

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, DECEMBER 21, 2001, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.

I. CALL TO ORDER

Chairman Billy Hair called the meeting to order at 9:00 a.m., Friday, December 21, 2001.

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II. INVOCATION

Mr. Van Johnson gave the invocation.

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III. PLEDGE OF ALLEGIANCE

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

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IV. ROLL CALL

The Clerk called the roll. [NOTE: District Three currently is without a representative.]

PRESENT:	Dr. Billy B. Hair, Chairman
	Dr. Priscilla D. Thomas, Vice Chairman, District Eight
	Frank G. Murray, Chairman Pro Tem, District Four
	Jeffrey D. Rayno, District One
	Joe Murray Rivers, District Two
	Harris Odell, Jr., District Five
	David M. Gellatly, District Six
	B. Dean Kicklighter, District Seven

IN ATTENDANCE:	R. E. Abolt, County Manager
	R. Jonathan Hart, County Attorney
	Sybil E. Tillman, County Clerk

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YOUTH COMMISSIONERS

Chairman Hair introduced the following Youth Commissioners who were in attendance: Kathryn Bernard, a Junior at Savannah Arts Academy, and Nolan Mell, a Sophomore at Benedictine Military School. On behalf of the Youth Commission Ms. Bernard wished everyone a merry Christmas and a happy holiday.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. **PROCLAMATIONS FOR THE FOLLOWING RETIREES:**
DIANNA HENDERSON - ASSESSOR'S OFFICE
ELAINE A. RUBNITZ - ASSESSOR'S OFFICE
RUTH POPE - LIBRARY
HESTER MCDONALD - LIBRARY
GERI WEST - LIBRARY
FAYE PATTERSON - LIBRARY
ALDRIDGE BELL - PUBLIC WORKS
GEORGE LYNCH - CENTRAL SERVICES

Chairman Hair presented the following proclamations:

WHEREAS, employees who have provided dedicated service for citizens of Chatham County deserve to be commended; today we express our appreciation to Dianna Henderson; and

WHEREAS, Dianna began her career with Chatham County in 1974 as a full time clerk and advanced to a Clerical Assistant II in the Returns and Homestead Exemption Division in the Assessor's Office under the direction of Elaine Rubnitz; and

WHEREAS, after 25 years of experience working with returns and homestead exemptions, Dianna was transferred to the Personal Property Division in the Assessor's Office. Dianna is known for her sense of humor and the ability to keep up the spirits of her fellow workers.

WHEREAS, Dianna is a native of Chatham County and a graduate of Sol C. Johnson High School where she was a majorette. She is a member of Central Baptist Church and has been the church's pianist since her childhood.

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

DIANNA HENDERSON

upon her retirement and express sincere appreciation for over 27 years of dedicated service to the Assessors's Office.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 21st day of December, 2001.

 Dr. Billy B. Hair, Chairman
 Chatham County Commission

ATTEST:

 Sybil E. Tillman, Clerk

WHEREAS, loyalty and dedication are trademarks of an excellent employee; today we recognize an employee who possesses those characteristics, Elaine A. Rubnitz; and

WHEREAS, Elaine Rubnitz, Deputy Receiver of Returns for the Tax Assessor's Office, has worked for Chatham County since December of 1957. She began her career in the Tax Commissioner's Office which at that time included the work of the Tax Assessor; and

WHEREAS, she has received great satisfaction and joy out of helping senior citizens who came to her office and has received numerous thank you notes from grateful people for whom she has gone the extra mile to be helpful and friendly; and

WHEREAS, in addition to her duties, she enjoyed serving on the Employees Pension Board for approximately 20 years; and

WHEREAS, after 41 years of working as the Deputy Tax Receiver of Returns and Homestead Exemptions, Elaine was transferred to the Personal Property Division.

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

ELAINE RUBNITZ

upon her retirement and express sincere appreciation for over 44 years of dedicated service to the Chatham County Tax Assessor's Office.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 21st day of December, 2001.

Dr. Billy B. Hair, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

WHEREAS, it is befitting that we recognize employees who have provided dedicated service to Chatham County, and in that regard, we salute with pride, Ruth Pope; and

WHEREAS, Ruth Pope began her career at the CEL Regional Library on January 2, 1971 working in the Ogeechee Branch Library as part of the Model Cities library program and during her 31 years at the Ogeechee Branch, she introduced scores of children to the joy of reading; and

WHEREAS, Mrs. Pope feels that working with children has been her greatest achievement and has done hundreds of story hour programs for hundreds of children and has taught them how to make books a part of their daily lives; and

WHEREAS, in addition to her work with the library, Ruth Pope has worked with various community agencies including the Economic Opportunity Authority and the West Broad Street Y and she is very active in her church, First African Baptist Church, where she very much enjoys singing in their choir.

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

RUTH POPE

upon her retirement and express sincere appreciation for 31 years of dedicated service to the CEL Regional Library.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 21st day of December, 2001.

Dr. Billy B. Hair, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

WHEREAS, dedicated employees are deserving of praise; today we show our appreciation to one who will be retiring December 31,2001, Hester McDonald; and

WHEREAS, Hester McDonald was hired as a Clerk-Typist in the Technical Services Department of the Library on October 5, 1971 and her abilities as a clerical assistant have always been in demand in Technical Services as well as other areas in the library and her long tenure has made her the unofficial historian for the library; and

WHEREAS, Hester is a devote member of Whitfield United Methodist Church where she enjoys singing in the choir and she and her husband Jim have been very active in local Scottish heritage activities.

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

HESTER MCDONALD

upon her retirement and express sincere appreciation for over 30 years of dedicated service to the CEL Regional Library.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 21st day of December, 2001.

Dr. Billy B. Hair, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

WHEREAS, there comes a time when an employee decides to retire and reap the rewards of their labor, in that respect, we salute, Geri West who will be retiring on January 7, 2002; and

WHEREAS, Geri began her career with the library as a Library Assistant in the Technical Services Department on May 24, 1979 and was promoted to Library Associate in 1985, most recently working in the Bull Street Branch Reference Department; and

WHEREAS, in addition to her many tasks at the library, Geri is an excellent cook and her cooking is often requested for the library's celebrations; and

WHEREAS, she is a member of the St. John Baptist Church where she sings in the choir and is in charge of the library. Geri is also a member of the American Legion Post 500 Auxiliary, the SSU Alumni Association and the SSU Booster Club.

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

GERI WEST

upon her retirement and express sincere appreciation for over 22 years of dedicated service to the CEL Regional Library.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 21st day of December 2001.

Dr. Billy B. Hair, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

WHEREAS, time brings on changes - a change from the role of employee to retiree, and today we salute Faye Patterson who retired on December 9, 2001; and

WHEREAS, Faye Patterson began working with the Library as a Page on October 5, 1987 and became a Library Assistant I in the Audio Visual Department in December of 1991. She later moved into her position at the Islands branch and as an avid film buff, began intimately serving her neighborhood; and

WHEREAS, Faye is a voracious reader which makes her an invaluable reader's advisor and she is a gifted craftswoman, making beautiful beadwork and jewelry.

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

FAYE PATTERSON

upon her retirement and express sincere appreciation for over 14 years of dedicated service to the CEL Regional Library.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 21st day of December, 2001.

Dr. Billy B. Hair, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

WHEREAS, Aldridge Bell, a dedicated employee of Chatham County Public Works, began his employment in the Road Maintenance section on November 25, 1974 and will be retiring December 29, 2001; and

WHEREAS, Aldridge Bell is considered a "Master of Medium Mowing" and has received commendation from the City of Savannah for his outstanding work in the Cuyler/Brownville Community; and

WHEREAS, Mr. Bell, while employed with Chatham County Public Works, served with the Department of Navy, United States Naval Reserve Readiness Command throughout most of his tenure; and

WHEREAS, he has been a good influence on his co-workers and is willing and able to assist where needed. He has always been a hard worker and has become familiar with all aspects of ground maintenance in the Road Maintenance section.

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

ALDRIDGE BELL

on his retirement and express sincere appreciation for over 27 years of dedicated service to the Chatham County Public Works Department.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 21st day of December 2001.

Dr. Billy B. Hair, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

WHEREAS, George Lynch, Central Services Director of Chatham County, will be retiring after 15 years of dedicated service to this community in the public management of general administrative services and capital projects; and

WHEREAS, Mr. Lynch will be remembered for his can-do attitude, which he applied in every task he undertook from promoting best practices in procurement and administrative support services to management of several high-profile public projects; and

WHEREAS, Mr. Lynch's legacy will be the tradition of excellence he established by advancing procurement policies and procedures of fairness and inclusiveness, promoting responsiveness to internal support through customer-driven administrative services, sustaining high ethical standards in every decision and completing important community capital projects from design to construction; and

WHEREAS, no better testament stands to the diversity of Mr. Lynch's achievements as a public manager than his work in modernizing Chatham County's *Purchasing Ordinance and Procedures Manual* and his leadership in the design and construction of courtrooms and offices in the Courthouse and Annex, Chatham County Tag Office, Chatham County Mosquito Control, Aquatic Center, Soccer Complex, Weightlifting Center, Tybee Pier and Pavilion, Juvenile Court, Chatham County Administrative Annex and the Trade Center.

NOW THEREFORE, I, Billy B. Hair, as Chairman, with the Board of Commissioners of Chatham County, upon the retirement of George Lynch, do hereby recognize his contributions to the people of this community and state, and to his profession, and do wish him well in his retirement.

Dr. Billy B. Hair, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

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VI. CHAIRMAN'S ITEMS

1. REQUEST TO ADD A RESOLUTION TO PROVIDE FOR THE USE OF THREE (3) BOARDS OF EQUALIZATION AS AUTHORIZED BY GEORGIA LAW.

Chairman Hair said, that takes us to Commissioners Items. There's only one this morning and this is basically a technicality. By law we have to pass a resolution providing for the use of three Boards of Equalization as authorized by Georgia law, and I'll entertain a motion to do so.

Commissioner Murray said, I move to approve. Chairman Hair asked, second? Commissioner Thomas said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: District Three was not represented.] Chairman Hair said, the motion passes. Thank you very much.

ACTION OF THE BOARD:

Commissioner Murray moved to approve the request to adopt a resolution to provide for the use of three Boards of Equalization, as authorized by Georgia law. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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VII. COMMISSIONERS' ITEMS

None.

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VIII. TABLED/POSTPONED ITEMS

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

1. **MIKE WEDINCAMP REQUESTING A CURB CUT OFF OF JIMMY DELOACH PARKWAY (COMMISSIONER KICKLIGHTER).**
Tabled at meeting of May 25, 2001.

ACTION OF THE BOARD:

This item was not untabled for consideration by the Commissioners.

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Note: At the meeting of October 5, 2001, Second Reading items 2 and 3 were continued to the meeting of December 7, 2001.

At meeting of December 7, 2001, Second Reading items 2 and 3 were continued to the first meeting in March 2002.

2. **REPORT ON SUBSEQUENT ACTION TAKEN BY THE PLANNING COMMISSION REGARDING MPC FILE NO. Z-010612-37306-1 (REFERENCE FILE NO. 98-12425-C), PETITIONER, JAMES B. BLACKBURN, JR., AGENT FOR OWNERS HOMER CURTIS JENKINS, III, AND MARVIN C. JENKINS.**

– OR –

3. **THE PETITIONER, JAMES B. BLACKBURN, JR., AGENT FOR OWNERS HOMER CURTIS JENKINS, III, AND MARVIN C. JENKINS, IS REQUESTING THAT A PORTION OF A LOT SHOWN ON THE COUNTY TAX MAPS AS A 0.3 ACRE PARCEL LOCATED ON WHITEMARSH ISLAND AT 1032 OLD OATLAND ISLAND ROAD AND A PORTION OF AN ADJOINING 0.7 ACRE UNDEVELOPED PARCEL BE REZONED FROM AN R-1 (ONE-FAMILY RESIDENTIAL) ZONING CLASSIFICATION TO A P-B-N (PLANNED NEIGHBORHOOD BUSINESS) CLASSIFICATION TO ESTABLISH AN OFFICE, RESTAURANT OR RETAIL STORE. THE MPC DID NOT SUBMIT A REPORT WITHIN A 30 DAY PERIOD FROM THE DATE THAT THIS PETITION WAS SUBMITTED AND, IN ACCORDANCE WITH SECTION 11-2.6 OF THE CHATHAM COUNTY ZONING ORDINANCE, IS DEEMED TO HAVE APPROVED THE REQUESTED CHANGE.**
MPC FILE NO. Z-010612-37306-1 (REFERENCE FILE NO. 98-12425-C)
[DISTRICT 4.]

ACTION OF THE BOARD:

Items 2 and 3 will be untabled for consideration by the Commissioners at the first meeting in March 2002.

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- * 4. **BOARD OF ASSESSORS (COMMISSIONER MURRAY). BOARD OF ASSESSORS AND MR. UDINSKY HAVE BEEN INVITED TO BE PRESENT.**
At meeting of November 2, 2001, Commissioner Rivers requested reconsideration at meeting of November 16, 2001.
At meeting of November 16, 2001, show cause hearing set for December 7, 2001.
At meeting of December 7, 2001, item was not untabled.

ACTION OF THE BOARD:

This item was not untabled for consideration by the Commissioners.

5. **SECOND READING - AMENDMENTS TO CHAPTER 7 OF THE CHATHAM COUNTY CODE ENTITLED "TAXATION AND REVENUES" TO INCORPORATE THE CURRENT LAW.**
At meeting of November 2, 2001, item was tabled until the Board has an opportunity to sit down with the Board of Assessors to discuss changes to the Chief Appraiser's title.

ACTION OF THE BOARD:

This item was not untabled for consideration by the Commissioners.

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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 CONTINGENCY TRANSFER OF \$34,100 FOR HAZ-MAT TEAM EXPENDITURES AND A GENERAL FUND M&O CONTINGENCY TRANSFER OF \$41,500 FOR THE THIRD DISTRICT SPECIAL ELECTION.

Chairman Hair said, I'll entertain a motion. Commissioner Thomas said, move for approval. Chairman Hair asked, second? Commissioner Odell said, second. Chairman Hair recognized Commissioner Murray.

Commissioner Murray asked, Russ [Abolt]? County Manager Abolt said, yes sir. Commissioner Murray asked, on the \$34,000 back when this was created, wasn't it created where the industries in the community would pay this? County Manager Abolt said, it was a multi-jurisdictional thing. Yes, you're correct on that, but the County and the City of Savannah had a contribution. Commissioner Murray said, all right. On the other one, the \$41,500 for the Third District Special Election -. County Manager Abolt said, yes sir. Commissioner Murray asked, I notice that's all coming out of M&O. County Manager Abolt said, yes sir. Commissioner Murray said, part of that district does fall in the Special Service District and I'd like to see us break it down where in a percentage, if it can be done that way, where whatever percentage we have in the Special Service District pays that and then M&O -. County Manager Abolt said, I'll work with Mr. Persaud on it if that can be done. Commissioner Murray said, if it can be done that way I think it's only fair that we do that. Elections has been an M&O function.

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

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the following: A General Fund M&O Contingency transfer of \$34,100 for Haz-Mat Team expenditures and a General Fund M&O Contingency transfer of \$41,500 fo the third District Special Election. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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2. POLICY TO KEEP CURRENT YOUR LIST OF TABLED ITEMS ON THE REGULAR AGENDA.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, yes. Dr. Hair, Dr. Thomas, gentleman, this is an item that really Mr. Hart and I thought was already in place. It was only after we began to see accumulation of several items under the tabled section of your agenda that we realized we failed to bring back to you something you all had discussed many, many months ago. I'll defer to Mr. Hart for, in effect, what amounts to just your official direction to us to be allowed to cleanse the agenda periodically. Chairman Hair said, it's a good policy. Go ahead, Mr. Hart.

County Attorney Hart said, all this is, is a housekeeping matter. We accumulate tabled items that never seem to get off the agenda. Y'all just need to set a rule that, you know, when something is not going to be brought up, and I suggest going by three meetings, four meeting, whatever you choose, that if it's not brought back up that we be allowed just to get it off the -, get it off the books, and obviously if somebody wanted to keep it on -. Chairman Hair said, they could bring the action another time. County Attorney Hart said, they could certainly bring it right back up, but I need sort of a guideline of whether you want to go for three meetings, four meetings, whatever you choose.

Chairman Hair asked, what's the wishes -, I think three meetings. Commissioner Murray said, I think three is enough. Chairman Hair said, I think that's plenty of time. Again, the Commission could always bring it back up at a later time if they want to. They're not precluded from doing that. So three meetings. I'll entertain a motion to approve. Commissioner Rayno said, motion to approve. Chairman Hair asked, second? Commissioner Thomas said, second. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

ACTION OF THE BOARD:

Commissioner Rayno moved to approve the following policy to keep current the list of tabled items on the regular agenda: An item will be removed from the agenda after a period of three meetings without being brought before the Commissioners for consideration. Commissioners Gellatly and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

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3. CONFIRMATION OF PURCHASE OPTION AND USE AGREEMENT FOR TRADE CENTER (COMPLETES LEGAL REQUIREMENTS FOR \$17.7 MILLION IN STATE FUNDING). DEEDS A PORTION TO THE STATE OF GEORGIA.

County Manager Abolt said, Mr. Chairman, as you're aware because you've executed it, this is hopefully the last duration prior to receipt of the \$17.7 million. In talking to Mr. Monahan, we would expect certainly in the next few days to receive that money wired to us, but signing this agreement, and you'll note and as you've indicated in the title, a portion of the Trade Center project is deeded to the State of Georgia, but this should consummate it and it'll be behind us.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Murray said, so moved. Chairman Hair asked, second? Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: District Three was not represented.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved to confirm Purchase Option and Use Agreement for Trade Center, completing legal requirements for \$17.7 million in State funding, which Purchase Option deeds a portion of the Trade Center to the State of Georgia for purposes of ownership in conformance with bond documents, and the Use Agreement leases all property and improvements to Chatham County for 50 years. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

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4. REQUEST BOARD ADOPT A POLICY THAT ESTABLISHES THE COUNTY'S POSITION FOR DAMAGE TO PRIVATE PROPERTY FROM TREES IN UNINCORPORATED RIGHTS-OF-WAY. [ALL DISTRICTS, UNINCORPORATED AREA.]

