 22<sup>nd</sup> the SandGnats are having a family day at Grayson Stadium at two o'clock, discounted admission, discounted concession, and Lifeline will be handing out 1,377 of these pinwheels to the first visitors to SandGnats, and at some point in the beginning of the game we're going to have everyone in the

stands hold up the pinwheel in remembrance of a child that was abused or neglected in Chatham County last year. We think that will make a great visual impact when you see how many this actually is, and we hope it will be a reminder to love our kids, cherish our kids, and be a parent to all of our children because child abuse is a community problem and we all have the power to prevent child abuse by loving and cherishing and nurturing our children. So thank you very much.

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**3. PROCLAMATION FOR FAIR HOUSING MONTH - WAYNE DAWSON WILL BE ACCEPTING.**

Vice Chairman Thomas said, Wayne Dawson. I have a proclamation for Fair Housing Month.

Vice Chairman Thomas presented the following proclamation to Mr. Wayne Dawson:

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

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

**WHEREAS**, April 12, 2001 marks the 33<sup>rd</sup> anniversary of the passage of Title VIII of the Civil Rights Act of 1968, the Federal Fair Housing Law; and

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

**WHEREAS**, Chatham County supports the efforts of local agencies, non-profits, the private sector, and individuals in ensuring compliance with the Federal Fair Housing Law; and

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

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

**FAIR HOUSING MONTH**

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

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 6th day of April, 2001.

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Dr. Billy B. Hair, Chairman  
Chatham County Commission

**ATTEST:**

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Dr. Priscilla D. Thomas, Vice Chairman  
District 8 Representative

Mr. Wayne Dawson said, gentlemen, Dr. Thomas, it is indeed a pleasure to be here today and accept this on behalf of the Fair Housing Council Board of Directors. I will be accepting this for our president, Mr. Terry Tolbert, who is as we speak opening a predatory lending forum in other parts of the town. It is sometimes underestimated that a growing community, such as what we have, is reliant on people's ability to be able to live where they need to live at, for people to --, the ability of people to be able to rent or own their own home, choose their own home and live in what part of our city that they want to live in. A lot of our growing economy depends on that. April is Fair Housing Month, and we hope that we have been able to educate people in our community on what fair housing is, educate people on what their rights are, and we hope that you receive a copy of our Fair Housing Reporter on a quarterly basis so that you're more up to date on what fair housing means in our community. I thank you for your support. I appreciate you allowing me to be here today, and thank you for this proclamation.

Commissioner Jackel said, thank you.

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**4. PROCLAMATION FOR EARTH DAY 2001 - DEATRE DENION FROM MPC WILL BE ACCEPTING.**

Vice Chairman Thomas asked, is Deatre Denion here? There she is. This is a proclamation for Earth Day.

Vice Chairman Thomas presented the following proclamation to Ms. Deatre Denion:

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

**WHEREAS**, April 22nd is recognized internationally as Earth Day; and

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

**WHEREAS**, Earth Day 2001 in Chatham County will foster environmental awareness and provide a wholesome family atmosphere in which to learn about natural resources; and

**WHEREAS**, the theme of Earth Day 2001, "Responsibility and Balance," is a celebration of what has been accomplished in the past and a look ahead to the new millennium to help us recognize the connection that we have with our planet and to celebrate the earth's health and our role as caretakers of the earth.

**NOW, THEREFORE**, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby recognize and support:

**EARTH DAY 2001**

in Chatham County to be held April 21, 2001.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 6th day of April 2001.

**ATTEST:**

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Dr. Billy B. Hair, Chairman  
Chatham County Commission

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Dr. Priscilla D. Thomas, Vice Chairman  
District 8 Representative

Ms. Deatre Denion said, on behalf of my whole community I thank you very much for the proclamation and I want to encourage you to join us Saturday, April 21<sup>st</sup>, in Forsyth Park from noon till four. We've been doing this event throughout many years in conjunction with the City and County. This year we anticipate it to be much larger than last year. We are still going to have a recyclerama from nine to two where you can recycle your paint, motor oil, batteries, one and two plastics, aluminum, metal, glass, newsprint and cardboard, and we're also going to have Goodwill on site where if you want to do some Spring cleaning, you can bring your stuff there, and the Lions Club is going to be taking used eyeglasses. They're going to recycle them for us, and then in the park itself we're going to have a festival from noon to four and we're going to have environmental speakers, the famous Jacksonville Frisbee Dogs, live music and we will have over 60 visitors this year to educate the public on our environmental issues.

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**VI. CHAIRMAN'S ITEMS**

None.

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**ORDER OF BUSINESS**

Vice Chairman Thomas said, Commissioner Kicklighter, you would like to have something added to the agenda?

Commissioner Kicklighter said, yes ma'am, Dr. Thomas. I'd like to, if possible, add just some good news that Chief Sprague was able to come up with for Chatham County to the Commissioners' Items about blood withdrawal throughout Chatham County. So I make a motion to add this to the agenda. Commissioner Murray said, I'll second. Vice Chairman Thomas said, all those in favor of the motion, let it be known by voting. The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried.

[NOTE: An item was added to the agenda under Commissioners' Items and was heard at this point on the agenda.]

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## **VII. COMMISSIONERS' ITEMS**

### **1. POLICE DEPARTMENTS RECEIVE TRAINING TO DRAW BLOOD FOR DUI CASES (COMMISSIONER KICKLIGHTER).**

Vice Chairman Thomas recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I contacted Chief Sprague about a problem we had out in the Westside municipalities, I guess with municipalities throughout Chatham County, and let him know that some of the people, some of the municipalities was having a problem actually finding people to come in to draw the blood in cases of DUI's, and I just want Chief Sprague to tell everyone what he was able to do. He quick like set up a training procedure which will help out all the municipalities throughout Chatham County. If I could get you to please just tell us what you did.

Chief Thomas Sprague said, I will very briefly. It was a problem. The hospitals won't draw blood for DUI cases, under the influence cases. It's a better procedure to do it on the scene. We're set up with our MAIT trailer, Major Accident Investigation Team. We have a trailer that accommodates the drawing of blood. We -, two years ago we were looking in with an Armstrong State professor to set up a program medically approved for officers to draw blood. We got very little response on it and that plan fell free. But I believe it was in December -, November, December, January, we had contacts with the Savannah Police Department and we found out that they had a program that had been approved that they were using and using officers to do it. It made sense. So we liaisoned with the Savannah Police Department and a medical doctor, who I believe is from Hinesville, set up the program. It's a two-day course, 16 hours, and we hosted it at our training facility and put out letters of invitation to all police departments in Chatham County. For instance, Chatham County Police Department, we sent 15 officers to the first class. We are scheduling another one because we had rapt interest from the small municipalities, all of which were at the first -, the testing period. Before we did that we checked with the District Attorney's office and they said it was a good program and they had no problems with it, and we went forth with it from there. Right now we have 15 officers that trained and Garden City -, I believe everyone but Bloomingdale attended the first session, and Bloomingdale's interested in coming in, the Georgia State Patrol, et cetera. So we will sponsor and coordinate future needs in the phlebotomy area.

Commissioner Kicklighter said, I just wanted to thank you, Chief, for a good job and we appreciate your help.

Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray said, Chief, I would also like to say a thank you for that, but on another note also commend Corporal Mike Williams -, Wilson for his professionalism and integrity that he has shown throughout this whole process dealing with his son, and I just want to commend you as a department and him also as an individual in that department for the way he has handled this situation, and to let him know that our prayers go out for him. Chief Sprague said, I can tell you it's a very difficult situation, and I spoke to Mike [Wilson] before it happened and then when he found out what happened. It was isolated. I mean, Mike [Wilson] was kept away from the investigation into the crime, but he was very much impacted by what happened, but he came through in the truest traditions of a father and a police officer, and I can't do anything but commend the man for that and I will when he returns. Commissioner Murray said, thank you.

Vice Chairman Thomas said, thank you very much.

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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. 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.**

**ACTION OF THE BOARD:**

This item was not placed before the Commissioners for consideration.

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**\* 3. 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. Note: Tabled at meeting of March 23, 2001, at request of petitioner's attorney. [DISTRICT 6.]**

Vice Chairman Thomas said, do you wish to take it off the table?

Commissioner Odell said, I'll move to take it off. Commissioner Rayno said, second. Vice Chairman Thomas said, all in favor of the motion. The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried and it's taken off.

Mr. Gregori Anderson said, good morning. Vice Chairman Thomas said, good morning. Mr. Anderson said, what's before you this morning, ladies and gentlemen, is a reconsideration for disapproval of the renewal of an alcoholic beverage license for the sale of packaged beverages, beer, wine and liquor retail. The applicant, as required by our ordinance, is required to renew that license on an annual basis. Based on staff's recommendation and evidence that was submitted by Chatham County Police Department, staff is recommending denial of that application, and I'd like the Chief to step forward to give you a little detail on that criminal activity. Vice Chairman Thomas said, thank you.

Chief Sprague said, on April 14, 2000, the State Department of Revenue, the Bureau of Alcohol and Tobacco Revenue, came to Chatham County. They worked with our police department and I believe they were with the Savannah Police Department. What they did is used an underaged 19-year-old female operative. They went to various locations that sell alcohol. Instructions were if she was asked her age, she would tell the truth, she was 19. Many locations she went to her age was asked, she stated 19 and she did not receive -, they did not sell alcohol to her. In several other locations, about six or seven, her age was not asked and she was sold alcohol. That occurred at the Chatham Beverage Center, among others, on April 14, 2000. Subsequent to that, she pled guilty in Recorder's Court and was fined for that offense. Later when she applied for -, reapplied for her license, noted on the application, have you ever been arrested, no. That was countered with there was a conviction record where she pled guilty. When that was brought to my attention by our Internal Affairs Office, which investigates liquor licenses, I denied it based on that. Those are the circumstances of that case.

Vice Chairman Thomas recognized Commissioner Odell.

Commissioner Odell said, Chief, just a couple of questions. I guess the first question is, was this an investigation that was led by Chatham County or another department? Chief Sprague said, no, we were supported by the Georgia Department of Revenue, we were supporting them. Commissioner Odell asked, was this at the County's request or they were simply doing a random investigation? Chief Sprague said, no, the County -, the County Police were requested to assist them in the effort, and I believe they go to different areas of the State throughout the year and use that program. Commissioner Odell said, but Chief, I guess what my question is whether or not citizens from that district had been saying, oh my God, they're selling liquor to our children, let's do something about it, or whether this was an investigation that was a random sampling that's done throughout the State. Chief Sprague said, it was a random sampling investigation conducted by State authorities, which we supported, yes sir. Commissioner Odell asked, and how many other people were also found to have sold to an underaged person? Chief Sprague asked, during that investigation? Commissioner Odell said, right. Chief Sprague said, I have the SIU Investigator here. Commissioner Odell asked, just -, was it more than five? Detective Scott Stapleton said, yes sir, it was a total of seven. Commissioner Odell said, seven. The current license holder, is it in one person's name or in two or more? Chief Sprague said, I believe I can answer that. It's held by one person, and that was the person that sold the alcohol to the operative. Not an employee, but the license holder. Commissioner Odell asked, were you able to determine if this was an ongoing scheme or a one mistake or -? Chief Sprague said, our investigation began and ended with that sale of that alcoholic beverage. Commissioner Odell said, so you have no information to determine whether or not it was a scheme. Chief Sprague said, that is correct, we do not. Commissioner Odell asked, you said the person pled guilty? Chief Sprague said, yes sir. Commissioner Odell asked, in Recorder's Court to the ordinance violation? Chief Sprague said, yes sir. Commissioner Odell asked, based upon your knowledge and experience, do we have a zero tolerance? Chief Sprague asked, I'm sorry? Commissioner Odell said, based upon your knowledge of our applying the ordinance, do we have a zero tolerance for the ordinance being violated? Chief Sprague said, the -, I didn't look at it as zero tolerance, sir, and I'm not sure. What I looked at in that particular instance was alcohol

sales to a minor, teen violators affects traffic and accidents. Commissioner Odell said, I agree totally and I'm not suggesting otherwise, but my—, I guess my question is, are there other applicants who committed the same offense and we have in the past, based on your knowledge, recommended that their license be approved? Chief Sprague said, I don't recall any of this same nature as this one, sir. The other six in this case were not the license holders, they were employees of the license holder, and that jumped out at me also. Commissioner Odell said, okay. So the other four or five, is it safe to assume that their licenses have been renewed? Chief Sprague said, yes sir. I did not recommend denial in those other cases. Commissioner Odell said, okay. So we had an investigation which turned up at least six people who sold liquor to a 19-year-old. Is that true? Chief Sprague said, seven, I believe it was seven. Commissioner Odell said, it was seven people. Chief Sprague said, yes sir. Commissioner Odell asked, and of the seven people that sold to a 19-year-old, all have been renewed with the exception of one? Chief Sprague said, yes sir. Commissioner Odell said, we have a reason why we did that and that reason is the owner made the direct sale as compared to employees making the sale. Is that the rationale? Chief Sprague said, actually that's the basis I used. Commissioner Odell said, thank you. Vice Chairman Thomas said, Commissioner Jackel and then Commissioner Gellatly.

Commissioner Jackel said, but really there's two reasons, one, the owner made the sale and, two, they didn't disclose it on their application. County Attorney Hart said, correct. Chief Sprague said, yes sir, yes sir. Commissioner Jackel asked, and the others did disclose it on their application? Chief Sprague said, well, the other —, no. It wouldn't be required of the others to disclose on their application that they were arrested. That's what the application information is. Commissioner Jackel said, okay. But actually just failure to put proper information on an application like this in itself is a crime? Chief Sprague said, well, I look at it as a person that's been convicted, they had an official government form in front of them that requires a license, and they put down either inaccurate or fraudulent information. Commissioner Jackel said, which itself is possibly a crime. Chief Sprague said, yes sir. Commissioner Jackel said, thank you.

Vice Chairman Thomas recognized Commissioner Gellatly.

Commissioner Gellatly said, just some comments. Number one I'd like to make a correction on the agenda. This establishment is in my district, it's in Six, not Seven. Secondly, I consider selling alcohol to a minor a very, very serious offense. I don't really think there's any difference whether the owner sells it or an employee sells it. The owner has an obligation to hire people that won't sell alcohol to a minor and to train them properly. I've had 40 years of law enforcement experience, and I can tell you what happens when young people get alcohol and what the end result is, and I am very, very concerned about that. I consider it a very serious violation. Also, it's been my personal experience that when you send a group of officers out to check these establishments that there's some establishments that have been in business for 20 and 30 years that never ever sell to a minor, never have in 20, 30 years. There's others that always do, or sell —, or through careless and sometimes greed do in fact sell to minors. I consider —, I just want you to know I consider this a very serious violation and in my years of law enforcement many times I came before several City Councils with violations like this and I couldn't for the life of me wonder why elected officials were willing sometimes to give a mild slap on the wrist. Now I am one of those elected officials and I don't intend to consider that as a minor violation. I would be interested in doing whatever we can to make sure this doesn't occur again. Thank you.

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

Commissioner Kicklighter said, thank you. Was the owner actually arrested, Chief, or was she cited and then had to show up in court because technically on the application request you said it asks if you've ever been arrested? Detective Stapleton said, sir, what we actually did was we brought everybody in that was in violation the following day due to the number of people, and they were processed, completely processed as if they were arrested. We did release them on subpoena and with a Recorder's Court date. It was an arrest. Commissioner Kicklighter asked, rights were read to them and everything? Detective Stapleton said, we didn't question them. Commissioner Kicklighter asked, sir? Detective Stapleton said, we did not question them. It was just a normal arrest, which we released on subpoena. Commissioner Kicklighter said, okay, so a person could have been confused. I mean, when she filled out the application whether or not it was an arrest or whatever on that? Detective Stapleton said, no sir, it was completely explained to them along with the fact that out of our kindness, if you will, we were releasing them on subpoena.

Vice Chairman Thomas recognized Commissioner Rayno.

Commissioner Rayno said, probably another reason why they weren't sent to the jail is we have no space in the jail right now. Isn't that correct? Chief Sprague said, in a business situation, particularly where the licensee is the owner of the establishment, it wouldn't make sense to take up jail space to do that. Commissioner Rayno said, sure. Chief Sprague said, the arrest was technically made as the Detective stated, and the persons did appear at their hearings. Commissioner Rayno said, awareness of problems with alcohol has been very prevalent since the early 1980's with the rise of DUI laws and also the rise of underaged drinking, so anybody that got a liquor license to sell during that period was very aware of that or should have been, and it's a huge responsibility to be selling liquor or beer in this society in this day and age and especially letting it fall into the hands of children who can drink and then attempt to drive, thinking that it's safe to do so, leading to major car accidents and loss of life and huge, huge problems in this society. You know, I'm just saying it was just a simple mistake to me for a mother and father if they lose their child or [inaudible] for a family that that child that goes out and kills a whole family because of a driving accident. I don't take this offense lightly at all, and it was a mistake, and it's a mistake that I think is going to cost you dearly as far as your business.

Vice Chairman Thomas recognized Commissioner Murray. Commissioner Murray said, not now. Vice Chairman Thomas asked, you're withdrawing? Okay.

Commissioner Odell asked, is the petitioner here? Commissioner Rivers asked, who has the floor? Vice Chairman Thomas said, Murray had it and then Odell was next and then you're next, Rivers and then Jackel. Commissioner Odell said, in that I've already spoken, Joe [Rivers], I yield and let you –. Commissioner Rivers said, I've just got a couple of questions. Commissioner Odell asked, do you want to go ahead?

Commissioner Rivers said, Chief. What was the fine? Detective Stapleton said, I cannot remember. It was noted in the case file that was a fine imposed as sentence. Commissioner Rivers said, okay, Greg [Anderson], in the ordinance –. Chief Sprague said, I believe it was approximately \$100, I believe. Detective Stapleton said, it was \$170. Chief Sprague said, \$170. Commissioner Rivers said, \$170. If this person is denied this license, when can they apply again for a license? Mr. Anderson said, I believe the ordinance, Commissioner, is it's two years before they can reapply. Commissioner Rivers said, two years before they can reapply.

Vice Chairman Thomas recognized Commissioner Odell.

Commissioner Odell asked, the petitioner is represented by counsel? Mr. Benjamin Gross said, that's correct, sir. Good morning, Commissioners, my name is Ben Gross, and I'm here on behalf of the Chatham Beverage Center and the owners, Tim Bulick and Eunae Joyce. As you know –. Commissioner Odell said, before you give your presentation, if I could just ask you a couple of questions. Mr. Gross said, certainly. Commissioner Odell said, if I could. You indicated that there are two owners. Is that true? Mr. Gross said, there are two owners, yes. Both owners have the State license in their name. The Chatham County license is in Eunae's [Joyce] name. Commissioner Odell said, okay. Commissioner Odell said, so in that there are two owners, were both owners cited or only one owner? Mr. Gross said, only one owner was cited. Commissioner Odell said, okay. If only one owner was cited, have you an opinion as to whether or not the other owner could apply for a liquor license? Mr. Gross said, I absolutely think that Tim Bulick has the right to apply in his own name in Chatham County for his liquor license. He currently holds the State license, and that is an alternative that I was going to offer the Commission if that would give the Commission a level of comfort today. Commissioner Odell asked, how long has the business been in business? Mr. Gross said, it's going into its fourth year. Commissioner Odell said, thank you.

Vice Chairman Thomas recognized Commissioner Jackel.

Commissioner Jackel said, I have some of the same concerns that other Commissioners have expressed. We all understand this is serious, yet I'm shocked to hear that the courts only fined \$175 [sic] apparently. The courts aren't as upset as we tend to be up here, but my concern also is everybody makes mistakes and what's an appropriate penalty for a mistake, and what I want to ask the County Attorney and our Chief is, is there anything, is there any in-between ground or some period of probation or is it a totally up or down situation? County Attorney Hart said, well, under the State law and under our ordinance, this Commission has pretty broad latitude in the granting of liquor licenses or beverage sales licenses, considered to be a privilege not a right. The only defining parameters you have is you have to have an ascertainable standard by which you either grant or deny a license so that somebody knows when they run afoul of the law, and in this particular case if the Commission were to choose to grant the license, that would certainly be within your purview. On the other hand, if the Commission found under the ordinance that the applicant had a prior conviction and that the applicant's license was not filed in good faith under our ordinance, then you would have the right to withhold the license, and in this particular case I think our application is fairly clear, and it says have you ever been arrested and technically you've heard testimony here today that there was an arrest. At the same time, you know, there are degrees of how people view of an arrest, whether you get picked up at the place or whatever, and that's something y'all have to leave to your own judgment there. Commissioner Jackel said, I don't know –, what I'm looking for is some other measure than just totally denying it. I mean, I understand anybody makes mistakes, and this is a serious one, but if we look at some sort of level of things, I don't know hardly any business that has a mistake or an error whether it's polluting something or defective tires or whatever you could name, a builder that violates a safety code or whatever, they lose their license and can't do it anymore. That's –. County Attorney Hart said, well, you can two –, you could –. Commissioner Jackel said, I'm not –, I've been searching through my mind of different business violations and things, and I don't –, can't really think of a one where it's just a death penalty if you do this sort of violation. County Attorney Hart said, there are two other alternatives that you could consider. One alternative would be, if you chose to, to grant the license with some type of probationary type status or warning that if there are any further violations of any kind under the ordinance that they would be subject to a license revocation hearing and that the evidence of the prior conviction and other prior acts would be used as part of your determination as to the revocation of that license. The second alternative, of course, would be what Mr. Gross has indicated as a possibility would be allow the applicant to withdraw the request for application and submit it in the name of the other co-owner with the other co-owner being aware that that application would be granted at the discretion of this Commission with the understanding that, once again, this institution has had prior problems and if they reoccur that we would have a license revocation issue in regard to that individual, but that is basically a decision this body makes. Commissioner Jackel said, okay, thank you.

Mr. Gross said, if I may have the opportunity to explain a few things today. There is a question as to the Chatham County application. The question was very clear, it says have you ever been arrested? The situation –, the actual incident came down like this. Eunae [Joyce] was working by herself that day behind the counter. A female came in, had an ID in her hand, and it's Eunae's experience that, and they chase underaged people away all the time, and it's here experience that when she asks for ID they don't have one in their hand, they say I forgot, in their car, or they start saying well we are –, I am of age

and, you know, they'll swear at her and then run out, and it got to the point when they first opened up they were taking down license plate numbers just to make sure that underaged people weren't coming in. At this incident, on this day the girl actually had an ID sitting in her hand so Eunae [Joyce], mistakenly she admits she made a mistake. She served a person underaged. She paid the fine, the State has put their license on probation for a year and assessed a \$500 fine. On the State application it doesn't say have you been arrested, it says have you ever been –, and I have a copy of it here if you'd like to see, and they did check yes, it says have you ever been detained, have you ever been convicted, have you been arrested, a whole litany of things on that application, and I could pass copies of that out for the Commission if you'd like to take a look at that. She did indicate yes. The reason why she did not indicate yes on the Chatham County renewal isn't because she wasn't being candid. Eunae [Joyce] was born in Korea. She understands English, but she also –, her idea of arrest because she'd never been arrested, is being handcuffed, being thrown in the back of a squad car, being, you know, put in jail perhaps. On the Friday when she was cited, she didn't know she was being –, she was not being cited until after the weekend. She got a call, come into the station or we will issue a warrant for your arrest. She came in and she received something called a citation. She went into Recorder's Court, pled no contest and paid a fine, and in her view she didn't see that as being arrested. It wasn't a matter of her not being candid. On the State form she did indicate yes, and that is why that was like that. Both Tim [Bulick] and Eunae [Joyce] are here today if you have any specific questions as to what transpired. I do respectfully request that you approve the license renewal, and if you want to put conditions on, put her on probation, if you want Tim [Bulick] to actually hold the license, he is licensed by the State and Tim [Bulick] does not have any previous incidents at –, this business has been going on for over four years, or into its fourth year. This is the only incident of its kind. It was a mistake. I respectfully request that the Commission grant the license, but use a magnifying glass, look at this business, suggest to Chief Sprague to send in –, when the dust settles, to send in another undercover unit in a few months when they least expect it, and –, but otherwise grant the license. Thank you.

Vice Chairman Thomas said, Commissioner Rayno and then Commissioner Odell and then we should be bringing this to a close.

Commissioner Rayno said, this is the only incident of its kind that we know of. There could have been other incidents where she just sold to minors without being caught. Now that she's caught, of course she wants to follow the law, and of course in two months when an undercover agent comes in, she'll be looking at that license. The simple mistake –, we've become a society where we go, oh, it's just a mistake, let's be lenient with it, let's just forget about it. They didn't mean to do it. To me it's black and white, it's right and wrong. It's very simple. A simple mistake could have cost a child their life, a family could have lost their daughter or son. It's not a simple mistake. I make a motion we deny this. Commissioner Gellatly said, second. Commissioner Odell said, I'd like to be heard before the motion is –. Vice Chairman Thomas said, it has been properly moved and seconded that the license be denied. Any discussion?

Commissioner Odell said, yes, I'd like –. Vice Chairman Thomas recognized Commissioner Odell. Commissioner Odell said, my only concern, I understand what Mr. Rayno says, but my only concern, and I share that concern with Martin [Jackel], I think of a builder who violates an ordinance, we do not put that builder out of business, and I don't think that we can apply a guilty intent. I don't think that we should say that this person is more guilty or –, than the other six who we have re-licensed, so to me there seems to be some common sense ground, and the common sense ground would be to put them on probation, not for three months, but for a year, and not to transfer the license because that's doing indirectly what we can –, if we do that, then we lose the, I think, the right to investigate as fully as perhaps we should. Leave the license in the current name, one year's probation, have intermittent inspections, checks from time to time. If there are no other violations, and this is the only one that we know about, and when people tell me about a 19-year-old, I can understand having represented 7-11 Stores, how this could have happened. If the person had the license in the hand, that kind of implied perhaps that they were of age. It's not my district, but I think we need to have a uniform standard. This is the electric chair. It puts a business out of business. If that's what we want to do, then I think we should support Commissioner Rayno's motion.