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, members of the Board, it's come to our attention recently we do not have a uniform policy in dealing with any damage done to public [sic] property as a result of tree root growth and other residual effects of trees in the right-of-way. We're in effect asking that we adopt —, have you adopt I should say, the same policy of the City of Savannah that we would pick up the cost for damages if the tree is unstable to such improvements as sidewalks, curbs and roadways. The property owner would be responsible for the cost of repair to their driveway.

Chairman Hair said, I'll entertain a motion. Commissioner Murray said, move for approval. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. the motion carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

ACTION OF THE BOARD:

Commissioner Murray moved to adopt the same policy as that of the City of Savannah for tree damage as the County's position for damage to private property from trees in unincorporated rights-of-way. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

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5. SHOW CAUSE HEARING FOR REMOVAL OF MEMBERS OF BOARD OF ASSESSORS. Delayed from meeting of December 7, 2001. Recommend this be held at the end of the meeting.

Chairman Hair said, the hearing will follow our regular session.

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The Clerk called the roll to enter into the record that all Commissioners were present for the hearing.

Chairman Hair said, I would also acknowledge for the record that this is a public hearing and is subject to the Open Meetings Act. Prior to getting into the procedures, I would like to deal with a couple of housekeeping items. We will take a ten-minute break each hour. We will take a lunch break at the appropriate time, and I'd also like to announce at the beginning of this hearing that in the interest of being fair and impartial since my lawsuit has been in question, but it never was with the Board of Assessors or Board of Equalization, my lawsuit has been dismissed voluntarily by myself

so I no longer have a lawsuit, so therefore that should remove any doubt about fair and impartiality. I also would like to state for the record that we're going to hold this hearing in a very orderly fashion and we will not tolerate any inappropriate conduct or behavior or rudeness will not be tolerated. You will be warned and if you cannot abide by the rules of this Commission in conducting this hearing, you will be asked to be removed from the premises.

Chairman Hair said, this is the legal statement that I need to make for the record. This hearing is being held pursuant to the terms and provisions of Section 48-5-295(b) of the Official Code of Georgia Annotated to determine whether there exists cause to remove Jackie Sommers, Patricia Stringer and Elijah McGraw from Chatham County Board of Assessors. The general procedure for this hearing will be as follows: I will preside over the hearing as Chairman of the Board of County Commissioners. The hearing will follow the general format and the County Attorney shall have the opportunity to make an opening statement to the Board outlining the evidence to be presented which will justify the removal for cause. Counsel for Jackie Sommers, Pat Stringer and Elijah McGraw individually may then make an brief opening statement. All statements of the parties should be short and made in a non-argumentative fashion. After the conclusion of opening statements the County Attorney will present witnesses. The County Attorney will call and swear each witness and ask questions on direct or cross-examination. The attorneys for Jackie Sommers, Pat Stringer and Elijah McGraw individually may ask questions on cross-examination of each witness. I would suggest that if the County Commissioners wish to ask a question, we wait until there's a completion of examination by one of the attorneys and I will recognize them at that time unless there's something that just simply cannot be clarified by the answer. After the County Attorney had concluded calling those witnesses, the attorneys for Jackie Sommers, Patricia Stringer and Elijah McGraw may elect among themselves the order of the presentation if their witnesses and call such witnesses as they may desire and the County Attorney may, if he elects, cross-examine each of their witnesses. All witnesses shall be called to testify only as to the issue regarding removal for cause. After the evidence is concluded, the attorneys for Jackie Sommers and Patricia Stringer and Elijah McGraw may orally present to the Board their reasons based upon the evidence why Jackie Sommers, Patricia Stringer and Elijah McGraw should not be removed for cause. The County Attorney may then orally present to the Board the reasons why Jackie Sommers, Patricia Stringer and Elijah McGraw should be removed for cause. We may, if we decide to do so, deliberate the evidence in closed session. If so, and upon proper motion and second and approved by the majority of the Board, will retire in a closed session to deliberate. However, any motion to remove Jackie Sommers, Patricia Stringer and Elijah McGraw for cause must be made and will be made in open session. This motion will be made and properly seconded and votes will find whether or not there is sufficient cause to remove Jackie Sommers, Patricia Stringer and Elijah McGraw as members of the Board of Assessors. One other item I'd like to point out in order to speed the hearing up, I'm going to ask the County Attorney if he will limit his examination to five minutes approximately and we will give the counsel on the other side ten minutes. If you go over, I won't cut you off in mid-sentence, but try to keep it to ten minutes if you possibly can. We want to give you fair and equal opportunity, but try to —, we have a number of witnesses and we want to try to get them all in. I now will entertain a motion --.

Commissioner Rayno said, Mr. Chairman, just for a point of order and clarification. If you could please, tell me who wrote the charges against the Board of Assessors because I never wrote any of them. The first time I saw them was the time they were delivered to Mr. Sommers and Ms. Stringer and —. Chairman Hair said, Mr. Jon Hart will address your point of order. County Attorney Hart said, sure. The County Attorney's office wrote the —, all of the charges as contained in that letter. If you will recall, at the last meeting of the show cause —, well, maybe it was at the meeting before. I'm not sure which. I think it was at the last meeting. No, it must have been the meeting before because it was continued at the last meeting, the Commission as a whole took a vote that they wanted to have a show cause hearing in the matter. We approached each of the individual Commissioners on —, shortly after Executive Session or within a day or so thereafter and requested them to provide the County Attorney's office any information or purposes that they wanted to discuss or to be included within the charges. As I told you at that meeting, this is your hearing and these are your counts and your charges and that we would then incorporate them into a letter that we felt represented the consensus of what we received. Some people participated in that process and some people chose not to. I think I spoke to Commissioner Rayno out in the hall right —, shortly after Executive Session and he indicated that he did not wish to participate in the charges. I respect that and obviously those charges in the letter don't contain any of his thoughts. We took probably four or five little sheets of scraps of paper that we received from various people and tried to consolidate them into some type of a letter that gave the parties notice and the opportunity to be heard. Commissioner Rayno said, I just wanted to say, I think this is highly unusual that our name was put on these charges when we weren't given a chance to discuss them before they were presented to Mr. Sommers, Ms. Stringer and Mr. McGraw. County Attorney Hart said, I did what I was instructed to do by the County Commission in Executive Session, which was to take the information y'all were to provide me, put them in a legal format in a notice letter, and I did that.

Chairman Hair said, thank you, Mr. Hart. We will now begin the hearing and I'll ask the County Attorney to make an opening statement.

Mr. Tony Center said, before that opening statement, as I understand, we are going to sequester the witnesses. I'd like to get some things on the record. Chairman Hair said, that is correct. I'd like to entertain a motion to sequester the witnesses. Commissioner Murray said, so moved. Commissioner Rivers said, so moved. Chairman Hair asked, second? Commissioner Thomas said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Chairman Hair said, I'll ask all witnesses in this matter to retire to the Green Room and be sequestered please. All witnesses. If you're going to testify at this trial, you need to be sequestered, you need to go in —. Mr. Center said, [inaudible]. County Attorney Hart said, that's anybody that's going to testify on either side. Chairman Hair said, either side. If you're going to testify, you need to be sequestered. If you're not sequestered,

you will not be allowed to testify. I want to make that clear. Mr. Walter Hartridge said, [inaudible] Callahan, Mr. —. Chairman Hair said, everyone being sequestered. All of your witnesses need to go. Mr. Center asked, and there will be a room where they're not going to be able to hear? Chairman Hair said, they're right there in the room right next to us. Mr. Center asked, this is not piped into that room, is it? Commissioner Thomas said, oh, no, no, no. Chairman Hair said, no it's not. Commissioner Rayno said, Mr. Thompson will close that door when they're all through.

Mr. McGraw said, I don't have an attorney and when we have the witness giving their testimony, can I ask the questions because I don't have an attorney? Chairman Hair asked, Mr. Hart? I would think so. Mr. McGraw said in the absence of an attorney could he also question the witnesses on his own behalf. County Attorney Hart said, sure. Chairman Hair said, okay, that's fine, Mr. McGraw. Thank you. Good question. Okay, Mr. Hart, opening statement.

An unidentified woman in the audience asked, is the average taxpayer going to have a chance to speak? Chairman Hair said, no ma'am, this is —, every —, both sides had a chance to list any witness they wanted to list. If they wanted to list a witness, they had the right to do that. They have to submit the witnesses to the other party, that's been done. If they wanted anyone to —, if you wanted to be a witness you had to be put on the witness list by one of the attorneys.

Mr. Center asked, may I make one more motion before the opening statement? Chairman Hair said, certainly. Mr. Center said, and I make this with a little concern. Mr. Chairman, you've always been perfectly cooperative with me. When I've asked for something, you've always been gracious with your time, open, hospitable. I've never gotten anything I've asked for, but you've been very nice in all other respects, but I would move to recuse you not just on the conflict which you have removed, but based on your statements in the November 16th hearing. As you know, we are here today to find if there's legal cause to remove my client and others, and your decision has to be based on legal cause. But in your statements of November 16th you stated, when —, when arguing in support of this hearing, I think if we take some action today, then I think we have a chance of influencing decisions in the future, and that's an inappropriate legal reason to remove people, and I'm concerned that you've already made up your mind on your vote and I ask you to recuse yourself based upon fundamental fairness. Chairman Hair said, in the —, I believe that I can act impartially and will act impartially and I refuse to recuse myself. If one of the Commissioners wants to make a motion to recuse me, they're certainly welcome to do so. If that motion passes, I'll be glad to be recused. Commissioner Rayno said, I make the motion that Billy Hair recuse himself. Chairman Hair asked, does that motion —, does that motion have a second? Commissioner Rivers said, second. County Attorney Hart said, excuse me. Before there is —, before the motion for recusal, we need a statement for the reason for recusing. Chairman Hair asked, what's the reason for —? Commissioner Rayno said, I believe you've already made your mind up in statements in the November 16th meeting of the County Commission. Chairman Hair said, all right. The motion and second to recuse me has a second. All those in favor —. Commissioner Odell said, point of —, point of clarification. Point of order. Would that relate to anyone who's made any statement? We're just isolating and singling Billy [Hair] out, but I think Jeff [Rayno] has made statements regarding Mr. Udinsky. Should he also be recused? Commissioner Rayno said, I —, you know, recusal —. Commissioner Odell said, we'll end up with one person up here making the decision. Commissioner Kicklighter said, that said, and if I can add to the discussion, I believe we pretty much before this hearing, we know where each one of us stood prior to this meeting, but hopefully we're all intelligent enough and take our jobs serious enough to give them due process now —. Commissioner Thomas said, exactly. Commissioner Kicklighter said, listen to the facts that they present now, and if they can persuade you to change whatever opinion you had, that's what this is, a due process hearing, but I know where Mr. Rayno stood previously, I know where everyone here stood. So that's —, I mean, I admire you for doing your job and doing it well over there, but that would be all of us would have to recuse ourselves if it's for having an opinion before this meeting because had we not had an opinion, we would not be at this meeting. There would be no meeting.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, [inaudible] comments I withdraw my motion. Commissioner Murray said, [inaudible] will have to withdraw his motion. Chairman Hair said, motion's withdrawn. Do you withdraw the second? [Inaudible.] Chairman Hair said, the second's withdrawn. Okay. Mr. Hart, opening statement.

Mr. Hartridge said, excuse me, sir, briefly. Mr. Sommers would like to have you recuse yourself because it's his position that you've advised Mr. Sommers and Ms. Stringer to resign or one of them to resign. Chairman Hair said, if a Commissioner wants to make a motion to recuse me, they're certainly welcome to do so. Any Commissioner want to do so? Thank you. Commissioner Kicklighter said, again, we all asked them to resign. Chairman Hair said, okay, thank you, Mr. Kicklighter. Mr. Hart, hopefully now. Any more motions? Okay, Mr. Hart, opening statement.

County Attorney Hart said, good morning. Mr. Center said, oh, one other comment, I'm sorry. We were discussing that. In our going through the documents we came across a e-mail trail that involved Commissioner Murray. One of the charges against my client involves the Performance Review Board and I —, since we have not conducted this as you would a courtroom, we don't know in advance exactly, you know, the charges contended, but we have discovered in looking through the documents, I think Mr. Sommers got in Open Record Act, some e-mail trails from a Neill McDonald to Mr. Udinsky to Commissioner Murray that seem to indicate that Mr. Murray, Commissioner Murray had some efforts in trying to change that Performance Review Board report before it was issued and that the original draft was very harshly against Mr. Udinsky and did not say anything bad about our clients, and Mr. McDonald's e-mail —, and made copies for all the Commissioners —, we gave this to the County Attorney when we met with him Tuesday afternoon. We were thinking since that's one of the charges, we'd like to hear an explanation. Chairman Hair said, again, I'm going

to call on Commissioner Murray to —. Mr. Center said, we move to recuse himself [inaudible]. Chairman Hair said, we're going to ask Commissioner Murray to make a com —. Commissioner Odell asked, why do we even need to address that? Chairman Hair said, I don't think —. Commissioner Odell asked, do we legally have to address that? Chairman Hair said, if a Commissioner wants to —. County Attorney Hart said, y'all get to ask questions. Y'all are not here to answer those questions like that. Commissioner Odell said, I don't think we even need to address that. Chairman Hair said, I don't either. Commissioner Odell asked, do we legally have to address that? I mean, we're not on trial. Commissioner Murray said, I'd like to see [inaudible]. Chairman Hair said, again, if any Commissioner wants to make a motion to recuse Mr. Murray, I'd be glad to entertain it. Hearing none, I'll call on Commissioner Murray.

Commissioner Murray said, yes, first of all I'd like to see a copy. If I'm not mistaken, it's an e-mail that I e-mailed back when I was in Kuwait serving with the National Guard. I don't have to respond [inaudible]. Yes, I did receive an e-mail and I forwarded the e-mail to the County Manager, if I'm not mistaken, and asked him to please look into it and see if these allegations were correct. And if that's the reason for you to come back, it has nothing to do with what's going on with this show cause hearing today, but if you want to make an issue out of it, then let's make an issue out of it, but if you've got something to say, go ahead and say it while everybody's out here and let's get it out in the open. Mr. Center said, I'm formally asking you to recuse yourself. Commissioner Murray said, I will not do that. Chairman Hair said, and there [inaudible] —. Commissioner Murray said, and there isn't grounds to ask me to do that? Chairman Hair said, Commissioner Murray refuses to recuse himself. There is no motion to recuse himself, the point is completed. Mr. Hart?

County Attorney Hart said, good morning. Again. Commissioner Odell said, Jon [Hart], before you start, if I could. People —, I'm sorry. Witnesses were notified to be here at 11:05. It's not 11:05, so what I would ask is that if the guard on the —. County Attorney Hart said, I've already done that. Commissioner Odell said, invoke the —. He's going to do that? County Attorney Hart said, yes. We've instructed the guard that anybody that shows up to come in here, make sure they're not a witness and tell them to just wait outside. Commissioner Odell said, my daughter's going to come in and she's not a witness. Chairman Hair said, okay, Mr. Hart. Without further interruption, I hope we can get your opening statement.

County Attorney Hart said, good morning. This is a show cause hearing under the Georgia Code which basically says that this Commission, if it chooses to, has the right to remove a Board of Assessor member for cause, and that's the only real issue we have here today. Is there cause to remove the three Board of Assessor members that are here today. It's not about a bunch of collateral issues, it's not about a bunch of other things that do not deal with that particular charge that's required in law to demonstrate and show cause. After —, two Commission meetings ago the Commission voted that they wanted to have a show cause meeting and we got together and people participated in the process of delivering charges. Those charges have been delivered to each of the defendants. They've been in writing. It's been given them a notice and an opportunity to be heard here today, and we're anxious to hear them, what they have to say. The charges in this matter basically boil down to a number of items. Some of the charges vary among the various Commission —, uh, Board of Assessor members. For example, Mr. McGraw's charge letter is much shorter than the rest of them, and it talks about Performance Review Board, it talks about one other charge of how he conducts himself at the meetings. He's been on the Board of Assessors Board [sic] a relatively short period of time and, therefore, his charge letter is much more confined. You will need to consider the evidence of each one of these people on an individual basis, and so when you look to whether you believe there's cause, please look and make a determination as to what you think about whether there's cause for Mr. Sommers or Mrs. Stringer or, in that matter, Mr. McGraw. I caution you to make sure that you do that throughout this hearing. Don't bunch everybody together, but consider them separately. I regard to Mr. Sommers he had the longer charge letter and basically there are two items in that charge letter that vary from the others. One is that this Board some time ago made a ruling. The rule is very simple. If we ask you to serve on a public board, we only want you serving on one public board at a time. Mr. Sommers at that time was on the Hospital Authority as a Chatham County representative. At the time he was appointed to the Board of Assessors Board he received notification by letter telling him that it was time for him to serve and congratulating on him —, him on service. It also informed him at that time that it would be necessary for him to resign from that board. He did not do that and he is in violation of your rule. And we contend and will show evidence that we think that that in and of itself violates your ruling and would constitute cause. There is also an issue in regard —, there are other issues in regard to these charge letters of the contacting of personnel of the Board of Assessors contrary to their policy of going through the Chief Appraiser, much like you would if you had something you wanted to bring up in regard to an act within this organization of the County. You would go to the County Manager with your problem, the County Manager would deal with that department head or that department employee accordingly. You obviously would have access and input into that process, but you would not go directly to a staff member in your Commission capacity and bypass the County Manager, and that is the same type of situation we have at the Board of Assessors and, as a matter of fact, they decided that that was their policy. And some members, more particularly Mr. Sommers, we believe the evidence will show, and Ms. Stringer ignored that policy. We also have raised the issue of being discourteous, disrespectful to staff. When you become a Chatham County employee, we believe the evidence will show, that you have the right to come to work, work hard and do your job, but you have a right to be treated accordingly to what —, as you would be expected to be treated in any other place of employment. Board members have at times, in effect, more particularly Mr. Sommers and Ms. Stringer, have a responsibility to oversee the preparation of the digest. That digest will be submitted to the Department of Revenue, the Department of Revenue will rule on that digest. They do that as a body, a deliberative body to make a rule —, make a decision. I believe the evidence is going to show that subsequent to approving that digest two of the board members, Stringer and Sommers, attempted to place addendums to that board —, that digest in stating inflammatory statements that were not based in fact or reality, but basically said the Chief Appraiser and staff was cooking the books. We think that if that is what they —, they allowed to happen within the Board of Assessors, that in

and of itself would be reason to remove them. We believe that the evidence is going to come primarily from a broad range of people. We're going to hear from staff members who work over there and they're going to tell you how they're treated and they're going to tell you what they observe and see in board rooms and how these people act in the public meeting. They don't come here lightly, they don't come here wanting to be here. As a matter of fact, some of them have concerns about being here, but they're here and they're going to tell the truth and I wish that you would listen to them very closely. We're going to have employees that were former members of the Appraiser's staff, but because of the conditions there elected to leave that department and go elsewhere to work. They enjoyed their work there, they could no longer handle the way they were treated. We're going to hear from members of the general public that have attended board meetings and have had the opportunity to observe how these people act in public doing the people's business, and they will talk about how they act and what they do. We will also present an independent finding that is in your notebooks before you as part of the evidence that will clearly demonstrate abundance of reasons about an independent group found about how they act, how they treat people and whether they can act harmoniously, whether they serve the public good, and whether they deserve to continue to serve on that board. And finally we'll take the statements of Mr. Sommers before this Commission on two separate occasions in which he clearly stated they had committed problems and they all needed to go. Now we think at the conclusion of this evidence that there's going to be an abundance of evidence of cause and at the conclusion of this hearing it's going to be our responsibility and the duty you charged with —, charged me with me with to present the evidence for cause. We think we will sustain that burden, and it's not going to be a question of whether there's cause for these people to go, it's going to be a question of whether this Commission has the will to see them go. Thank you.

Chairman Hair said, thank you, Mr. Hart. I'll now call on —. Commissioner Rayno said, Mr. —, Mr. Chairman, just for a point of clarification 'cause I think it'll affect the whole proceeding. I'm wondering what procedure the Board of Assessors is run under. Is it the policy book, this one here. Is this the one they're supposed to follow? County Attorney Hart said, no. The Board of Assessors is an independent body that has the right to set policies within the parameters of the law and the Department of Revenue rules that are submitted by the State Department of Revenue. If the employees, which are employees of Chatham County, which means staff members of Chatham County, they are subject and do have rights under the blue book which Mr. Rayno has held up, which is the employee personnel book, and they are vested with those rights and privileges accordingly under that book. Commissioner Rayno asked, did the Board of Assessors policies that they've adopted have definitions? County Attorney Hart said, I haven't examined all of their policies. Commissioner Rayno said, well, if so, I would like the term personal conduct be defined for them so they'd understand the meaning of it. County Attorney Hart said, that is something for y'all to debate among yourselves. I just made an opening statement. Commissioner Rayno asked, would the word harassment be defined for them so they'd know what it meant? County Attorney Hart said, I would again make the same statement that I made before, that's up to you to —. Commissioner Rayno asked, so it's possible that they might not know what personal conduct —, good conduct would be or harassment? Chairman Hair said, Mr. Rayno, I think it would be appropriate let's hear the evidence and then —, I mean, I think a lot of that might be clarified in the evidence and then if you still have questions at the end, let's just —, we'll come back to you and you can do that. Commissioner Rayno said, okay.

Chairman Hair said, I appreciate that. Chairman Hair said, I'll now call on Mr. Hartridge for an opening statement on behalf of Mr. Sommers. Mr. Center asked, do you want to just go around the table? Mr. Hartridge said, we'd prefer that we —. Chairman Hair said, that's okay. Mr. McGraw, in the absence of counsel, you're certainly welcome to make an opening statement.

Mr. McGraw said, okay, I really don't have —, I really don't have an opening statement. Chairman Hair said, take a seat there please. Take a seat. Mr. McGraw said, I really don't have an opening statement other than this being a show cause hearing I've only been on the board for four months and the charges that I have received definitely is not me, and I'm here to show cause, or you're here to show cause, but I'm here to prove that these two charges that were brought against me are not true. Chairman Hair said, thank you, Mr. McGraw. Chairman Hair recognized Mr. Center.

Mr. Center said, thank you, Mr. Chairman. Pat Stringer finds herself here today in a very strange, almost bizarre setting in many ways. The Commission is prosecutor, judge and jury. You're the prosecutor in that you brought these charges, you're the judge in that you manage the hearing and the proceedings and you're the jury because you decide the fate. It's very difficult that Pat Stringer has to, in effect, attack your charges while appealing to you. It's been a struggle since the day I first got involved in this case. It took almost 10 days from my first request to get documents. There was no order, no structure, just a pile of documents. Wednesday afternoon about two o'clock, less than 48 hours ago, I was given another package, almost two pounds of documents. We were given a list of 48 witnesses, no addresses, no telephone numbers, no relation to any charges. When we hear these witnesses today, we'll be hearing their testimony basically for the first time. The bulk of these witnesses report to the Chief Appraiser. The Chief Appraiser got all his staff together, some with family members there, and they met and they talked with the County Attorney. I asked to talk to those witnesses and the Chief Appraiser told me I could not talk to them without written direction from the County Attorney. The County Attorney is under no obligation to give that direction. The Chief Appraiser simply blocked my talking to those witnesses. In an ordinary, normal, customary proceeding and a hearing against an individual usually some act has occurred, and an act may be so heinous or so out of order that the Commission says we need to respond to that action. In this proceeding the Commission has asked for the result first. When Pat Stringer declined that request to give that result, the County Attorney got his marching orders: go find charges. The whole Commission, I heard, did not discuss those charges and vote on those. No charges existed when this original hearing was scheduled. I'm worried as you've heard and I have professionally asked two of you to recuse yourselves. It's not easy for me to do it to another human being. I'm worried the decision's already made. I'm worried that a Commissioner or more among you may be

on a witch hunt just to find a case and find a reason. There's no doubt that certain Commissioners want my client gone. That's okay. What you want, what you feel is a fair sentiment. You're entitled to your feelings and your preferences, but when you sit in the chair you're sitting in, and you make a decision as a Commissioner, you do so under an oath. An oath to the public and an oath to the law. The question is not what you want. The question is did Pat Stringer violate a duty? The law is very clean, and I'm going to hand you the law at the end of the hearing. Only for cause shown, only because Pat Stringer failed to perform a duty or failed to perform a requirement or did not meet a qualification can she be removed. As we go through each charge that has been levied against her, as we should, and I ask that we go through these charges one through eight as they've been levied against her, you will find that for several of these charges there's no evidence at all against Pat Stringer. I don't know why they were levied against her, but you will find that no qualification has not been met, you will find that no duty was not performed, and you will find that no requirement was not performed. If you follow the law, you will not dismiss Pat Stringer, and I ask you to take special note that Pat [Stringer] was appointed at one time and then reappointed, it was June 8th, 2001. All of these charges almost exclusively relate to prior to June 8, 2001. One of the grievances filed in this case essentially says that you as a Commission filed against you for reappointing her, so if you're going to hear charges against her after June 8, I think that charge is against you, too. If you ask her to go, in a hypothetical reference, you have to ask yourselves to go, too. So I'm going to ask you to dismiss all charges outright prior to her appointment on June 8, 2001, and not even take evidence against her based on that. Thank you.

Chairman Hair said, thank you, Mr. Center. Chairman Hair recognized Mr. Hartridge.

Mr. Hartridge said, Dr. Hair, members of the Commission, as counsel has indicated, I'm sure you know there's been a lot of phraseology that be a little ambiguous, but the burden here we submit is on the proponent of removal. The statute which the Chairman read parts of says a member of the county board of tax assessors may be removed by the county governing authority, you all, only for cause shown for the failure to perform the duties or requirements or meet the qualifications imposed upon such member by law including, and then it references other code sections. I respectfully submit that the evidence is going to show that Mr. Sommers and Ms. Stringer and Mr. McGraw never failed to perform the duties or requirements or to be qualified to perform their job. Their job is a very serious one and I'm sure you all know that property taxation is a red hot, hot button issue throughout this State and we're probably going to go through some of the mechanics of that, but under the Constitution of Georgia and under the statutes, you as the governing body of the County appoint the assessors under the law, and they're autonomous. They're supposed to be insulated from political whims and all of that and they're supposed to do their job as it's set forth in the code. And what is their job? Among other things, it shall be the duty of the county board of tax assessors, and this is in the statute, 48-5-299(a), to diligent —, to investigate diligently and to inquire into the property owned in the county for the purpose of ascertaining what real and personal property is subject to taxation in the county and to require the proper return of the property for taxation. And that is supposed to be diligent. I respectfully submit that a lot of these charges relate to the diligence of our clients in many instances, and you'll hear testimony about this, when they sought to be diligent, they were unable to get a satisfactory answer from the Chief Appraiser or staff so they sought answers from employees of the Department of Revenue. You're going to hear about Mr. Griggers, you're going to hear about Mr. Thomas, and that is entirely appropriate. Mr. Thomas is liaison from the Department of Revenue. He lives, I believe, in Nahunta and works out of Brunswick and he stays in touch with this Chatham County Board of Assessors. Mr. Griggers is the Property Tax Division Chief with the Georgia Department of Revenue. I respectfully submit when you hear all of this, you'll see there's absolutely no impropriety. Indeed it's proper and demanded that our clients diligently carry out the duties imposed upon them by law and under the oath they took, and the burden I respectfully submit is upon the proponent to show cause. Only to show cause for the failure to perform these duties. Now I respectfully submit the standard for that should be clear and convincing evidence. This doesn't have to do with matters of politeness necessarily. It has to do with whether they're performing their duties. Now with respect to Mr. Sommers, the first charge has to do with a County policy, which I respectfully submit is not State law, which would not impair his ability to serve as a Tax Assessor, which he has been doing for these years with you all's full knowledge that he had been on the Hospital Authority, the Chatham County Hospital Authority. That I respectfully submit is a body that doesn't really operate the Memorial Hospital. It was known to the Commissioners, it was known to Dr. Hair that Mr. Sommers was on that authority. He discussed it with Dr. Hair he will testify, and I respectfully submit that that cannot possibly be a ground for finding that Mr. Sommers hasn't been carrying out his duties as a member of the Board of Assessors. There are a number of other charges here which we will go through in detail. We were furnished large numbers of documents. Those have been winnowed down. We've been furnished large numbers of witnesses. Those have been winnowed down. We did, of course, ask for sequestration and we have obtained it. Thank you. There's one other point. We can't take discovery of witnesses. We don't know what they're going to say. We don't —, this Commission does not have subpoena power. However, we will place before the witnesses a letter sent to the staff members from the County Attorney directing staff members for their presence, the appropriate ones, I assume they're sequestered now, will be required for presenting your testimony under oath before the Chatham County Board of Commissioners and so on. Your presence will be required at the beginning of this hearing and it will probably begin about 11:00 a.m., and so on. My point is we can't subpoena anybody, we can't compel anybody to come and respectfully take the position this raises a due process issue which we will raise when the first witness is called that these witnesses have been compelled to come. We don't have the power. It's unequal protection if that's the procedure. But in any event, we submit that after you've heard all of this evidence, you will not find the statutory cause mandated by the law to remove Mr. Sommers, Ms. Stringer or Mr. McGraw from the Board of Assessors. Thank you, Dr. Hair.

Chairman Hair said, thank you, Mr. Hartridge. Just for our audio people, we would ask the attorneys please speak into the microphones. We can't pick that up. When you're talking, please talk directly —, and, Mr. McGraw, if you would do the same thing into the witness chair, we'll appreciate that. Mr. Hart, call your first witness.

County Attorney Hart said, Carol Osborne. Mr. Center said, Mr. Chairman, I'd like to ask when the witness is called if we'd know which charge this testimony relates to. Mr. Hartridge said, and which party. County Attorney Hart said, well, I don't know. I'm just going to put them through their testimony. I don't know that I can sit here and finger every charge for every —. You're certainly welcome to try to figure that out. I think it will be fairly self-evident. Chairman Hair said, you have the right —, you'll have the right to cross on each witness though.

County Attorney Hart asked, Ms. Osborne, do you swear to tell the truth, the whole truth and nothing but the truth, so help you God? Ms. Osborne said, yes. County Attorney Hart said, please state your name for the record. Ms. Osborne said, Carol Annette Osborne. County Attorney Hart asked, by whom are you employed? Ms. Osborne said, Chatham County Board of Assessors. County Attorney Hart asked, and in what capacity are you employed there? Ms. Osborne said, Administrative Assistant III. County Attorney Hart asked, how long have you been employed in Chatham County? Ms. Osborne said, twelve years and seven months. County Attorney Hart asked, as —, and have you been employed in the Board of Assessors for that many number of years? Ms. Osborne said, yes sir. County Attorney Hart said, okay. Have you ever been approached directly by Ms. Stringer in regards to making plans for her where she has not gone through the Chief Appraiser? Ms. Osborne said, yes sir, I have. County Attorney Hart asked, is that your job? Ms. Osborne said, no sir, it isn't. County Attorney Hart said, would you please tell the court why. Tell this Board why you were approached. Ms. Osborne said, she called for Jackie Griner to make arrangements for her to go to a conference in Jekyll and Jackie [Griner] was out on leave, and I explained to her that is not my job role, but I would refer her to Mr. Udinsky and he would assign that task to who he wanted to have to do that. County Attorney Hart asked, is Ms. Griner's job to keep up with accreditation and travel arrangements for everybody in that office? Ms. Osborne said, yes sir, it is. County Attorney Hart asked, do expense vouchers and all other —? Ms. Osborne said, yes sir. County Attorney Hart asked, are you familiar with how you do that? Ms. Osborne said, yes I am. County Attorney Hart said, okay. Did you ask her to go through Mr. Udinsky for that service. Ms. Osborne said, yes, several times. County Attorney Hart asked, did she listen? Ms. Osborne said, she eventually did because I, you know, followed the rules that we were given and I said I will connect you with Mr. Udinsky after she was very persistent about me doing it. I said, well, Mr. Udinsky has, you know, we've gotten this instruction from the board that we're not to do anything directly through a board member and I will connect you with Mr. Udinsky and he will assign that task to who he wants to have it done by. County Attorney Hart asked, now, do you have any —, did you at one time have the responsibility for taking the minutes of the Board of Assessors meetings? Ms. Osborne said, yes sir, I did. County Attorney Hart asked, do you still have that responsibility? Ms. Osborne said, no sir, I don't. County Attorney Hart said, okay. Why do you no longer have that responsibility? Ms. Osborne said, for the fact that my health became, you know, it was deteriorating. I developed high blood pressure. Also, I was very stressed out to the point where my doctor has —, had to put me on two different types of medication just so that I could function on a daily basis, and not to mention that I was not ever qualified to do that job. County Attorney Hart said, okay. Now then, insofar as taking of the minutes of the meeting, were you ever in the position there to —, to observe how the meetings were conducted? Ms. Osborne said, yes sir, I was. County Attorney Hart asked, can you tell us about your observations of how Mrs. Stringer, Mr. McGraw or Mr. —, Mr. Sommers acted? Ms. Osborne said, well, Mr. McGraw was always very calm. You know, really you never heard anything out of him except for questions, and Ms. Stringer and Mr. Sommers they just always kept things going. You know, they were very argumentative, there were times when Ms. Stringer would just stand up in the meetings to be acknowledged and just stand there. She and Mr. Hogan, you know, would be at it. Mr. Sommers and Ms. Stringer would —, added to Mr. Hogan would be at it. It was just chaos, you know, just about at every meeting. County Attorney Hart asked, did they talk over each other? Ms. Osborne said, yes. County Attorney Hart asked, were you able to take minutes when they were doing that? Ms. Osborne said, I just stopped writing. When they started with that bickering and arguing, I put the pen down and I wasn't even going to be bothered. If it didn't have anything to do with the issue, you know, at hand, then it didn't even get put in the minutes as I refused to try to take that kind of garbage and put it in the board minutes because it wasn't necessary in my opinion as recorder. County Attorney Hart asked, are you talking about issues that deal with what the Board of Assessor does? Ms. Osborne said, right. Whether it —. County Attorney Hart asked, and the arguments? Ms. Osborne said, right. If it was an issue about an exemption, if what they were arguing about didn't have anything to do with an exemption, I didn't bother to even put it in there. County Attorney Hart asked, have you ever been treated rude, disrespectfully in any of the meetings by Mrs. Stringer? Ms. Osborne said, yes, I was. County Attorney Hart said, please tell the court —, the body what that incurred. Ms. Osborne said, at one of the board meetings I was —, I get an agenda package just as every board member and everyone there at the meeting, and I took my notes on that particular agenda item as I wrote them. Ms. Stringer was getting ready to say something and she wanted it noted for the record, and usually because I'm not qualified to take shorthand and that type of thing I tried to make sure I got most of what she could say written down because I had a tape running, and as I was flipping my page and getting ready to write because she made it clear that she wanted this for the record, she turned —, she —, she sits usually with her —, to the side of me. She turned to me, leaned down and pointed and said are you taking this down? And I looked at her, I said, well, you see the tape running and I said I think that I'm, you know, ready to write. I had the pen in my hand, and I was floored because she was just —, it was just rude. I mean, I've never not taken anything down. I've never been questioned by anybody else about having been taking it down, but she thought I was scrambling for something to write with, which I was not, and I found it very rude and I told her that I think you see this tape running. I said I'm more than adequate to take —, write down what you say, I don't like this job and don't make it any harder for me, and I got up and I walked out of the meeting and got myself back together and came back to the meeting. County Attorney Hart said, okay. Did you file a grievance against the Board of Assessors? Ms. Osborne said,

I filed a grievance against Pat Stringer. County Attorney Hart said, okay. Now I'm going to ask you to turn to —, there's a book in front of you and I'm going to ask you to turn to Exhibit 1. They've got little tabs beside them. Can you flip to number one for me? And I'm going to ask you, is that a copy of the document there dated December 7, 2000, to the —, from Carol A. Osborne, signed by you and to Gary B. Udinsky constitute your grievance charge? Ms. Osborne said, yes sir, it does. County Attorney Hart asked, does that —, that grievance fairly —, charge letter fairly and accurately reflect your feelings towards how you have been treated and the conduct of the Board of Assessors? Ms. Osborne said, yes, it does. County Attorney Hart asked, was that your opinion at the time you wrote that letter? Ms. Osborne said, yes. County Attorney Hart asked, is that your opinion today? Ms. Osborne said, since this grievance she really hasn't had a whole lot to say to me except for hello. She's been cordial after that, but she was censured because of it so, you know, I haven't had any —, no rudeness toward me since this grievance was filed. County Attorney Hart asked, based on your observations at the Board of Assessors meetings that you have attended, do you have an opinion based on those observations as to whether Ms. Stringer and Mr. Sommers or, for that matter, Mr. McGraw, if you feel appropriate, can conduct a meeting in a non-argumentative, non-disruptive, non-disrespectful manner so as not to impede the conduct of business of the Assessors? Ms. Osborne said, I believe that Mr. McGraw can conduct a meeting without any of the things listed; however, Ms. Stringer and Mr. Sommers are too chaotic. County Attorney Hart said, okay. Do you have an opinion as to whether Mr. Stringer [sic] and Ms. Sommers [sic] —, excuse me, Mr. Sommers and Ms. Stringer have the ability, based on your observations, to conduct themselves in a Board of Assessors meeting in a harmonious manner working towards a common goal. Ms. Osborne said, they're not harmonious at all. Mr. McGraw is. County Attorney Hart said, your witness.