Vice Chairman Thomas said, we still have some people who would like to further discuss on the motion.

Commissioner Rayno asked, could I restate the motion? Vice Chairman Thomas said, let me give them an opportunity to –. Commissioner Rayno said, they might want to clarify what I said. Vice Chairman Thomas said, I'm talking about the other people who wanted to speak. Commissioner Rayno said, I know, but if I restated the motion, they might be able to address that. Vice Chairman Thomas asked, do you wish to do that? What about the second? Commissioner Gellatly said, that would be okay, sure. Commissioner Rayno said, the motion is to deny on grounds of a prior conviction and the lack of good faith in filling out the application. Do you second that? Commissioner Gellatly said, second.

Vice Chairman Thomas said, okay, it has been moved and seconded. All in favor of the motion. Commissioner Murray said, is there going to be –, I thought there was some more discussion. Vice Chairman Thomas said, yes, I'm going to ask for discussion now.

Commissioner Jackel said, I just want to make an amendment to that motion that they be put on probation for a year. Commissioner Rayno said, I don't accept that. Vice Chairman Thomas said, okay, we still have –, Commissioner Gellatly and then Youth Commissioner Ussery and we'll go from there.

Commissioner Gellatly said, okay, I want to reiterate what I've already said. Number one, I consider this a very serious event. We talked about making mistakes. When they make mistakes such as that, these mistakes costs people's lives, mostly young people's lives, and I think that, to begin with, a liquor license is not an absolute right, it's a privilege to have

that license, and I think we need to send out a strong message in this County that we're in fact going to have a zero tolerance. We have two incidents here, number one, the sale of alcohol to a person that was underage and then you had a falsification of an application. I consider this to be very serious and I think that we need to take a look at it very seriously, and under no conditions could I support renewal of this license. Thank you.

Vice Chairman Thomas said, okay, Commissioner Kicklighter and then Youth Commissioner Ussery and then Traore' and then we shall go to –, and Commissioner Murray.

Commissioner Kicklighter said, the former Chief, current Commissioner, took the words right out of my mouth there. I believe we ought to take this thing one step forward. After this is over we need to create an ordinance of a zero tolerance policy. That way everyone that owns a license in Chatham County knows that one mistake and they're out of business. Send a message across the boards, do it right now, and if you do business in Chatham County, you're going to card somebody when they walk in. We need to deny this now, create the new ordinance that we have a zero tolerance policy for underage sales, if you don't walk in with a license, you don't get the alcohol, and that's the way it should be.

Commissioner Jackel said, I'd like to respond to that. I have people that work for me and they make mistakes. I understand if you run one of these places you could tell an employee a hundred times and they still may not do what you want them to do, and I'm just against zero policy, and I would say to you and I would say to the Chief that he needs to think about how many of his police officers messed up while he was Police Chief and they were either suspended and allowed to go on. Now some were fired and some even went to jail, but I'll bet there's a thousand that was suspended for one day or 10 days or 30 days that did something wrong and came back to work. We need to do what's appropriate, and certainly this thing can lead to serious consequences. I'm not saying it did, but just, thank God, in this situation no one got hurt. I mean, if we did the potential that anybody could get hurt, you know, no one would drive cars, no one would do most anything. We need some level of reasonableness here. I mean, everybody does make mistakes and we've seen it in our own life. What's an appropriate punishment to deal with this situation? The courts have dealt with it, that's been one thing. She's now got an arrest record, she's paid a fine. She comes before us saying I admitted to the State that I was arrested, I put that on there, but I just didn't understand the County questionnaire, I want to continue in business, to take me out of my business is, you know, to take anyone out of their business –. I mean, I deal with lawyers all the time who go before the State Bar Committee, and I can't tell you how many of them I saw, as I have myself, but not many are disbarred. When they really cross that line, then yes they need to be, but does this rise to that level of magnitude that we should take someone's right to a livelihood? I think that's the question before us. I think we need a little understanding of human foils here. At the same time, I agree we need to set a standard that we can't take this lightly. So somewhere between the two, and that's why I was pushing for a probationary period on this thing.

Vice Chairman Thomas said, thank you. Vice Chairman Thomas recognized Youth Commissioner Ussery.

Youth Commissioner Ussery said, I'm trying to say that –. Vice Chairman Thomas said, speak up so we can hear you. Youth Commissioner Ussery said, a fine of \$170 is almost nothing for a business, and they should really –, like we think that –, and just –, there are so many kids in my school that are able to get alcohol. I don't know how they do it, but it's so easy for them, and they do really stupid things, and I don't want to be on the road with them, and I don't –, like I'm not around it, but they can hurt me just as easily as they can hurt themselves, but I think they need to really rethink what they have right now.

Vice Chairman Thomas said, thank you. Vice Chairman Thomas recognized Youth Commissioner Traore'.

Youth Commissioner Traore' said, as a Youth Commissioner I think that the one-year probation is going to be good because they'll learn their lesson, and I also think that \$170 is not enough because a business that's making more than \$170 a day, and probably off of teens, should have to pay way more money than that.

Vice Chairman Thomas recognized Youth Commissioner Vassar.

Youth Commissioner Vassar said, on the zero tolerance idea, there's zero tolerance on drugs. Why shouldn't there be zero tolerance on alcohol? If there isn't something that strict, then other businesses, if their employees, oh, I'm sorry, may have sold something to a minor. Oh, that's okay if we get caught, it's just a small fine. I think it should be a zero tolerance because alcohol is considered a type of drug, so why not that we –, we have zero tolerance on drugs, so why not alcohol?

Vice Chairman Thomas said, Commissioner Murray, and then I think we should, if no further discussion –.

Commissioner Murray said, first, I'd just like to thank the three Youth Commissioners for their comments. It means an awful lot coming from people y'all's age to make the comments you just made based on the circumstances we're dealing with right now, and I appreciate that. I will vote against renewing the license, but if the votes are not there, then I think the probation period should be much longer than a one-year period if it can be imposed longer than that. I don't think that is enough if the votes are not here to deny it. I don't know whether they are or not because we've had conversation both ways, but I will vote and I think there needs to be a clear message sent, and I would agree with the zero tolerance in this situation and from now on. The only problem I have, Chief, with all of it, and I understand where you were coming from with it, is the fact that one of the owners or one of license holders was the one that actually sold this, and the others were employees, but I think from this point forward we need to change that and anytime one comes up like this, the recommendation would be to deny it based on those circumstances. So –.

Chief Sprague asked, may I say something? Vice Chairman Thomas said, yes. Chief Sprague said, two things I want to clarify. Detective Stapleton told me on the —, in this instance this was a purchase of the alcohol from the drive-in window and that the operative did not have an identification, either in her hand, number one. Number two, point out that under State law, it's a misdemeanor and the maximum amount, I believe is about one year, twelve months. Commissioner Murray asked, oh, this was sold from a drive-in window rather than a walk-in to the store, the counter? Chief Sprague said, yes sir.

Commissioner Odell asked, there's a drive-in liquor store? Chief Sprague said, at the package store.

Detective Stapleton said, Commissioners, our undercover operative was not allowed to carry an ID card. She was photographed prior to the operation. Her specific instructions was she won't have an ID card to present if she's asked, and she was not allowed to lie. If asked her age, she was told to tell the truth. Commissioner Jackel asked, and this was a drive-in, drive-by? Detective Stapleton said, yes sir. Commissioner Jackel said, I guess that changes it for me. Detective Stapleton said, there was another undercover operative, undercover agent sitting right beside her.

Commissioner Odell said, okay, the person who was doing —, who was the operative, was that person an employee? Detective Stapleton said, she's a full-time employee of the Department of Revenue. This is what she does for a living. Commissioner Odell asked, the 19-year-old? Detective Stapleton said, yes. Commissioner Odell said, okay.

Vice Chairman Thomas said, okay, we're going to Commissioner Rivers and then back to Commissioner Gellatly and hopefully we can resolve this.

Commissioner Rivers said, I don't know. You know, I've heard several contradicting things here. First, somebody had an ID and then it was a driveway, a drive-in. Where is it? Was it a drive-in? Mr. Gross said, there is a drive-in window, but —. Commissioner Rivers asked, was the drive-in window used? Mr. Gross said, not in this instance. Eunae Joyce is here and she can explain or Tim [Bulick] is here to explain exactly what happened that night.

Mr. Tim Bulick said, I'm sorry, sir, maybe I can clarify a few things. First of all, the incident occurred on a Friday. We don't know when on Friday. We weren't aware this undercover even took place until we got a call from the Chatham County detective on the following Monday. I wasn't in the store when the call came in. The detective talked to Eunae [Joyce]. The detective —, the way Eunae [Joyce] explained the conversation —, repeated the conversation to me afterwards was the detective told Eunae [Joyce] that she had been involved in an undercover operation, she had sold alcohol beverage to a minor and —, the preceding Friday. This was on Monday, and that she needed to come to the police station to be processed for a court appearance. If she didn't come to the police station on her own, a warrant would be issued for her arrest.

Commissioner Rivers said, hold that right there for a minute please, sir. Eunae [Joyce], will you tell us what happened?

Ms. Joyce said, the Friday morning there was a delivery, was authorized [inaudible]. Tim [Bulick] was in the back. The stock on the [inaudible] and then I was checking on the price. At that time the lady walked in. There wasn't no —, not too many customer. There was no customer, there was no drive-through was a customer was there, and then the lady walked in. She was kind of look young, but I saw she had an ID in her hand. My experience in all this time, whoever holding their ID, they are over 21, sir. Whoever they've not 21 I ask for ID, they say I'll be right back and they disappear or they said I didn't have a ticket, I don't have it, or can I show the ticket, and I say I cannot take the ticket, I have to see the picture ID, and then they just gone. It's like that, so I never have any problem. Who had ID on their hand where we can take it off the ID, they wasn't underage, and I do have a 19-year-old son myself too. I do not want my son to go out drinking or, you know, get a accident whatever. I do not intention to make him [inaudible] underage, and then I was just checking on the prices and I wasn't paying attention. That's my fault. I admit it, I am guilty, but I did not want that to happen again and I be more be careful and I do not care about them looking you, and I make sure even after that, I make sure that they have ID on their hand, whatever, I make sure I look myself before I sell the alcohol, sir, and I'm very sorry that it happened, and it won't happen again, and that —, after that, because I know that was her because right after I sold it to her and then a State Revenue walk in to check the license and stuff like that, that is why I know that it was her.

Commissioner Rivers said, okay, Ms. Joyce. Ms. Joyce said, yes sir. Commissioner Rivers said, you said that there was no drive-in. Ms. Joyce said, we have a drive-through, but there wasn't —, there was no drive-through customer there at that time. Commissioner Rivers said, okay, but yet the Chief is saying and the investigator is saying that there was a drive-in sale. Ms. Joyce said, I have no idea —, was he was right there too, there was no drive-through customer. The lady was walk-in, sir. She had ID on her hand, she was looking this way when I was [inaudible], I look at her. I feel [inaudible], but no, she got ID on her hand, she got to be over 21, and that was a Friday morning and I didn't expect somebody underage that came into the, you know, [inaudible], and then after leaves the gas station because she say the lady was —, leave the ID on the counter, so the girl was the sale to the lady because she left the ID on the counter. They —, at that time they say they have a videotape, they look at it again. It was this, she had the ID, she put her ID on the counter. At that time that's what they asked me, owner, and the lady, the customer there, that worked for the —, that's what they told me. So, I'm not going to say I'm not guilty, but —. Commissioner Rivers said, thank you. Chief, now you said that there was a drive-in? Chief Sprague said, yes sir. If I can clarify the case. This is has gone before the court of law and there was sworn testimony. There would have been testimony from Detective Stapleton that he observed the vehicle approach the south of the drive-in window. The vehicle was occupied by the female 19-year-old operative, as well as another Revenue

Department male officer, who was in the passenger seat, and that the sale occurred at 2:00 p.m., in the afternoon, and that the 19-year-old operative had no ID card on her person and did not have it in her hand, as I've just heard here.

Commissioner Odell asked, and that was part of the operation not to give them an ID? Chief Sprague said, yes sir. Detective Stapleton said, Commissioner, we had numerous businesses that did request ID's and we're extremely proud of that, that a lot of our businesses in Chatham County totally refused to sell to an underaged operative because our operative looked underage. That was the point in using her and photographing her prior to her going in. This is her sole job. This is a task force from the State that goes around and does nothing but compliance checks, and again it was at two o'clock in the afternoon, not in the morning, through a drive-through. I was sitting across the street, and there was also another Department of Revenue person there who we use to identify people who walked in straight after the sale and did the inspection.

Vice Chairman Thomas said, okay, all right. We have --, yes?

Commissioner Gellatly said, my final comments in response to my good friend, Commissioner Jackel, and bear in mind almost 20 years as Chief of Police in Savannah, officers did in fact make mistakes. As a matter of fact, I fired over 160 of them during that period of time, and falsification of a report would certainly fall under the firing category. The other point I want to make is to reiterate what the gentleman just got through saying. Well over 90% of the businesses that are checked at any point in time would never under any circumstances sell to a minor. They always check ID's, they --, if you're 30 years old many people ask for ID's, and I think that it's important that we recognize that the vast, vast majority of people that sell alcohol in this County are very, very responsible people, and I am concerned with the fact that this lady has sold to an underaged person, there was falsification of an application, and apparently she's still employed there. I have a problem with that. My last comment would be to the Youth Council [sic]. I'm very proud of the stand that you've taken and your observations. I myself raised five children and I know when they were teenagers they could tell every single place in town that was likely to sell alcohol to a minor. They know. They have a list of them and, conversely, they have a list of those that don't ever go there because they're going to card you and you can't --, there's no way you can buy alcohol. So I'm very concerned that youngsters that want to buy alcohol, there's a list of places that are easy to buy, and I think that unfortunately that it's a good possibility that your establishment was one of those easy places to buy, and I have a real problem with that.

Commissioner Jackel said, one final comment. I was in favor of probation, but I have changed my mind, and I'll tell you why. One, the sale was by the owner; two, the problem with the application; three, that it was a drive-in window; and, four, the conflict in the facts. Because of that, I'm going to vote not to renew.

Vice Chairman Thomas recognized Commissioner Odell.

Commissioner Odell said, I would yield. I know the Chief, I know the investigator, I've known both of you for a long time, and I would rely upon their statements as to the fact. I don't think our employee has a motivation to lie. If he was there and it was a drive-in, that substantially influences how I will react on this, and I wanted to correct, David [Gellatly]. His wife and he raised those children, not just David [Gellatly]. Commissioner Gellatly said, and I stand corrected.

Vice Chairman Thomas said, I believe the motion on the floor is to deny. Am I correct? Commissioner Odell said, it is. Commissioner Rayno said, based on the prior conviction and lack of good faith in the application. Vice Chairman Thomas said, okay. All in favor of said motion, please vote. The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried. Thank you.

Mr. Gross said, thank you.

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

1. Commissioner Odell moved to untable this item and place it before the Commissioners for consideration. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]
2. Commissioner Rayno moved to deny the appeal of 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, on the grounds of a prior conviction and the lack of good faith in filling out the application. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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## **IX. ITEMS FOR INDIVIDUAL ACTION**

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

- 1. REQUEST BOARD APPROVE THE FOLLOWING: A GENERAL FUND M&O BUDGET TRANSFER OF \$33,000 FROM THE 5% VICTIM WITNESS FEE EXPENDITURE BUDGET TO THE VICTIM WITNESS ASSISTANCE PROGRAM BUDGET TO DISTRIBUTE FEES COLLECTED; A TRANSFER OF \$400,000 FROM THE 1985-1993 SPLOST, CHATHAM PARKWAY, US17 TO GARRARD (FUND 3306605) TO US 17, OGEECHEE RIVER TO ABERCORN (FUND 3306512); AND A TRANSFER OF \$30,000 FROM 1993-1998 SPLOST UNINCORPORATED ROADS TO THE HUMANE SOCIETY PAVING/POLICE ANIMAL SHELTER ROAD PROJECT.**

Commissioner Rayno said, Madam Chair, I'd like to separate the last sentence from that whole grouping, the part about the Humane Society Paving/Police Animal Shelter Road Project. Vice Chairman Thomas said, okay.

Commissioner Rivers said, so moved on the others, Madam Chair. Vice Chairman Thomas said, okay. Commissioner Odell said, second. Vice Chairman Thomas said, all in favor please vote. The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Kicklighter were not present.]

Commissioner Rayno said, Madam Chair, I'd like to approve the balance of that top part. Commissioner Rivers said, I already did. Commissioner Rayno said, oh, you did. Okay. Vice Chairman Thomas said, yes, now we're to the part that you pulled. Commissioner Rayno said, this part here, this vote was taken in I believe December before the new Commission convened about approving this paving of the Humane Society/Animal Shelter Road Project, and I know that we've had a prior legal opinion from Mr. Hart that it is a legal use of SPLOST funds, but I find it very hard to approve this when we have roads in the unincorporated area that are dirt roads. One example might be Glade Avenue in the First District where on a rainy day or once every two weeks there's ruts in that road about six inches to a foot deep and if you walk the road, you're in a ditch that's about two-foot deep, and I'm sure there's areas in all the districts where you have dirt roads. So what we're asking here today is to approve a road for government while we ignore the people who pay the taxes in this County, and it'll be my opinion that if there's any priorities to be set here today, it's to prioritize road paving for our citizens rather than road paving for government projects, and I'd like to make a motion to not approve this.

Vice Chairman Thomas recognized Commissioner Jackel.

Commissioner Jackel said, I may be wrong, but my understanding when we pave the roads it's not out of SPLOST, but out of individual streets. Vice Chairman Thomas said, I didn't hear a second. Commissioner Jackel asked, was there a second? Vice Chairman Thomas said, no, there was not a second. Commissioner Jackel said, well, I still think we need some clarification on that if we can, Madam Chairman.

Assistant County Manager Monahan said, the funding will come from the SPLOST fund for –, as a governmental project. Commissioner Jackel said, it will for this, but if the road he's talking about needs paving, that does to come from SPLOST. Assistant County Manager Monahan said, yes sir, it does. Commissioner Jackel asked, that would come from SPLOST too? Assistant County Manager Monahan said, yes.

Commissioner Rayno said, my point is that the people voted on road projects for themselves, not for the Animal Shelter. This was brought up late in the year as a project that was thrown in. It's nothing that the people voted for. Assistant County Manager Monahan said, just as –.

Commissioner Rivers said, in good faith, in good faith, Madam Chair, this was a trade-off of us doing some stuff with the State, if I'm correct, if I've got a recollection on that, so that's why that was done. Now in good faith I won't vote to go back on what I already said I would do.

Commissioner Odell said, appearing as a delegation, Anne Mueller came before us to speak for this.

Assistant County Manager Monahan said, the Commission might recall, Commissioner Rayno is correct. Actually the project predates even December. It's probably two or three years old and it was bundled with the paving of the Bamboo Farm entry road as well. Vice Chairman Thomas said, right. Exactly. Assistant County Manager Monahan said, so there was a package of roads that we participated in with the State of Georgia. The State of Georgia was a little bit reluctant to participate in this one, even though the Humane Society property is owned by the County, as well as the Animal Control Shelter. In the SPLOST program the County shares along with municipalities a portion of the funds specifically for projects within their own jurisdiction, and this is one of those that qualifies. Commissioner Rayno asked, did the people specifically vote for this project? Assistant County Manager Monahan said, no sir. Within the SPLOST it will list specific road projects, but then are category that, for example, it'll just say City of Savannah Road Projects, Tybee Island Road Projects, and for ours it says Chatham County Road Projects. So it is –. Commissioner Rayno said, well, I think –. Assistant County Manager Monahan said, it is approved in the resolution as a group, but do we specifically list every paving project? No, sir. There's probably well over –, I don't know, most of them are in Commissioner Murray's district, but it's probably –.

Commissioner Murray said, don't say that, we won't –. Assistant County Manager Monahan said, a hundred –, 150 of those.

Commissioner Rivers said, well, in the first one, in the first one yes we did, we created a long list of roads that we would pave in the first, in the first one coming out, and the City of Savannah submitted one because they submitted Dieter Street, Thompkins and all those small streets that they were going to pave, so there was a drawn out thing, but we listed it as road projects and it was understood as a project that they were going to come. We didn't do that in Chatham County.

Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray said, I have some concerns with this, and the concern I have, and I will vote for it because we did have an agreement with DOT based on complaints that we received, and Commissioner Tom Coleman was involved in that with comments and also some letters he sent to us, my question though is the DOT Commissioner prior to him, when we opened the first phase of the Truman Parkway, under the drive-over on, I believe, Delesseps Avenue, DeRenne Avenue –, no, Delesseps. Assistant County Manager Monahan said, it was Delesseps. Commissioner Murray said, made the comment because we had a sales tax referendum we were voting on several days after that ribbon cutting, there would be, if that passed, there would be an additional, if I'm not mistaken, \$25 million that would come to the County from the State, and that out of that \$25 million we would be able to pave all the unpaved roads in Chatham County in the unincorporated area. That has not happened, and I'd like for somebody to tell me why it hasn't happened? Was the money not enough to do that or did we take and move the money somewhere else and not pave the roads that were supposed to be paved. Assistant County Manager Monahan said, I think you could best describe that as all of the above. If you would like, we can provide you with the report that shows how that funding was spent, but the \$25 million –, for example, a couple of the projects that come to mind, the Bay Street Project, that was a \$4 million addition, that came out of that \$25 million. That was probably the single largest, but there are a number of other projects that came from within the \$25 million that the State of Georgia committed to fund. Commissioner Murray said, because we do have sections that really makes no sense why those sections are left unpaved when we've got paving projects going on right now and there's just a little shortened area where the street stops and it's dirt. And it's not just in the Fourth District –. Assistant County Manager Monahan said, yes sir. Commissioner Murray said, it's all throughout the unincorporated area of the County, and I think we need to set a priority on that. However, because of the agreements that were made with the DOT on this particular project, I will vote for it, but it's –, but I think we have to look at those others and we have to look at what we're going to do for these private –, not private, but public roads that aren't paved in the unincorporated area.

Vice Chairman Thomas recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I would just like to let everyone know, which I know you're aware of. Dr. Thomas, the Garden City side of Chatham Parkway here, where we're talking about redistributing funds, has no cover on that entire side of Chatham Parkway. The ditches are still there, no piping, you cross over into the Savannah portion there and it's nice piped curves, totally conflicting sides there of the Savannah side versus the Garden City side, so, you know, removing funds here when there's clearly a lot of work to be done to bring this into –. Commissioner Rivers asked, is that within the City? Is that within the City –, you're talking about within the confines of the City? Commissioner Kicklighter said, no. Commissioner Rivers said, is the City –, each city was given a pool of money to do their roads. Commissioner Kicklighter said, well, this was before Garden City actually annexed this property there, and Chatham County chose at that time undoubtedly not to curb it, and –. Commissioner Rivers said, give us back –.

Commissioner Murray said, let's me just comment on that. There are several –, I don't know how that road was particularly designed, but I do know that –, Johnny Mercer Boulevard for instance, when it was four-laned, there are parts of that are curb and gutter, there are parts that are not curb and gutter, and that was in the design of the road based on, I think, drainage and some other things –. Assistant County Manager Monahan said, also to preserve the trees. Commissioner Murray said, and to preserve the trees, so I don't know if that was the same situation –. Commissioner Kicklighter said, no sir, there's really not trees or anything on that side. I do know some are designed that way and it doesn't make sense to those of us that look at it that are not engineers. It certainly doesn't to me.

Vice Chairman Thomas said, Commissioner Odell and then Commissioner Rayno and then I think we'll be able to –.

Commissioner Odell said, we made an agreement with the State of Georgia, the share of our delegation, State Representative Anne Mueller came before us. This was discussed and a trade-off made because there's some things the State could pay for and others things the could not. We agreed as a body to do this. Vice Chairman Thomas said, yes, we did. Commissioner Odell said, that does not say that there are not other areas that we do not need to work on. There are. Obviously there are. I've got them in my district –. Commissioner Jackel said, I've got them in mine. Vice Chairman Thomas said, and I've got them. Commissioner Odell said, the end result is that's separate and distinct from this.. We agreed to do this and in exchange the State agreed to do certain things. They have honored their agreement and I think we should honor ours.

Commissioner Jackel said, call for the question. Commissioner Rivers said, call the question. Vice Chairman Thomas said, okay, I'll call for the question. All in favor. Commissioner Murray said, there's not question made. Commissioner Rayno said, I don't even think there was a second on mine. Vice Chairman Thomas said, well, that –. Commissioner Jackel said, okay, I'll move for approval. Commissioner Odell said, second. Vice Chairman Thomas said, all in favor of the motion. Commissioner Odell asked, you still voted against it, Jeff [Rayno]. Commissioner Rayno said, I sure did.

**ACTION OF THE BOARD:**

1. Commissioner Rivers moved to approve the following: a General Fund M&O budget transfer of \$33,000 from the 5% Victim Witness Fee expenditure budget to the Victim Witness Assistance Program budget to distribute fees collected, and a transfer of \$400,000 from the 1985-1993 SPLOST, Chatham Parkway, US17 to Garrard (Fund 3306605) to US 17, Ogeechee River to Abercorn (Fund 3306512). Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]
2. Commissioner Jackel moved to approve the following: a transfer of \$30,000 from 1993-1998 SPLOST Unincorporated Roads to the Humane Society Paving/Police Animal Shelter Road Project. Commissioner Odell seconded the motion. Vice Chairman Thomas and Commissioners Rivers, Jackel, Murray, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of seven to one. [NOTE: Chairman Hair was not present.]