Chairman Hair said, thank you, Mr. Hart. Mr. McGraw, would you like to cross this witness? Mr. McGraw said, no. Chairman Hair asked, Mr. Center, would you like to cross this witness?

Mr. Center said, yes, thank you. Hi, Ms. Osborne, how are you? Ms. Osborne said, I'm fine. How are you? Mr. Center said, fine, thank you. Do you want to see Ms. Stringer dismissed? Ms. Osborne said, yes, I do. Mr. Center asked, this —, when you were asked to come take minutes, who asked you to do that? Ms. Osborne said, that was a motion or, I would say a motion, it was a suggestion by a previous board that they wanted more discussion in the minutes and they felt that Mr. Udinsky needed someone else to do that because of the fact that he participates in the meeting and that would be too much for him to try to participate and get down discussion at the same time. So they recommended me and then I was asked to do it by Mr. Udinsky, you know, through the previous board. Mr. Center asked, have you ever asked Mr. Udinsky to be relieved from those duties? Ms. Osborne said, yes. I didn't like the job at all. Never did. Mr. Center asked, but he didn't relieve you, did he? Ms. Osborne said, no, because he felt I was the best qualified so I did my job. Mr. Center said, well, we'll ask him what he felt, thank you. This grievance that you filed and this meeting that you talked about was in December 2000, is that correct, you have in front of you? Ms. Osborne said, yes, it was. Mr. Center said, okay. If you'll turn to page two and look at that second paragraph, the first one that begins there, does it not say Ms. Stringer did openly apologize during the course of the meeting and I did accept it to the extent which it was offered? Ms. Osborne said, yes, it does. Mr. Center asked, she apologized and you accepted it? Ms. Osborne said, yes, I did. Mr. Center said, thank you. And isn't it true that when you take these minutes at all these meetings you talked about where my client and Mr. Sommers were argumentative and not able to get along, you record those by tape recorder, don't you? Ms. Osborne said, the tape runs, yes it does. Mr. Center asked, may I hear that tape recording? Ms. Osborne said, I don't have that. They didn't ask me to bring it. Mr. Center asked, so we can't hear this, we just have to take the word of people that want my client fired how people behaved? Ms. Osborne said, I don't have the tapes. Mr. Center asked, some of those tapes have been erased, haven't they? Ms. Osborne said, those tapes were not required to be kept until a meeting —, several meetings ago when they voted to do so, and those tapes have been kept since that time it was voted upon. Mr. Center asked, do you have your doctor records here so we can see —? Ms. Osborne said, they're all in my —. Mr. Center asked, when your high blood pressure started? Ms. Osborne said, they're all in my personnel file at the office. Mr. Center asked, do you have your personnel file here? Ms. Osborne said, no, I was not asked to bring that. Mr. Center said, you filed your grievance and the grievance was handled by the Board of Assessors. Is that correct? Ms. Osborne said, that is my understanding —. Mr. Center asked, and that grievance —? Ms. Osborne said, went through the proper procedure. Mr. Center said, I'm sorry to interrupt you. And that grievance is now over? Ms. Osborne said, as far as I know. I didn't pursue it any further than the County took it. Mr. Center said, thank you, Ms. Osborne. Ms. Osborne said, you're welcome.

Mr. Hartridge said, Ms. Osborne, the —,

Mr. Center said, let me ask —. I'm sorry, I forgot to ask you. Did you receive a letter directing you to come today? Ms. Osborne said, yes, I did. Mine was —. Mr. Center asked, is that the same letter you got? Ms. Osborne said, well, mine was directed directly towards me, but the body of the letter said the same thing. Mr. Center said, all right, thank you. I'd like to enter that in the record. Thank you, Ms. Osborne. Ms. Osborne said, you're welcome. Chairman Hair asked, Mr. Hartridge, do you want to cross this witness?

Mr. Hartridge said, very briefly, sir. Ms. Osborne, the grievance that's tab one in the notebook is directed against Ms. Stringer, is that right? Ms. Osborne said, yes sir, it is. Mr. Hartridge asked, not against Mr. Sommers? Ms. Osborne said, no sir. Mr. Hartridge said, all right. Now at the meetings that you described, Mr. Hogan was presiding, wasn't he? Ms. Osborne said, yes sir, as chairman. Mr. Hartridge asked, he was the chairman, was he not? Ms. Osborne said, yes sir, he was the chairman. Mr. Hartridge asked, there was a chairman there conducting the meeting, was there not? Ms. Osborne said, yes sir, there was a chairman there conducting the meeting. Mr. Hartridge said, thank you.

Commissioner Rayno said, I have one question, Mr. Hair. Chairman Hair recognized Commissioner Rayno. Commissioner Rayno said, you described the meetings as chaotic and after December how long —, how many months into the 2001 did you stay as the recorder? Ms. Osborne said, my last meeting was November the 7th and I did everything through the end of that meeting. Commissioner Rayno said, okay. Are you aware on January 3rd there was 23 unanimous votes and 5 divided votes? Would you describe that as being chaotic? Ms. Osborne said, the voting part no, but it was the discussion part that was chaotic. Commissioner Rayno asked, so the business of the BOA was getting done, was it not? Ms. Osborne said, it was elongated. I mean, the business at hand, if —, if they was —, if they would have stuck strictly to business, the meetings wouldn't be four and five and six hours long. Commissioner Rayno said, so but it's your testimony that the duties of the Board of Assessors got done. Ms. Osborne said, chaotically so.

Chairman Hair asked, no further questions of this witness? County Attorney Hart said, no sir. Dismiss this witness? County Attorney Hart said, you may be —. Is there any reason to keep this witness? Chairman Hair said, you may be dismissed, Ms. Osborne. Ms. Osborne said, thank you. Chairman Hair said, thank you for your testimony. Ms. Osborne said, you're welcome. County Attorney Hart said, thank you. Chairman Hair said, next witness, Mr. Hart.

County Attorney Hart said, Mary Osborne. Mr. Center said, Mr. Chairman, pardon me. Rules of sequestration is they also cannot discuss their testimony. Maybe somebody ought to tell them that. County Attorney Hart said, I'll be glad to tell them. I think I told most of them. Mr. Center said, remain in the room, of course. Chairman Hair said, that's fine. We'll be glad to clarify that. Mr. Center said, Ms. Osborne can now stay in the room. Chairman Hair said, Ms. Osborne, if you'll have a seat up here in the chair. Come around this way. Ms. Osborne said, [inaudible] the County Attorney's table. Chairman Hair said, just have a seat. Ms. Osborne said, thank you. Chairman Hair said, he's talking to the witnesses just a moment. He'll swear you in. Ms. Osborne said, good morning. Chairman Hair said, good morning. Ms. Osborne said, I don't need to be sworn in to say that, do I? Chairman Hair said, unless you want it on the record. Ms. Osborne asked, pardon? Chairman Hair said, unless you want it on the record. Ms. Osborne said, on the record please. I demonstrate good manners.

County Attorney Hart said, they have been so told. Mr. Center said, thank you. County Attorney Hart said, there was one wit —, one of y'all's witnesses that I think did not sequester themselves until through the opening argument. At least that's what one of the officers tells me. I don't know who the gentleman is. Mr. Hartridge said, it's not Mr. Callahan. County Attorney Hart said, I do not know who the gentleman is. Mr. Center said, it was Mr. McMasters. In the middle of the opening statement. Chairman Hair said, well, he was not —, he was not sequestered at the proper time. Mr. Center said, he has not heard any testimony. Chairman Hair said, he heard the statements. He heard all the statements. Mr. Center said, I don't think he heard all the statements. I think during the statements something that Mr. Hart said —. Chairman Hair said, he was instructed, all witnesses were instructed, clearly instructed if you were going to be a witness to be sequestered. He did not leave this room at that time. An unidentified member of the audience said, he was not here when you gave that instruction. He'd gone to pay his taxes. Another unidentified member of the audience said, that's right. Chairman Hair asked, Mr. Hart, they have been properly told? County Attorney Hart said, yes sir. Chairman Hair said, I'll deal with that issue when it comes up. Ms. Osborne, if you'll be sworn in by the County Attorney. Ms. Osborne asked, do I need to stand up? County Attorney Hart said, no, you can sit still right there.

County Attorney Hart asked, do you promise —, solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God? Ms. Osborne said, I do. County Attorney Hart asked, please state your name. Ms. Osborne said, my name is Mary L. Osborne. County Attorney Hart asked, are you related to anybody here today? Ms. Osborne said, yes I am. County Attorney Hart asked, and who are you related to? Ms. Osborne said, my daughter is Carol Osborne. County Attorney Hart asked, and was she the lady that just testified a few minutes ago? Ms. Osborne said, yes, she is. County Attorney Hart said, okay. Can you very briefly give me a back —, your background? Ms. Osborne said, I'm employed by St. Joseph's/Candler Health System, and I've been a volunteer, a community activist, if you like to say, for the past 25 years. My community experience, which I'm sure you're concerned about, is the fact that I have served on boards both locally, United Way, Housing Boards, NAACP Board, I've served on boards regionally and nationally. I come from a background of community service and know boardsmanship. Is there anything else you'd like to know? County Attorney Hart said, no, I just —. Have you served on boards that are public and private? Ms. Osborne said, yes sir, I certainly have. County Attorney Hart asked, have you had occasion as a public —, are you employed or in any way related to the department —, the appraiser's office, other than your daughter works there? Ms. Osborne said, my daughter is not an appraiser. She works for the Tax Assessor's office and she's an Administrative Assistant, and that's my only relation there at that office. County Attorney Hart said, okay. Have you had on occasion the opportunity to attend BOA meetings and observe? Ms. Osborne said, I certainly have. County Attorney Hart asked, and based on your observations, would you please describe the conduct of Mr. Sommers and Ms. Stringer in regard to those meetings? Ms. Osborne said, I would be happy to.

Mr. Hartridge said, Dr. Hair, could we specify which meeting for our information and how many meetings, what the dates were, so we know what meeting we're talking about. He just says have you had occasion to attend meetings, and we need to know what meeting. Chairman Hair said, well, I think she can testify as to the number of meetings. She testified —, I don't know that she can necessarily know the dates of the meetings, but I think she —.

Ms. Osborne said, I don't remember the dates, but I can tell you the occasion and why. Chairman Hair said, I think she can —. Ms. Osborne asked, are you ready for the answer? Chairman Hair said, yes. Ms. Osborne said, I have attended two meetings of the Board of Assessors. Exactly to the dates, I cannot attest to. The first meeting that I attended was to observe firsthand for myself the mode of the temperament and the actions of the board and everything

that had been editorialized about Mr. Sommers and Miss —, I'm sorry, Ms. Stringer with regard to her behavior towards my daughter, who is the secretary to that board, was not —, I was —, it was confirmed. There —, there has been demonstrated rudeness, discourtesy and just absolute disruptiveness during the course of the meeting by Ms. Stringer. I observed this myself. Mr. Sommers —, I did not hear it directly, and I would like to say that I didn't hear it directly —, but at the meeting in which —.

Mr. Hartridge said, Dr. Hair, we are under some rules. If she didn't hear something of her own knowledge, we object. I know we're not in court, but we can't have totem pole hearsay that goes on that people don't hear directly about something. She said what she said —. Chairman Hair said, I think that's a good point. Ms. Osborne said, and I hear what he's saying —.

Commissioner Odell said, stop a second. I would like to hear, not for the truthfulness of it, but for information. I think we can give it whatever weight we want to give it, and I'd ask the County Attorney, even in a court of law, there are 49 reasons for hearsay to come in. Mr. Center said, let me ask you Commissioner Odell, what reasons do you want to hear this? If she didn't witness it, and she said I heard it editorially and I wasn't there, if you can tell me the hearsay reasons maybe I can help you see that's not a valid reason. Ms. Osborne asked, may —, may I respond to that? Commissioner Odell said, no. I'll respond to him. I'm not obligated to tell you, number one, and, number two, is that my reasons for wanting to hear it is information, and, number three is, I don't need help in understanding it. Mr. Center said, well, I'm not going to antagonize, but maybe we can talk over that issue of law because there are specific rules for hearsay, and maybe we could get into that. Commissioner Odell said, I understand.

Chairman Hair said, let's continue.

Ms. Osborne said, my reason for saying that, and I believe that my test —, what I'm about to say can be witnessed by those persons that were there, so if you need validity to that statement, you can so get so from the Board of Assessors members, board members, is that during the interim, during the session in which Ms. Stringer was so rudely attacked my daughter about the minutes that were being kept, and they were being kept in accordance to how they —, she had been directed, that she became very, very upset, was really very upset. She got up and she left the meeting because she was really going to be truly out of order, and so she left and they suspended the meeting for a little while and Jackie Sommers allegedly made the statement that —.

Chairman Hair said, we will verify it later. Ms. Osborne said, that —. Mr. Hartridge said, but we must object on the record, Dr. Hair. I don't want to be obstructive. County Attorney Hart said, we'll note your objections. Mr. Hartridge said, I hope so. Chairman Hair said, it's in the record. The objection's so noted.

Ms. Osborne said, that he heard from staff members, which is interesting to me, that Carol [Osborne] has temper tantrums when she doesn't get her way. I can assure you that I know firsthand, not by necessarily Board of Assessors meetings, this person, my daughter, is a very hard-working individual at the Tax Assessor's Office, goes over and above the call of duty, and her charge to be secretary to that board —, well, recorder, I should say, because Mr. Udinsky is the true secretary —, has been under duress to her health due to the stressfulness of the board meetings conducted in the presence of these two board members. There's been nothing but disruption, abusiveness, a combativeness, and, as I said, and that was my reason for stating the number of boards I've served on. Boardmanship must be demonstrated. I have —, they are certainly charged, as all board members are, to exercise due diligence in carrying out their responsibility, but problem —, conflict resolution is not handled in an appropriate manner in those board meetings. It's a three-ring circus, and if you ever want to go to a good show, go to one of those meetings. I have never in my life seen such behavior.

Chairman Hair asked, Mr. Hart, any further questions?

County Attorney Hart asked, based on your attendance at those meetings and your personal observations, do you have any opinion in regard to Mr. Sommers' and Ms. Stringer's ability to act in those meetings in a non-argumentative, non-disruptive, and non-disrespectful manner? Ms. Osborne said, I have no confidence that they can do that. Zero confidence that they can do that, and I witnessed this myself, not hearsay, on two occasions. I would like to also say this. I regret that Mr. McGraw, who's a newly-appointed member to this board, is caught up in this, but sometimes we must do things for the good of the community for the good of the whole, but I do regret that. I think that it should be apparent to them, but I guess we're going to bump that, too, as we do everything else, that this is a dysfunctional board and the taxpayers of this community are not served well by them, and I think there's adequate cause to dismiss them all. County Attorney Hart said, okay. Do you have an opinion in regard to their ability to timely and orderly conduct their business? Ms. Osborne said, no sir. You mean with the board business? No, sir, not when you delay the start of a meeting for half an hour by continuous interruptions of the chairman trying to conduct the meeting because your agenda item didn't get put on and then they finally voted it in, or a portion of that were appropriate, not policy issues, and it —, but it's just even after that, as the meeting proceeded. I witnessed Ms. Sommers —, I'm sorry. Excuse me, Jackie [Sommers]. I'm giving you a wife you don't have yet over there —. Ms. Stringer continuously —, she stood for the whole time, Mr. Chairman, may I please, Mr. Chairman, she says, pertaining to the agenda item. She'd pause. Mr. Chairman, may I please. It just went on. I mean, it's just childish. It just does not have a place in a board room to behave like that. I don't know if they've ever had a retreat to come to some kind of working board relationship. They certainly needed one. At this point, I consider them a dysfunctional board. County Attorney Hart asked, do you have an opinion as to whether they can work harmoniously towards a common goal or the public good? Ms. Osborne said, no sir, my opinion is that

they cannot. There's too much water under the bridge and their agenda is not —, I think it's very apparent that this continuous attack, both publicly in the paper and verbally, on Mr. Udinsky, and why it should filter down to staff members, not just my daughter, is evidence that, in fact, whose purpose are they serving on the board? That's my question, sir.

Chairman Hair said, thank you, Ms. Osborne. Mr. McGraw, do you want to cross this witness?

Mr. McGraw asked, Ms. Osborne, the two board meetings that you attended, was I in attendance? Ms. Osborne said, yes, sir. Mr. McGraw asked, and how was my conduct? Ms. Osborne said, Mr. McGraw's conduct was exemplary, and one of the things that I think that any of us that read the paper shows that Mr. McGraw himself is not on one side or the other, that he, in fact, indeed votes how he sees fit, and that's been my observation in the very short time that you've been on the board.

Chairman Hair asked, any other others?

Commissioner Kicklighter asked, may I ask a question off of that? Chairman Hair said, certainly. Commissioner Kicklighter asked, did Mr. McGraw object to any major issues —, I mean, abstain from any major issues in the board meetings? Ms. Osborne said, at the board meetings that I attended? Commissioner Kicklighter said, yes, ma'am. Ms. Osborne said, no, sir. He asked questions for clarification. Commissioner Kicklighter said, okay. But he didn't abstain from any major votes —? Ms. Osborne said, no. Commissioner Kicklighter said, whenever —. Ms. Osborne said, not that I'm aware, not that I recall. Commissioner Kicklighter said, thank you.

Chairman Hair asked, Mr. McGraw, do you have any further questions? Mr. McGraw said, no, sir. Chairman Hair asked, Mr. Center, would you like to cross?

Mr. Center said, Ms. Osborne, my name's Tony Center. I represent Ms. Stringer and I appreciate your forceful and emotional and emphatic defense of your daughter. The two meetings you occurred [sic] were within the last four months —, you have attended were in the last four months. Is that correct? Ms. Osborne said, approximately, yes. Mr. Center asked, you were not there in December of 2000 when this exchange between your daughter and Ms. Stringer occurred? Ms. Osborne said, I was not present at the meeting. I just saw the aftermath of it. Mr. Center said, right. Now my question was, were you there at the meeting? Ms. Osborne said, no, I was not. Mr. Center said, and —. Ms. Osborne said, I —, maybe as a witness, I have the right to object, but I am going to object that you're characterizing my statement as emotional and the like. I'm giving it to you like it is, sir. Mr. Center asked, you want to see Ms. Stringer gone, don't you? [NOTE: Applause was heard from some members of the audience.] Ms. Osborne said, I certainly do. Chairman Hair said, please, from the audience. Go ahead, continue. Mr. Center asked, do you love your daughter, don't you? Ms. Osborne said, of course, I do. Mr. Center asked, that's an emotion, isn't it? Ms. Osborne said, sir, don't try to mix statements. You're not qualified. Mr. Center said, let's talk about qualifications. Ms. Osborne said, okay, let's do that. Mr. Center asked, what legal duty did my client violate? Ms. Osborne said, your client violated, first of all, Robert [sic] Rules of Order. I think she violated the public trust because when you, as a board, even if you're in conflict with the chief executive officer, and are so disruptive that business cannot be conducted —, at the last meeting that I attended an issue came up that —, a question was brought up and Ms. Stringer asked for records. I can't remember the title of these records, but anyway there were some —, the staff member responded yes, that there are some 600 files on record. Well, I'd like to see them. Well, clearly, she was not going to go through 600 files in the middle of the meeting, but we paused and they came in, 600 files came in. It was a stack on the table this high [indicating]. Now what was the purpose of that? To prove that it was done? To prove that they were there? There's always this discounting of the staff there. And, in fact, I made the inquiry to find out were they ever reviewed. Well, I don't know whether they were or not, but I know and I was told that they sat on that table for three days post-meeting. Mr. Center asked, to whom did you make that inquiry? Ms. Osborne said, of my daughter. And also the young lady that took them in there. Mr. Center asked, you made that inquiry at the meeting? Ms. Osborne said, no. Why would I make —, you obviously did not understand what I said. Mr. Center said, I don't know why, but I'm trying to follow your testimony. Ms. Osborne said, okay, what I'm saying is, is that they were brought in for review or to verify the fact that they were done, but they were never looked at. So, I mean, what was the purpose of processing all that in the meeting time? Mr. Center asked, what I'm asking, did you make the inquiry at the meeting or you talked about this with your daughter afterwards? Ms. Osborne said, no, I found out afterwards the meeting —, I said, you know, by the way, were those records ever reviewed that Ms. Stringer asked for, and she told me, I don't think so, and she asked someone else, and she says, no, I think they took them out the board room three days after. Mr. Center asked, in all the boards you ever served on, how do you get something on the agenda? Just ask the chairman? Ms. Osborne said, you put —, well, there's procedure in every board that you serve on as to how that's done. I think there's a practice set up to do that, sir. Mr. Center asked, and the boards you served on, have you been continuously denied agenda items to be placed on the agenda? Ms. Osborne said, no. Mr. Center asked, the chairman routinely puts them on the agenda if you ask it? Ms. Osborne said, if the appropriateness was there, yes. Mr. Center said, thank you.

Chairman Hair asked, do you have any further questions, Mr. Center? Mr. Center said, no. Chairman Hair asked, Mr. Hartridge, do you want to cross this witness? Mr. Hartridge said, no questions. Commissioner Rayno said, I have a question, please. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, good morning. How are you doing today? Ms. Osborne said, fine. Commissioner Rayno said, you went to the first meeting and you were very upset about the treatment of your daughter. Is that correct? Ms. Osborne said, no. That was after the meeting that that occurred. That was after the editorial by M. Streeter and the

presentation to the community of what occurred in that meeting and the fact that then —, well, she still is on the Tax Assessor's Board —, that Ms. Cox, one of the board members themselves, had to call attention to the disrespectfulness. I think that's a testament enough, whether I was there or not, that this —, that that did —, that did indeed occur, and I did go to witness myself what and how the board meetings are conducted. Does that answer your question? It was the meeting after that. Commissioner Rayno asked, did your daughter record that meeting on tape? Ms. Osborne asked, pardon me? All meetings are recorded on tape. Commissioner Rayno asked, did you ask for a copy of the tape —? Ms. Osborne said, no, sir, I did not. Commissioner Rayno said, so you could play the tape today? Ms. Osborne said, I did not. I had no need to ask for a copy of the tape. Commissioner Rayno asked, do you think there is a copy of the tape available? Ms. Osborne said, I would suspect there are since I understand that all the meetings are taped. And the reason I know that is the fact that the big issue of her —, the question that came as a result —, at that meeting was the fact that there was something left out of the minutes. My daughter took on this responsibility as recorded with the understanding and direction by the board that they would not take verbatim minutes. They would —, she would record the motions and, you know, just the caption of what the discussion was, and whatever the vote came out to be, but at every given meeting there was a request, this was left out of the meeting, this was —, not even a request. An attack. Almost like incompetence, you know, and, you know, you can't serve two masters. I'm sorry, you cannot. You either have direction to go one way or the other, and it required a lot of back work. So much so, Mr. Rayno, that my daughter had to be put on blood pressure medicine twice in one year for the stressfulness of trying to satisfy, not the board, but this particular board member right here in particular because she always insisted that we go back on the tapes and recant the non-essential items pertaining to a discussion, and it was extremely frustrating, yes. That is my daughter and I am concerned. I would be concerned for anyone that's put under stress such as that, and I'm very surprised that —, she certainly did file a grievance and that was heard and there was action on it, such as it was, but nonetheless, any person that's offended in the manner and treated in the manner that she was, has the right to do that. I have one adage I live by and I taught my children. Give respect and command it back at all levels. And they're not above that. Ph.D.'s, money, whatever, does not excuse them from having bad manners and rudeness to staff members. People are —, they go around questioning staff members. I don't think that's appropriate. You talk to them. You ask them those questions. Commissioner Rayno said, I just have a couple more questions. Ms. Osborne said, sure. Commissioner Rayno said, I just have a real problem understanding why she had that tape that she was recording. She had all the evidence there of them being mean and rude to her, yet we have no tape here today to listen to, to verify those statements. What happened to all those tapes? Ms. Osborne said, I don't know that. I don't work in the Tax Assessor's office. All I can tell you that —, is that —, well, I guess you don't believe everything you read in the Morning News either, but I did see Ms. Cox in the sequestered room and she was the one that brought to the attention to Ms. Stringer about her rudeness, so if you want to verify it that way, you may, but I don't have —, I didn't go to bother to listen to any tapes. I accept my daughter's word. She's truthful. Commissioner Rayno said, well, I would accept my daughter's statement, too. I just want to understand. Are you aware of Georgia Code 48-5-299 --. Ms. Osborne said, don't even try it. Commissioner Rayno said, Section (a). Ms. Osborne said, don't even go there. Tell me what you're talking about in plain language. Commissioner Rayno said, it says the board shall make such investigation as may be necessary to determine the value of any property upon which for any reason all taxes due to the state or the county have not been paid in full as required by law. Further on in that law, in Section (c) —, yes, Section (c), it says, in such cases before changing such value or decision on the property, the Board of Assessors shall first conduct an investigation into factors currently affecting the fair market value. The investigation necessary shall include, but not be limited to, a visual on-site inspection of the property to ascertain if there have been any additions, deletions or improvements to such property, or the occurrence of other factors that might affect the current fair market value, and review to determine if there are any errors in the description and characterization of such property in the files and records of the Board of Tax Assessors. So based on that law, as it's written in the books, wouldn't it be fair to say that Ms. Stringer was in her full right to ask for 600 files, 1,000 files or 2,000, no matter how long it takes, based on the law? Ms. Osborne said, certainly she could ask, but I don't see the reason for bringing them in and popping them on top of a table for them just to be visually present. I mean, that's —, that's my point. I mean, it was so —. Commissioner Rayno asked, wouldn't you call that an inspection? Ms. Osborne said, well, if you want to say I looked at a stack of papers. It could have been the Morning News in the middle of all of this with a blue on the top and a blue on the bottom. There was no obvious inspection. Commissioner Rayno said, I'm done. Thank you, Mr. Chairman.

Chairman Hair said, thank you, Mr. Rayno. All these witnesses as they come forward, I think if we get both sides to agree to dismiss a witness, there's no need to keep the witness unless you think you might want to bring them back. Can we dismiss these witnesses by agreement if y'all —. County Attorney Hart said, sure. Ms. Osborne said, good, because I don't want to be here all day. County Attorney Hart said, why don't we just dismiss them unless somebody says they want to recall? Chairman Hair said, unless you want to keep the witness for further testimony, let's just agree that each witness can be dismissed. Can both parties agree to that? Mr. Hartridge said, yes sir, we agree. Chairman Hair said, okay, Mr. Kicklighter.

Commissioner Kicklighter said, I have one question. Chairman Hair said, certainly. Commissioner Kicklighter asked, from your experience of serving on the boards, would you say it would be a more efficient way to run a board to ask to table an item to give you the time to review 600 pages? Would that be more efficient, to table that item —? Ms. Osborne said, I think there's too much —. Commissioner Kicklighter said, and look at it and then discuss it? Ms. Osborne said, my point was that if these records were significant, to know that they were there, this —. Mr. Rayno's the one that's talking about this law, whatever number it is, that talks about the right to inspect. That's fine, but for them to have to —, for a staff member to have to get up, leave the meeting, go in, produce the stack of files that just sat there, to me, you know, I, as a taxpayer sitting there witnessing this, have to wonder is this one more yet step of antagonistic behavior? Did you not believe them? Is there so much discredibility in your mind that they existed? And

I just —, it's just —, sir, have you even been to a Board of Assessors meeting? Commissioner Kicklighter said, no, ma'am. Ms. Osborne said, that's too bad. You should have witnessed them.

Chairman Hair said, okay. Any further questions of this witness?

County Attorney Hart said, I have one other —, one other real quick question. A moment ago when you testified that —, in regard to satisfy a particular Commissioner's need, for the record, you were pointing to Ms. Stringer, is that correct? Ms. Osborne said, yes, sir. County Attorney Hart said, thank you.

Chairman Hair said, okay, Ms. Osborne, you're dismissed as a witness. I'm going to declare an eight minute recess. Let's come back in 10 minutes sharp, and that's the official clock. Ms. Osborne asked, may I ask, do y'all have any recall for me because I have other things —? Chairman Hair said, no, we've dismissed you. Ms. Osborne said, thank you. Chairman Hair said, we've dismissed you, Ms. Osborne. You're dismissed. Ten minutes 'til, sharp.

NOTE: A recess was taken at 11:42 a.m., and the meeting was reconvened at 11:50 a.m.

Chairman Hair said, prior to calling the next witness —, it's 10 minutes 'til. I said, 10 minutes —. [Inaudible.] Chairman Hair said, I have no idea. I'll decide —, you know, I don't want to bring somebody —, a witness' testimony up in the middle. Prior —, before I get to the next witness, it has been reported to me by the deputy that there's an attempt to pass notes to sequestered witnesses. That will not be allowed. The deputy has been instructed that no one will pass notes into the witness room, and I want to make sure everybody complies with that because the deputy's been so instructed and we will not allow that. Mr. Hart, your next witness.

County Attorney Hart said, Jay Bowen, please. Chairman Hair said, Bowen. What's the first name? County Attorney Hart said, Jay. Chairman Hair said, Jay Bowen. If you'll come around here to the chair in the center please, Mr. Bowen. Have a seat please, and face the attorney. County Attorney Hart asked, do you swear to tell the truth, the whole truth and nothing but the truth, so help you God? Mr. Bowen said, I do. County Attorney Hart said, please state your name for the record. County Attorney Hart asked, by whom are you employed? Mr. Bowen said, Chatham County Assessor's office. County Attorney Hart asked, how long have you been employed there? Mr. Bowen said, about seven and a half years. County Attorney Hart asked, what position do you hold there? Mr. Bowen said, Senior Appraiser. County Attorney Hart said, and give me very briefly your educational background, and how you ended up to be a Senior Appraiser. Mr. Bowen said, I have a four-year degree from the University of Georgia with a BBA, I have a major in real estate, Level 4, Department of Revenue certification, and a state certified general certification. County Attorney Hart said, okay. In the course of your employment there as a BOA member, have you ever been approached by Mr. Sommers outside the parameters of your office directly without going through the Chief Appraiser and asked to comment on any matter? Mr. Bowen said, there was one incident that I recall. It was over at a restaurant right across from the Courthouse, the gyro place. Another colleague of mine and I walked in, sat down at the table, and Mr. Sommers was sitting at a table a couple of tables away, asked if we had seen this, in reference to a stack of papers that he was holding. We asked him what he was referring to and he commented that that was the performance review or the audit that was done, and we —, to our knowledge it had not been released yet so we weren't aware of it. I told him that I hadn't had a chance to take a look at it. County Attorney Hart asked, and did he ask you to comment on it? Mr. Bowen said, yes, he just asked what —, what we thought about it, and I just once again stated that I hadn't seen it and I couldn't comment on it without reviewing it. County Attorney Hart asked, did you feel it was appropriate for you to comment on a statement concerning —, audit reports concerning your office? Mr. Bowen said, no, not at that time. County Attorney Hart said, okay. Have you attended Board of Assessors meetings? Mr. Bowen said, yes, I have. County Attorney Hart asked, are you required to attend them? Mr. Bowen said, generally, if we have something that pertains to us on the agenda, we're required to attend those meetings. County Attorney Hart asked, and you've had the opportunity to observe how the board members interact? Mr. Bowen said, yes. County Attorney Hart said, okay. How would you describe the conduct of Mr. Sommers and Ms. Stringer in regard to the board meetings? Mr. Bowen said, generally disruptive, argumentative in the boards, on and off. It varies at times, but that's what I've noticed lately. County Attorney Hart asked, have they ever made any statements concerning yourself personally or professionally that you felt were rude or disrespectful to you in regard to your qualifications? Mr. Bowen said, not directly personally. There was one instance where Mr. Sommers, in discussing some event, where there was a staff recommendation, indicated that he did not trust the staff, and I took that, as a member of the staff, as a personal comment. County Attorney Hart asked, based on your observations in attending board members [sic], do you have an opinion as to whether Ms. Stringer and Mr. Sommers and perhaps Mr. McGraw, if you would include that or not include that, that's up to you, have the ability to conduct themselves in a non-argumentative way, non-disrespectful way in their actions on the board? Mr. Bowen said, I would exclude Mr. McGraw from this statement, but based on past experiences, I've seen argumentative statements. Unless something were to change drastically, I don't see any reason. County Attorney Hart asked, do you have an opinion as to whether any argumentative actions or their present actions on the board that you've observed has —, is an impediment to the conducting of public business and public confidence? Mr. Bowen said, yes. There's a lot of policy issues that need to be —, a decision needs to be made on, and this —, this seems to slow the process up extremely.

Chairman Hair asked, any further questions? Mr. McGraw, do you want to question this witness?

Mr. McGraw said, when he asked the question about conduct at the meetings, did you say your statement exclude me, or an you tell me my action at these meetings that you attended? Mr. Bowen said, all my statements that I made exclude you. Mr. McGraw said, okay. So my behavior was appropriate? Mr. Bowen said, yes, sir. I think so.

Chairman Hair asked, any further questions? Mr. McGraw said, no. Chairman Hair asked, Mr. Center, do you have any questions for this witness?

Mr. Center asked, how are you, Mr. Bowen? My name is Tony Center. If you'd leave this letter up there when you're done, are you here because you received a letter directing you to show up today? Mr. Bowen said, yes. Mr. Center said, okay. Do you want to see Ms. Stringer dismissed? Mr. Bowen said, I have no opinion on that. Mr. Center asked, so you could work with her? Mr. Bowen said, I work with whatever Board of Assessors is in place. Mr. Center said, thank you. And all this argument that you've described, that you was between —.