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**2. REQUEST BOARD APPROVAL FOR AN INTERFUND LOAN FROM THE SPECIAL PURPOSE LOCAL OPTION SALES TAX TOTALING \$14 MILLION, THE GENERAL FUND \$9 MILLION AND THE SPECIAL SERVICE DISTRICT SPECIAL REVENUE FUND \$5 MILLION.**

Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray said, I'll make a motion to approve it strictly for discussion purposes. Commissioner Odell said, I'll second. Vice Chairman Thomas said, it's been properly moved and seconded. Any discussion? Vice Chairman Thomas said, Commissioner Rayno and then Commissioner Murray. Commissioner Rayno said, I think you –. Vice Chairman Thomas said, I mean, Commissioner Kicklighter. Commissioner Rayno said, I was third in line actually.

Commissioner Kicklighter said, I know we're living in tough times here, but I think it's time for us to stop living off the credit card type theory. I think we have some tough decisions to make. I think as a youngster I lived kind of like this with a nice little credit card, had everything I wanted, but eventually I had to pay, pay up, and this theory is getting us nowhere fast. This way of running things. It's time for us to make some tough decisions. We need to deny this and do whatever it takes to get our budget under control. It's not going to be popular. As you read in the newspaper, anything [inaudible] to cut funds, but there's going to be a group out there that wants it and needs it and there's legitimate reasons it should stay, so we don't have popular fun things ahead of us to do, but it's time to do it. We've got –, we have to stop living on borrowed money for Chatham County. It's going to –, it's about to catch us now. This is another quick fix that's not going to serve us well in the future, and it's time to do what we have to do to get this under control for the taxpayers in Chatham County.

Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray said, yes, I know there's a writeup, and most of us have probably read that writeup, but the people in this audience and the citizens in this community don't have that writeup so they don't know what it says and why –, what the reasons are, and I would like for, I guess Pat [Monahan], you or someone from the County staff to give an explanation about what this money will be used for and why it's needed before we take a vote one way or the other.

Assistant County Manager Monahan said, the Commission's action would set up a short-term loan from the Special Purpose Sales Tax account to the operating funds of the County, particularly the General Fund/M&O and also the Special Service District. It is just that, it's a loan, and because it does come from the Special Service –, excuse me, from the Special Purpose Sales Tax, it will be paid at the prevailing rate of interest so that the sales tax fund will not lose interest. This is just a matter of an interfund, borrowing from on account to the next to ensure sufficient cash to complete the fiscal year. I might suggest that the other alternative that the Commission might have short-term would be to follow an issue, tax anticipation notes. That would –, that's been the traditional way for the County to borrow, but because of certain financial conditions that we're now facing, that one would be a little bit more difficult to pursue when we maybe end up paying a higher interest rate. Of course, as Commissioner Kicklighter suggested, the best would be to establish a policy –, a reserve policy so that the County would not have to borrow for operating expenses anytime in the future.

Commissioner Murray said, okay. If we deny this, what happens? Assistant County Manager Monahan said, we would basically run out of cash before the end of the year. Commissioner Murray said, and each year we do borrow funds for the cash flow based on the way the taxes come in. Assistant County Manager Monahan said, yes sir. It's purely a timing issue that as the County collects its taxes at two major points during the year, and it's because of that cash flow that the County does need to borrow unless it does set up a reserve that enables it to avoid that situation.

Vice Chairman Thomas recognized Commissioner Odell. Commissioner Odell asked, Frank [Murray], had you finished? Vice Chairman Thomas said, yes. I'm sorry.

Commissioner Murray asked, what percentage if any of this \$14 million is due to a shortfall in our funding for this year? Assistant County Manager Monahan said, I would have to –, I'd have to defer to David Persaud on that question. Commissioner Odell said, of the \$6.5 million. Assistant County Manager Monahan said, it should be about half of that, probably. Mr. David Persaud said, Commissioner Murray, the issue of the budgetary shortfall and the issue of the short-term debt are two separate and distinct issues. We receive most of our cash in November, and it's traditional in the past, since '95, every year to borrow to make up the difference. Cash flow is a time when you actually receive your cash and the actual disbursement of your accounts payable and payroll expenditures. Every year approximately at this point in time we normally run out of cash. I am planning to go to the short-term debt market and there will be a resolution before you at the next Commission meeting. We did not, or I chose not to go to the financial market because of the fiscal issues with the budget and the current downgrade, but this is just a temporary fix. If you look at the staff report in Fact and Findings, Number 4, I specifically state that it will be on a month-to-month basis. The amount I put in here is the maximum projected cash flow, but I'm going to borrow \$14 million. If you looked in the attachment, there are separate cash flow reports based on our needs on a monthly basis to minimize the cost. That's how I plan to structure the debt. Commissioner Murray said, I appreciate that, and the reason that I asked, I know that –, so I made the comment earlier, that we have the writeup and most of us have probably read that, but I think the citizens, and especially the news media, needs to understand so we don't have the wrong information being put on the streets again –. Vice Chairman Thomas said, right. Commissioner Murray said, this happens in so many cases, and I just want the general citizenry to understand that we do this every year, whether we agree or not, and it's based on the timing that our money does come in, the cash flow that the County has. Thank you. Mr. Persaud said, [inaudible] it's not an expenditure and the SPLOST fund is just a liability and we'll pay it back.

Vice Chairman Thomas said, okay. Commissioner Odell, Gellatly and then Rivers.

Commissioner Odell said, just by way of summary, this is, and I agree, it's a timing issue. We receive our money, the bulk of it, in November. Mr. Persaud said, yes sir. Commissioner Odell said, but we have 12 increments in which we need money. I don't think, and this will be reported as a bad thing, it's really not a bad thing, and here's why it's not a bad thing. Our bond counsel, the people who advise this Commission on what we need to have in reserve, have said that we need to have between \$7 million and \$11 million. Our fund balance now is zip to –, I think my 10-year-old daughter's caught more in her piggy bank than we have in our fund balance. So what we have elected to do as a Commission is to keep the money in the hands of the citizens rather than in our hands, but we're at a point where in order for us to meet our obligations, we have a carte blanche and we can either borrow, which we've done historically in the past, I think this is the third time that we've done it –. Assistant County Manager Monahan said, yes, from the SPLOST fund. Commissioner Odell said, from the SPLOST fund, or we could try to go into the market to look at tax anticipation notes. There's some financial problems with our attempting to go into the market to look at tax anticipation notes. Part of that problem is that because we've been downgraded because of our budget, because we have not followed the advice of our bond counsel as far as what we should have in reserve, then our ability to effectively move into the market is going to be hampered and limited. We, believe it or not, are a business of people. From today to the end of our fiscal year for us to raise the money we need to survive, then we would not have a County government. We wouldn't because if you need to cut, we're going to have to cut people, and we're not cutting people over a period of 12 months, we'll be talking about a period of three months. So you have to cut four times as many in order to make up for that adjustment. That is not a practical or possible alternative. Everyone who wants us to take a hard stand, we're going to have that opportunity when we get to this new budget. We'll have an opportunity to shore it up, but as for now this is the only logical alternative for us to pay our bills. Another thing, when we make decisions because we're losing police, citizens say we don't have enough police. We say we have a turnover in police and the reason we have that turnover is that our sister, the City of Savannah, pays our people substantially more than what we pay. When we make a decision to add more money to bring our salaries up, we don't have a stream of income to cover that. So what we have done is we have added a cost without adding a stream of income to cover that cost. So you're going to have shortfalls. We could cure that problem either by (a) not making the adjustments, or (b) making a massive, devastating cut, which I don't think is practical. Our options are we either approve this (a), or (b) look at tax anticipation notes and I think that that's a long shot because of our problems with the budget, because of our problems with the fund balance, because we've not followed bond counsel's recommendation, so viably this is the only option for now. When we get to budget, gentlemen and Dr. Thomas, you'll have a chance to correct the problem, but for now this is our only alternative. We cannot massively make those kinds of cuts, and here's why. If you cut the court system, the court system can file a mandamus directing us to provide them the staff that they need to operate their business. Vice Chairman Thomas said, that's right. Commissioner Odell said, so we cannot cut from the Manager's side of the house enough to do it. The Sheriff can do it, Danny Powers can do it, over 50% of our expense are controlled by elected officials. There's no way we can make that kind of adjustment in our house, and if we made it in somebody else's house, then they can go to court and compel us to do what the law requires us to do. Although politically it sounds good, we need to do this today and I argue in support of it. Thank you.

Vice Chairman Thomas said, Chief Gellatly –, I mean, Commissioner Gellatly, Rivers, Rayno and then Kicklighter.

Commissioner Gellatly said, I know this is a very sensitive and complex issue. Vice Chairman Thomas said, you're next. Commissioner Odell said, she just skipped you. Vice Chairman Thomas said, I didn't skip him. I called it in the order that you raise your hands. Commissioner Rivers said, go ahead, Chief. Commissioner Gellatly asked, you okay? Commissioner Rivers said, go ahead and finish, I'll come back. Commissioner Gellatly said, I'm sorry if I [inaudible]. At any rate, you know, I fully realize this is a very complex and sensitive issue; however, we all have concerns and my concern is that if we borrow \$14 million this year, is it going to be \$20 million next year and \$26 million the next year, and I really don't think that we can borrow ourselves out of debt. And the other, I really truly believe at some point in time we're going to have to set up a contingency fund and there are going to be some hard decisions that are going to have to be made and

my concern is if we approve \$14 million today, will our concern be as deep and as great when it comes budget time because if we approve the \$14 million, when the hiring freeze is over, the —, we've got money to spend and I just want to make sure that we don't get into that lackadaisical position. I really truly believe that in the future, why there's going to be some even tighter funding obligations that we're going to have to take a look at and there are hard decisions that we're going to have to make, and I —, that's basically my concern. We need to get out of the business of borrowing money, and there are some hard decisions that we're going to have to make as a Commission. Thank you.

Vice Chairman Thomas recognized Commissioner Rivers.

Commissioner Rivers said, okay. For the new Commissioners, the new Commissioners, and for the audience, this is a tax anticipation note. It has nothing to do with your shortfall within your budget. This happens because we collect the bulk of our monies in November. Normally it's spent so we have to wait until new monies roll in. That new money offsets that we borrowed to run this government. Okay? Now whether we've had —, let's say our budget did not have the \$5.5 million shortfall, and let's say the fund balance was where it's at now, we still would have to borrow money in order to run the government. Now, my fellow Commissioners, being around and being the senior Commissioner, I was here when we didn't have to borrow money because we had a fund balance that we borrowed it from. Now if I'm not mistake, it cost us, what, a half a million dollars last year to borrow money? It cost us a half a million dollar in interest to borrow money. So what we're talking about is borrowing money from the SPLOST, which we will pay back with an interest because we have to pay it back with interest, but if we go out in the street to borrow, when we do get it, it may cost us a little more in interest. So we're paying interest back to the SPLOST, which is our fund, thereby —, well, not increasing our fund because we still can make money on the market at the going rate with the investment that we have in SPLOST money now. So you're doing the citizen a big favor when you're able to go in there and utilize that until we collect the taxes in order to offset that loan, which it may not be \$14 million because he's going to do it on a month-to-month basis, but we have to get to the point that we understand how this government is run, and sometimes we make decisions and we don't fully understand everything that's going on. So when you look at TAN, or tax anticipation notes, you're looking at a totally different thing from leveling and squaring away your budget. Your budget squaring away is going to be a big one because, and I'm going to say this for Mr. Rayno and I'm going to say this for all these people who talk about rolling back taxes, see what you did —, you got a budget, you shored that budget up with a fund balance, and then our budget is done on a projected amount of revenue coming, and then when we got it, you said, hey, we're going to roll back this that we got from reval and, see, when you roll up that, you didn't build in a continual revenue stream within your budget for those things that were shored up by your fund balance. So when your fund balance was used up, you still had a call for revenue that wasn't there, and the only way that you satisfy that is by [inaudible] new revenue coming in. That's the only way you're going to do it, and the only other way that you're going to do it now is that you're going to have to eliminate some things or you're going to have to raise the taxes. There ain't no other way to do it. Now y'all sleep on that one and think about it and come back and get serious about this budget if you really mean what you say, but the tax anticipation note, this had nothing to do with the shortfall in your budget. You're just short of money. Your cash flow is gone.

Commissioner Murray said, that's why I asked the question so the general public would understand this too. Commissioner Rivers said, well, that —, I hope that my message gets clear to John Q. Public of the kind of squeeze that the County is in, but the tax anticipation note has nothing to do with the budget being out of shape like it is. It's a matter of cash flow and us collecting taxes. When we collect the taxes, we will pay back the SPLOST. ]

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

Commissioner Rayno said, thank you, Madam Chairman. Last year we had a booming economy in Savannah and this year in spite of national recession, Savannah's economy is still booming. The Port's doing great and the hospitality industry is up and we had 11.2% digest growth last year, and still isn't it amazing that we can't come up with some kind of a fund balance? Isn't it amazing we spent more money than we took in? We have to get away from this policy of looking at SPLOST funds and building great projects without any kind of regard for what it's going to cost us to maintain those projects in the future. That's one of the things we can think about, and in terms of SPLOST, if you look at the history of that particular fund raising mechanism, when it was initially developed did they ever tell the people, oh, we're going to use it as a safety net in case the government runs out of money. Do they do it in any other community in the State of Georgia? No, only here in Chatham County when we spend too much money, we build projects we can't afford to keep up. We need to have a serious change of attitude and a serious change —, a paradigm change in how we run our government here, and I think with this new Commission you're going to find a will to create a fund balance, you're going to find a will to set aside about \$750,000 a year for a number of years to build that up, you're going to find a will not to touch that money, to leave it there on rainy days like we're going through right now, and my interpretation of the SPLOST law does not allow us to take these funds and do what we're doing with it. I think that's a very loose interpretation, I think this government came in after the fact and tinkered this little scheme, and it's not right. It's not what the people voted for way back when. We're going to have to make tough decisions. Corporations do it all the time. You say you can't run government like a private business, well, we'd better start doing it or we're going to be in big trouble. We're already in big trouble. That's my comment.

Commissioner Rivers said, I just wanted to reply —. Chairman Pro Tem Murray said, wait a minute. You had one person ahead of you. Chairman Pro Tem Murray recognized Commissioner Kicklighter.

Commissioner Kicklighter said, yes, I'd just like to say basically that I thank you for your explanation, Commissioner Rivers, on what you were saying, but I do not believe that it was a lack of understanding on the new Commissioners that you were addressing earlier. I don't want to speak for them, but on —, for myself there I'd just like to say that it's my belief that if we

cut expenses that we would actually be able to save a little money to put into reserves where we wouldn't get in this type of mess in the future, and, you know, basically I believe we all understand pretty well what's going on here today, and I also after listening, sitting here, listening to Commissioner Odell, I will support doing this today because of lack of options, and there's --, we're really painted into a corner on this one issue, but we need to sit down, as he said, with this next year budget because we have no choice today, but we have a choice for tomorrow and we need to make the cuts where we can save the money where this type stuff stops, ceases to exist in Chatham County.

Commissioner Rivers said, but let me say this now, and, see, what I said to you before was we're lumping two things that are entirely two different and separate things. If you have a reserve, and it's good to have a reserve, and Mr. Rayno made a statement that we'll put this reserve there. Well, let me tell you, we had about a \$16 million or \$17 million reserve, all right, and when the federal court said you will build another jail, then it was --, we were very fortunate that we had that money to go in there and get it. You see what I'm saying? So anything could happen to make you use those reserves when you don't want to, but fortunately we're saying we're going to look for ways to put that in there and find a way to build up that fund balance. That's all well and good, but I'm going to tell you that that fund balance can come and go and you'll find things just like last year was --, I can't blame you guys because you all are new, when we found that extra two or three million, we found a way to spend it, and it will happen. It'll be something like the Triplett Park. You don't want to get the money to put in there, see, so there's a lot of things that comes that put a lot of encumbrance on what you --, what we want to do. The sound thing that I told you to sleep on is the fact of how do you stabilize this budget? That's your first priority, stabilizing the budget and getting enough revenue in there to meet the need or either eliminating something. That's the only two ways that's you're going to do it.

Chairman Pro Tem Murray recognized Commissioner Jackel.

Commissioner Jackel said, I agree with that. We either have to get more revenue or cut spending, but I do think that this is a business practice, and most of the retail businesses I know do 80% of their business between Thanksgiving and Christmas and because of that odd cash flow that they have, even if they have reserves, it's often best for them to borrow the money until the next revenue comes in, and that's a standard business practice as I understood it, one that's being going on for years, but that's a whole other debate that we probably need to get in on another time whether the County can be run like a business or not. It's not certainly set up like a business. Commissioner Rivers said, [inaudible]. Commissioner Jackel said, well, I understand that. Everybody knows we're handicapped by the bidding system, but it's one that we have to have. We have to take the low bidder.

Chairman Pro Tem Murray recognized Commissioner Odell.

Commissioner Odell said, yes, I just want to lose with --, so that those people who do not know, we had a management study done, of course, it's been done for a substantial period of time, and the purpose of that management study would determine --, was to determine were we properly staffed, were our systems adequate, and a lot of other management decisions. So there is a movement forward towards operating as a business, but there's a difference between this County government and, say, Proctor & Gamble, and the reason there's a difference is that we have to do things either by law, the Supreme Court said we are to provide those who cannot afford counsel, legal counsel. We cannot determine what that costs with a reasonable degree of certainty. If we were a business, we would elect not to do that. We have to provide social services, so there are things that we do that from a business standpoint do not make business sense, but from a necessity standpoint, purpose of government standpoint, we're obligated to do it, so we are different from a business. But that does not say that the things that have been done in this government have been done carelessly and without regard to how the dollars are spent. I defy anyone who makes that argument to point with a level of accuracy to where that's been done. It's easy and it's politically fun to do, but it's inaccurate and I don't think we need to debate that issue. We need to make a determination what's in the best interest of the County. What's in the best interest of the County is for us to vote to approve this borrowing and to answer David's [Gellatly] question, last year --, was it last year or a couple of years ago, we borrowed \$16 million. Assistant County Manager Monahan said, yes sir. Commissioner Odell said, okay. So we borrow the money. If we could float a bond issue to borrow \$45 million, I would say that we should do that, and here's why. We could borrow tax exempt dollars and then use them in non-tax exempt ways. That's my feelings, and I don't want a discussion on it. That's --, if you don't want to raise taxes, that's a way to do it. I know we cannot do it, but we have the vehicle, we can issue bonds, we are limited to how we can use the money. I understand that. I call for the question.

Vice Chairman Thomas said, okay, evidently we did make a motion, right? Was there a motion? Commissioner Murray said, I made the motion. Commissioner Odell said, and I seconded the motion.

Commissioner Murray said, before we vote I just want to reiterate one more time, there are two separate issues here. One is the shortfall. That is not what we're voting on and that is not what this \$14 million, if in fact all of it is used before we put it back in, is used for.

Vice Chairman Thomas said, okay, we are voting on the \$14 million and \$9 million, whatever. Right? Commissioner Odell said, total 14. Commissioner Murray said, he has the authority to go up to \$14 million. Vice Chairman Thomas and Commissioners Rivers, Jackel, Murray, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of seven to one. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried.

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

Commissioner Murray moved to approve an interfund loan from the Special Purpose Local Option Sales Tax (SPLOST) totaling \$14 million, to fund the projected cash flow deficits for the General Fund not to exceed \$9 million and for the Special Service District Special Revenue Fund not to exceed \$5 million. Commissioner Odell seconded the motion. Vice Chairman Thomas and Commissioners Rivers, Jackel, Murray, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of seven to one. [NOTE: Chairman Hair was not present.]

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[NOTE: A brief stretch recess was taken at this point on the agenda.]

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### **3. PUBLIC HEARING ON CLOSING THE PUBLIC BOAT RAMP AT BELL STREET AND WHITFIELD AVENUE.**

Vice Chairman Thomas said, the public hearing is now open for the discussion on the public boat ramp at Bell Street and Whitfield Avenue.

Commissioner Rayno said, I'd like to thank all the people who came against – , for and against the closing of the boat ramp. I know you've had to sit through a government, which can be like watching paint dry. I know when I used to sit out in the audience it was just a horrible experience. I'd like to open the floor for comments, but before I do that I would just like to say there's been a number of problems with this boat ramp over the years, and we're going to have the Chief talk about that in a little bit. Things that I explained in the last meeting, which I won't go over again because it's already in the public records, but since that last meeting I've had phone calls in support and against what we're going to do today. The people that want that ramp closed have experienced people confronting them with guns telling them that they can't tell them to stop the illegal activities that they're doing at the current time. This presents a serious, serious problem, and while you can laugh out there about that, you weren't the person having a gun pointed at you at the time.

[Inaudible comments were made by members of the audience]. County Attorney Hart said, you're out of order. Vice Chairman Thomas said, you're out of order. Out of order. Out of order please. County Attorney Hart said, you're out of order. If you have something to say, you'll be called upon and asked to go to the mike. Vice Chairman Thomas said, thank you.

Commissioner Rayno said, this area where the ramp is located is a crime free area pretty much with the exception of what happens on that boat ramp and things that immediately surround it. It is the epicenter for problems that occur, and you'll hear some of that testimony today from people who have to live with that and experience it. At this time I'd like to have Chief Sprague to come up to –.

Vice Chairman Thomas said, excuse me. Just before you do that, let me set some ground rules here. I would like for – , we want to give everybody an opportunity to come up and say whatever you'd like to say, but let us have respect and dignity for each other and also let us remember that there are a lot of people who wish to speak, so let's make sure that those things in mind. Thank you.

Commissioner Rayno said, Chief Sprague, if you would please reiterate some of the problems you've seen at the ramp and what your surveillance there shows.

Chief Sprague said, okay, for the most part, setting the physical stage of it, it's a remote area. It's at the end of a – , it's a 850-foot road on Bell Avenue and when it began, when it was built I don't know. I'm sure there's people in the audience that can tell us that, but when we became aware of it through Commissioner Rayno, we went down on numerous occasions and saw what was there, and basically what we found was a boat landing that had been left in disrepair. It had become basically a garbage dump, crab shells, oyster shells, deer carcasses, on the one hand when you're looking at health issues, and not only for the residents that live nearby or right on that landing, you're looking at something that is to me unsafe for use of public in its present condition, and let me add Commissioner Jackel's comments from two weeks ago, that would be a decision to renovate it and make it – , put it into a safe and secure operation for the boating public, and to reiterate Commissioner Rayno's comments last – , two weeks ago by boat it's just a short trip to the next public boat ramp and by vehicle. If you're hauling a boat, it's four miles and five minutes from the Skidaway Landing. If you look at another safety issue on it, some of the trash that we found there, it was beer cans, bottles, and it became basically and it is used as a lover's lane because it's unrestricted access. That puts up the possibility and the potential, and it's there, that young teenagers are using it for a place where they won't get caught by the police to drink alcoholic beverages, but what it does is it takes them out of that short dirt road and puts them on the highways where they're an endangerment to both pedestrian and the motorized public. So for those reasons on safety and safety alone, I think the health concerns are not only the people where the trash and garbage are being dumped, but also whoever does use that on whatever basis they use it, there's an inherent possibility that they could pick up some form of a disease or sickness from the garbage dump. Now why do people dump garbage there? Because it's remote and apparently they haven't been caught. To patrol it we'd have

to put a priority on the Montgomery Boat Ramp, which would take the officers away from that remote location –, or take them away from the more traveled locations that are nearby that are used by the motoring public, by the boating public, by the fishing public. We saw a lot of disturbing things there from safety and health issues. Also, the remoteness just sways to tell that this is a good location for any time of maritime offense. The deer carcasses that were found there, were they done from jacking deer and out in the woods skinning them and then just getting rid of them at the boat dock where the hopes were the river currents would take them away? Fishermen out collecting oysters and they find some that when they get to the dock they don't want to keep so they just throw them over there and they decay and they become a health hazard. Crabs, and then the alcohol issues. All these to me when they're taken in their totality lead a person to the conclusion that they wouldn't want their children there and they wouldn't want themselves or their family members or friends there where they might encounter some sort of sickness that is being promulgated by the garbage dump facility. And that's outside of the immediate problems it causes the neighbors on the borders of that property. With teenage drinking comes loud comments, loud music, threats, et cetera. That's a separate issue, but when you take the remoteness of it, and I can tell you this from my days here with the drug enforcement administration, these are exact kinds of docks that are used for maritime smuggling purposes of drugs or marine patrol also we encounter thefts from private residence docks throughout the County, and those vessels are stolen, the motors are yanked in the middle of rivers, and whatever other debris that can't be salvaged is sunk and where are those motors Montgomery Landing? Places like the Montgomery Street dock. That's looking at it from a criminal aspect. I think there are so many negatives here from a criminal aspect and too much jeopardy for health issues to keep this thing open in its present. The only thing I would say is if the Commission decides to keep it open, that the Commission take over a renovation project and the attendant funding of that project to make it a suitable dock both health and safety wise for the general public. The criminal aspects of it we would have to address by using officers and putting them into that area more frequent than we do now because it's not a primary control point the way it situates now, and that would mean taking officers away from other crimes that are being committed in the divisions that we police, and I think that would be a mismanagement of police operations. So that's the position of the police department on it and that's what we recommend in our agenda item.

Commissioner Rayno asked, Chief, would it be fair to say that if that area was closed you could describe Beaulieu, Montgomery, Burnside Island as very safe areas if we closed that problem area? Chief Sprague said, yes.

Commissioner Odell said, point of clarification. Is this a public hearing? If it's a public hearing, we should hear from the public. Vice Chairman Thomas said, we will. Commissioner Odell said, we've already hashed this at the last agenda –. Commissioner Rayno said, that's fine. I yield to the public. Commissioner Odell said, I guess my question is, the purpose of going to a public hearing is to hear from the public. Vice Chairman Thomas said, you are correct. Chief Sprague said, I'm wearing two hats out here, as a part of the public and as Chief of Police. Commissioner Odell said, listen to the public.

Vice Chairman Thomas said, thank you, Chief Sprague. Now do we have anyone in the audience who wish to speak? If you do, please come and take those seats, and then when you get to the mike please give us your name. Commissioner Rayno said, Madam Chair, could you please reiterate that it –, we're trying to keep –, they bring up fresh items rather than rehash the same –. Vice Chairman Thomas said, yes please. If you're rehashing, I'm going to ask that you discontinue your conversation. Thank you. Please step up to the mike.