County Attorney Hart said, you've got to speak up a little bit because. Mr. Center said, I'm sorry. Chairman Hair said, speak into the mike. You and the witness. It's very important to speak into the mike. County Attorney Hart said, I didn't mean to interrupt your train of thought, but we weren't picking it up.

Mr. Center said, you talk about these arguments among board members. Were those arguments primarily between Ms. Stringer and the chair or Ms. Stringer and other board members? Mr. Bowen said, there's been a variety of arguments across the board. Just all around. Mr. Center asked, so do you feel Ms. Stringer cannot work with Mr. Sommers? Mr. Bowen said, I have no opinion on that. Mr. Center asked, so would it be fair to say that your opinions were based on Ms. Stringer's ability to work with Mr. Hogan and/or Ms. Cox? Mr. Bowen said, the present board as they sit —. Mr. Center asked, the present board as it sits? Mr. Bowen said, correct. Mr. Center asked, who requires you to attend the board meetings, the Board of Assessors meetings? Mr. Bowen said, we're required to attend the board meetings if we have a —, an item on the agenda that —, maybe a property that we're directly handling or something that would work with another set of properties that we're —. Mr. Center said, right. And is it the Chief Appraiser who tells you when to attend? Mr. Bowen said, the properties that we're responsible for we attend on. So I guess through distributing work assignments, Mr. Udinsky would set that. Mr. Center asked, have you ever filed a grievance against Ms. Stringer? Mr. Bowen said, no. Mr. Center said, thank you.

Chairman Hair recognized Mr. Hartridge.

Mr. Hartridge said, yes. Mr. Bowen, how are you? Mr. Bowen said, fine. Mr. Hartridge said, Walter Hartridge. We know each other. This meeting you said you had with Mr. Sommers, wasn't that in a restaurant or some place y'all were seated at nearby tables? Mr. Bowen said, yes, directly across from the Courthouse. Mr. Hartridge asked, at lunch time? Mr. Bowen said, yes. Mr. Hartridge asked, and you say Mr. Sommers exhibited to you some document? Mr. Bowen said, yes. Mr. Hartridge asked, was that the Governor's report of February 29, 2000, or the PRB or Performance Review Board report of June 15, 2001? Mr. Bowen said, I'm not sure of the time frame. I —, it might have been the first report that came out, possibly the Governor's report. Mr. Hartridge asked, from the Governor back February 29th? I mean, do you remember when this conversation took place, exactly? Mr. Bowen said, no, it was —, I believe it was the first report that came out on the office. Mr. Hartridge said, well, the February 29th, 2000, report. Mr. Bowen said, possibly. Mr. Hartridge said, well, I mean, did —, he just said have you seen this? Is that what he said? Mr. Bowen said, yes, and held it up in reference to it. Mr. Hartridge asked, and that's it? Mr. Bowen said, and then he asked what do I think about it, or what —, what do we think about it. There were two. Mr. Hartridge asked, two colleagues there? Two of your colleagues were there with you? Mr. Bowen said, one was. There were two employees, myself and —, and another. Mr. Hartridge asked, is that it? That was the substance of that conversation? Mr. Bowen said, yes. When I commented that we haven't —, I haven't reviewed the property —, the report and I can't make any comment on the report. Mr. Hartridge asked, and that was it, right? Mr. Bowen said, yes. Mr. Hartridge asked, that didn't deal with the appraisal of any particular property did it? Mr. Bowen said, I don't believe it did. Mr. Hartridge said, all right. Now, you, of course, worked as a Senior Appraiser under the supervision of the Chief Appraiser, right? Mr. Bowen said, yes. Mr. Hartridge said, now, you have been to meetings, you said, where you didn't think people were getting along. How did you characterize it? Mr. Bowen said, a lot of arguments back and forth. Mr. Hartridge asked, who was chairing those meetings? Mr. Bowen said, Mr. Hogan. Mr. Hartridge said, Mr. Hogan was chairing the meetings. Is that right? Mr. Bowen said, yes, sir. Mr. Hartridge asked, you didn't see Mr. Sommers argue with Ms. Stringer, did you? Mr. Bowen said, no, I don't believe so. Mr. Hartridge asked, did you see him argue with Mr. McGraw? Mr. Bowen said, no, I don't believe so. Mr. Hartridge said, all right. And then you mentioned one other comment about Mr. Sommers, you said that Mr. Sommers said that he didn't trust the staff. That was the quotation? Mr. Bowen said, yes, sir. Mr. Hartridge asked, that's all he said? Mr. Bowen said, it was in reference to a particular property. I don't recall the —, when input was given by a staff member, Mr. Sommers stated that he did not trust the staff. Mr. Hartridge asked, do you know it's Mr. Sommers' duty, as well as his colleagues on the Board of Assessors, to diligently investigate properties in this County? Mr. Bowen said, yes. Mr. Hartridge said, I mean, you know —, you do work for the Board of Assessors, don't you? Mr. Bowen said, yes. Mr. Hartridge asked, do you want Mr. Sommers removed as an Assessor? Mr. Bowen said, I have no opinion on that. Mr. Hartridge said, you have no opinion. All right. Thank you.

Chairman Hair said, thank you, Mr. Hartridge. Mr. —. Commissioner Rayno asked, may I ask a question? Mr. Center asked, may I perhaps —? Chairman Hair said, Commissioner Odell first. Mr. Center asked, may I ask another question? Chairman Hair said, certainly. Attorneys finish first.

Mr. Center said, your interactions with Ms. Stringer have only been in her capacity as an Assessor, is that correct? Mr. Bowen said, yes. I think I've seen her in the Record Room before she —, she joined the Assessors, but, yes. Mr. Center said, all right. Thank you.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, just a point of clarification. The incident at the restaurant involving Mr. Sommers, was Mr. Sommers present and you entered the restaurant or did he enter after you? Mr. Bowen said, I believe he had already been seated at the restaurant. Commissioner Odell said, okay. It's not your contention then that he followed you into the restaurant? Mr. Bowen said, no, sir. Commissioner Odell said, he wasn't —. A good way to describe it would be a chance meeting. Is that true? Mr. Bowen said, yes. Mr. Sommers was in the restaurant before and we entered —. Commissioner Odell said, and then you entered. Mr. Bowen said, with no knowledge that he was in there. Commissioner Odell said, okay. Thank you.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, it was your testimony that policy is being impeded by the arguments, policy decisions or —. Is that your testimony? Mr. Bowen said, the arguments of the Board of Assessors, there were several items that were on agendas that got delayed because of the arguments running long. In some instances —. Commissioner Rayno asked, can you think of one policy in general —?

County Attorney Hart said, Mr. Chairman, when the witness is speaking, I'm going to ask everybody to allow the witness to complete their answer and not interrupt people with another question. I have a tendency to do that a lot myself, so call me down if you —. Chairman Hair said, I will enforce that.

Mr. Bowen asked, could repeat the question? Commissioner Rayno asked, did you have a specific policy in mind that you felt was impeded by arguments? Mr. Bowen said, my statement was to a general —, general overtone of the meeting. I do —, I can recall one policy issue coming up on the Board of Equalization hearings. There were several questions on how staff would go about preparing for these hearings and the steps that we would take. I believe that was set back several meetings and even the Department of Revenue had sent out a letter to ask for some clarification. To date, I don't believe we have received any —, any guidance on that, and the Board of Equalization hearings have already come and gone. Commissioner Rayno asked, would that have been the March 6th meeting? Mr. Bowen said, I can't recall a specific date. Commissioner Rayno said, well, that issue was discussed, and were you aware that there was 24 unanimous votes that date and only four divided votes? Mr. Bowen said, no, sir. Commissioner Rayno asked, were you aware that on March 27th there was 46 unanimous votes and only eight divided votes? Mr. Bowen said, no, sir. I didn't keep track of those. Commissioner Rayno asked, but still it would be your testimony that their business is not getting done? Mr. Bowen said, there is a lot of arguments that were taking place at those meetings. Commissioner Rayno said, thank you.

Chairman Hair asked, any further questions of this witness? Agree to dismiss? County Attorney Hart said, yes sir. Chairman Hair said, you are dismissed. Mr. Bowen said, thank you. County Attorney Hart said, you can either stay, go home or to work. Chairman Hair said, you are dismissed. You will not be called back for further testimony. Wherever you need to go. Next witness.

County Attorney Hart said, Lynn Stennett. S --, I'm not sure how to spell it. Ms. Emily Garrard said, S-T-E-N-N-E-T-T. Commissioner Odell said, I'm glad you spelled that rather than Jon [Hart].

Mr. Center asked, is she on the original list? Okay. Mr. Chairman, for the record, her name was not given to us until Tuesday afternoon. I think that's too late for due process and I object to her testimony. Chairman Hair said, objection so noted. Thank you, sir. County Attorney Hart said, I believe we told them about the list as soon as we identified the witness. Chairman Hair said, that's fine. Come around, Ms. Stennett, and take the chair please. County Attorney Hart said, I'm sorry. I got busy doing something else. I apologize. Chairman Hair said, face the attorney for being sworn.

County Attorney Hart asked, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God? Ms. Stennett said, yes, sir. County Attorney Hart said, please state your name for the record. Ms. Stennett said, Tina Lynn Stennett. County Attorney Hart said, and you were originally from Savannah, moved away for a while and came back. Is that correct? Ms. Stennett said, I'm originally from Georgia —. County Attorney Hart said, oh, okay. Ms. Stennett said, and then moved away for a while and came back. County Attorney Hart said, all right. Can you very briefly give me your educational background? Ms. Stennett said, yes, sir. I have a bachelor's degree in finance and accounting and I hold two certifications, one is a Certified Government Financial Manager through the Association of Government Accountants and the second as a Certified Public Manager. County Attorney Hart said, okay. And have you worked for any public agencies or state agencies? Ms. Stennett said, yes sir, I sure have. County Attorney Hart asked, and what agencies are those? Ms. Stennett said, I worked for the State of Kansas for eight years. County Attorney Hart asked, and what did you do for those folks? Ms. Stennett said, I —, for the position when I resigned, I was Executive Director of the Kansas Children's Trust Fund. County Attorney Hart asked, and what is the Kansas Children's Trust Fund? What do they do? Ms. Stennett said, they —, it is a trust fund and all 50 states have one, and they develop programs for prevention of child abuse. County Attorney Hart asked, in Kansas were they also responsible for the distribution of all the tobacco money litigation? Ms. Stennett said, yes sir, they were. County Attorney Hart said,

okay. Now, did you have to report to a board? Ms. Stennett said, yes sir, I sure did. County Attorney Hart asked, how many members were on that board? Ms. Stennett said, there were 15 members. County Attorney Hart asked, could you give me the type of make-up of people that served on that board? Ms. Stennett said, the members, all 15 that I reported to, were composed of the State Attorney General, a State Supreme Court Judge, the Secretary of Social Services, the Secretary of Health and Environment, the Commissioner of the Board of Education, the Commissioner of Juvenile Justice, the Secretary of Human Resources, the former chief executive officer of Cessna Aircraft, and there were three other private citizens. County Attorney Hart said, okay. And how long did you serve in that capacity? Ms. Stennett said, right at two years. County Attorney Hart said, okay. Did you have to interact with those board members? Ms. Stennett said, yes sir, constantly. County Attorney Hart asked, did you have to attend board meetings? Ms. Stennett said, yes, sir. County Attorney Hart said, okay. Now, then, you came to work in Chatham County when? Ms. Stennett said, I began work with the Assessor's office March 5th of 2001. County Attorney Hart said, okay. And what do you do there? Ms. Stennett said, I'm an auditor in the Personal Property Division. County Attorney Hart said, okay. And how many auditors are there in that division? Ms. Stennett said, there are two. County Attorney Hart said, okay. And as an auditor in the Personal Property Section, are you from time to time requested to attend board meetings? Ms. Stennett said, yes sir, being one of the senior staff members, I'm required to attend all the board —. County Attorney Hart said, so since you've been there you've been to all the board meetings? Ms. Stennett said, those when I was present at work and not in training or vacation. County Attorney Hart said, and you've had the opportunity to observe the conduct of the various board members at board meetings. Is that correct? Ms. Stennett said, yes, sir. County Attorney Hart asked, do you have an opinion in regard to the ability of Mr. Sommers and Ms. Stringer in regard to their conduct at board meetings? Ms. Stennett said, I think the board meetings are extremely disruptive. There's a lot of non-agreeable areas and it makes it hard, at least for staff members, to be constructive. County Attorney Hart said, okay. Have you got any opinion in regard to whether Mr. Sommers and Ms. Stringer can attend board meetings and function in those board meetings in a non-argumentative, non-disruptive and non-disrespectful manner? Ms. Stennett said, from all the meetings that I've attended, I think that the current make-up of the Board of Assessors, it would be very difficult for it to be no battles, no disagreements, to try to work for a common goal. County Attorney Hart asked, are they able —, do you feel that their actions —, by that I mean, Mr. Sommers and Ms. Stringer —, have any effect upon the orderly process of doing the public's business? Ms. Stennett said, yes, sir, in that it makes it more difficult for the staff to do their job and to —, to present from their expertise their recommendations. County Attorney Hart asked, based on your experience of working with other boards and your attendance at this meeting, do you have any opinion as to whether Ms. Stringer or Mr. Sommers can work in a harmonious manner with other board members towards a common goal? Ms. Stennett said, I think at this point there's been so much history already laid down, my personal opinion would be that a new set of board members would —, would be more fair and it would be a better game plan, but that's my —, just my opinion. County Attorney Hart said, thank you.

Chairman Hair asked, Mr. McGraw, do you have any questions of this witness? Mr. McGraw said, no, no questions. Chairman Hair asked, Mr. Center, do you have any questions of this witness?

Mr. Center said, yes, thank you. Ms. Stennett? Ms. Stennett said, yes, sir. Mr. Center said, hi, I'm Tony Center. I recognize your face. I've been to meetings, too. How are you? Ms. Stennett said, just fine. Mr. Center asked, you work for Mr. Udinsky? Ms. Stennett said, I work for the Board of Assessors, yes sir. Mr. Center asked, but you work in the Chief Appraiser's staff? Ms. Stennett said, yes sir, I'm in the personal property. Mr. Center asked, but do —, if we did the chain of command, you'd go up through Mr. Udinsky —? Ms. Stennett said, yes, sir. Mr. Center asked, and then to the Board of Assessors? Ms. Stennett said, yes, sir. Mr. Center asked, do you want to see Ms. Stringer dismissed? Ms. Stennett said, I don't have any personal problems with anyone. I'm kind of a —, a new kid on the street. I've only been in the position for nine months. I don't —, I've never been addressed or —, you know, addressed in any manner from either of the three, so, I mean, that —, the only experience I have is just that I have a strong background in attending meetings. Mr. Center asked, and the only experience you have with them is basically in the board meetings? Ms. Stennett said, yes, sir. Mr. Center asked, are you here today because you received a letter? There's one in front of you, if you could look at that? Ms. Stennett said, yes, sir. Could you work with Ms. Stringer? Ms. Stennett said, at the level that I'm at, I actually don't have to work individually with the board members. Mr. Center said, okay. When you talked about there being non-agreeable areas —, the disagreement you've seen when you're in the board room, was that between Ms. Stringer and Mr. McGraw? Ms. Stennett said, no sir, not necessarily. Mr. Center asked, between Ms. Stringer and Mr. Sommers? Ms. Stennett said, I mean, I think I've witnessed disagreements amongst all five board members. I mean, they're not always just directed at, you know, one person against maybe one other individual person. I've —, from what I've seen, there's been some uncommon, you know, ideas or opinions amongst a multitude of things. I don't —, I don't think I would say that, you know, for instance, that it's just, say, Chairman Hogan against Ms. Stringer or anything like that. I personally wouldn't say that it's just, you know, a couple of people involved. I think it's as a group. Mr. Center asked, as a group that's presently there, the five people? Ms. Stennett said, yes, sir. Mr. Center asked, do you see any problem with Ms. Stringer and Mr. Sommers and Mr. McGraw working together? Ms. Stennett said, well, I think, judging from most cabinets, that the more individuals you can have involved with such diverse categories and type of work that we do —, I mean, it is a lot to learn. There's a tremendous amount to learn. I think —, I think the larger cabinet you have, the more beneficial you are to having a better understanding of what's going on in the cabinet. Mr. Center said, right. I understand your sentiment, it's better to have five people, but do you see any particular problem of the working relationship between Mr. McGraw, Ms. Stringer and Mr. Sommers? Ms. Stennett said, no, sir. Mr. Center said, okay. On all the boards you've served on, did any of those boards have the pressure of four negative reports from the State Government? Ms. Stennett said, at the level I was at, you wouldn't necessarily have state reports because the cabinet members I worked for all reported directly to the Governor, but there was —, the tobacco litigation money was the —, was very —, nobody had the same opinion on how

they wanted to spend it. You know, everybody addressed their own opinions, but it was never out of control. Mr. Center asked, and the Governor never specifically singled out any one of your boards for not properly doing its job, did he? Ms. Stennett said, no, sir. Mr. Center asked, or the staff? Ms. Stennett said, no. Mr. Center said, thank you.

Mr. Center recognized Mr. Hartridge,

Mr. Hartridge asked, the meetings you've seen, Mr. Hogan was the chairman, was he not? Ms. Stennett said, yes, sir. Mr. Hartridge said, all right. And the meetings back in Kansas had a chairman, right? Ms. Stennett said, yes, sir. Mr. Hartridge asked, those meetings, were they conducted in an orderly fashion back in Kansas? Ms. Stennett said, yes, sir. Mr. Hartridge asked, the chair ran the meetings? Ms. Stennett said, yes, sir. Mr. Hartridge asked, Mr. Hogan's been running the meetings you saw, hasn't he? Ms. Stennett said, he's attempted to. Mr. Hartridge asked, are you familiar with Robert's Rules? Ms. Stennett said, yes, sir. Mr. Hartridge said, all right. Are you here voluntarily or pursuant to the letter before you? Ms. Stennett said, pursuant to the letter. Mr. Hartridge asked, to the letter? And you work in the Appraiser's office, right? Ms. Stennett said, yes, sir.

Chairman Hair asked, please speak in the mike, Mr. Hartridge.

Mr. Hartridge asked, do you wish to see Mr. Sommers removed as a member of the Board of Assessors of Chatham County? Ms. Stennett said, well, as I've already stated, I don't have a personal agenda against any of the board members. Mr. Hartridge said, I see. Thank you.

Commissioner Rayno said, I have a question, Mr. Hair. Chairman Hair recognized Commissioner Rayno. Commissioner Rayno said, I'm kind of confused. You say you don't have an agenda, but earlier you testified you'd like to see a new board. Which one is it? Do you want to see a new board or you don't have —? Ms. Stennett said, what I —, what I addressed was, when I made the comment that I would —, that I thought a new board would be better, you would start out at a common ground where no one already has preconceived arguments or ideas or whatever. It would just be a new mesh of people and then the public also wouldn't already have a negative aspect or attitude or opinion of that board. When I said a new make-up of a group, as I have already stated, I don't have a personal agenda. I don't know any of these people individually. I'm not from the Savannah area. I don't even live in Chatham County. Commissioner Rayno asked, well, let me ask, how long do you think it would take for a new board to learn the job up to the level that you would like to see them be over you? Ms. Stennett said, well, it's —, from what I've heard —, and as I said, I've only been here nine months, so I, you know, I can't base much on —, it would all be hearsay. The actual board members aren't required to have the expertise to go out and evaluate a piece of property or to appraise it or to present its value before anyone. It's their responsibility to make sure that we are adequately trained and let us do our job. If we don't do our job, then they —, it's their job to pursue that. Commissioner Rayno said, it's my understanding that they're supposed to have some appraisal background or at least a minimum 40 hours of training at some time during the first part of their tenure as a board member. Is that true or not? Ms. Stennett said, yes, sir, as far as I know it is. Commissioner Rayno said, okay. So —, so you think maybe six months to a year they'd be up to speed? Ms. Stennett said, they still wouldn't have the training where they could go out and evaluate property. You'd have the training where you'd be a Level 1 appraiser, but then Level 1 appraisers, it's my understanding, must —, if they're going to go out and look at property, they have to go out with a co-worker. And again, I'm not on the real estate side, so I can't quote a lot of particulars. I'm on the personal property side. Commissioner Rayno asked, when —, when is our tax digest due this next year coming up? Ms. Stennett said, I think it's by June 1. Commissioner Rayno asked, wouldn't that —, if we got rid of all these people, don't you think that would jeopardize the accuracy of our tax digest and we'd be in violation of state law because our Board of Assessors were not qualified to make the proper decisions? Ms. Stennett said, actually I don't think it would have that much bearing, in my opinion. Commissioner Rayno asked, even if they didn't know what they were doing? Ms. Stennett said, well, I would say that you, as the Board of Commissioners, would give a lot of forethought before you would appoint anyone to the position, and depending on what their education is, what their capabilities would be, that would be up to you people on who you want to appoint and who you think would be qualified. Commissioner Rayno said, thank you very much.

Chairman Hair said, thank you, Mr. Rayno. Any further questions of this witness? Do you agree to dismiss? Mr. Hartridge said, yes, sir. Chairman Hair asked, agree to dismiss? You are dismissed, Ms. Stennett. Ms. Stennett said, thank you. Chairman Hair said, next witness.

County Attorney Hart said, Sharon Brooks. Chairman Hair said, come around this side, ma'am, please, and have a seat in the center. Please face the County Attorney to be sworn in, please. County Attorney Hart asked, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God? Ms. Brooks said, I do. County Attorney Hart said, please state your name for the record. Ms. Brooks said, Sharon Brooks. County Attorney Hart asked, by whom are you employed? Ms. Brooks said, Chatham County. County Attorney Hart asked, and in what capacity are you employed? Ms. Brooks said, I'm a clerk. County Attorney Hart asked, in what area of the —? Ms. Brooks said, at the Board of Assessors. County Attorney Hart asked, and what do you do at the Board of Assessors? Ms. Brooks said, I file exemptions and returns. County Attorney Hart said, okay. And how long have you been in that —, working for the Board of Assessors? Ms. Brooks said, almost three years. County Attorney Hart said, at some point I'm going to ask you to refer to Exhibit 4 in your book —, in the book —, there's a book right in front of you and it's all tabbed. If you can flip over to Number 4. Are you familiar with that document? Ms. Brooks said, yes. County Attorney Hart said, okay. Are you the author of that document? Ms. Brooks said, yes. County Attorney Hart asked, what is that document about? Ms. Brooks said, it's a letter that I had to send to applicants from 1999 and 2000 that

filed for the senior homestead exemption where we received an erroneous figure, and that we had to —, they had to come in and reapply. County Attorney Hart said, okay. Was that erroneous figure from the Chatham County Board of Assessors? Ms. Brooks said, Department of Revenue. County Attorney Hart said, okay. Can you very briefly explain what this letter —, the context in which this letter arose? By that I mean, why were you sending this letter? Ms. Brooks said, we had to go through and do an audit of all of the applications to see who would qualify with the correct figure. Those that are —.

Mr. Center asked, may I interrupt for just a moment? Again, for the record, I don't think we've seen this document in the ones that were given to us 10 days ago, a few days ago, so I object for the record. Chairman Hair said, objection so noted.

Mr. Hartridge said, we join in that, sir. Never seen it before. Chairman Hair said, okay. Mr. Hartridge, your objection is so noted.

Ms. Brooks asked, continue? County Attorney Hart said, proceed. Chairman Hair said, continue, please. Ms. Brooks said, okay. They had to —, this was letting them know that because of those wrong figures, they needed to come in and reapply, because with that figure they did not qualify any further, so they had to come in and reapply. County Attorney Hart said, okay. The number from the Department of Revenue was much higher than it should have been, which disqualified a bunch of people. Is that basically it? Ms. Brooks said, yes. County Attorney Hart said, okay. Now, how did you go about drafting this letter? Ms. Brooks said, I took the information from the letter —, the information that we received from the Department of Revenue. County Attorney Hart asked, so they had sent out a circular explaining what the problem was and telling you, you needed to renotify people? Ms. Brooks said, yes. County Attorney Hart asked, and then did you have that letter reviewed? Ms. Brooks said, yes. County Attorney Hart asked, by who? Your supervisor? Ms. Brooks said, my supervisor. County Attorney Hart asked, and your supervisor is who? Ms. Brooks said, Sheryl Snider. County Attorney Hart said, okay. And did that letter go out? Ms. Brooks said, yes. County Attorney Hart said, okay. Now, subsequent to that letter being sent, were you approached by any member of the Board of Assessors directly and not through the board —, the Chief Appraiser? Ms. Brooks said, yes. County Attorney Hart asked, and who were you approached by? Ms. Brooks said, Ms. Stringer. County Attorney Hart asked, and what did Ms. Stringer approach you about? Ms. Brooks said, she had concerns of the letter. She did not feel that it was adequate. County Attorney Hart asked, and did she instruct you to do anything? Ms. Brooks said, she instructed me that I needed to rewrite this letter. County Attorney Hart asked, and what did you do when you were instructed by Ms. Stringer to rewrite the letter? Ms. Brooks said, I explained that it was approved by my supervisor and I did not know how to rewrite a letter that had already been written and sent. County Attorney Hart said, okay. And what —, what did she tell you at that point? Ms. Brooks said, as far as rewriting the letter, it never was —, when she left the conversation, there was not an attempt to rewrite it again. County Attorney Hart asked, did you direct her to your supervisor? Ms. Brooks said, I had directed her to my supervisor —, well, I sent someone to get my supervisor. County Attorney Hart said, okay. And did your supervisor come on the scene at that point? Ms. Brooks said, yes. County Attorney Hart asked, and was that the Chief Appraiser? Ms. Brooks said, Deputy Chief. County Attorney Hart said, Deputy Chief. And that is who? Ms. Brooks said, Sheryl Snider. County Attorney Hart said, okay. In the days following that, were you ever again approached by Ms. Stringer? Ms. Brooks said, yes. The following morning she came in and told me she did not think that I had understood my job, that she had spoke to the Department of Revenue, and at that point my supervisor happened to walk in and join the conversation, and I stepped away. County Attorney Hart asked, did she go through the Chief Assessor's office —, Chief Appraiser's office before coming to you and speaking —? Ms. Brooks said, no. County Attorney Hart asked, about you not knowing how to do your job? Ms. Brooks said, no. County Attorney Hart asked, do you know how to do your job? Ms. Brooks said, yes. County Attorney Hart asked, was there any other conversations other than that? Ms. Brooks said, no. County Attorney Hart asked was a letter ever sent out that corrected this? Ms. Brooks said, no. County Attorney Hart asked, did the people come in and get their exemptions corrected? Ms. Brooks said, yes. County Attorney Hart asked, did you have any problems dealing with any of them? Ms. Brooks said, no. County Attorney Hart asked, did you have problems communicating with any of them? Ms. Brooks said, no. County Attorney Hart asked, did you have any questions asked by them? Ms. Brooks said, well, there were taxpayers just questioning why it happened, but none with instructions of what was going on. County Attorney Hart asked, were you able to answer those questions? Ms. Brooks said, yes. County Attorney Hart said, okay. Now, where do you sit in regard to —, do you attend board meetings and observe board meetings? Ms. Brooks said, I don't attend them. County Attorney Hart said, okay. Do you hear them? So you don't hear what goes on in board meetings, do you? Ms. Brooks said, well, I can hear because me —.

Mr. Center said, I would object. We've all heard what goes on in a board meeting from each witness, what they heard. She said she wasn't there. Chairman Hair said, well, you can note your objection, but I'm going to allow the question. Okay.

County Attorney Hart asked, can you hear what goes on at board meetings? Ms. Brooks said, yes. I work at the windows. The windows are open right across the hall from where the meeting is, where taxpayers file —. County Attorney Hart asked, all the way across the hall? Ms. Brooks said, yes, right across the hall. County Attorney Hart asked, and is there another wall separating you from them? Ms. Brooks said, no, their door's open and then I have the windows, at the hallway. County Attorney Hart asked, do you have the public come to your door and ask questions or receive information from the Board of Assessors? Ms. Brooks said, yes. County Attorney Hart asked, do you ever receive comments from the public? Ms. Brooks said, yes. County Attorney Hart asked, what kind of comments do you

receive from the public concerning the conduct of the meetings? Ms. Brooks said, well, they would like to know what's going on and does that happen all the time —.

Mr. Center said, again we have to object. Mr. Hartridge said, we have to object. Mr. Center said, call those members of the public and see what they said. Chairman Hair said, your objections are noted.

County Attorney Hart said, for purposed of explaining your conduct, have you ever —, do you have any opinion in regard to how the public views those meetings based on your conversations with them?

Mr. Hartridge said, objection. That does not explain her conduct at all. It's not an exception. We're not in court, I know, Mr. Chairman, but this is farfetched testimony. Chairman Hair said, I think she is entitled to report what's she's heard. I think that is germane. Continue, please.

Ms. Brooks said, well, they —, surprised is how most of them have acted, as to how the, you know, the actions of the board, and I tell them that they can —, it's a public meeting and that they can go in and sit down. It's open and that they can attend, but none of them rarely do. County Attorney Hart asked, what kind of comments would be made to you from the general public? What's going on in there? Or what are they doing? Why are they arguing? Those types of —.

Mr. Hartridge said, Mr. Chairman, we must object for the record to unidentified declarants, you know. We don't even have them identified, the general public. It doesn't explain her conduct and we must object to that. Chairman Hair said, I understand, Mr. Hartridge. She —, she is reporting from the public told her. Mr. Hartridge said, an unidentified member of the general public. Chairman Hair said, but it —, a person told her directly. For the record, the people, that you are saying, they told you that directly. You did not get that secondhand or anything? Ms. Brooks said, no. Chairman Hair said, okay. Mr. McGraw, do you have any questions of this witness? Mr. McGraw said, no, I have no questions. Chairman Hair asked, Mr. Center, do you have any questions of this witness? Mr. Center said, I do. Let me ask you, what time are we going to lunch? Chairman Hair said, probably —, I'm probably going to break after this witness. Chairman Hair said, okay.

Mr. Center asked, are you here voluntarily or because you received a letter similar to the one in front of you, directing you to be here? Ms. Brooks said, voluntarily. Mr. Center asked, you did not receive such a letter? Ms. Brooks said, I did receive it. Mr. Center said, okay. But do you want to see Ms. Stringer dismissed? Ms. Brooks said, it's caused a lot of conflict in our office, yes. Mr. Center asked, you do want to see her dismissed? Ms. Brooks said, yes. County Attorney Hart said, answer verbally. Ms. Brooks said, yes. Chairman Hair said, she said, yes. Mr. Center asked, have you —, in preparing your testimony for today, have you met as a group with other members of your office to discuss what you're going to testify today? Ms. Brooks said, no. Mr. Center asked, were you at a meeting about a week ago, Monday morning, the County Attorney came to talk to members of the Assessor's office? Ms. Brooks said, he spoke to us individually. Mr. Center asked, have you discussed your testimony at any time, what you're going to say today, with any other member of your office? Ms. Brooks said, no. Mr. Center said, you work in the Chief Assessor's office. Is that correct? Ms. Brooks said, correct. Mr. Center asked, you do not attend all the Assessor meetings? Ms. Brooks said, no. Mr. Center asked, so your opinion you gave today is based on what some people, who are unidentified, stopped in your office and just asked you questions off the cuff? Ms. Brooks said, people that I was assisting at the window that was —, they wee listening. Yes. Mr. Center asked, assisting them to do what? Mr. Center said, file for homestead exemption. Mr. Center said, let's talk about this letter. What was the purpose of this letter? Ms. Brooks said, to have people come in and reapply so that they could requalify for the senior tax exemption. Mr. Center asked, why did —, for the record, it's the May 4th letter that's in your book there, Mr. —, Commissioners. Why were people having to reapply? Was a mistake made somewhere? Ms. Brooks said, there was a mistake made through the Department of Revenue where they had given us an error in calculations for the maximum amount allowable under Social Security, which was 71,000. The amount should have been 34,000 and something, and that's why they had to come in and requalify. Mr. Center said, let me ask you. Did the Department of Revenue point out a mistake had been made here on the local level or —? Ms. Brooks said, no. Mr. Center asked, the Department of Revenue said, the Department of Revenue made a mistake? Ms. Brooks said, yes. Mr. Center asked, and asked for the Assessor's office to help them correct that mistake? Ms. Brooks said, yes. Mr. Center asked, and you said Ms. Stringer came to you and asked you about this letter? Ms. Brooks said, yes. Mr. Center asked, when was that? Ms. Brooks said, it was within a —, several days after the letter had been sent out. Mr. Center said, and this letter is dated May 4, 2001 —. Ms. Brooks said, yes. Mr. Center said, and it's in your book at Tab 4, if you need to look at it. Ms. Brooks said, yes. That's correct. Mr. Center said, and Ms. Stringer told you she didn't —. I don't understand the conversation. She came to you at your desk? Ms. Brooks said, yes. Mr. Center asked, and she had the letter in her hand? Ms. Brooks said, she had a copy of the letter, yes. Mr. Center asked, and tell me what she said to you about the letter? Ms. Brooks said, she told me that she didn't think it was written correctly. Mr. Center asked, what —, did she explain or did you ask her what do you mean not written correctly? Ms. Brooks said, she didn't think that it was —, that I worded, or what have you, that they need to come —, that they were not eligible on this year and they had to come in and reapply. Mr. Center asked, so did she disagree with the content of the letter or the grammatical structure of the letter? That's what I'm trying to ask. Did she not like your writing or she didn't like what DOR was doing? Ms. Brooks said, I believe she didn't like my writing. Mr. Center asked, and she specifically criticized the way you wrote the letter? Ms. Brooks said, yes, and she told me I needed to rewrite it. Mr. Center said, all right. And what did she say you needed to rewrite? Ms. Brooks said, well, she didn't never specifically state because I told her that it was approved by my supervisor and I did not feel like I needed to write another letter. Mr. Center said, okay. And your supervisor is here today, Sheryl Snider? Ms. Brooks said, I don't know if she's here today or not. Mr. Center said, okay. She was not back in the room with you?

Ms. Brooks said, no, she was not. Mr. Center said, so Ms. Stringer came to you and told you she didn't like the letter, wanted you to rewrite it, and you basically said, well, my supervisor approved it, you'll need to talk to her. Basically. Ms. Brooks said, yes. Mr. Center asked, and that was the content of that occurrence? Ms. Brooks said, as part of the letter, yes. Mr. Center asked, have you had any relationship at all with Ms. Stringer outside her official capacity as a member of the Board of Assessors? Ms. Brooks said, no. Mr. Center asked, have you filed any grievance or complaint about her being there that day and asking you to rewrite the letter? Ms. Brooks said, no. Mr. Center asked, have you had any problems with her other than this letter? Ms. Brooks said, no. Mr. Center said, thank you.

Chairman Hair recognized Mr. Hartridge. Mr. Hartridge said, no questions, sir. Chairman Hair said, no questions. Any questions from the —. Okay. Both sides, do you agree to dismiss this witness? Mr. Hartridge said, yes sir. County Attorney Hart said, yes sir. Chairman Hair said, everybody agrees. Ms. Brooks, you are dismissed. Thank you very much.

Chairman Hair said, I'm going to declare a recess until one o'clock for lunch. We will start back promptly at one o'clock. Mr. Center asked, 27 minutes? Chairman Hair said, one o'clock by this clock. Mr. Center asked, can we come to the same catered lunch you're having? Chairman Hair said, one o'clock.