Mr. Vinny Dober asked, how are the Commissioners doing today? I hope y'all are doing fine. My name's Vinney Dober. I work for International Paper. A long time resident of the Southside, recently moved out to Wilmington Island. Grew up on the Vernon River. Fished there most of my life. My memories of the Montgomery Landing –. Excuse me if I walk around a little bit. I like to do that when I'm talking. When I was about 10 years old –. The Clerk said, please make sure your voice is directed to the mike. Mr. Dober said, I talk kind of loud anyway. Mr. Dober said, my daddy took down there and backed up a truck down there and had a little aluminum boat on it with 9.9 Mercury, threw the boat off the truck and off we went. We caught a lot of fish that day, and I remember that place down there and I remember it used to be a lot bigger than what it is now. You used to go down there and could turn around and back up to the landing. Now it's just a little narrow area. You've got to back down there from the road. I didn't mind that at all. When I go down there I have a lot of luck fishing. I don't do much crabbing. Do a little bit of shrimping. I hear Mr. Sprague here, Chief Sprague, talk about some of the problems that's down there. He talked about unsafe conditions, talked about some trash, kids going down there and these wild sexual escapades, drinking liquor, drinking beer, disturbing the neighbors that live on either side of the landing. I live on a public road myself. If somebody comes down there where I live on my public road and gets out of their vehicle, turns on the loud music, starts drinking beer and throwing beer bottles down in the street, as I was taught in school I dial 911. Call the police, y'all get down here, somebody's got to do something about this here. They've got a bunch of kids out in the street drinking liquor, breaking bottles, playing loud music, I can't get to sleep. The police would be down there in a matter of minutes I believe. Put a stop to that. Disease or sickness, I don't know. I've been going down there 30 years, I'm pretty healthy. I eat pretty good. If you've got common sense, you wear shoes when you go down there and walk down to that landing. I won't go down there without no shoes on. I'm the first one to admit that because there's broken glass and all down there. Used to be they had a couple of trash cans down there. I believe the County supplied them, I'm not sure. Y'all may can tell me, but I believe the County supplied that down there. I appreciate that. When I come out the river I did dump my cans, used goods in that trash can facility, but most of the time I try to put something in it, the trash is flowing over the top of it and spilling out on the ground. Now I recently made a trip out to your nice facility out here and you can walk out here on Highway 80 going to the beach, you can walk three miles. Did y'all know that? Y'all built a nice place on that train trestle out there. I went all the way to the end down there and I was purposely looking at the trash cans. I couldn't find not one of them that was overflowing with trash. All of them was nice and clean. You look down there it was real pretty. That road's 850 feet. That place is three miles both ways. This road here's 850 feet. He says it's in a remote location, yet Mr.

Sprague pointed out that it's four minutes by automobile to the Skidaway Landing. He talked about it's going to take away from officers doing other duties to police this area. Sometimes when I go fishing down at Montgomery Landing I take my boat and I go over there at Bandy's. Bandy's got him a nice little shrimp outfit right over there on Skidaway Landing. You know what I'm talking about. I go over there and I buy me some shrimp. I've been there early in the morning, middle of the day and late in the afternoon. Eighty percent of the time that you go to Skidaway Landing there's a police officer pulled up underneath the shade tree. Right there as you go in there, there he is, he's sitting right there eighty percent of the time. I don't know what he's doing. I don't know whether he's filling out report or what have you, but he's there though. You go around there and buy your bait and you come out the parking lot and if he's there, well, you look across the parking lot and there he is underneath the cedar trees over there in the shade. Eighty percent of the time when I go to that landing there's a police officer there. You can ask --, I don't know if there are any members of the Department of Natural Resources here. I don't see any. I can see some Chatham County marine officers back there, but you put your boat in at Skidaway Landing and I guarantee you when you put your boat in and take your boat out, ninety percent of the time you're going to meet a DNR agent there. He's either underneath the bridge when it's hot out in the shade, or he's out there riding around there giving somebody a ticket, but you're going to see him there. My point being though is y'all not here discussing Skidaway Landing and the despicable condition that it's in, you're in here talking about all the trash and the illegal activities going on at Montgomery Landing. Well, why is it going on there and not at Skidaway? I'll tell you why because you've got the DNR and the police there, but that's what we pay tax dollars for. Is that correct? For protection of our rights? It's four minutes by car, but I want to tell you something. By boat, I have a little 13-foot Malibu bottom glass boat with a 25 Johnson on it. The Montgomery boat landing was basically built --, it was built a long time ago, probably a lot longer than anybody in here has lived I'll tell you that. It was built to launch bateaux way back when. Probably somebody when they first launched a boat down there had a mule and wagon with a boat on it, backed it up down there and throwed it off. That's what it was built for, small boats. You ain't going to take no 35-foot Hatteras down there and a trailer and launch it. My point being is I've got a small boat and that's my access point to the Vernon River. If I put that boat in at Skidaway Island, I've got to ride an hour to get back round there where I want to go, and I've got to go through a dangerous sound to get there especially in rough weather. What happens if I'm fishing out in that river and I've got to get back to the boat landing because there's a big thunderstorm coming, I've got my little four-year-old girl in the boat with me. Now I've got to go all the way through a dangerous sound to get my boat on the hill, much less fighting that crowd down there at Skidaway Landing. Arguments, people shouting, fighting, cussing, it's my turn to get in, it's my turn to come out. A log jam down there if you ask me. That's where the unsafe conditions are at. You're liable to get in a fist fight. He talked about maritime offenses down at that boat landing. I guess he's talking about drugs, poaching, illegal shrimping, illegal crabbing. That is the responsibility of the police department and the Georgia Department of Natural Resources to police that. It is not y'all's job as County Commissioners to vote on whether to close the landing on that basis, and I'll give you an example on that. Jackson's dock right down there. It's less than an eighth of a mile by water from Montgomery Landing. I believe everybody here who's old enough will know this that probably about 20, 25 years ago they had a shrimp boat come up there that had a whole God-durned heap of marijuana on it. I don't know how much marijuana was on it, but did y'all have a meeting to decide whether that particular facility down there was in danger of bringing in drugs and doing maritime offenses? No, I don't think so. It's still open today. It's got a bunch of shrimp boats tied to it right now. He said they was a dock down there. There ain't a dock down there. It's called Montgomery Landing, it's just a boat landing and it doesn't have dock. What it basically is is a road, got a house on one side and a house on the other, and the people down there are safe. I heard some of them say they don't want to live next to a boat ramp. Well, the boat landing was there when they bought the house. They didn't just wake up one morning and open up the shades on their durned windows and look outside and say, my God, mama, look here, Chatham County done come down here and put a boat landing beside the house. They knew the boat landing was there whenever they bought the place, and what do they expect nobody's going to come down there and use it?

Vice Chairman Thomas said, sir, please try to wrap up. Mr. Dober said, okay, it's a public hearing, right? I'm taking my time now. Vice Chairman Thomas said, you take your time, but there are others who'd like to speak as well. Mr. Dober said, all right, sir --, all right, ma'am, excuse me. You made me lose my train of thought. Commissioner Odell said, they pulled the shades and --. Mr. Dober said, whatever. Now I know for a fact, and there's some witnesses here to testify to y'all today that one of the landowners who lives next to the landing has gone to some extreme measures to keep people from using that landing, and I can tell you why. He wants it for hisself [sic] and his few little friends that he's got around his neighborhood. He wants it for hisself [sic]. This is a public boat landing. It's for the citizens of Chatham County. Y'all opened up with a prayer this morning and said God bless the citizens of Chatham County and give us strong minds to protect these citizens. Mr. Rivers, you said you can't make a decision without understanding what's going on. Well, I'm going to tell you what's going on, sir. You've got one guy down there and he does not want that landing open, he don't want nobody using it except for him and his select friends, and he's gone to some pretty good extremes to do that. One of the times he dug a trench clean across the public road. A trench. You couldn't get a car past it. Chatham County police had to come down there and make him cover it up. He put a cable across the road, put a post in the middle of the road. I wonder what would happen if I did that on the street I lived on. I'm just petitioning y'all today to keep this landing open. My family and me sure do enjoy using it. I would appreciate if y'all would make recommendations to the police department and to the Georgia Department of Natural Resources to protect our rights to use that landing and to catch these perpetrators from coming down drinking beer in all hours of the night so maybe the durned neighbors down there would call y'all every now and then, have y'all come down there and arrest a few folks. I know the jail's crowded, but we can fit a few more in. So I just hope to say that y'all can keep this landing open for the citizens of Chatham County. Thank you.

Vice Chairman Thomas said, thank you. Next person to speak. Please state your name.

Ms. Ann Shields said, I'm Ann Shields and I guess I'm one of those strange people that live next to the landing that he's talking. The dozen or so neighbors who are here who are opposed to having the landing remain open all live in very close proximity, unlike this man on Wilmington Island, and every one of us has used the landing for recreational facilities. We've only used it for the purpose that it was intended, and if that was the way that it was being used today, none of us would be sitting here for three or four hours. I promise you that not one of these people would be here this morning if this was the use of the landing. It's not, and if it comes to a shouting match over whether more people want it or more people don't want it, I'll guarantee you there are more people that want it, but it's our opinion that the County is operating a facility that really jeopardizes our end of the County and there are several reasons for this, one of which is that this whole discussion y'all had about underage drinking for such a long time while we were sitting there, on my property you can go out there now and see thousands of beer bottles, quart beer bottles where they sit and throw them over the fence. There are probably two or three hundred now and I've picked up hundreds. Jim Golden can testify to that. Some of this came to a head at Christmastime when I, you know, was sitting in the yard and smelled the typical hideous odor from down there and went and saw a stack of crabs about this high, mostly females, that someone had discarded, which happens all the time. They're illegally caught and they're discarded. I called Mr. Golden because there were also mattresses, tires, I-beams, I've got photographs if you want them, furniture, innumerable things. He made his men quit and go have lunch before they cleaned up the mess. They attract, you know, rats, alligators, sharks in the river when they're discarded. It's a mess. There's really no good use for the ramp that's legal. It's too narrow for anyone to turn around unless you-, the ramp has been the same size since it was put in by the way. No one's changed the size of the ramp. The only way you can turn a boat around is by trespassing on my land or my neighbor's. Over the years we have not barricaded anything. We have put a fence on our property, which has been torn down numerous times by people. My neighbor's land is always terribly abused. She's out of the country right now, but she's written a strong letter, which I'm sure the Commissioners has in front of them. She's had over the course of the year two sets of boats and motors stolen from her property that were chained to a tree. She's -, her husband has had a gun put in his face and he's been threatened on numerous occasions over the 45 years they've been at that property. I've been at the property for 26 years and two of my other neighbors that are here today have been on the property for 50 to -, well, one family's been out there for 100 years and one family's been out there for 50 years. These are immediate neighbors of this ramp, and it's not the use of the ramp that's a problem, it's the abuses that have happened for 26 years. All of us have called the police. The police cannot come on a, you know, instant notice every Friday night, every Saturday night, every Wednesday night when there's a party going on down there and we call them. The police are spread too thin to come at the drop of a hat. They can't do it. They've had 20 -, I've complained to Jim Golden for 26 years about gunshots, drug smuggling activities, threats to my life, guns put in my husband's face, and I can give you the details if you want to go into them, but I won't take as much time as my predecessor, but these are all -, these have been reported to the police. I'm sure there's a record somewhere of these events over the 26 years that I've been here, and I think the County has a certain liability. They say just say no to drugs and yet there was a major drug bust on this property not long after we moved in. Helicopters, flood lamps and this kind of thing. The County says just say no to drugs and yet they have this ramp, which is known drug conduit. They say, you know, no underage drinking yet there are thousands of bottles thrown over my property line from years of drinking down at the ramp [inaudible]. I think the County-, and the health issue is important too. The marine police was in my yard one day when I showed him the deer carcass that was thrown over my fence. That's one of many. They're often deposited on Beaulieu Road, Beaulieu Avenue, and they're also deposited in my yard or on the ramp. I pay a lot of taxes to live where I live. The ramp was there when I bought it. I expected it to be a small recreational ramp. It's not used that way. There are very few people who use it recreationally, and I guess there's some others of my neighbors that might want to speak if they get a chance later. Vice Chairman Thomas asked, would you like to share those pictures. There's some of the Commissioners who would like to -. The next person please.

Mr. Michael Davis said, my name is Michael Davis. I am a citizen of the Montgomery area out there and I am one of the recreational users of that boat ramp. I'm not here to deny some of the problems that the lady there has reviewed and the trash and stuff of that nature right there. There is a lot of trash down there, and I'm a clean-minded citizen and I don't agree with the trash and stuff of that nature down at that boat ramp, and it ticks me off to see it there and I'm sure she's aggravated with the trash over the period of years also. But I think a simple solution possibly by the Chatham County Commission, being this is a publicly maintained Chatham County boat ramp, a couple of signs at the end of the boat ramp, no trespassing after dark. They've got at all your other boat ramps in Chatham County, no trespassing after dark. If you've got a boat hooked to the back of your truck or anything like that, then you ought to be able to use the boat at the boat ramp at night, but two signs at the end of the boat ramp right there would probably solve a whole lot of the situation of trespassing after dark. If you get caught down there after hours, then so be it. You're only on -, there's a one-way road in there and, you know, if you're down there after dark and you're not supposed to be, then you deserve a ticket or go to jail, or something of that nature, and I can understand the lady's problems with the trash and everything of that nature, but Chatham County -, that is a public ramp and the drums and everything are overflowing all the time, and if we could get some type of cooperation from the County to, you know, keep it on a service-maintained schedule down there, keeping the trash empty and stuff like that. So I think that if we could do something of that nature right there it possibly could help solve a lot of these matters. Commissioner Jackel asked, how long does it take you to get from the Skidaway ramp over to -? Mr. Davis said, from Skidaway to Montgomery boat ramp with a small motor, like I also have a 15 outboard on my boat also, it takes roughly almost an hour to get around there. Now by car on Saturdays and Sundays, Skidaway boat ramp's a madhouse. You can't hardly even get in there. It's probably an average of four to five hundred boats on an average weekend during the Summer and everything. There's not enough ramp area at the Skidaway Narrows boat ramp. If they could probably add another boat ramp in that, that might help eliminate some of these problems, overcrowding problems, but Montgomery boat ramp has been there for over 80, 90 years and, you know, it is accessible to the Vernon River. A lot of us live right there and that's one of our reasons for living in the Montgomery area because we have access to that river. I mean, that's why we live out that way because we do have access to that river. Now, I mean, if there's some of the problems -, it's correct, they do need to do some of the problems, but a couple of signs, you know, could probably solve a lot of that right

there I would think, but maybe not. There is a lot of partying going on down there and some of that does need to be stopped. You know, trash and stuff is a little bit outrageous down there, but there could be things done besides closing the boat ramp. Commissioner Jackel asked, have you seen trash cans down there? Mr. Davis said, yes sir, I have seen trash cans and I don't agree with it, not the least bit. I bring my trash in. If I go in the river, I bring -. Commissioner Jackel asked, have you seen a place to properly dispose of your trash? Mr. Davis said, if the trash containers are emptied and stuff, then people could, yes, they could put their trash in it, but they do have a legitimate quarrel with the trash problems down there. You know, there is an excessive amount of it sometimes down there. I don't agree with it, and a lot of us here we took off work just to come down here this morning, you know, to state our case with y'all and all because we do believe strongly about closing this boat ramp. So if there's any consideration y'all could do, I'd appreciate it.

Vice Chairman Thomas said, thank you. Mr. Davis said, thank you very much.

Mr. Daniel Dalpos [phonetic] said, my name's Daniel Dalpos. I've lived on Burnside Island since 1952. When I first heard this on the news, they told me that they had found out that they owned a boat ramp on Burnside Island and they had TOC-11 on Bell's Landing saying that this is Burnside Island. There is a boat ramp on Burnside Island. It's on the end of Center Drive. It's been taken over by three individuals. They claim it's a yacht club. It's got a dock down on it, they put a dock on it, they've got a landing on it, the DNR uses it. If they opened that boat ramp up, there would be a lot of people on Burnside Island would never go to Montgomery Landing. I'm a commercial crabber. I don't steal crabs, I don't dump crabs on the landing, you know. We use that landing. That is the only landing that we can put a crab boat in easily, pull out. The landing at Skidaway you can go down there, a man can walk underneath the Skidaway Landing now because it's washed out. It's on a 45-degree angle. I've lost a car in the Skidaway Landing, I've busted a boat -, a \$150 boat propellor off on the rocks at Skidaway Landing trying to put in by myself. Montgomery Landing I use a Ranger Ford pickup truck, I can pull out a thousand pound load and come right up the landing. The only thing that's gone wrong in there, the County went down there the other day and put telephone poles on both sides of the landing, creosote poles, they're hammered in, they're steel spikes hanging all out that'll rip your tires off your truck now. You can park two trucks down there any more. They did that within the last month, and now they -, and then they showed pictures of it and it made the landing look really bad because of all these poles and stuff. You know, they did it really good to make it look bad, but that landing -, every landing in Chatham County has been stolen. There's a landing on the end of Hurst Avenue, on -, it's off of Montgomery Crossroad. It's closed down. Shipyard Landing on Lehigh Avenue, it's got a chain across it. The landing on Center Drive, it's been stolen. The landing on Richardson's Creek, it's been stolen. Every single landing in Chatham County has been stolen, and Chatham County needs to reopen our landings. The people of Chatham County at one time were allowed to own -, to go down the complete coast. Nobody owns the water, the sides of it, and since then there's only two places you can get to the water now, and that's the reason I think that landing has to stay open, and I think the Center Street Landing should be open for the individuals -, the people of Chatham County too because when -, why daddy bought that property when I built my house out there, we were supposed to have had access to that landing. We come back from fighting the Korean War, our road's gone in front of our house. The, you know, a piece of our property's gone. We come back from going to Minnesota and all over when daddy was at [inaudible] in '64 we come back, the landing's gone, you know, and now you want to take this landing away. That's all I have to say. Thank you. Vice Chairman Thomas said, thank you, sir.

Mr. Robert Webb said, my name's Robert Webb. I've used that boat ramp for approximately 30 years. I do hold a commercial shrimping license. I come out of that landing all hours of the night, all hours of the day. The only problems I can see down at Montgomery Landing is there's no police patrol. There are a lot of trash thrown about. There is sexual behavior. I have encountered that, walked up on that numerous times, and it all goes back to if there was proper police patrolling on that area, it would cut down on a lot of these problems and put signs at the end of the landing letting the people know that this is a public boat ramp, not a place to go smoke pot or drink your alcohol, but a boat ramp, and if you're caught down here loitering, put them in jail. I think as far as closing it, that's a little bit too -, that's going a little bit too far. The man when he bought the house, the landing was there, he knew the landing was there. If he didn't want to live by a landing, he shouldn't have bought the house. That's the way I look at it. Thank you. Vice Chairman Thomas said, thank you.

Mr. William Smith said, my name is William Smith. I've been using Montgomery Landing for about 25 to 30 years. My family has been using that landing for 30 years or better, since it was built. I feel for Ms. Shields and all the neighbors around there. I know there's a problem with I'll say outlaws. If they close the landing, the outlaws are just going to go somewhere else. There have been numerous times when Mr. Webb and myself have come out of the river and found people there at the landing doing illegal things, and we have talking -, called to Mr. Vincent with the DNR numerous times, and he has stated to us that he has not the manpower to do things to enforce the laws, which now lately I have been there because I'm now working full time with a construction company I don't have time to do the commercial and recreational shrimping and fishing that I'd like to, but I would definitely say that the people that use this boat landing in a lawful manner would be more than willing to help the people that live there to keep the trash down, to keep the crime down, but we have no support from the police department or the law enforcement agencies. If we could get some cooperation from them, along with us, we could work with them on helping them patrol the area if we just had some cooperation. Thank you.

Vice Chairman Thomas said, thank you very much. Are there others?

Mr. Alan Penton said, my name's Alan Penton. I'm a third generation user of that boat ramp. My grandfather used it, my daddy used it. The main problem is it's never been cleaned up by the County. Y'all stated y'all just found out you owned one. Y'all have never cleaned it up. That's why all the beer bottles are there. It hasn't been cleaned up. I mean, that's why it looks so daggummed dirty, it's never been cleaned up. Ms. Shiels said, it's looks dirty because people don't throw their cans in the trash [inaudible]. Mr. Penton said, they would -, okay, I'm not arguing with you. But it has not been cleaned up

properly by the County is the main thing. If the County owns it, they ought to maintain it. It's a fine little boat ramp for the smaller boats. It's for fellows with 15 to 25 to 30 horses, and this is the final last boat ramp at Montgomery. You're talking about community named Montgomery, but you look at a boat chart, the tide chart, and it's got Montgomery on the tide chart. That's where they're giving you the tide differential from, Montgomery boat ramp. I think it's been around for a long time and that's heritage. You talk heritage a lot, that's heritage. Convenience, you just need to keep the thing open. I mean, we know it needs to be cleaned up, it's dirty, it needs to be cleaned up. It's one way in. It ought to be easy to check anybody that's down in there. I mean, you know, you can't go in there and slip out the back way. If you're having trouble, it ought to be easy to police it and catch what's down there because it's one way in and one way out, and I hope you'll abide by the neighbors because we do like to use that boat ramp. Me and my wife use it quite regular and we'd like to keep it open. Vice Chairman Thomas said, thank you.

Ms. Gwen Webster said, I'm Gwen Webster said, I've been at Montgomery for over 42 years. My father-in-law used the landing. It was a few years before he died they tried to close it before because of some of this same activity. We have some little, as they say, outlaws at Montgomery, which they have it everywhere. We use this ramp for commercial fishing to go to Richmond Hill and to our boats that's anchored down into the sounds. We also hook and line fish and we can go to Richmond Hill from there in 10 minutes where it takes us an hour or so by car to go to Richmond Hill. If we have a problem with the shrimp boat, then it takes us a while to get –, and I would appreciate it and if there's any way that we could get some help, like they say, it does get some nasty out there, but we do have a lot of people out there that just ignore the things that need to be done, and I hate to see our community have no ramp. The Skidaway ramp is rather steep for some of these boats, and I myself would not go down that ramp, and we would appreciate it if we could get some help, keep it open and save our little bit of community. It's been there for years and years and years and I hate to see her go. Vice Chairman Thomas said, thank you.

Ms. Georgia Bell said, I'm Georgia Bell. I live at the head of that landing. I've been there 55 years. I do not use it now. I did use it years ago when it was clean, but I have a problem with these shrimpers who –, and crabbers who are illegally bringing the stuff and dumping it there because even up in my house I can smell it at times, and also they'll come out of that river road, that landing road, and throw their trash on my yard, and if anybody goes down that road they can see that I do keep a clean yard. I don't appreciate bottles, cans and paper goods strewn out that I have to pick up every morning. So I think if the people who are using it would use it legally, not illegally dragging and dumping the female crabs up there, would be okay to use.

Mr. Vince Dober said, I'm an elderly gentleman and I've been living in Savannah now for 50 years. I'm a Yankee from New York. The Clerk said, please state your name. Mr. Dober said, Vince Dober. The Clerk said, thank you. Mr. Dober said, and the only thing I can say is I've been fishing this area around Savannah and you people, the County, are closing more and more public places to go fishing, and I enjoy the sport of fishing. You're making it more and more difficult all the time. I used to go to Richardson's Creek and fish off the bridge there, but now y'all put signs up there you can't fish off the bridge. It's on a side road, there's no traffic. Why you close the bridge to fishing? I don't know why. I think it's the people that move in that area don't want people using these areas and they're getting them closed up and depriving us older people a place to enjoy ourselves and go fishing, and they have also closed up an area in there that we used to walk through the woods. I forget the name of it, but they used to make mosquito spray over there. Well, you could walk in there and go fishing in Richardson's Creek. Another place, you put a –, you didn't put a fence around it, but Union Camp bought it from the County and they put a fence around it because they were going to use it, but then you all inherited it back again and you closed it up, and you could just walk in there and go fishing. You didn't have to spend \$40 or \$50 a day to go fishing. You could drive your car, park it on the side of the road and you've got access to go fishing. There's not very many places left to do that in this City. They're taking it away slowly but surely. I don't know why. Nobody's using these places and you're all closing them down. What for? I say you take away too many rights from the people. Give us back our fishing rights.

Vice Chairman Thomas said, thank you. Are there any others? You want to speak?

Mr. Webb said, yes ma'am. On numerous occasions, for one instance, last November I watched a commercial shrimper dump about 600 pounds of shrimp heads in the Montgomery Landing way –. The Clerk said, excuse me. State your name for the record. Mr. Webb said, Robert Webb. I notified the Department of Natural Resources and I notified the Chatham County police. Neither one of them would respond. I give them the individual's name, the boat number and when they could catch him approximately. I never even had a phone call back. Approximately five months ago I was down there and I noticed a pile of crab hulls, probably four or five bushels of picked out crabs, and I again called the Department of Natural Resources. They never called me back, so there's nothing more that people that use that landing for what it's supposed to be used for, when we call the law officials and they don't respond, what else are we supposed to do? Tell me, what else are we supposed to do? We can't stay down there and police it ourselves. And I'll say again, if the police will pick up their presence down there and the Department of Natural Resources would get involved, it would cut down on a lot of this, and it's not right for these people that live on both sides of this landing to have to put up with all of this, but it's not right also that that landing be closed because if you close the landing, you're just punishing the people that use it for what it's supposed to be for, and the people that's doing all this chaosing down there, they could care less whether it's closed or not. You close it, they're just going to go find somewhere else to start their stuff again. Thank you.

Vice Chairman Thomas said, thank you. Anyone else in the audience wish to speak? If not –. Commissioner Rayno said, Mr. Golden wanted to speak. Vice Chairman Thomas said, okay, Mr. Golden, and then if any Commissioner would like to speak and then we'll bring this to a –.

Mr. Jim Golden said, Dr. Thomas and the Board, first of all, you've got obsolete situations now. What used to be ramps are not considered by the DNR as ramps. So many of those obsolete ramps were closed in the 60's, late 60's to the mid-70's by Chatham County, Halcyon Bluff, we had from Shipyard Road, Battery Creek, Vernonburg, even had Bell's Landing and Montgomery. The situation is still open. It's one of the oldest ramps that is open around here at that time. It used to be most dead-end streets or roads, the County would go in at the tail end at water and put in concrete for slips and whatever it had, and it became a neighborhood type situation, and when you got into this public situation of recreation, the public could use it, and now we got a situation where you had to have funding and the State had criteria, a minimum two acres for parking where you could have turnaround bases and things like that, restroom for support facilities, and this is where you got the President Street, this is where you got the Skidaway Narrows, and we're still working on Bell's Landing. This is where you got the creek up there at Port Wentworth, Houlihan Bridge, and so forth. We took a pattern of setting goals in the early 70's to phase out all of them in order that we have adequate spacing and adequate facilities for the public. Montgomery we sold the idea to the State by Skidaway Narrows if we can build that and get the pressure off Montgomery, the same thing with Shipyard Creek, then the citizens will be at a short distance regarding use of facilities, but Montgomery ramp remains open. This is probably the third attempt to close Montgomery boat ramp since I've been here, and what we're talking about the trash, they've got a straight dead-end to drive in and no turnaround space, and we have tons and tons of garbage like dead fish and all that that we move from that area. It's not true that Chatham County do not make visitation to that ramp. We're there monthly. The Public Works of Chatham County built that ramp. Number one, it's no ramp when I say it's obsolete because it doesn't have the proper elevation, it flats off in the turf there and it stays full of water. Cans are placed, but it's there. You've got to be a good driver to back that distance and come back out. So it creates problems because it's obsolete. Most of the ramps now -, you do have an ordinance by the way and the ramps are open 24 hours. There's no such area and a ramp where we have a sign says no trespassing after dark. Vice Chairman Thomas said, okay, thank you, Mr. Golden. Mr. Golden said, allow me to add one more. At Skidaway Narrows you have two double ramps, and that's four, and we have -, when you get to -, to go out one side and then we do have docks, a fixed dock and a floating dock, fixed wharf and floating dock so you can unload right [inaudible] out there moving around until someone come out. So you have eight docks there, eight slips there for launching boats at Skidaway Narrows.

Commissioner Rivers said, I have a question for Mr. Golden. Vice Chairman Thomas recognized Commissioner Rivers. Commissioner Rivers said, Mr. Golden, is there any way that you can do anything with that property down there to make it usable? Mr. Golden said, my situation is it's obsolete because you've got to have space to elevate that ramp. You don't have it. You have no space to turn around and you've got a narrow lane going in and going out. If anyone's going to park, it's going to be on the side the roadway coming out of there. Commissioner Rivers said, okay. Where else in close proximity do we have, other than Skidaway, do we have that those commercial crabbers can use? Mr. Golden said, well, it's not designed for commercial crabbers. It's recreation use. All our ramps. Commissioner Rivers said, but it has become a commercial usage. So is there any other thing close by? Mr. Golden said, the only place is Skidaway Narrows that's met the requirements of the State because of the adequate parking and support facilities and we can get the ramps in and proper lighting in that vicinity.

Commissioner Jackel asked, can we put a turnaround down there? Mr. Golden said, there's no space. It's not adequate. Commissioner Jackel asked, it's not adequate for a turnaround at all? Mr. Golden said, no sir. Commissioner Jackel asked, right at the ramp? Mr. Golden said, well, you can't turn around because don't have -, you've got two private property lines right there, and it's a dead end of a road. The County does not own the property. That's a community-type owned situation, a recreation group. Commissioner Jackel asked, you don't disagree with the people that testified that if they put in at Skidaway it takes them almost an hour to get back around to that Montgomery ramp? Mr. Golden said, I understand that's true. Commissioner Jackel asked, how do we solve that problem? I mean, that closes down that whole stretch of river for people to use it if they can only put in at Skidaway ramp? Mr. Golden said, Skidaway is the largest setup we have. Commissioner Jackel said, well, I understand that. I mean, I had some of my friends years ago we used to go fishing off of a cove off of Forest River and we had a place we could put in and we would be there in two or three minutes, and then they closed that ramp and we had to put in at Bell's Landing and it was an hour ride around and it took all the fun out of it. You know, you had to spend an hour in your boat getting there and getting back, plus there's a safety factor. You're not only closing a ramp, you're closing that section of the river for a portion of the population that wants to use it. Mr. Golden said, we have to get in the idea of where it will be built then that that will meet the requirements where we can get State funds to help maintain it and have adequate parking and support facilities like restrooms. You don't have that opportunity now unless someone's property privately cooperated at every location, every community you can go in because of that requirement. Commissioner Jackel said, well, I know that, but a lot of our ramps don't have that. Isle of Armstrong doesn't have any of that. I remember using that one. We had just horrendous problems at the President Street ramp until we got the police down there to straighten it out. We didn't ever talk about closing it. Mr. Golden said, no sir. Commissioner Jackel said, I just really am reluctant to -, and this County needs more opportunities for wholesome recreation and this County needs to enforce its laws to those people who are not obeying them, and I don't -, you know, just because some people are disobeying the law, I don't think we cut off these people from an opportunity for wholesome recreation. We ought to be promoting wholesome recreation, and we are, but I mean we need to do more of it. Thank you.

Vice Chairman Thomas said, okay. Are you finished, Commissioner Jackel? Commissioner Murray, Odell and then Rayno.

Commissioner Murray said, Mr. Golden, I wanted to ask you a question. Did you just make the statement that the County does not own that land? Mr. Golden said, not to my knowledge. Commissioner Murray asked, what was it that you said that we don't own? Mr. Golden asked, you talking about the property? Commissioner Murray said, yes. Mr. Golden said,

it's owned by a community organization or recreation organization. County Attorney Hart said, no. Commissioner Murray, that's been an assumption I think that the County's been under for a number of years. Commissioner Rayno raised this issue about what we could do about it. I looked into having the title examined down there because I was concerned about it possibly being in the old Montgomery Recreation League, which is down in that general area. The County had owned that property and that landing has been in existence since about 1907, and if you go back and look at the old plats on it, it's a public right-of-way all the way down to the landing, and then it shows that it's just an extension of the public right-of-way, and about 1915 was the first time they started concreting in parts of that ramp. So it's been there for a considerable period of time. I think the County's just been under the impression that it was part of that old Montgomery Recreation League that's a little bit further down, but the County does own the public right-of-way and the ramp, at least down to the water, and the State will make a claim from there. Commissioner Murray asked, how wide is the property the County owns? County Attorney Hart said, it is extremely narrow. I don't --. Commissioner Murray said, I know that. In feet how wide it is? County Attorney Hart said, probably 20 to 25 feet. I've got a plat somewhere that I could look at. Commissioner Murray said, okay. What would it take to put another double ramp at Skidaway? Mr. Golden asked, what will it take? Commissioner Murray said, yes sir. Mr. Golden said, just proper --. Commissioner Jackel said, that's not going to solve [inaudible]. Commissioner Murray said, I'm not saying whether it's going to solve anybody's problems or not. I think we've got an issue that has to be dealt with and I know we have to meet certain criteria or we don't get the support from DNR. I have a problem that these things go on and we can't do anything about it, and I think most of the people if not all of the people that spoke in favor of keeping it open talked as if they are law-abiding citizens and put trash in the trash containers that are overflowing. I don't think that you can expect to go by and empty trash cans once a month at any public facility and think that they're not going to overflow the rest of the time. So I think we've got some issues there. However, I do see the safety issues for the ramp itself, and I hate to see us close down boat ramps at any place, but if we cannot do something to improve it and do what needs to be done, then we have no choice other than to close it down. But if we do, then what are we going to do to offer something else in another area close to that location, which evidently is Skidaway, because I know it's used a lot, I know the fights are there because I've passed by in my boat and I've called on my radio before about them, but I --, so I know things are going on at Skidaway's ramp also, and we have problems at a lot of the ramps. So we as a Commission and as the County government have got to find some way to help resolve this and not just at Montgomery, but everywhere else we go. Somebody mentioned something about the President Street ramp. Yes, we did have some problems out there as we did at Lake Mayer and the restrooms and stuff, but we added extra funds into the police department to patrol these things and do something about it and it has worked. As soon as we quit patrolling then those problems start again. So, you know, we've got some issues we need to deal with from that standpoint, but at the same time we've got to look at the safety factor of the existing ramp if in fact we do own that property, and that's what the County Attorney just said, that we own it. Mr. Golden said, we can look at expanding --. Commissioner Murray said, so --, that was the reason for asking how many feet it is in width because I don't see how you can expand it. If you can't go --, you've got private property on both sides, so how do you do that? I don't think you can. I think you could improve the ramp going down to it, the road going down to it, but I don't think you can expand the ramp itself. So, I don't know, I'm kind of in the middle of it right now.

Vice Chairman Thomas said, Commissioner Odell and then Commissioner Rayno, and then --.

Commissioner Odell said, Mr. Golden, just one question of clarification. Before the end of the public meeting, I see that our attorney has gone out, I'd like to know the exact width of the road that we're talking about. Mr. Golden asked, of the ramp? Commissioner Murray said, that's what I asked for. Commissioner Odell said, of the ramp. Mr. Golden said, it's approximately 25 feet wide and about six --, 75 or 60 feet long. Commissioner Odell said, yes, but what I'd like to know, Mr. Golden, is the legal description, not necessary what's there, but what we in fact own. Commissioner Murray said, I think that maybe where the attorney's gone. I hope it is because that's the question I'd --, yes, he's got the file. Commissioner Odell said, because we could have a road there that's 15 feet, but we might own 60 feet, and if we own 60 feet, then that gives us greater options than if we just own [inaudible]. Mr. Golden said, well, we have --, it varies because of the size of the area, so none of them are the same of the old ramps. Commissioner Odell said, we should know in a few seconds. Mr. Hart now has the deed. Mr. Golden, while he's looking at that, point of clarification, we've had a lot of people to come here saying that they use this for small boats and that if this is closed the impact of which is that it's going to take them a substantial distance out of their way from the nearest ramp. Mr. Golden asked, where is the nearest ramp? Commissioner Odell said, yes. The nearest ramp is Skidaway? Mr. Golden said, Skidaway Narrows. Commissioner Odell asked, do you agree that this area, other than (a) appears not to be policed, and (b) the Natural Resource people seem not to be overly concerned, are there a substantial number of people from Chatham County, law-abiding citizens, who in fact use it for recreational purposes? Mr. Golden said, yes, quite a few. Commissioner Odell said, I tend to agree with the gentleman from New York although I'd never thought New York City, but I agree with you. We really need to look at expanding more recreational facilities, not only for the elderly population now, but the baby boomers are hitting that age where they'll be soon retiring, and rather than expanding we are closing, which to me is inconsistent with the --.

Mr. Vince Dober said, I've been fishing places 30 years and now I can't go fishing there, and I've been fishing them for 30 years. It's ridiculous, and there's no [inaudible]. It's just there. Do you understand what I --, they're not building no houses, they're not building no --, it's there.

Commissioner Odell said, Mr. Hart, just a follow-up question. If we decide to close the property, what happens to the property? If we close it?

County Attorney Hart said, well, two things before I answer your question. Commissioner Murray had asked me about the width of that right-of-way there. It's 30 feet, but the ramp itself, based on the latest survey, is probably about 20-foot in width

and sort of angular within the right-of-way. The County did receive that by quitclaim deed from Henry Parsons, and that was known as Parsons Subdivision, in January of 1917 and it had been in existence and operated as an amenity as part of that subdivision prior to that going back to about 1911. Commissioner Murray said, so the County actually owns a stretch 30 feet wide? County Attorney Hart said, yes sir, it's a part of Bell Street, I think is the name --, Bell Avenue. In regard to Commissioner Odell's question there are two things that could happen. The county could make a decision that it wanted to abandon the right-of-way and make a public finding that it wished to abandon the right-of-way, and then at that time it would go through the process that you normally go through to dispose of the right-of-way, including advertising or whatever. The problem with that is you need to find a suitable person or organization in which to dispose of the property into, and you would be severing a public access point at that time on a permanent basis. The other issue that you could do is to go through the process of temporarily closing the ramp on a long-term basis pending an upgrade of the facility, policing and addressing various issues that are raised here.

Commissioner Odell said, just one last question and I'm finished. Who had [inaudible]?

Commissioner Rivers said, I just want to ask a question. Mr. Hart, you said temporary closing pending what we may do. What if it happens up here today that we would like to keep it open, instituting those things that you're talking about now? Let me ask you this from a legal standpoint, and if we did decide to vote to leave that ramp open, is it possible that we could ask those two property owners on the other side for an easement to give us enough to turn around under the conditions that it would be policed, under the conditions that it would be kept clean, under the conditions that those people who utilize it will see that when they see anything wrong and DHR [sic] will also be notified to give us some help down there. Can we come to a more amenable solution in that whole thing by doing that if those neighbors would agree to giving a turnaround easement, just a small piece of --. County Attorney Hart said, the short answer is you can ask for anything. Commissioner Rivers said, well, I'd like to ask. I'd like to ask, I'd like to ask in order so that this could become an amenable situation to ask them to try. If it doesn't work --, we would do it on a probationary period and if it doesn't work and we still have all the mess that we have, then we close it. We'll put some responsibility on those folks that use it to help clean it up and to help police it, and with DHR [sic] and our police department and our recreation department or whomever is responsible for cleaning it up, to keep it clean, and if we don't get that in a certain period of time, it's gone. And that's predicated on whether those folks would grant us an easement. County Attorney Hart said, the only other issue that would enter into that would be, number one, getting everybody to agree to do that and, number two, is you're still faced with the issue of how do you park down there because there is absolutely nowhere to park, and, number three, is if you wanted to upgrade the facility, let's say we wanted to go in there and upgrade the facility, you would have to get some DNR approvals on what they require now for minimum boat ramps, and without examining it, I'm not sure this boat ramp could be upgraded due to the narrowness of the property. We would have to go through the permitting process on that. Mr. Golden is probably more familiar with that than I am, and those are the only other two remaining issues.

Vice Chairman Thomas asked, Commissioner Rayno, do you still want to speak? And then Commissioner Jackel. Did you still want to speak?

Commissioner Rayno said, I appreciate all the people showing up today, and I appreciate the fact that you are very passionate about your issue and you did it in a very respectable way, and I appreciate that very much because I know how much it means to you. It's been there a long time, and it represents a tradition to you and it represents a lot of things, a way of life, a culture, fishing, but I think the problems far outweigh what you're asking for, and I think based on the budget crisis we're having, it's not reasonable at this time to ask for more expansion of that boat ramp. It's not reasonable at this time with our budget to ask for more police patrol in that area, and I would like to move to close on a temporary long-term basis until such time as the County can remedy the health and safety issues and afford us the opportunity to possibly upgrade this facility and find an alternative in Skidaway Narrows, and I would ask for somebody to second this motion please. Commissioner Gellatly said, I'll second it.

Commissioner Jackel said, I'd like to make one further comment. Commissioner Odell asked, have we closed the public hearing? Vice Chairman Thomas said, yes. Commissioner Jackel said, I'd like to make one comment. I sympathize with the people that live there. I appreciate y'all coming here. I always use some sort of multiplier effect with things. If I get one call, I figure maybe there's 10 people that really wanted to call me about something, and look at all these people that took time off from work to come here, and there's got to be some sort of multiplier effect that there would have been a lot more if it wasn't during the day or if they had notice or whatever, and I've stated before, you know, I don't want to give our citizens less. I think we have to police the place, I think that the police are just four minutes down the road. I don't understand, and they could block that thing off and no one can get away. I think they need to be there, and, you know, you can't just empty the garbage once a month, you've got to do it on a periodic basis. If a --, Disney World proved that if you keep a place clean and you've got receptacles, people will use it. It's dirty places that people keep throwing their litter, and I know it's not going to work a hundred percent because no matter where you live some people will --, the world is their garbage dump, I guess. They have no sense about it, but we should make a good faith effort to police it, keep it clean, and when money's available, look at improving the situation and I appreciate both sides being here.

Vice Chairman Thomas said, okay, I'm going to hear from Mr. Piccolo [sic] and then would you --, and the lady right here before I close this hearing and then we'll honor the motion.

Mr. John Saxon (Piccolo) Pierce said, yes, you can keep the road open. We can get together and get the trash wagon, a big old trash thing, and put it all together. I know you [inaudible] a big old trash thing and put all that together and if you

can clear the road, the County –, that's what's called opening the road, we can open it because the trash man come in there and get old trash pile and we can clean up all that road and we can open it back up.

Vice Chairman Thomas said, thank you. Okay, restate your name again please.

Ms. Webster said, Gwen Webster. He was referring to no parking spaces and how narrow it was, for years we always had space enough to park two vehicles, one on each side of the landing and still have room enough to get boats back and to between them. What's become of all this property I have no idea, but we always had room enough that you could go down, turn around, park a vehicle on either side of the ramp and still have room enough to get between the two vehicles. Commissioner Jackel said, it should be with 30 feet. It should be.

Ms. Shields said, Ann Shields again. I mean, of the 26 years we've owned the property, the fence was there when we bought the property. The property line has not changed. Our neighbors' property line has been there for close to 50 years and has not changed. No one has whittled away at the road in any way, shape, manner or form. The road –, you can see the survey. It's been there, and I just wondered if anyone –, since most of the illegal uses happen at night, have y'all ever thought about closing it at night? Firmly? Not just batting the idea around, but firmly closing it for the poaching, the drugs, the drinking? You know, and if it inconveniences the shrimpers who like to shrimp at night, I'm sorry, but that seems a small cost compared to all these other huge costs. And the neighbors that are here that are opposed to the ramp are not next-door neighbors like me. They're people who live as far as a half a mile away, which is a heck of a lot closer to Wilmington Island by the way, but they are having stench, gun shots, gunshots fired in the nighttime and all other manners of –, I mean, I won't go into all the graphic stuff that I could go into because I know time is short, but it's not just the person who lives next door, it's a larger neighborhood consideration, and most of the uses are illegal. There's some legal uses, but most of them are illegal.

Commissioner Rivers said, let me ask you a question. May I ask her a question? Vice Chairman Thomas said, Commissioner Rivers and then Commissioner Kicklighter and Murray. Commissioner Rivers said, ma'am, if we were to put limitations to start closing at a certain hour at night, closing that boat ramp off, would you be willing to give an easement of a turnaround in there with the caveat that an effort –, a concerted effort is made to make that place amenable to residents on both sides? Ms. Shields said, I'll not give up my land and I'm sorry to say that having called the police, as hard as they try, any number of times in the middle of the night, and I have them show up, I can't rely on police protection, I can't rely on the goodwill of whoever wants to use the ramp in all of Chatham County, not just the people here who say they're using it legitimately. No, I could not do that. I would not expose myself and my family to that kind of problem.

Commissioner Kicklighter said, I have a question for you. If the Commission –, you mentioned closing at night –. Ms. Shields said, yes. Commissioner Kicklighter said, okay, as far as expenses goes and everything, do you think on a volunteer basis you and your immediate neighbors, if the County installed some type of gate system there, because of the lack of manpower, things are utilized by volunteers, that signs were posted this thing closes at whatever time at night, we could have a group of citizens in the area that it would be their responsibility to actually lock and there would be a few of you with keys and unlock that thing at a certain time in the morning, and would you be satisfied with a nighttime closing rather than eternal closing, considering that I –, I don't see any excuse as far as –, I understand the safety, the safety aspect, but the trash should be picked up. Trash pickup monthly, that's ridiculous. That'll accumulate anywhere. Let's try that at our homes and see what happens to our house. Crime, there's no excuse there either. We need to definitely –, at any recreational facility that we have, we need to patrol it more. So considering that those two things are done there, a concerted effort of maybe using the land of 30 –, to widen to the 30 feet through there and make it a nice little drive in and out, possibly some type of lighting would not even cost the County much –. Ms. Shields said, it's already lit. Commissioner Kicklighter said, okay, it's lit, okay. Ms. Shields said, many times those bulbs are shot out, but they are lit and the County does continue to replace the bulbs and they continue to be shot out, but –. Commissioner Kicklighter said, okay, but my question to you, and I know you can't speak for any of your neighbors, but would you support a nighttime closing, a closing of it and be happy with that, or are you here asking for just a complete closing of it? Ms. Shields said, well, 25 years ago my neighbor, who's not here, who's out of the country, her husband offered to do it, an every night closing and every morning opening, and that wasn't accepted, but I think there would be a willingness on our neighborhood to monitor it. I mean, nights would be a great thing because a lot of the illegal activities happen at night. Commissioner Kicklighter said, I will tell you this much, we've got a great Chief over there, if you ever phone and the police do not respond, call him directly and let him know. He would absolutely see to it –, he'd follow up on that and that would never happen again. If he's aware of it, he's going to take care of it. Commissioner Rivers said, we'd do better that that. She's got a First District representative. Commissioner Kicklighter said, right. Commissioner Rivers said, my folks call me at night. Commissioner Kicklighter said, that's right. Ms. Shields said, I'll answer that question. I know this is kind of humorous to y'all, and I will say that in the real world, as we all know, you're not home all the time. Sometimes your small children are at home with a young babysitter. When you have been threatened with a gun, as we have, my husband and I, and our next-door neighbor, who's letter y'all have had in hand for several weeks, it's really hard to be humorous about the threats that you're subject to. Commissioner Kicklighter said, well, I can tell you this. Nothing is really humorous to any of us here because we have you, which is passionate about closing, these people passionate about keeping it open, so I don't find any humor in that whatever decision we're going to make here is going to really irritate several, so what I'm trying to find is a compromise that tries to please everybody here. Ms. Shields said, well, I think I'm suggesting that we try for the first time a nighttime, you know, that these illicit activities that are generally happening in the middle of the night won't happen anymore. Maybe we can live with that. Let's see.

Vice Chairman Thomas said, okay, we're going to have Commissioner Murray and the gentleman here, one last time, and Commissioner Rayno and then the young lady in the back back there, those four persons in that order, and we will bring this to a close and then have a break.

Commissioner Murray said, I'm glad Commissioner Kicklighter asked those questions because they were some of mine because I felt like there could be some type of compromise hopefully with this situation on a trial basis to see if it's going to work. And if in fact it does not work, then it will be closed down period, but I think we need to give it a chance to see if it can work, and certainly the County has to do its part and the people utilizing that ramp would have to do theirs, but I would hope we could do something like that first on a trial basis to see if it works. If it does work, fine; if it does not work and we continue to have the same type problems, then we close the ramp down and everybody knows about it upfront and there's no more back and forth to it.

County Attorney Hart said, Madam Chairman, in regard to the concept of closing it during the night hours, just for the purpose of the record, we may have to modify our ordinance to accommodate that. Vice Chairman Thomas said, okay.

Mr. Vinney Dober said, well, addressing the issue of closing it down at night and giving the neighbors down there a key to the gate, I don't think that's going to work on a public road especially when you're going to give the key to a man that's willing to dig a ditch across the road to keep people from going down there. I don't think you'll ever see the lock come off the gate, but I understand Ms. Shields' problems down there, but I think what we need to do here is to catch the perpetrators that are doing these crimes. Let's police the thing. I've traveled around, I'm a salesman for International Paper, again my name's Vinney Dober, and I travel up to Vidalia and I went out and saw a friend of mine up in Vidalia. His name is Lou Powell [phonetic]. He's a Toombs County Commissioner. He's got a friend of his, his name is Reese Thompson. He's on the Board of Directors for the Department of Natural Resources. I met with him on Wednesday. I told him about our plight about all this poaching and illegal people pulling crab shells and shrimping and all that's going on down there. I ain't denying that it is or ain't going on down there, but he told me, Mr. Reese Thompson, he told where's this going on at? He wrote down Montgomery Landing on his little pad and put it down. He said we'll see about that, the Department of Natural Resources will look into that, so I thanked him. He said but, he said, it is not –, he said it is the responsibility of the Georgia Department of Natural Resources to do something about this problem, it is not the Chatham County Police, it is not the Chatham County Commissioners. He said I am in the position to open up the landing and giving opportunities to people to enjoy our resources, I'm not in the business of closing them down, and since I've been on the Board of Directors, I don't think we've closed down any State facility, but I'm not –, I don't have any direct control over that because it is a Chatham County facility. So I still petition y'all to keep the landing open as is. We're not asking y'all to come down there and spend a half a million dollars down there to build a two-stage boat ramp down there. You know, we think it's fine the way it is. People can use it. We don't have a problem with it. The only problem we have down there is no policing and no representation down there by the Department of Natural Resources to stop some of these illegal activities. That's the problem.

Vice Chairman Thomas said, thank you. Mr. Dober said, thank you. Vice Chairman Thomas said, all right, there's one last person. Would you please step up quickly to the –.

Ms. Trish McCloud said, my name is Trish McCloud. I just wanted to support Ms. Shields. I'm a neighbor that lives about a third of a mile away. I disagree with her on the fact that closing at night might help because I walk by there quite a lot during the day and I see cars go down there without boats or anything, and walk down there and as soon as I start down there, people head back up, smile at me weirdly, and I have no idea what they're doing, but it seems like they're not happy I'm going down there, you know, when they don't have a boat, and I would urge the Commissioners to please go and look at the spot. You will see how inappropriate it is for the boat ramp. My husband owns a boat, I love going in the boat with him also. We live in the neighborhood, but we put our boat in at Skidaway ramp, take it in and out there, and also it's about an hour's ride, but it's a very pleasant ride, so I don't think that we should be concerned about how far it is to where and, you know, close it or open it on that basis. I mean, if they can get into the Vernon River another way, that's fine. Thank you.

Vice Chairman Thomas said, thank you very much. The Chief and then I'm going to declare the public hearing closed. Commissioner Rayno said, you said I could have one last shot. Vice Chairman Thomas said, yes. Commissioner Rayno said, thank you.

Chief Sprague said, Commissioners, Mrs. Thomas, with the puzzle to close the ramp in hours of darkness, I think that alone would reduce some of the criminal problems that I talked about and also some of the health problems with regard to that ramp. I do –, I've just been alerted that the Recreation Department handles recreation type us. When you get into the commercial aspects of using the dock, that comes under I guess the DNR as far a tonnage of vessels or trucks or whatever goes down there. I'm not sure on that, but if there's going to be an investment in it, I think those things should be looked at by the Commission too. What is going to be required if it's going to a recreational dock or a recreational/commercial dock, but I do think a closure of some sort during the hours of darkness would definitely help the police because I've heard a lot about –, in here today about the police aren't there, they don't respond to calls. We prioritize our calls and sometimes there's things more important like traffic accidents, fatalities, or burglaries that we can't cut an officer away to handle a problem like you've head about here today.

Vice Chairman Thomas said, Commissioner Rayno and then that's it.

Commissioner Rayno said, I think that the fact that we would ask our citizens to be gatekeepers in that neighborhood, when we know that there's some illegal activities going on there, would open ourselves to a liability problem if anything should ever happen to any of them in the process of opening or closing the gate. We know full well there's illegal activities going on, we know full well that people have pointed guns at them before and you're going to ask them to go down there with a key and open it up for them, you're going to ask the woman that's home to do that. That's not right, it's just not right, and again that question of liability just puts big question marks in my head. Just how could we say to a citizen to do that, and if you put a lock and a gate on that thing, and you say, well, that'll keep people out, I've never met a criminal in my lifetime or seen one or read about one in the paper that cared a whit about the laws of this country or this County or this State. They'll cut that lock and they'll go in when they want to, they'll do what they've got to do and they'll leave or they'll go around that fence and they'll get in there and do what they've got to do. They don't care about the law. They're not here today. They're going to do what they're going to do regardless of what we do to try to stop them. The only way to stop that place is to put it out of business, and when you do you'll see less DUI's in that area, you'll see less vandalism of mailbox, you'll see boat motors not missing off the back of boats, and we'll have solved the situation, and we can increase the facilities at Skidaway Narrows, and when you go out on the water, if it takes an extra hour, it's just going to have to be the way it is.

Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray said, if the vote is to totally close the this ramp down, what do we do to assure that nothing goes on in that property? Assistant County Manager Pat Monahan said, we would –, staff would proceed with barricading the property so that it would prohibit any vehicles from traveling down the road. Commissioner Murray asked, but how would it stop any individual from walking down or doing anything doing there? Assistant County Manager Monahan said, I don't know whether we could do that. Commissioner Jackel said, they just stop at the barricade. Assistant County Manager Monahan said, right. It would stop vehicular traffic, but if someone wanted to walk around, I don't know that there would be any way to stop that person. Commissioner Murray said, which would even make it harder for the police to catch somebody on foot that's down in that area. Is that correct? Assistant County Manager Monahan said, well, it's a narrow area though and it's fenced on both sides. Commissioner Murray said, well, if you can throw a deer carcass over the fence, you can certainly go over the fence. I just think that we –, and I understand where we're coming from, but –, and I'm not going to ask a citizen to go down every morning and every night and lock it up or put a padlock on it. Commissioner Rivers asked, can we ask –? Commissioner Murray said, I think if we did that, that would be the County's responsibility to do it not a civilian. I just feel like there should be something we can do to make sure that it's cleaned up and patrolled more and some other things done on a temporary basis, put some restrictions on it to see if it's going to work and if it does not work, then we shut it down and we don't worry about it any more, but I don't know how to shut it down, barricade it and keep people out from utilizing it. You're not going to keep people from running up there in their boats and dropping stuff out. Those people are going to do it anyway, and there are ways of getting stuff out of their. If they're doing illegal things, they can still do it there because we aren't blocking it from the river side, we're blocking it from the road side. Commissioner Rayno said, we could block it from the river side too temporarily.

Vice Chairman Thomas asked, Commissioner Murray, are you finished? Commissioner Murray said, yes, I guess I'm finished. I don't know which way it's going to go. Vice Chairman Thomas said, all right. This is definitely the last Commissioner. Vice Chairman Thomas recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you. Stating that a resident can lock and unlock a gate clearly contradicts the \$80,000 or so we voted here a few weeks back or a month or so back to get the community involved with individual recreation areas. We voted to give each little area, each little Commissioner, each of us, how many ever thousands to encourage people to take hold of their recreation things and clean them up. Why not have a neighborhood group that lives around that thing and that votes there, let's have a group come together that their pride is to keep it clean, help Chatham County, lock the thing and unlock it. When the voters, when you come up, if there's something out there, pick it up understanding that we don't want higher taxes. You know, we don't want to have to hire 20 more people to come out there because we don't want to pay higher taxes. A group organized, the money that –, like Mr. Rayno proposed earlier, that –, I mean, saying that we can't have people do that is a total contradiction that it's a total waste of the money we all voted to jumpstart this community involvement as far as recreation, and I believe when we –, I believe we need to watch what we do and remember what we've done in the past and not to contradict ourselves on future things like we've just done with what was just said here.

Vice Chairman Thomas said, thank you, Commissioner Kicklighter. The public hearing is now closed, and I'll now ask for –. Commissioner Jackel said, call for the question. Vice Chairman Thomas said, we need to restate the motion please. Commissioner Murray said, that was just a public hearing, we haven't had a motion –.

Commissioner Rayno said, I made a motion and it was seconded. Vice Chairman Thomas said, yes we did, yes we did. Commissioner Rayno said, I'll restate it. I moved to close the landing on a temporary long term basis until such time as the County can remedy the health and safety issues and afford to upgrade the facilities, including the possibility of a double ramp at Skidaway Narrows. Vice Chairman Thomas said, did we have a second to that? Commissioner Gellatly said, yes, I seconded it. Vice Chairman Thomas said, okay, all in favor of the motion? Commissioners Rayno and Gellatly voted in favor of the motion. Vice Chairman Thomas and Commissioners Rivers, Jackel, Murray, Odell and Kicklighter voted in opposition. The motion failed by a vote of six to two. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion fails. Thank you.

Commissioner Rivers said, Madam Chair. Commissioner Jackel said, okay, I'd like to make a motion that we –. I'm sorry. Vice Chairman Thomas said, I'm sorry. Commissioner Rivers and then Commissioner –. Commissioner Rivers said, well, since you want to make a motion, which I was going to make, go ahead and make the motion. Commissioner Jackel said, well, I'm not sure what motion you were going to make. I was just going to say that I'd like a motion that it was the consensus of the Commission that that area needs more frequent police patrol, better police protection and better control of the trash situation there and adequate trash receptacles be placed there and emptied on a regular basis. Commissioner Rivers said, Madam Chair, I'll make a motion. Vice Chairman Thomas said, we've got one motion, do we have a second? Are you amending that motion? Commissioner Murray said, no, he's making a motion –. Commissioner Odell said, his motion didn't get a second. Vice Chairman Thomas said, okay. Oh, he didn't get a second. Commissioner Odell said, I didn't second the motion. Commissioner Rivers said, I'll second his motion.

Vice Chairman Thomas asked, any discussion? Commissioner Murray said, I will move for an amendment that the ramp be closed at night at dark hours, however that works out, and we have to go back and change our ordinance to do it, so be it but we start that process if this motion passes today. Commissioner Jackel said, I would ask Commissioner Murray that if he would consider withdrawing that amendment and instead we can ask the staff to come up with a plan for doing that. We don't know what it's going to be or how it's going to work. If they could come up with something that –, then we could –. Commissioner Kicklighter said, it would not be implemented until they figured out how it to do it, so why not add it in there now. Commissioner Rivers said, Madam Chair. Commissioner Jackel said, go ahead. Commissioner Rivers said, that's why I wanted to make the motion because you can put everything into one compact motion. Commissioner Jackel said, all right. Commissioner Murray said, withdraw your motion and let him do it. Commissioner Jackel said, we yield to your greatness. The Clerk asked, are both of you withdrawing your motion and second? Commissioner Jackel said, yes, I'll do that.

Vice Chairman Thomas said, okay, now we'll go to Commissioner Rivers.

Commissioner Rivers said, Madam Chair, I'll move that we keep the boat ramp open with the following caveat, that we have policing down there and that we have proper clean-up by the responsible department, whether it's Recreation or whether it's Public Works, and that we also notify DHR [sic] –. The Clerk asked, DNR? Commissioner Rivers said, DNR, the Department of Natural Resources and that we also have the shift patrol at the time when we decide to put up that fence at night, that the shift patrol would open and close it, whoever's patrolling that area. Is that possible, Chief? Chief Sprague said, it's possible, sir. They would be closing it and then opening it in the morning. Commissioner Rivers said, right. Chief Sprague said, again, priorities. A divisional order could be put out if the officer is not tied up on a call and is assigned to that division, he could do it, but if he's tied up on a call it may be an hour after dark or something like that. Commissioner Rivers said, there are going to be times that it's not going to be closed promptly on time, but again it will be there. We understand that. Also, also that an ordinance be put into place, Mr. Hart, that the ordinance be amended to make the closing of that ramp feasible and that would be on a probationary period. Vice Chairman Thomas asked, is there a second? Commissioner Rivers said, I don't know how long. Maybe the Commission would want to state a period of time, but if these things aren't carried out and carried out appropriately, things aren't done, then we'll come back and we'll –. Commissioner Rayno asked, how about six months? That will get us through the Summer period. Commissioner Murray said, sounds good to me. Commissioner Rivers said, six months after –. An unidentified gentleman in the audience said, how about a year. Commissioner Rayno said, how about six months. Commissioner Rivers said, all right, I'll give you eight. That's a compromise. I'll give you eight. Commissioner Gellatly said, second.

Vice Chairman Thomas said, it has been properly moved and seconded –. An unidentified gentleman in the audience asked, will there be a public hearing about the closure at night? Commissioner Rayno said, no. Vice Chairman Thomas said, all in favor of the motion please vote. The Clerk asked, was there a second to that? Vice Chairman Thomas said, yes. Commissioner Gellatly said, I seconded it. Vice Chairman Thomas said, Chief –, I mean, Commissioner Gellatly seconded it. The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, thank you.

Commissioner Murray asked, could I make one other thing? Vice Chairman Thomas said, yes. Commissioner Murray said, the gentleman that moved here 50 years ago from New York that says you fished on Richardson Creek and we closed that off, that property was closed off before it was given to the County, and the County would like to sell that property if you or anyone else would like to buy it, it's for sale. Mr. Dober asked, how much you want for it? Commissioner Murray said, I don't know what the price is, but it's a nice piece of property.

County Attorney Hart said, Madam Chairman. Vice Chairman Thomas said, yes, Mr. Hart. County Attorney Hart said, for purposes of the public, there will be –, this will require us to probably amend our ordinance. We will not have a public hearing in regard to that amendment of the ordinance –. Vice Chairman Thomas said, okay. County Attorney Hart said, but we do have a first reading and a second reading where the public can attend and comment at the second reading. Commissioner Murray said, we will have that first reading at the next meeting, right? Vice Chairman Thomas said, at the –, yes, first reading at the next meeting. Commissioner Murray asked, can we have it done in time to have the first reading at the next meeting? Vice Chairman Thomas said, thank you. Thank you to all of you. County Attorney Hart said, yes. Commissioner Murray said, good. Vice Chairman Thomas said, thanks to all of you.

**ACTION OF THE BOARD:**

1. Commissioner Rayno moved to close the public boat ramp at Bell Street and Whitfield Avenue on a temporary long term basis until such time as the County can remedy the health and safety issues and afford to upgrade the facilities, including the possibility of a double ramp at Skidaway Narrows. Commissioner Gellatly seconded the motion. Commissioners Rayno and Gellatly voted in favor of the motion. Vice Chairman Thomas and Commissioners Rivers, Jackel, Murray, Odell and Kicklighter voted in opposition. The motion **failed** by a vote of six to two. [NOTE: Chairman Hair was not present.]
2. Commissioner Rivers moved that the public boat ramp at Bell Street and Whitfield Avenue, known as the Montgomery Boat Ramp, be closed at night with the following caveat, that we have policing down there and that we have proper clean-up by the responsible department, whether it's Recreation or the Department of Natural Resources, and that the shift patrol would open and close it, whoever's patrolling that area, and that the ordinance be amended to make the closing of the ramp feasible and the night closing would be on a probationary period of eight months. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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**4. REQUEST BOARD APPROVAL OF THE TRUMAN LINEAR PARK TRAIL, PHASE II, MASTER PLAN.  
[ALL DISTRICTS.]**

Commissioner Kicklighter said, I make a motion to approve. Commissioner Odell said, second. Vice Chairman Thomas said, all in favor of the motion please –. Commissioner Jackel said, I didn't hear the motion. The Clerk asked, who seconded that? Commissioner Kicklighter said, I made a motion to approve. The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, okay, the motion's carried.

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Assistant County Manager Monahan said, Dr. Thomas, just for a point of public information, could we go back to number four? Vice Chairman Thomas said, yes. Assistant County Manager Monahan said, the Board of Commissioners did approve the master plan, but I did want to discuss that in brief. Vice Chairman Thomas said, okay. Assistant County Manager Monahan said, just for the public to understand that this will allow –, Phase One goes from Daffin Park to 52<sup>nd</sup> Street. This next extension of the Truman Parkway will be an asphalt trail approximately five and a half miles long that will take it from 52<sup>nd</sup> Street all the way to Lake Mayer. Commissioner Murray asked, it will go to Lake Mayer? Assistant County Manager Monahan said, yes sir, it will go to Lake Mayer. In fact, there's a Phase Three that's contemplated that will also take it to Isle of Hope, but it's an important recreational project because it will become the longest trail in Chatham County at its completion.

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the master plan for the Truman Linear Park Trail, Phase II. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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**5. REQUEST BOARD APPROVAL OF A RESOLUTION AND AGREEMENTS BETWEEN THE GEORGIA DEPARTMENT OF TRANSPORTATION AND CHATHAM COUNTY AND AUTHORIZE THE CHAIRMAN TO SIGN ALL DOCUMENTS PERTAINING TO PROJECT STP-0000-00 (072) TOM TRIPLETT PARK TRAIL SYSTEM, PHASE II.  
[DISTRICT 7.]**

Mr. Jim Golden said, that is a requirement that now –, to implement the desire for construction and get the funds. This is –. Commissioner Murray asked, so we're going to have to spend some money to do this, right? Mr. Golden said, sir? Commissioner Murray asked, we're going to have to spend money to do this, right? Mr. Golden said, it's grant money. Commissioner Murray asked, but we're going to have to spend money, right?

Mr. Pat Monahan said, yes, Commissioner Murray, this was part of our TEA funding. Commissioner Murray said, I know, I'm just harassing the Commissioner from that district talking about not spending any money. It's in your district. Commissioner Kicklighter said, that's right, this is for [inaudible].

Commissioner Kicklighter said, I make a motion to approve. Commissioner Gellatly said, second. Vice Chairman Thomas asked, any discussion? All in favor. The motion carried unanimously. [NOTE: Chairman Hair and Commissioners Rayno and Odell were not present.] Vice Chairman Thomas said, the motion is carried.

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Commissioner Kicklighter said, if I may, I want to ask Mr. Golden to kind of explain briefly what –, for Triplett Park on number five, what this will actually be on here for us. Mr. Golden said, okay. This would deal with the trail system on Truman Park and also it will deal with some support facilities such as restrooms and we've got –, we don't electrical service and water service in there, and this will start the first phase of that.

Commissioner Murray said, yes, but once the restrooms are built, then don't we start having the same kind of problems we have at Lake Mayer and the boat ramp out on President Street? Are you sure you want that? Commissioner Kicklighter said, we need it. Vice Chairman Thomas said, okay.

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

Commissioner Kicklighter moved to approve a resolution and agreements between the Georgia Department of Transportation (DOT) and Chatham County and authorize the Chairman to sign all documents pertaining to Project STP-0000-00(072), Tom Triplett Park Trail System, Phase II. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rayno and Odell were not present.]

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#### **6. REQUEST FOR WAIVER OF HIRING FREEZE:**

- **BUILDING SAFETY AND REGULATORY SERVICES: SITE PLAN REVIEWER  
(1 POSITION)**

Mr. Gregori Anderson said, thank you, ladies and gentlemen, for the opportunity to come before you this morning to request a waiver of the hiring freeze to fill this one position, Site Plan Reviewer. As indicated in the memo, this position has been vacant since December of last year. We initially made an attempt to compensate for this vacancy by having one of our Field Inspectors sent into this position and do the work. In the meantime, through the hiring freeze, that individual has taken sick and is out indefinitely. We then had that person's supervisor and put them in charge of this duty, and currently that person, unfortunately, his wife is suffering with cancer now, so he is going to be for a specific period of time dealing with her illness. This particular position is a main position for our planning review for our department. Not filling this position would have certainly an adverse effect on the flow of plan reviews and the issuance of permits, as well as the field duties for the individuals who are currently doing it now. What I would bring to your attention this morning is not only the request and the circumstances of the position, but also based on the fact that the Department of Regulatory Services and Building Safety is funded through the permit fees that come through that department, and leaving that position open for the hiring freeze really does not help in the budgetary issue because we are kind of independent of that process due to the fact that our funding source comes from the revenue that's generated in that department. So I would humbly request this morning that this position be –, the hiring freeze be waived [sic] so that we can begin looking at this position, to fill it so that we can continue to provide the level of service that you all expect from my department.

Vice Chairman Thomas recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you. Because of our financial problems and our current hiring freeze, I'm going to make a motion to deny this request because I believe that everyone that comes in front of us from here on out has a legitimate request or that job's not necessary in the first place. So a hiring freeze is supposed to be a hiring freeze, so I make a motion to deny the request. Commissioner Rayno said, second. Vice Chairman Thomas asked, any discussion?

Commissioner Jackel said, I just want to say the hiring freeze has accomplished a lot and the position has stayed vacant for a while. They tell us it's essential. Assistant County Manager Monahan said, I would like to point out –. Commissioner Jackel said, I think we're running into trouble when we start not filling positions at an ad hoc basis. Now if we need to cut staff, then we need to look and find the areas where there may be fat to trim or areas that are not as critical, but where we have a need, then –, we can't solve the budget problem by the way people decide to leave the County because we –, it may be some of our most critical positions that leave first. We need to have a plan to attack this and not a random way that they come up here. So based on what he told us, I want to support what he did. Now if we come up with a plan that's going to take some nonessential functions away, I can support that, but this is –, it's driving us instead of us driving it, and I think that's the wrong way to do it.

Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray said, I was just –, I think Pat [Monahan], you were getting ready to say something. Assistant County Manager Monahan said, yes sir. I just wanted to remind the Board that the Board instituted the hiring freeze to save expenditures, particularly in the General Fund and the Special Service District. This is not, even though the Inspections Department is within the Special Service District, this is not an expenditure that affects savings of dollars. As Mr. Anderson pointed out, the permit fees pay for the operation of this department. So if your goal is to save dollars due to freezes, this has no effect on it one way or the other. That why it's –. Commissioner Murray asked, what can that money that comes in on the fees be spent on? If it's restricted to certain things is what I'm –. Assistant County Manager Monahan said, just

on –, it's a restricted account that's specifically for the expenditures related to Mr. Anderson's department. Nothing else. So even by not filling the position, the County doesn't work towards its goal of savings due to the freezing of positions.

Commissioner Kicklighter said, just in my opinion, no matter where the funding came from, it's been vacant since December and it's been running, you know –, let's take that money, the extra money, and start building a reserve fund [inaudible]. County Attorney Hart said, you can't do that. By law we cannot do that. Commissioner Kicklighter said, yes, I mean, let's –, why fill something when we have a freeze there. Like I said, everybody's going to have a legitimate request coming up here and it's time to just stop rubber-stamping them and have a freeze if that's what we're supposed to do.

Commissioner Rayno said, when you have a situation like this, it's a great opportunity to cross-train your employees to find ways for the majority of the staff to pick up the slack in a situation. And, great, it doesn't affect the current hiring freeze and it doesn't affect the things we're trying to save, but if we're looking forward and we're looking to trying to make a leaner and meaner government, it does offer us the opportunity to already go into the next budget cycle with one less employee that we don't have to worry about. Commissioner Jackel asked, but is it the right employee that we're missing is my question?

Commissioner Gellatly said, I have a question. With the salary savings that we have since we haven't filled the position, where has that money gone? What's happened to the money? Where's it at? Assistant County Manager Monahan said, it would stay with in the respective fund. For example, if it was a positions from one of the courts, it would stay in the General Fund/Maintenance & Operations. Commissioner Gellatly said, so that money could just be building up in that special fund? Assistant County Manager Monahan said, yes sir. The Commission balanced the budget based on that assumption. Commissioner Gellatly said, in other words, in no way does it affect the regular budget, where we're trying to save money from the hiring freeze? Assistant County Manager Monahan said, right. Actually it helps balance the budget, the operating budget. Commissioner Gellatly said, all right, I would agree then if –, when we come to our budget time, if we need to look at positions, and we've already stated this before, we don't need to go through this every year. We need to be carving nonessential positions in the County –. Vice Chairman Thomas said, right. Commissioner Gellatly said, and eliminate them. That's what we're going to have to do.

Vice Chairman Thomas recognized Commissioner Kicklighter.

Commissioner Kicklighter said, my question is, and it's kind of, I guess, two-parts here, didn't we recently approve hiring a person that was supposed to be the, like, check the checker person? Mr. Anderson said, that's correct, and that position has been filled and we are doing that. Commissioner Kicklighter asked, what type work is this checker checking on? Can this person not actually check the site plans himself being he's good enough to actually oversee the checker of them? Mr. Anderson said, well, you're talking about two different –. Commissioner Kicklighter said, okay, that's what I'm asking. Mr. Anderson said, I'll explain that. That person has been brought on to do exactly as you described. He's checking and looking after the Field Inspectors. We have a number of divisions in our departments which includes Plan Review, Permit Clerks as well as Field Inspectors, and just as Commissioner Rayno indicated, we have cross-trained and we are cross-training. We do have individuals that can do more than one position in that department, and that is our philosophy and has been our philosophy. In this particular instance, where we've had the one who was originally in the job vacated, the next person who was cross-trained to do that job and was doing that job very well, that person goes down and then the second backup also has a family problem that can not be anticipated nor can we plan for, so we've got two people that were cross-trained to do that position that were doing that position until we ran into this difficulty, and that's what stimulated the request this morning because we typically –, we've got another position that's vacant that we have indeed cross-trained and have other internal resources to not fill that position, and that's why we're not here today asking for that because we do have internal resources that we used to fill that vacancy. Commissioner Kicklighter said, this person checking on the checker –. Mr. Anderson said, yes. Commissioner Kicklighter said, so basically they are a on-site person, they're not knowledgeable to check out an actual site plan? Mr. Anderson said, that's correct. Commissioner Kicklighter said, and review? Mr. Anderson said, that's correct, that's correct. His field of expertise is in a different area, and he does have the expertise to check the Field Inspector because that's where his area of expertise is, and that's exactly what he's doing. But in terms of doing the plan review and checking the site plans and making sure the actual permit is issued, that's a separate discipline and separate individuals do that particular portion of the job. And, again, we went through two people already that were backups, and we're at the point now where there's no one else to really do that job.

Commissioner Rayno said, so you're saying the head supervisor cannot do every single job. Mr. Anderson said, no, I'm saying that the head supervisor has a family crisis that he has to deal with, that's why he's not available. Commissioner Rayno said, we're talking about the same person, this is the person that –. Mr. Anderson said, this is not the same person we're talking about with Commissioner Kicklighter. Commissioner Rayno said, the total overseer, not the position we're talking, the total overseer that's looking over all the departments and making sure they do them correctly cannot do every single job. Mr. Anderson said, that is me. Commissioner Rayno said, that's you. But we did hire someone to –. Mr. Anderson said, the person that we hired was specifically hired to enhance the quality of our field inspections. That person is responsible for checking the checkers, just as Commissioner Kicklighter indicated, but his role is to check the field function, the actual quality of the field inspections. What we're talking about with this particular position is responsible for the plan review process, which happens even before the permit is issued.

Commissioner Kicklighter asked, so what's happening at this moment? I mean, who's reviewing right now? Mr. Anderson said, well, right now the reviews are falling behind is what's happening. Commissioner Kicklighter asked, okay, so nothing can be reviewed? Mr. Anderson said, no, we have somebody –. Commissioner Kicklighter said, advertise –, how long

is it going to take to advertise the position? Mr. Anderson said, well, we're going to advertise as quickly as we can. Commissioner Kicklighter said, okay, and what's the legal advertisement time that you have to --? Mr. Anderson said, well, I'm not sure --. Human Resources, I'd say two weeks. Commissioner Kicklighter said, okay, so then after that we'll say it takes a week to [inaudible] three weeks now and we're not going to look at one site, we have no one that can look at that right now. Mr. Anderson said, no, no, we have someone who's doing that, but again we have someone that that's excluding their duties, but other things are waiting because we don't have anybody who's time is freed up to do that a hundred percent of the time, so we have other inspections that are falling behind, we have plan reviews that are falling behind because he can't do it all day. The other two people who were doing that and had the opportunity to do that are not available to us. Commissioner Kicklighter asked, how long would it take you to cross-train someone to do what the plan reviewer is doing? Mr. Anderson said, well, we looked at that. The problem again is it's a separate discipline, so you're talking about someone who doesn't even have the background to begin to do something like that, and the curve is very steep, it's very steep, and we've got to bring somebody in who's not truly a novice in that, and that's why the two individuals were doing it. First of all, we're selective, because they had the background, they had the initial training, even though they were not doing that job initially.

Commissioner Rayno asked, how long did it take to train them? Mr. Anderson said, well, the curve was very low because, again, they had the background. The original person who did it had a background in zoning, knew the Zoning Ordinance, knew the Zoning Inspector. The individual who do that --, did that after she left was a supervisor. That was the Zoning Administrator. Again, those two people had the background, had the expertise, so they were a natural plug-in for us to fill in. Commissioner Rayno said, okay, with no experience again, how long would you take to cross-train a person. Mr. Anderson said, well, that's hard to say because it goes down to the individual and what their capacity for learning is, and again we're talking about a time frame where things are piling up while we're trying to train somebody who actually has no background and no experience in that position. So it's hard to say.

Vice Chairman Thomas asked, any further discussion? That was to denial. Oh, we do have a motion to deny. Commissioner Rayno said, yes, I seconded it, the motion to deny. Vice Chairman Thomas said, all in favor of the motion. Commissioners Rayno, Gellatly and Kicklighter voted in favor of the motion. Vice Chairman Thomas and Commissioners Rivers, Jackel and Murray voted in opposition. The motion **failed** by a vote of four to three. [NOTE: Chairman Hair and Commissioner Odell were not present.] Commissioner Jackel said, it passes. Well, that's a question with a negative motion. Your motion was to deny and we didn't vote this, does that mean it passes or do we need a second motion? County Attorney Hart said, you need a second motion. If you want to do something, you've got to take a second motion. Commissioner Rivers said, you need another motion.

Commissioner Jackel said, I move that we fill this position. Is there a second? Commissioner Rivers said, I second it. Vice Chairman Thomas asked, we now have a second? Commissioner Jackel said, yes, we have a second. Vice Chairman Thomas said, okay. Commissioner Jackel said, this is to fill the position, motion to fill the position. Vice Chairman Thomas said, motion to fill the position. Vice Chairman Thomas and Commissioners Rivers, Jackel and Murray voted in favor of the motion. Commissioners Rayno, Gellatly and Kicklighter voted in opposition. The motion carried by a vote of four to three. [NOTE: Chairman Hair and Commissioner Odell were not present.]

Commissioner Murray said, Madam Chairperson. Vice Chairman Thomas said, yes. Commissioner Murray said, I just want to make one comment. Because I voted yes does not mean that I agree with all departments hiring the people. I did this based on the circumstances and where the money was coming from.

Vice Chairman Thomas said, okay, thank you very much.

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

1. Commissioner Kicklighter moved to deny the request for waiver of hiring freeze by Building Safety and Regulatory Services for a Site Plan Reviewer (1 position). Commissioner Rayno seconded the motion. Commissioners Rayno, Gellatly and Kicklighter voted in favor of the motion. Vice Chairman Thomas and Commissioners Rivers, Jackel and Murray voted in opposition. The motion **failed** by a vote of four to three. [NOTE: Chairman Hair and Commissioner Odell were not present.]
2. Commissioner Jackel moved to approve the request for waiver of hiring freeze by building Safety and Regulatory Services for a Site Plan Reviewer (1 position). Commissioner Rivers seconded the motion. Vice Chairman Thomas and Commissioners Rivers, Jackel and Murray voted in favor of the motion. Commissioners Rayno, Gellatly and Kicklighter voted in opposition. The motion carried by a vote of four to three. [NOTE: Chairman Hair and Commissioner Odell were not present.]

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#### **7. PRESENTATION ON COUNTY'S HEALTH PLAN. INFORMATION ONLY. PLAN OF ACTION WILL BE A PART OF FY2002 BUDGET PROPOSAL.**

Assistant County Manager Monahan said, Dr. Thomas, allow me just a moment to introduce the presentation on the employee health plan with a few notes, particularly for the new Commissioners. We will be discussing the employee health plan which serves employees and dependents, approximately 4,000 participants within the program. Just as a reminder, it does not apply to the inmate health plan nor does it apply to any public health services. This is just purely the County's self-insurer employee health plan, and with that I'll introduce Michael Kaigler, the Human Resources Director.

Mr. Michael Kaigler said, thank you, Pat [Monahan]. Good afternoon, Dr. Thomas, Commissioners. I'd like to thank you for this opportunity to brief the Board on the status of the County's health plan. I know the hour is getting late so we will try to be brief. In comparison with the benefit plans of other public and private employees in the area, we feel that the benefits we provide to our employees are second to none in the local area. Our benefit plan is one of the key recruiting tools that we use and also one of the reasons why we're able to compete with other employers who pay more than we do. Chatham County like other employers through the nation, is experiencing significant increases and it costs [inaudible] benefits. In the process of putting together the recommendations for Fiscal Year 2002-plus, staff thought it was an excellent opportunity to give you the status of the current plan and also to give you an idea of some of the things that we're trying to put in place to combat those increases. As you know, our health benefit program is administered through a collaborative effort through County staff, USI Administrators, who's our third-party administration, Savannah Business Group, and the St. Joe's/Candler Health System. We have with us today to assist with the presentation and to answer question, Mr. Gary Ross, who is the Executive Director of Savannah Business Group, James Garrison with USI Administrators, and then Paul Hinchey, who's President and CEO OF St. Joseph's/Candler Health System. And you also know that the County's contracted with St. Joe/Candler Health System through our membership with the Savannah Business Group as -, to be a main provider of Health Care Services for our employees, retirees and their families. This partnership with SBG and Savannah Business Group has been very beneficial for the County in terms of getting high quality health care at very competitive prices. At this point I'm going to ask that Gary Ross with SBG come up, and we've got a brief slide presentation for you, and we'll entertain any questions that you have, and we will try to keep it brief.

Mr. Gary Ross said, thank you. I'm Gary Ross, I'm the Executive Director of the Savannah Business Group. Chatham County has been a member of the Savannah Business Group since 1988. This group was created in 1982 by businesses here in town. It currently has 29 employers, representing about 38,000 covered lives in the area. We currently have a network that we do provide a network of services to the County, hospitals and physicians. We go out and negotiate the rates and fees which physicians are reimbursed for their services. I want to go over today some things, first why is the -, what is the County spending on their health care, why are the rates going up, some of the reasons behind these increases that you've been experiencing recently. I'll go over some opportunities the County has to improve on their costs, and a little bit about what's going on in the future. Okay, last year, for calendar year 2000, the County spent \$9.2 million on health care services. This is a composite of several things, hospitals, physicians, pharmacy and the other services that are provided. This is about a 20% increase over last year, or about an \$800,000 increase from last year. So why are the County's -.

Commissioner Jackel asked, may I ask you something? Mr. Ross said, sure. Commissioner Jackel said, that's roughly 10% of our budget. Is that within the norm? Mr. Ross said, that's -, yes. That's well within the norm. I'm getting to some more numbers here in just a second, Mr. Jackel, but yes, it is just a little bit higher than some of the other employers, depending on how you compare your health care costs and what you're comparing them to.

Mr. Ross said, the County has been experiencing health care cost increases that are not related to what you're paying your physicians or your hospitals. It's for other reasons. Savannah Business Group and the physicians have not had any increases in health care service pricing in five years. As a matter of fact, today you are paying less for health care services to physicians and hospitals than you were five years ago. Savannah Business Group has been through negotiations directly with the physicians and hospitals and has reduced your health care pricing by almost 13% during that time. Nationally, they've been going up almost 14%. So if your health care costs that you're paying for services have not been going up, but your costs have, then there's something else going on, and that's what I'd like to cover with you today is what has been going on with your health care costs that's causing this. First, over the last five years prescriptions, the number of prescriptions filled by employees and covered lives of your plan has increased 43%. The number of claims, these are hospital service claims and physician claims, has increased 38% in that five years. So -.

Commissioner Jackel said, I've asked our staff for answers for those two numbers. We had these numbers before and I never got an adequate answer. I'm still asking. Mr. Ross said, this is based strictly on utilization, how often people go to the doctor, how often services are provided to employees and their family members. Exactly what is causing the increase is still being investigated. We do know though that services are being provided more often and more frequently. Now there are some national trends, for example, for prescriptions. Prescription -, the number of prescriptions being prescribed by doctors is going up. There's a trend nationally to move people out of the hospital into outpatient settings and to treat people for chronic illnesses with prescriptions. So you are going to see a severe in your prescriptions and in your cost for prescriptions. However, Chatham County has about doubled the national average for prescriptions and prescription costs as you are compared to other companies.

Commissioner Murray said, it's probably because of all the stress they have working for Chatham County.

Commissioner Jackel said, not enough recreational facilities. Do we have -, I mean, these numbers raise an alarm with me. Anytime we have 38% more claims filed, I mean, that's just extraordinary, and that we're twice the increase in drugs,

that's an extraordinary number, but when our people examined it, they didn't have any --, nothing really leaped out to say, hey, we've got a real problem here today, but apparently there is one though. Mr. Ross said, it's not --.

Mr. Kaigler said, one of the things that we've looked at and there's certainly the data is real hard to get your hands around, but we realize because of the fact that the County has such an economical plan, if you look at families who have dual incomes, both spouses work, because of the fact that the County has such an economical plan, we find that both spouses are in most cases covered under the County's plan when we have another plan available to the other spouse who's working. So that's one of the reasons that we feel that our utilization has gone up and you can call it adverse selection, we're being taken advantage of because of the economical nature of it, but it's really hard to get your hands around, but that's one of the things we feel is happening to our plan. It's just so cost-effective for a two-family --, two people working in a family, you work here and your wife works somewhere else, your wife has a plan that she can take, but it's just more economical to take the County's plan. I think that's one of the reasons why our utilization has gone up.

Commissioner Murray asked, don't you at the same time feel that we have a good benefit package, and that offsets some of the salary differences that we have right now? Mr. Kaigler said, yes sir. We --, this Board and past Boards have made a conscious effort to keep the health benefits program as it is, and that's compensated for us not giving cost of living and merit in previous years, so it's been a conscious effort and we've not increased the premium of co-pay to compensate for that.

Commissioner Odell said, Michael [Kaigler], but we also in the last two years have done a better job in informing employees of services that are available. Mr. Kaigler said, yes sir, and that goes along with all the wellness things that we're providing now and we're encouraging people to go to the doctor when you have an illness and not wait until it gets catastrophic. Commissioner Odell said, yes, because ultimately it's cheaper to treat them outside of being hospitalized. If you have a chronic condition just as diabetes, heart, [inaudible], it's cheaper to treat them with medication and prevent a hospital stay. Mr. Kaigler said, yes sir, and the numbers that we're having as far as prescription drugs, they're not unique in the area. Other companies are facing some of the same increases. It's been estimated that in the next, you know, three to five years your prescription drug costs will exceed your inpatient hospitalization cost. So it's not uncommon for companies to experience that.

Commissioner Rivers said, Mike [Kaigler], one thing you said, that you find more spouse taking on our insurance plan versus theirs, taking on. Is there any way that we can pigeonhole that and possibly see if we can increase the cost to them? Mr. Kaigler said, yes sir, we looked at increasing some of the premiums and co-pays. It's really hard with a drug card, and that's one of the things that --, it's hard to coordinate the benefits with a drug card. You'll most employers who don't have a drug card and their spouse works for the County, they will be covered under our drug card, and that's not limited to the County. The City and other employers who have a drug card find that also.

Mr. Ross said, on slide number 10, which is number 10 in your handouts, is a chart which compares what the County is paying for employee health care costs to other large employers about 2,000 in size for the southern region and to another SBG employer. This other employer is the same size as the County, uses the same network, pricing, the same hospital system, and is using the same administrator. You can see that Chatham County, as far as what their expenses are for an employee coverage are pretty much in line, just a little bit higher than the normal. But, again, as Mike [Kaigler] just said, this was a conscious decision by --, to give the employee a benefit. It is not unusual in Chatham County to have an employer pay 100% of the employee costs. However, on the next chart --.

Commissioner Odell said, before you leave that. I mean, if you compare Chatham County to large employers, that's approximately, and I believe the 4361, is that an annualized cost? Mr. Ross said, yes sir. Yes, it is. Commissioner Odell asked, as compared to 2498? Mr. Ross said, that's correct. The difference is because the other large employers and the other southern region employers, pay less of the percentage. They're paying about 82 to 86% of the total health care cost, which Chatham County is paying closer to 100% of the cost. Commissioner Odell asked, is there a difference in the prescription cost that they've paid --. Mr. Ross said, yes. Commissioner Odell asked, as compared to what we --? They've paid less than what we've paid? Mr. Ross said, that's correct. It's a function of plan design, and I've got a chart down here, about two more down, that'll further explain that for you.

Mr. Ross said, for the family coverage again the monthly and annual costs are not out of line with anybody else whether you compare it to the large southern or another employer here in town. However, the difference is the amount of money that Chatham County has decided to pay for family health care coverage compared to other employers Chatham County is paying around 90% of all family health care costs. Most employers are only paying about 70 to 75% of the family health care costs. Again, this is a function of how your plan design is set up, how much they contribute in monthly premiums, and how much they paid at the time of service for their health care services.

Assistant County Manager Monahan said, that's page 11. Commissioner Jackel said, I'm --, I'm soaking it all up. I've been through it twice.

Commissioner Odell asked, do our employees know that? Mr. Ross said, yes, we had --. Commissioner Odell asked, do we tell them that on a consistent basis? Commissioner Murray said, if they look at their statement they should understand it. Mr. Kaigler said, we tell them, open enrollment every year, new employee orientation. We hit them with it several times. Commissioner Odell said, because it's a major benefit. Mr. Kaigler said, yes, it is. Commissioner Jackel said, major benefit. Commissioner Odell said, a major benefit.

Mr. Ross said, Chatham County has one of the best health benefit plans in the area. Chart 13 is a comparison of Chatham County's current health care plan, a summary of it, compared to our other large SBG employer and to other plans in general. These are all SBG member companies. There's really no large variances in the first several that are up there except the emergency room. The main difference is down at the last three, which are the out-of-network services. You pay significantly more for out-of-network services than any other employer in Chatham County. Your out-of-network benefit is actually higher than most company's primary coverage. Also, your deductibles and your out-of-pockets for your out-of-network is significantly lower than any other employer. Most employers charge two to three times more for out-of-network services, and you can see the differences there.

Commissioner Odell asked, so if we were to change just that one part of the plan to charge more for out-of-network services and leave everything the same, do you have an idea of the projected savings? Mr. Ross said, yes, we do. When you go out-of-network, a physician can charge whatever they want, so you're paying 100% of charges. Right now Chatham County has about an 80% in-network rate. So you would be taking the additional 20% claims and trying to move those into our network where you know what your rates are and you know what your costs are going to be ahead of time. Those three together, they're just roughly estimated at about \$150,000 a year. It could be higher depending on the amount of [inaudible] that actually goes into our services that are being provided. There's a chart further down that does explain that, and we'll get to it in a second.

Commissioner Jackel said, we're also paying half of what the others are paying for prescription brand drugs. Mr. Ross said, that's correct.

Mr. Ross said, the other thing that is not unusual to any company is that 80% of their costs are incurred by 20% of their population group. Chatham County, however, seems to be a little steeper than that. We think that in some ways you're being adversely selected. Since you have such an economical plan, as Mike [Kaigler] called it, people tend to migrate to your plan. It's less expensive for the family. Last year in the year 2000, you had 11 patients incur over a million dollars worth of claims. Over the last three years you can see that about 2½ to 3% of your patients incurred almost 50% of your claims dollars. There are some sick, chronically ill people in the Chatham County health plan. All plans have these people. It just seems the County has a little more than normal. Some of the programs which the County has put in place, like Intervent, which is the cardiac risk reduction program, is helping to solve this; however, we have a very low participation rate from the County in the Intervent program. You need to improve that. The County's paying for all the people to go to Intervent, but you have less than 25% who are actually participating in that. There are some other things which you are doing, working on to try to improve the care for the people. There's talk about a patient advocacy program which we'd like to –, let me go to that now. What can you do to control your costs? You can modify your plan. It's going to have to really be looked at. Every little piece of it is going to have to be looked at. That's going to take a joint effort to look at it. You need to create a patient advocacy program. What this would do is identify your chronically ill or severely ill long-term illness within your plan and make sure that they get the appropriate care ahead of time, that they get the educational services that they need to prevent them from going into the emergency rooms and being admitted, to keep them out of the hospital. The other one is to use a pharmacy management program. This could be just changing the way the co-pays are done, this could be formulary, it could be three or four tier payment systems and mechanisms put in place or using exclusive pharmacies within the area, but a pharmacy management program would save you a significant amount of money in your plan. Also, we need to increase participation of employees and family members in the programs that we have in place which are preventative. I'd like to turn this back over to Mike [Kaigler] now.

Mr. Kaigler said, slide 16 gives you a list of some of the opportunities that we see on the horizon to help combat rising health care costs, and I'd ask that you review those. One of the –, the first one is plan design, things like adjusting the out-of-network costs, increase the prescription co-pay, ER payment, increase the –, what we pay to go to a primary care physician, increase the family premiums and add an employee premium. Gary [Ross] has already talked about the patient advocacy program and the pharmacy management program and a couple of other things, to adjust the COBRA premiums, and require that all retirees take Medicare Part B when they retire. We look at those as opportunities to put some things in place that will help kind of get a handle on our spiraling health care costs.

Commissioner Jackel asked, what could we set as a realistic goal? We're at 10% now, could we hope to kick this down to 8% or 7%? Mr. Ross said, 6% is what a lot of companies target. The national average is about 7½ or 8%. Commissioner Jackel said, okay, they target 6, but the national average is 7½ to 8, so we could realistically set like a 7.5 goal and shoot for that? Mr. Ross said, that would put you at national norms. Commissioner Jackel said, all right, so we're talking about almost 10 –, 9.8 million now, and if we cut back, we'd be cutting back, well, right there almost to 7.5 million, so we'd be cutting back 2.5 million, something like that. Mr. Ross said, right.

Mr. Kaigler said, some of these things, and the next page gives you just a list of items and the estimated impact. We are recommending that these things be phased in in order to get to that number. We couldn't hit the employees with that all in one year. It's got to be a phased-in approach. We're going to have to look at this on a multi-year –, with a multi-year plan, and the next page gives you just some items that we've recommended and some estimated financial impact.

Commissioner Odell said, yes, but some things will have the least impact on current employees like adjust COBRA premium. Mr. Kaigler said, yes sir. Commissioner Odell said, that to me doesn't seem like something that needs to be staged out. It's something that the law can mandate so we can do it. Mr. Kaigler said, yes sir. Commissioner Odell said, additionally –, I'm really concerned about the out-of-network use because the purpose of having a network is to control costs. Mr. Kaigler said, yes sir. Commissioner Odell said, and I think we could adjust that without it having a substantial

negative impact. If you want to be a part of the plan, then this is the network and then you utilize the services that's provided in the network. If you go outside of the network, it's America, you have that right to do it, but you also have the right to pay for it. Mr. Kaigler said, yes sir. Commissioner Odell said, okay. So that combined with the premium on the prescriptions –, we have an excellent prescription program. I mean, that's one of the major motivations for my running for re-election. Why don't you run, they have an excellent prescription plan. No, but we do. Commissioner Jackel said, [inaudible] or rehabilitation. Commissioner Odell said, but we could make an adjustment there that would bring us comparable with the other larger industries that I don't think would hurt us recruitment wise because we're still very competitive, but the impact I think would be upwards of \$200,000 to \$300,000. Mr. Kaigler said, yes sir, we're looking at those. As I indicated, we're going to be giving you a list of recommendations in the Fiscal Year 2002 budget. We do want to stress the fact that we're going to be phasing these in. There are some items that we can do right away that will be of little or no significant impact to employees. There are others that are going to be a significant financial impact to them, and we'll be spreading those out over a couple of years, but we'll definitely come back to you in the budget with a time line. Commissioner Odell said, Mike [Kaigler], when we look at an advocate, and this is my last point, will that person be on our side of the street, out of Human Resources, or will that person be with the claim? Mr. Kaigler said, we –, there is a program that we went to look at, as a matter of fact, a hospital in Chicago is doing just this, and they increased their health care claims significantly. What's done is they've put together a team and your team is run by a patient advocate who is responsible to the company and to that patient, and it's the kind of thing where they look after the patient to make sure that that patient gets proper care because most of the time when you look at this, these people who are costing us significant dollars, they're not utilizing the health program like it needs to be in order to get proper care and stay out of the system. You've got these people who aren't utilizing the health care system like they need to and they are constantly –, something's constantly wrong. It's chronic illnesses that were trying to address. Commissioner Odell said, you know, I read an article [inaudible], but it utilized a nurse as the patient advocate. The person was in-house housed at Human Resources, and basically this person tracked those people with known conditions to ensure that those kind of things –, if you're a diabetic, you don't have too much problems as long as you take the medication [inaudible], you know, do those kinds of things, high blood pressure, the same way, some of the other chronic diseases that could be major dippers in our limited pool of funds. This person was housed in Human Resources [inaudible], and substantially reduced the in-house expense. I'd like to see us do that. Mr. Kaigler said, that's one of the things that we were looking at and we certainly will keep you informed as our projects are –, they're making progress towards that.

Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray said, you know, I think that some of the adjustments and some of the things that Commissioner Odell just mentioned just mentioned, but to say that we're going to phase in all of this over a two, three, four, five year time frame. All we're doing is offsetting what raises the employees are going to get. To me, you need to be very careful when we start dealing with our benefits, especially that health plan, because we do have a plan and that alone could enhance somebody to come to work with a lower salary, and right now we are under the salaries where we need to be in most areas. Mr. Kaigler said, yes, sir. Commissioner Murray said, now, if we're cutting this and we're under the national average or the average around this area in salaries, then we are going to have a real problem. We think we have a problem now with personnel and a lot of turnover, but you start that and we will have a tremendous turnover. So we can't have both. We're either going to have to have one or the other, but we can't reduce everything we've got. Mr. Kaigler said, yes sir, and Russ [Abolt] has talked to me about a possible implementation strategy on this, making sure that a lot of this coincides with our implementation of the compensation study to make sure that it's –, we don't have adversely affect the employees that we currently have and not hurt our recruiting [inaudible]. Commissioner Murray said, well, even if we take that study and go strictly by that study for compensation, and then we go implement all this, what have we done? Mr. Kaigler said, well, we're trying to stretch it out where we don't impact the employee too much. Commissioner Murray said, well, I think we can certainly make some changes. Mr. Kaigler said, yes sir. Commissioner Murray said, but to the degree that some of these are, I just don't see where it's realistic to try to do that and expect to keep our employees at the same time. Mr. Kaigler said, we'll definitely look at that because we're really cognizant of the fact that our benefits package is one of the things that keeps people coming to the County.

Commissioner Odell asked, will we have to approve any changes prior to being changed? Mr. Kaigler said, yes sir. It'll be –, any changes that will be coming up in the next fiscal year will be included in your budget and you'll have a chance to review those before they're approved. Commissioner Odell asked, and we'll have the numbers to show us the projected savings? Mr. Kaigler said, yes sir.

Vice Chairman Thomas recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I just wanted to thank you for your hard work. Like I said before, cutting anything is not going to be as positive thing. People –, anything we cut is needed, so it's not easy, it's not nice, it's not pleasant, but let's look at it if this deficit situation we're in is possibly saving people's jobs, coming up with future –, because things have to give somewhere, somehow, and I appreciate you looking at this alternative here because I believe it will wind up saving people their jobs in the future because we have to cut every corner we can possibly before we look at eliminating jobs in Chatham County, so I appreciate you making these tough decisions and working hard to present this to us because we're going to have to cut something somewhere sometime to keep living like we've been living. So, thank you.

Assistant County Manager Monahan said, and just to reinforce that message a little bit. The key will be phasing in the employee health –, the changes in employee health plan and, secondly, it's important for us as an organization to think about the employees in terms of the timing of some of these. For example, getting it close to our open enrollment program

where we can pre-tax some of the additional costs and, therefore, the savings will not be as detrimental to the employee, the changes will not be as detrimental to the employees will be important as well.

Commissioner Jackel said, just real quick, who did this? The report? Mr. Kaigler said, my staff and Savannah Business Group. Commissioner Jackel said, excellent job. Thank you. Mr. Kaigler said, the Savannah Business Group has been a real good partner of ours. Their staff does an excellent job and we're real proud to work with them.

Mr. Kaigler said, what I'd to do right now is since St. Joe/Candler Health System is such an integral part of all of this, I'd like to have Mr. Hinchey come forward and make a few brief remarks in closing.

Mr. Paul Hinchey said, thank you, Michael [Kaigler]. Commissioners, some very brief comments. St. Joseph's/Candler first of all has greatly enjoyed it's partnership relationship with the County and we're looking forward to the future. Mr. Ross has outlined, at the risk of being overly simplistic, but health care costs are a function of price and utilization, and I believe great strides have been made in the first part of that equation, which is the price side, under SBG where they have been stable for a number of years. So we're now turning our attention to the other side of the equation, which is utilization, one component of which is benefit design. It's been our experience that benefit design changes are really an individual decision on employers based on their philosophy and affordability. But I'd encourage you as you grapple with these issues to continue your progressive stance in the areas of prevention and wellness. Chatham County is one of the more progressive employers in this area on programs such as that. You've mentioned a couple, Intervent and disease management, and I think those programs are going to pay dividends in the future, particularly for an employer which has a vision of low turnover, and it's trying to promote longevity in its workforce. I also think it sends a message from management that they're concerned about the long term health of the workforce. Our next step, we have a working group, Commissioner Jackel, we have a working group compromised of the County, St. Joe's/Candler, USI, James Garrison and the Savannah Business Group that is looking at full continuum of the way we deliver health services as providers and what we can do differently, not compromising the quality care that all of you expect from us over the next several weeks. We are looking at that full continuum to see what we can do on our end so that it really is a partnership between all of us. So, thank you.

Vice Chairman Thomas said, thank you.

Commissioner Jackel said, thank you, and I apologize for y'all having to wait so long. I'm sorry you had to do that.

Vice Chairman Thomas said, thank you, Mr. Kaigler. Excellent job.

**ACTION OF THE BOARD:**

A presentation on the County's health plan, made by Mr. Michael Kaigler and Mr. Gary Ross, was 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.)

Vice Chairman Thomas said, okay, now we come to the Action Calendar. Commissioner Murray said, 10-C and K. Vice Chairman Thomas said, 10-C. Commissioner Murray said, and K. Commissioner Jackel said, I'd like to look at number 3 and number N-, letter N. Commissioner Rayno said, I'd like A, E and F. Vice Chairman Thomas said, wait a minute, 3 and N. Commissioner Jackel said, N please. Vice Chairman Thomas said, okay. A, somebody said. Commissioner Rayno said, A, E, F and O. Vice Chairman Thomas asked, any others? Do we have a motion -? Commissioner Jackel said, I move approval of the rest of the Action Calendar. Commissioner Murray said, second. Vice Chairman Thomas said, all in favor of the motion. The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried.

**ACTION OF THE BOARD:**

Commissioner Jackel moved that the Action Calendar be approved in its entirety with the exception of Items 3, 10-A, 10-C, 10-E, 10-F, 10-K, 10-N and 10-O. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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

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1. **APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON MARCH 23, 2001, AS MAILED.**

**ACTION OF THE BOARD:**

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

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

**ACTION OF THE BOARD:**

Commissioner Jackel moved that the Finance Director is authorized to pay claims for the period March 15, 2001, through March 28, 2001, in the amount of \$1,816,034. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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**3. REQUEST BOARD APPROVAL OF A RESOLUTION AND AGREEMENTS BETWEEN THE GEORGIA DEPARTMENT OF TRANSPORTATION AND CHATHAM COUNTY AND AUTHORIZE THE CHAIRMAN TO SIGN ALL DOCUMENTS PERTAINING TO PROJECT STP-0000-00 (538), THE COASTAL GEORGIA GREENWAY - MULTI-USE TRAILS SYSTEM.  
[ALL DISTRICTS.]**

Commissioner Jackel said, I just wanted to make sure everybody who's watching would understand that we're moving forward with this Coastal Georgia Greenway and that we're signing this agreement to facilitate it. We're [inaudible] involve us, it involves quite a few of our surrounding counties, and I think it's a wonderful project that we're doing.

Mr. Jim Golden said, Chatham County is the sponsor of the project and you have several counties involved. Each county is responsible for their matching funds, and this will give us the opportunity now to clean up our [inaudible], going into the design and construction phase of the project.

Commissioner Jackel said, that's great. I move for approval. Commissioner Odell said, second. Vice Chairman Thomas said, all in favor. The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried.

**ACTION OF THE BOARD:**

Commissioner Jackel moved to approve a resolution and agreements between the Georgia Department of Transportation (DOT) and Chatham County and authorize the Chairman to sign all documents pertaining to Project STP-0000-00 (538), the Coastal Georgia Greenway - Multi-Use Trails System. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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**4. REQUEST APPROVAL FOR CHAIRMAN TO SIGN GOVERNOR'S GREENSPACE AGREEMENT ALLOWING THE FIRST PAYMENT FROM THE STATE TO CHATHAM COUNTY.**

**ACTION OF THE BOARD:**

Commissioner Jackel moved to approve the request for the Chairman to sign the Governor's Greenspace Agreement allowing the first payment from the State of Georgia to Chatham County. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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**5. REQUEST APPROVAL FOR CHAIRMAN TO SIGN THE GEORGIA ENVIRONMENTAL FACILITIES AUTHORITY RECYCLING AND WASTE REDUCTION GRANT PROGRAM APPLICATION FOR FISCAL YEAR 2001.**

**ACTION OF THE BOARD:**

Commissioner Jackel moved to authorize the Chairman to sign the Georgia Environmental Facilities Authority Recycling and Waste Reduction Grant Program Application for Fiscal Year 2001. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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- 6. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2001. PETITIONER: ALAN C. CALE, D/B/A HENDERSON GOLF CLUB, LOCATED AT 1 AL HENDERSON DRIVE.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Jackel moved to approve the petition of Alan C. Cale, d/b/a Henderson Golf Club, located at 1 Al Henderson Drive, for renewal of Sunday sales of beer, wine and liquor pouring license for 2001. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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- 7. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2001. PETITIONER: BELINDA F. FLANIGAN, D/B/A THE CRAB SHACK AT CHIMNEY CREEK, LOCATED AT 40-A ESTILL HAMMOCK ROAD.  
[DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Jackel moved to approve renewal of petition of Belinda F. Flanigan, d/b/a The Crab Shack at Chimney Creek, located at 40-A Estill Hammock Road, for renewal of Sunday sales of beer, wine and liquor pouring license for 2001. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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- 8. REQUEST FOR NEW BEER, WINE AND LIQUOR POURING AND SUNDAY SALES FOR 2001. PETITIONER: NANCY LUCKEY, D/B/A DOC & BENNIE'S, LOCATED AT 216 JOHNNY MERCER BOULEVARD.  
[DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Jackel moved to approve the petition of Nancy Luckey, d/b/a Doc & Bennie's, located at 216 Johnny Mercer Boulevard, for a new beer, wine and liquor pouring and Sunday sales license for 2001. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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- 9. REQUEST FOR NEW BEER, WINE AND LIQUOR POURING AND SUNDAY SALES FOR 2001. PETITIONER: RASHMIKANT PATEL, D/B/A VISAMO RESTAURANT, LOCATED AT 1 FORT ARGYLE ROAD.  
[DISTRICT 6.]**

**ACTION OF THE BOARD:**

Commissioner Jackel moved to approve the petition of Rashmikant Patel, d/b/a Visamo Restaurant, located at 1 Fort Argyle Road, for a new beer, wine and liquor pouring and Sunday sales license for 2001. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Contract for the paving of the Humane Society/ Police animal shelter road	SPLOST	ARCO, Inc.	\$134,445	SPLOST (1993-1998) - Unincorporated Road
B. <b>Deductive</b> Change Order No. 5 to the contract for the construction of the new County Tag Office for the elimination of two interior windows	SPLOST	Collins Construction Services, Inc.	(\$585)	SPLOST (1993-1998) - Tag Office
C. First renewal to annual contract for operation of the Whitemarsh Island Community Center	Park and Recreation	SJC Health Services	\$75,711	General Fund/M&O - Whitemarsh Island Community Center
D. First renewal to annual contract to establish fixed unit pricing for chemical herbicide products	Public Works	Red River Specialties	Varies by item	SSD - Public Works
E. Confirmation of emergency roof repairs at the Gateway facility on Minus Avenue	Health Department	The House Doctor	\$11,450	CIP - Health Department (Gateway)
F. First renewal to annual contract to provide ammunition	Various	•G.T. Distributors •Gulf States Distributors •Master Cartridge Corp.	Varies by item	•General Fund/M&O - Various •SSD - Various •Confiscated Funds - Various
G. Optical fiber test equipment	I.C.S.	GrayBar Electric	\$15,995.45	CIP - NetPlan 2000
H. Self check book system	SPLOST	3M (sole source)	\$23,150	SPLOST (1998-2003) - Library Technology
I. Declare County owned property as unserviceable and authorize property to be disposed of either by sealed bid sale or sale for scrap value	Purchasing	N/A	N/A	N/A
J. Annual "Participation Agreements" with automatic renewals for two additional one year terms for various goods and services	Purchasing	•Dell Marketing •Gateway Computers •IBM Corporation •MicronPC •CompUSA •Comark •Software Spectrum •Wareforce •GrayBar •W.W. Grainger •Steelcase •Haworth •Herman Miller •Knoll, Inc. •Office Depot	N/A	•General Fund/M&O - Various •SSD - Various •CIP - Various •Confiscated Funds - Various
K. Change Order No. 6 to the contract for the construction of the new Tag Office for linking conduits between the new Tag Office and the Air National Guard Building	SPLOST	Collins Construction Services, Inc.	\$1,675	SPLOST (1993-1998) - Tag Office
L. Upgrade the Financial Management Information System (FMIS) software	I.C.S.	Sungard Pentamation (sole source)	\$165,000	CIP - NetPlan 2000
M. Hardware and software to provide a centralized automated backup capability for the County's Storage Area Network	I.C.S.	Network Technology Resources	\$128,978.50	CIP - NetPlan 2000

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
N. Annual contract with option to renew for two additional one year terms to provide financial advisor services	Finance	A.G. Edwards & Sons, Inc.	N/A	Individual Bond Issue
O. Six-month extension of a professional services contract for a human resources management consultant	Human Resources	Barbara A. Riner	NTE \$5,000	General Fund/M&O - Human Resources

**As to Items 10-B through 10-M, except Items 10-C, 10-E, 10-F and 10-K:**

Commissioner Jackel moved to approve Items 10-B through 10-M except Items 10-C, 10-E, 10-F and 10-K. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

**As to Item 10-A:**

**Contract for the paving of the Humane Society/Police Animal shelter road; SPLOST; ARCO, Inc.; \$134,445; SPLOST (1993-1998) - Unincorporated Road.**

Commissioner Rayno said, I've stated my disapproval before, and I'm going to make a motion to approve, but you know how I'm going to vote. Vice Chairman Thomas said, okay. Vice Chairman Thomas said, you can't vote against your own motion. I move approval. Commissioner Jackel said, yes, sure. Commissioner Murray said, but he's going to vote in favor of it. Commissioner Jackel said, I'll second it. Vice Chairman Thomas said, all in favor of the motion. Vice Chairman Thomas and Commissioners Rivers, Jackel, Murray, Odell and Kicklighter voted in favor of the motion. Commissioners Rayno and Gellatly voted in opposition. The motion carried by a vote of six to two. [NOTE: Chairman Hair was not present.]

**As to Item 10-C:**

**First renewal to annual contract for the operation of the Whitemarsh Island Community Center; Park and Recreation; SJC Health Services; \$75,711; General Fund/M&O - Whitemarsh Island Community Center.**

Commissioner Murray said, yes. The reason I've got this on here –, or that I pulled it, one is to say how well I think and from what I understand from the citizens in the area who are going to the facility, and I think that they have done a good job in managing that for us; however, I would like clarification on who is responsible for adding chairs, tables and those type things in there. Are those the County's or are those furnished by the contractor? Mr. George Lynch said, we'll let Jim [Golden] address that one.

Mr. Jim Golden said, it's the County's responsibility. Commissioner Murray asked, the chairs and tables are? Mr. Golden said, yes sir. Commissioner Murray said, okay. And how many chairs and tables do we actually have down there, because I've been to a couple of meetings recently that there were not near enough chairs for people to even sit in.

Ms. Melissa Allen said, I'll be happy to address that. Hi, I'm Melissa Allen of St. Joseph's/Candler. Right now we do have tables and chairs, we have about six large tables and chairs, but we do bring additional tables and chairs in from the health system when we need them. So we do borrow those from there, but in the very beginning when the center opened, I could give you an exact accounting of how many are there, but the County did purchase some tables and chairs. Commissioner Murray said, well, the only reason I asked the question, the last couple of meetings I've been to there, we did not have enough chairs, and there were some elderly people who were there –. That's why I'm asking. Ms. Allen said, we can give you the exact accounting on how many the County purchased.

Assistant County Manager Monahan said, Commissioner Murray, we'll keep a close eye on that. We have other tables and chairs we can bring in from other County facilities when we know a large meeting will be conducted. Commissioner Murray said, well, anything that's controversial is going to have a large –. Assistant County Manager Monahan said, well, that would be just about every month wouldn't it. Commissioner Murray said, yes, just about. So why don't we put them down there and then take them from there. Assistant County Manager Monahan said, that might be the right approach.

Commissioner Murray said, okay, I move for approval. Commissioner Jackel said, second. Vice Chairman Thomas said, all in favor of the motion. The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried.

**As to Item 10-E:**

**Confirmation of emergency roof repairs at the Gateway facility on Minus Avenue; Health Department; The House Doctor; \$11,450; CIP - Health Department (Gateway).**

Commissioner Rayno said, this was mine. Again the House Doctor pops up again, and we only had two qualified bids and two that were not. Is it possible to have a system where we have no bid written on the envelopes so we continue to

get bids so we have three bids on a project? Mr. George Lynch said, sir, we certainly can do that. Let me make just a couple of recommendations, however, as to whether we should. Where we have a couple of bids, I mean, I'd love to have five for each. It gives me a comfortable feeling, but when we get bids they're below your own estimate of how much it would cost to do it, and you have a second bid, I really don't think we ought to delay getting on with it. I think it's counter-productive. Now, if you've got a situation where you have two bids that's above your own estimate of how much it should cost, and the spread so it's obvious the high bid didn't even know what he was bidding on, then you've got a problem and I think it has to go back and say, oops, we've got these things that indicate this is not a good bid, and you go out and get more, but I really would hesitate to say you've got to have three every time there is a bid out there. I just don't think that is a good way to go and I think it would slow down, as is the case here, it would slow down getting on with things where you need to proceed rapidly. Commissioner Rayno said, I just can't believe it would be that hard to get three qualified bids. Any thing I do with my own business I can get three qualified bids. There are plenty of people out there looking for work. Mr. Lynch said, sir –.

Commissioner Murray said, but you have plenty of people though that don't want to do work for government, and I can –. I'm not saying that you're right or wrong with that. I just know that there are a lot of things that people will not bid on that are for governments, and then you've got other people who'd like to be able to get on bid list. So I don't –, I personally would not want to do a job for the government. Mr. Lynch said, thank you, sir, we appreciate –. Commissioner Murray said, I'm serious.

Commissioner Jackel said, I move for approval. Commissioner Odell said, second. Vice Chairman Thomas said, all in favor of the motion. Opposes? The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried.

**As to Item 10-F:**

**First renewal to annual contract to provide ammunition; Various Departments; G.T. Distributors, Gulf States Distributors and Master Cartridge Corp.; Amount varies by item; General Fund/M&O - Various, SSD - Various, Confiscated Funds - Various.**

Vice Chairman Thomas asked, who pulled that?

Commissioner Rayno said, that was mine. We had an earlier thing, it was approved, where we piggy-backed to get herbicides with the City and we got it at a lower price, yet on the ammunition thing we're going to stick with just the County. How come we don't try to piggy-back with the City on ammunition? Mr. George Lynch said, we will certainly explore that. We, in most cases, have got a pretty good idea of what their costs are. The way that it is bid, we obviously get a lot of participants, as you can see, we feel that we're getting excellent pricing, but we can make a specific check on the City prices. Not all are identical, I might add, but sure we can check that for you easily and get back to you on it. I'd be delighted to. Commissioner Rayno said, thank you. I move to approve. Commissioner Murray said, second. Commissioner Rivers said, second. Vice Chairman Thomas said, all in favor of the motion. The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried.] Vice Chairman Thomas said, the motion is carried.

**As to Item 10-K:**

**Change Order No. 6 to the contract for the construction of the new Tag Office for linking conduits between the new Tag Office and the Air National Guard Building; SPLOST; Collins Construction Services, Inc.; \$1,675; SPLOST (1993-1998) - Tag Office.**

Commissioner Murray said, George [Lynch]. Mr. Lynch said, yes sir. Commissioner Murray said, my question on this is with everything we went through, with the process we went through on getting that facility ready and all we did for the construction and the contract for the Tag Office, I realize we aren't talking about a lot of money on this, but why in the world would we come up short on that and the contract come up short? Mr. Lynch said, essentially a change in design to promote maintainability. Commissioner Murray asked, the design itself was changed after the contract? Mr. Lynch said, sir? Commissioner Murray asked, the design itself was changed after the contract was let? Mr. Lynch said, yes. Yes, that is entirely correct. What was found that caused this change to occur was that the way it had been laid out, number one, it would have involved overhead fiber lines between the two structures. Bearing in mind now you're tying into the cable head in the old Guard Building that is where that is. It was going to be an overhead. That, of course, if you've got high winds, things of that nature can cause you problems. The second thing was you were also the way it was run going to give you are requirement if you needed to get to it of having to go up into the ceilings in the Guard Building. This way you come down, you've got your cable tie-in, which occurs in a vault that you can get into easily to fix. Commissioner Murray said, I move for approval. Mr. Lynch said, we got smarter as we went along. Commissioner Kicklighter said, second.

Vice Chairman Thomas said, all those in favor. The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried.

**As to Item 10-N:**

**Annual contract with option to renew for two additional one-year terms to provide financial advisor services; Finance; A. G. Edwards & Sons, Inc.; Amount - N/A; Individual Bond Issue.**

Commissioner Jackel said, on one of these –, with SunTrust we're paying \$1.50 per \$1,000 bond? Mr. George Lynch said, yes sir. Commissioner Jackel said, with A. G. Edwards it's \$1.00 per \$1,000. Is that the main reason? Mr. Lynch said, yes, but there is more to it, sir, than that because you've got varying –. Commissioner Odell asked is it in the staff report? Mr. Lynch said, yes. Commissioner Odell said, okay. Mr. Lynch said, you've got varying amounts. When you have a minimum of \$10,000 on one, a zero amount minimum on the other, a \$25,000 cap on one, not on another. Let me tell you how I did it. We –, you start off with an assumption theoretically –. Commissioner Jackel said, I'm going to take your word on that. Mr. Lynch said, okay. Thank you, sir. Commissioner Murray said, you have to remember, he's a retired General from the Air Force.

Commissioner Jackel said, so moved. Commissioner Odell said, second. Vice Chairman Thomas said, all in favor. The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried. The Clerk asked, did we have a motion and a second on that? Commissioner Odell said, yes, he made it and I seconded it. The Clerk said, thank you.

**As to Item 10-O:**

**Six-month extension of a professional services contract for a human resources management consultant; Human Resources; Barbara A. Riner; NTE \$5,000; General Fund/M&O - Human Resources.**

Commissioner Rayno said, when we hire a consultant don't we tap their brain and get as much out of him as possible in as quick a period of time? When they filled out the –, the management consultant who did that work, didn't we find our how to implement this plan from them so that we don't need them here? Mr. George Lynch said, we are not going back to the consultant. Believe me, we couldn't afford them. We're using Barbara Riner, who had worked in the Chatham County personnel system prior to her retirement. She has nothing to do, no relationship with the big guys. I say high-priced spread, that isn't right, but we're not talking about the people of the prime contractor. What we need as a practical matter is somebody who knows our system, who also supported them when they were doing their study, who can help Michael [Kaigler] and his people implement the recommendations, and that's what she does. Commissioner Rayno said, it just seems like we duplicated there. We should have had people from Human Resources with those consultants the whole time so they were in-house and we wouldn't have to extend this contract. Mr. Lynch said, our problem, sir, is the fact that we have still not filled that position that was vacated by Barbara [Riner], and the cheapest way to do it –, I hate to keep using the word cheap, but believe me it's important. Commissioner Murray said, the less expensive way. Commissioner Odell said, most economic. Mr. Lynch said, most economic. I like that much better, is to go out and have a consultant who comes in at half the amount that's available and use her.

Commissioner Odell said, you've convinced me. I make a motion to approve. Commissioner Jackel said, second. Vice Chairman Thomas said, all in favor of the motion please vote. Opposes. The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried.

**ACTION OF THE BOARD:**

1. Commissioner Jackel moved to approve Items 10-B through 10-M except Items 10-C, 10-E, 10-F and 10-K. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]
2. Commissioner Odell moved to approve Item 10-A. Commissioner Jackel seconded the motion. Vice Chairman Thomas and Commissioners Rivers, Jackel, Murray, Odell and Kicklighter voted in favor of the motion. Commissioners Rayno and Gellatly voted in opposition. The motion carried by a vote of six to two. [NOTE: Chairman Hair was not present.]
3. Commissioner Murray moved to approve Item 10-C. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]
4. Commissioner Jackel moved to approve Item 10-E. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]
5. Commissioner Rayno moved to approve Item 10-F. Commissioners Rivers and Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]
6. Commissioner Murray moved to approve Item 10-K. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]
7. Commissioner Jackel moved to approve Item 10-N. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]
8. Commissioner Odell moved to approve Item 10-O. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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**XI. FIRST READINGS**

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

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

1. **AN AMENDMENT TO SECTION 601. STREET, SUBSECTION P. SIDEWALKS, OF THE CHATHAM COUNTY SUBDIVISION REGULATIONS TO REQUIRE SIDEWALKS ON ALL STREETS WITHIN NEW SUBDIVISION. THE MPC RECOMMENDED APPROVAL. MPC FILE NO. Z-001127-52232-1 [NO DISTRICT/TEXT AMENDMENT/UNINCORPORATED AREA.]**

**ACTION OF THE BOARD:**

Vice Chairman Thomas read this item into the record as the first reading.

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**XII. SECOND READINGS**

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 Murray said, I move for approval. Commissioner Odell said, second.

Commissioner Rayno said, I have discussion. Vice Chairman Thomas said, yes. Commissioner Rayno said, just about the docks. Mr. Hart? County Attorney Hart said, yes. Commissioner Rayno said, remember we talked earlier about the docks. If someone tries to put in a dock, what kind of bureaucratic nightmare are they going to face if we pass this today? County Attorney Hart said, you're not going to chase [sic] a nightmare. If you don't do this, you get to go to Atlanta and do that. Under the Marshlands Protection Act the Department of Natural Resources is the party of meaning on licensing, and what we did was we passed the ordinance under the Chatham County Ordinance that made the Engineering Department the person of significance within the County so those permits can be granted locally to the extent permitted by law. If we don't keep our ordinance current with the State regulations, we lose that right, and basically at that point anybody that wants to put a dock in or you want to get a determination of the marshlands or the buffers, if you want to build a house and you want to determine the setback, then you phone Atlanta and when they get around to coming down here to look at it, that's when we get it. Commissioner Rayno said, so the homeowner will have to call Atlanta to get approval-. County Attorney Hart said, correct. Commissioner Rayno said, for a dock. County Attorney Hart said, correct.

Commissioner Murray said, let me ask a question too while we're on docks. I assume it comes through Inspections and Engineering when a dock is done in Chatham County. Is that correct? County Engineer Al Bungard said, dock applications themselves are submitted directly to the DNR already. Commissioner Murray said, all right, now if you have an existing dock in a subdivision and you're putting a permit in to expand that dock for this subdivision, I guess for the homeowners association, do we look at anything -, what do we look at when we give approval or disapproval on that? County Engineer Bungard said, that must go to DNR. Commissioner Murray asked, the County is not involved in that at all? County Engineer Bungard said, we review it and make sure they have the DNR application. Commissioner Murray said, well, the reason I-. County Engineer Bungard said, by signing off, but the they are the approval authority for the dock itself. Commissioner Murray said, all right. The reason I asked this, there is a public dock at Dutch Island on the Causeway, as soon as you start to go across the Causeway on the left-hand side. There's not any parking unless you park on the shoulders of that road, and I understand they're putting a permit in now because the homeowners had a majority vote to expand that dock. Now what happens with the traffic? Doesn't the County Police go out and patrol that Causeway now? County Attorney Hart said, I don't think that's a public road. I think that access road there is a private road. That's always been an issue on Dutch Island like if a hurricane comes along and blows away the Causeway, who fixes it. Commissioner Murray said, but we do patrol the road though. County Attorney Hart said, yes sir, I think there's an agreement that was passed under -, there was a special act of the Legislature about six or seven years ago. It affected, I think, Dutch Island and Skidaway Island in which Chatham County -. Commissioner Murray said, my question is we would have no say-so in whether they can expand that dock facility or not, that would be strictly the DNR. Is that correct? County Engineer Bungard said, and that private property owner. Commissioner Murray said, thank you. I appreciate that.

Commissioner Jackel said, move for approval. Commissioner Murray said, it's already moved for approval. The motion carried unanimously. [NOTE: Chairman Hair was not present.]

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve an 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.). Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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

Commissioner Jackel said, move for approval. Commissioner Odell said, second. Commissioner Murray said, wait a minutes. Whoa, whoa, whoa. Vice Chairman Thomas asked, any discussion? Commissioner Jackel said, that's where we changed the fee. Assistant County Manager Monahan said, this reduces the amount of the filing fee Commissioner Murray. Commissioner Murray said, okay. Commissioner Odell said, it's a good fee. Commissioner Murray said, that's a good thing. Vice Chairman Thomas asked, and we'll wait until July? Assistant County Manager Monahan said, yes, it would be effective in July so as to get us through the fiscal year. Commissioner Murray said, it's not going to get us through anyway because people aren't going to pay to do it.

The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried.

**ACTION OF THE BOARD:**

Commissioner Jackel moved to approve an amendment to the Revenue Ordinance to change the fee for application to the Chatham County Zoning Board of Appeals as follows: Establish the public policy to reduce the fee structure for owner-occupied single-family residences to \$420 base fee (original filing fee at time of application), but postpone implementation of the reduced fee structure until July 1, 2001, and address how funding will be provided for the costs involved during the budget preparation process. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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**XIII. INFORMATION CALENDAR**

**1. PROGRESS REPORT ON GENERAL FUND CONTINGENCY ACCOUNT - M&O AND THE SPECIAL SERVICE DISTRICT (SEE ATTACHED).**

**ACTION OF THE BOARD:**

Written report received as information.

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**2. LIST OF PURCHASING ITEMS BETWEEN \$2,500 AND \$9,999 (SEE ATTACHED).**

**ACTION OF THE BOARD:**

Written report received as information.

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**EXECUTIVE SESSION**

Assistant County Manager Monahan said, Dr. Thomas, the Attorney would like to add one item in Executive Session regarding litigation and we also have personnel matters in the event that the Board would like to make any appointments to advisory boards.

Upon motion being made by Commissioner Rivers, seconded by Commissioner Odell and unanimously approved, the Board recessed at 1:40 p.m., to go into Executive Session for the purpose of discussing litigation and personnel. [NOTE: Chairman Hair was not present.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 1:55 p.m.

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**ITEMS FROM EXECUTIVE SESSION**

- 1. **CONFIRM SETTLEMENT OFFER TO DENNIS WRINGS REGARDING DAMAGES TO SAILBOAT (JON HART).**

**ACTION OF THE BOARD:**

Commissioner Murray moved to confirm the settlement offer to Dennis Wrings for loss of use, mileage and living expenses regarding damages to a sailboat which is used as his main residence in the amount of \$18,000 upon receipt of a full release or no funds will be paid. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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

**ACTION OF THE BOARD:**

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

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**APPOINTMENTS**

None.

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**ADJOURNMENT**

There being no further business to be brought before the Board, Vice Chairman Thomas declared the meeting adjourned at 1:57 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