NOTE: A recess for lunch was taken at 12:33 p.m., and reconvened at 1:15 p.m. [The delay in reconvening was occasioned by Commissioner Odell having been summoned to Judge Fowler's court and it was necessary that we await his return before the hearing could be reconvened.]

Chairman Hair said, I will now reconvene the hearing. Mr. Hart, call your next witness, please. County Attorney Hart said, Monica Middleton please. Chairman Hair said, have a seat, Ms. Middleton. Face the attorney and he'll swear you in.

County Attorney Hart asked, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God? Ms. Middleton said, I do. County Attorney Hart said, please state your name. Ms. Middleton said, Monica Middleton. County Attorney Hart asked, and by whom are you employed? Ms. Middleton said, Chatham County Department of Building Safety and Regulatory Services. County Attorney Hart asked, and how long have you been in that capacity? Ms. Middleton said, for two months. County Attorney Hart said, okay. And you're running a fever today, I understand. Ms. Middleton said yes. County Attorney Hart said, okay. We'll get you out of her as quick as we can. Before you went to the Department of Inspections, where did you work? Ms. Middleton said, the Assessor's office. County Attorney Hart asked, and what did you do for those folks? Ms. Middleton said, I was an Appraiser II. County Attorney Hart asked, and give me very briefly —.

Chairman Hair said, Ms. Middleton, you need to speak in the microphone please. Ms. Middleton said, okay. Chairman Hair said, thank you.

County Attorney Hart said, very briefly tell me how you —, what you —, how many years experience you had there. Ms. Middleton said, six and a half years with Chatham County Assessor's office. County Attorney Hart asked, prior to going to the Chatham County Assessor's office, what did you do? Ms. Middleton said, I used to do fee appraisals. County Attorney Hart asked, by fee appraisals that means basically doing appraisals in the private sector, is that correct? Ms. Middleton said, that's correct. County Attorney Hart said, okay. So you came to the Board of Assessors already with the experience, is that correct? Ms. Middleton said, that's correct. County Attorney Hart asked, and since that time you took all the courses, is that correct? Ms. Middleton said, that's correct. County Attorney Hart asked, did you like your job at the Chatham County Board of Assessors. Ms. Middleton said, yes, I did. County Attorney Hart asked, what were the circumstances that came about, about why you left to go to Building and Safety? Ms. Middleton said, it became a lot of fussing and fighting at the board hearings, at the Board of Assessors hearings. We never before had to attend hearings, and then in the past year we were requested to attend the Board of Assessors hearing to defend any changes or any appraisals that we, the appraisal staff, did. County Attorney Hart asked, and did you have the opportunity to observe that board? Ms. Middleton said, yes, I did. County Attorney Hart asked, and during the process of your attendance at those meetings, were things said that you took offense to? Ms. Middleton said, yes. County Attorney Hart said, okay. And subsequent to attending those meetings and observing, at some point did you file a grievance? Ms. Middleton said, I filed through my resignation. At the time, I stated to Mr. Udinsky the reason why I was resigning my position as an appraiser. County Attorney Hart said, okay. So let me restate then. You did not actually file a grievance. You just resigned your position with the Board of Assessors? Ms. Middleton said, that's correct. County Attorney Hart said, I'm going to ask you to turn in that book in front of you and look at Tab Number 5. Is that your letter of resignation? Ms. Middleton said, yes, it is. County Attorney Hart asked, and could you please read that into the record for us, please, ma'am? Ms. Middleton said, "This letter is written to explain my reason for resigning from my position as a Real Property Appraiser II with the Chatham County Board of Assessors. I feel that I have been forced to resign due to the fact that Pat Stringer and Jackie Sommers have made it very difficult for me to do my job effectively under the pressure and false accusations that we somehow as appraisers have been cooking the books. I have been employed with the Board of Assessors for six years and I have never before felt such low morale and self-esteem in the work that I do. Those two board members have in no way tried to make the working conditions for this office comfortable. It is my opinion that they are only out to intimidate and humiliate the people in this office. Gary, it has been a privilege to work on your staff over the years and I would like to personally thank you for choosing me over many other qualified applicants. Again, it has been an honor to work here. I just wish things were much different so that we could —, we would not —, so I would not have to leave, but they are not and I can no longer handle the stress that Pat and

Jackie have caused in my life. I wish you all the best in the future. Sincerely, Monica Middleton.” County Attorney Hart asked, now, subsequent to that, did you express —, did you receive any correspondence from Ms. Patricia Stringer? Ms. Middleton said, yes, I did. County Attorney Hart asked, is that attached in Exhibit Number 6? Ms. Middleton said, yes, it is. County Attorney Hart asked, and going back to Exhibit Number 5, was that, in fact, your opinion as to how you felt about the situation at the time of your resignation? Ms. Middleton said, yes, I did. County Attorney Hart asked, are you experiencing any of these similar types of problems out where you’re now working? Ms. Middleton said, no, I’m not. County Attorney Hart asked, do people treat you courteously and with respect? Ms. Middleton said, yes. County Attorney Hart asked, now, turning to Tab 7, in respond —, did you respond to Ms. Stringer’s letter that she wrote you? Ms. Middleton said, yes, I did. County Attorney Hart said, and in regard to Ms. Stringer’s letter, would you please read —, your response to that letter, would you please read that into the record? Ms. Middleton said, “I, as a staff appraiser, do work under the supervision and direction of Mr. Udinsky. What you seem to overlook is the fact that an accusation aimed at Gary refers to me as well. If the end result of my work under Mr. Udinsky’s direction is considered unprofessional or even illegal by you and Jackie, you have, in fact, called my professionalism and work ethics into question. Pat, Gary is not a field appraiser. He is my supervisor. He approves my work and directs me to my next task. The property values you questioned are partly my values. The methods you accuse are methods I execute to do my job. I take great pride in my job, understand every aspect of what I do, and perform what is required of me to the best of my ability. What you refer to as cooking the books is partly the result of my training, experience and professional expertise. I do take great offense at these accusations. My husband is a pastor, Ms. Stringer, and I am a pastor’s wife. I am strong in my faith and would be the first person to speak out if I had ever seen unethical or illegal activities in this office. Yet, you claim that I will follow along with such simply because I was directed to by my supervisor. In this, you either infer that I am ignorant [inaudible] or that the payments I receive twice a month from the County is somehow enough to cause me to breach my personal or professional ethics and buy my silence. It is not. It is also enough to keep —, it is also not enough to keep me employed in an environment where my own bosses question these very same ethics, that litany of baseless malicious opinion. Sincerely, Monica Middleton.” County Attorney Hart said, okay. Did you attend board meetings and have the opportunity to observe board meetings? Ms. Middleton said, yes, I did. County Attorney Hart asked, did you ever feel that you were personally attacked by any of the parties at the Board of Assessors? Ms. Middleton said, at one time I was. County Attorney Hart asked, and how —, could you explain the circumstances of that? Ms. Middleton said, it was due to a Board of Equalization hearing that I had on a property where the board had changed the value considerably, and I was questioned by Ms. Stringer on why the board changed that value and I could not explain that value and, in her words, she stated that how can you, the appraisers, remember things that happened last year in board hearings, and not remember the things that happen this year. But last year we were required to take note of things that happened in the board, whereas, this year, when we were told that whatever happens in the board hearings, whatever decision the Board of Equalization came up with, then that was their decision. We were not to question them. County Attorney Hart said, okay. Now, based on your observations of Mr. Stringer and Ms. —, of Ms. Stringer and Mr. Sommers, do you have an opinion as to whether they can work within the Board of Assessors board in a non-argumentative, non-disruptive, non-disrespectful manner? Ms. Middleton said, in my opinion, no. County Attorney Hart asked, do you have an opinion as to whether the conduct that they have in the meetings is an impediment to the conducting of business of the Board of Assessors in a timely and orderly manner? Ms. Middleton asked, could you say that again, please? County Attorney Hart said, sure. Do you have an opinion as to whether the conduct of Ms. Stringer and Mr. Sommers in the board meeting is an impediment to the conducting of business of the Board of Assessors in a timely and orderly manner? Ms. Middleton said, no, because at some times we would sit in board hearings, this is my opinion, for two to three hours and never be questioned about what took place in a board hearing or to explain matters concerning appraisal methods. We would sit there all day and that was taking time away from me doing my daily work. County Attorney Hart asked, and have you had any members of the public during the course —, do you go door-to-door and do your appraisals? Ms. Middleton said, yes. County Attorney Hart asked, subsequent to persons being —, the board meetings and Ms. Stringer and Mr. Sommers going on the board, did you have persons question the public confidence in the Board of Assessors and its staff? Ms. Middleton said, yes. County Attorney Hart said, okay. Did you have that —.

Mr. Hartridge said, we object to that as hearsay. Chairman Hair said, the objection’s noted. Mr. Hartridge said, they’re not here for us to examine them on what they may have had to say to this witness. Chairman Hair said, the objection’s so noted, Mr. Hartridge.

County Attorney Hart asked, and what effect, if any, did those comments have on your conduct or your personal feelings about how you felt about working there? Ms. Middleton said, well, at the time, I got very despondent. I was not into my work like I used to be. It was almost as I really didn’t care what took place, what I did. It was just —, it was time for me to leave and get out because I couldn’t handle it anymore. County Attorney Hart asked, do you feel that Ms. Stringer and Mr. Sommers as board members can work in a harmonious manner with the other board members? Ms. Middleton said, at this point —, well, I can’t say at this point, but at the —, when I left, no. County Attorney Hart said, okay. Thank you.

Chairman Hair asked, no further questions? Mr. McGraw, do you have any questions of this witness? Mr. McGraw said, no, I have no questions. Mr. Center, do you have any questions?

Mr. Center said, I do. Ms. Middleton, hi. Sorry you’re sick. Bear with me. If you need water or anything, let me know, but I have to ask you some questions. Are you here today because you received a letter from the County asking you to come? Ms. Middleton said, yes. Mr. Center asked, and it’s similar to that letter down on your right elbow? Ms. Middleton said, yes. Mr. Center asked, you are still employed by Chatham County? Ms. Middleton said, yes, I am.

Mr. Center asked, did you get a pay raise when you changed job? Any increase? Ms. Middleton said, no, I didn't. Mr. Center asked, did you get a decrease? Ms. Middleton said, no. Mr. Center said, you said you were requested to attend the board meetings. Who requested that you attend those meetings? Who specifically? Ms. Middleton said, well, I got —, Kathy Wilkes, who was my supervisor, said that the Board of Assessors requested our presence at the board hearings to defend our values that we had, any appraisal methods that we've been doing. Mr. Center asked, so Kathy Wilkes is the one who told you to come? Ms. Middleton said, yes. Mr. Center said, you said at one time at a Board of Equalization hearing something happened. Do you remember the date of that? Ms. Middleton said, no, I don't. That was the last board hearing that I attended before I left the Assessor's office. Mr. Center said, so look at your letter of resignation. Would that have been September or October of this year? Ms. Middleton said, yes. Mr. Center asked, now, you said that you took it —, you got despondent when the public criticized your work performance? Ms. Middleton said, yes. Mr. Center asked, did you get despondent when the Governor of the State of Georgia criticized the performance of the Chief Appraiser's office? Ms. Middleton said, well, he didn't really criticize. He didn't state that anything illegal we were doing —, he didn't say that we were doing anything illegal. Mr. Center asked, did you take it personally when the Governor of Georgia criticized the Chief Appraiser's staff work? Ms. Middleton said, yes, I did because that was my work. Mr. Center said, okay. Did you take it personally when the Performance Review Board criticized the Chief Appraiser's staff work? Ms. Middleton said, again, yes, because that was my work that was being done. Mr. Center asked, and did you get despondent when the Performance Review Board criticized the Chief Appraiser's staff work? Ms. Middleton said, I believe I was despondent before that report came out. Mr. Center said, you stated —, I'm reading your letter of resignation, and you refer to the term "cooking the books." Ms. Middleton said, uh-huh. Mr. Center asked, you were never personally attacked or criticized or accused of cooking the books, were you? Ms. Middleton said, when they say cooking the books, whatever —, when I appraised property and I turn —, say that, okay, this property is assessed at X-amount of dollars, that is my work. Gary Udinsky is the Chief Appraiser. He sends us out to do the field work. We come in, we input it, and that's the value that they go on, whatever appraisal is put in the system. Mr. Center asked, but you never heard Ms. Stringer or Mr. Sommers or anyone say that Ms. Middleton cooked the books? No one accused you personally, have they? Ms. Middleton said, no, they haven't. Mr. Center asked, and you were not at the meeting where the term "cooking the books" was used at the Board of Assessors meeting, were you? Ms. Middleton said, I was at one meeting, yes, I was. Mr. Center said, well, I'm looking at a Board of Assessors meeting, June 20, 2001, one of the documents provided by the County Attorney, and the people present does not list your name. I'll be glad to show this to you. I've highlighted it. It states that Mr. Sommers stated that Mr. Udinsky was cooking the books. I'll be glad if you want to look at that, but I don't see your name as being present there. Ms. Middleton said, I was at a meeting. I don't know which meeting that was, but there was a meeting I was there when he did state that the —, we were cooking the books, that Mr. Udinsky was cooking the books. Mr. Center asked, and when he said Mr. Udinsky, you took it personally to mean you? Ms. Middleton said, yes, I did. Mr. Center asked, did you attend a meeting last week over at the Chief Appraiser's office to talk to the County Attorney about your testimony today? Ms. Middleton said, not at the Assessor's office, no, I didn't. Mr. Center asked, where did you meet with the County Attorney? Ms. Middleton said, over here. Mr. Center said, okay. Did a group of you come or you came alone? Ms. Middleton said, I came alone. Mr. Center said, thank you.

Chairman Hair asked, Mr. Hartridge, do you have any questions of this witness? Mr. Hartridge said, no, sir. Chairman Hair said, okay. Any questions from the Commissioners? Okay, any —, both sides agree to dismiss this witness? Mr. Hartridge said, yes sir. Chairman Hair said, okay, you are dismissed. Have a nice day. Thanks for your testimony. Mr. Hart, call your next witness. County Attorney Hart said, I hope you feel better. Hal Copeland, please. Chairman Hair said, have a seat please. Face the County Attorney and be sworn in, please.

County Attorney Hart asked, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God? Mr. Copeland said, I do. County Attorney Hart said, please state your name for the record. Mr. Copeland said, Harold Copeland. County Attorney Hart asked, and by whom are you employed? Mr. Copeland said, Chatham County Assessor's office. County Attorney Hart asked, and in what capacity are you employed? Mr. Copeland said, I'm a Senior Appraiser, sir. County Attorney Hart asked, very briefly can you run through your educational background, experience, what you have insofar as being an appraiser? Mr. Copeland said, yes, sir. I've got a high school diploma, a little bit of college, and then I've worked with the Assessor's office for approximately 14 to 15 years now. 13 or 14. I'm an Appraiser IV, certified by the State of Georgia. County Attorney Hart said, okay. And have you passed all the tests and qualifications to hold that position? Mr. Copeland said, yes, sir. County Attorney Hart asked, and you've also held other positions of a similar nature in other organizations, I understand? Mr. Copeland said, yes, sir. I had left Chatham County for a brief time, and I went down to Bryan County as the Chief Appraiser there. County Attorney Hart asked, now, in your capacity as a Level 4 appraiser, are you required to attend Board of Assessors meetings? Mr. Copeland said, yes, sir. County Attorney Hart asked, do you have the opportunity to sit in those meetings and observe those meetings? Mr. Copeland said, yes, sir, I do. County Attorney Hart asked, now, at some point in time, did you elect to file a grievance of concerns concerning how business was being conducted insofar as it relates to you? Mr. Copeland said, yes, sir, I did file a grievance in regards to Mr. Sommers and Ms. Stringer's behavior in the meetings and towards the staff. County Attorney Hart said, and I'm going to ask you to turn to Tab Number 9 in the book of exhibits in front of you. Mr. Center said, that's 8, I believe. County Attorney Hart said, excuse me, 8. I take that back. I'm glad somebody's paying attention. Mr. Copeland said, yes, sir. County Attorney Hart asked, does that constitute the information that you provided, the basis for which you made your grievance? Mr. Copeland said, yes, sir, it is. County Attorney Hart said, okay. And for purposes of the record, would you read in that letter into the record? Mr. Copeland said, ye, sir, I'll be happy to. This is to Gary Udinsky from Hal Copeland, Senior Appraiser. Subject, grievance. It was dated June 25th, 2001. "This is formal notice that I feel that I have been and that I am

still being publicly attacked and belittled by Board of Assessors members Pat Stringer and Jackie Sommers in an open attempt to find cause to have your employment terminated. The attacks have been addressed not only at me, but at the entire office. In the June 20, 2001, Board of Assessors meeting, Mr. Sommers and Ms. Stringer presented a letter that they wanted attached to the digest submission package and the PT-32.1 form sent to the State and Chatham County. Mr. Sommers made it a point to make sure that the newspaper reporters got a copy, while stating, they don't need one, they're only the staff, referring to myself and other members of the senior staff. In the letter they state the staff deliberately withheld information from the Chatham County Board of Assessors. The staff has never withheld any information from the board. We have followed the procedures established by the board in regards to board members getting information. They say that the staff wanted them to approve change of value notices that they had no knowledge of. They said the information was not presented to them until the same day as the board is asked to approve the change of value notices. It is my understanding that the agenda packages were ready for them on Friday, June 15th, and the assessment notice attached to the 2001 summary was either delivered to them or ready to be picked up on Monday, June 18th. If they failed to pick up the package, it is not the staff's —, it is not the fault of the staff. They stated we believe the Chief Appraiser is cooking the books with sales ratio information simply to make the appraisal staff and the Board of Assessors look good with the State of Georgia and with Chatham County. Neither Mr. Sommers or Ms. Stringer would define the term 'cooking the books.' I take it to be illegally falsifying the books or the digest, as did the Chairman of the Board of Assessors. Now the staff has to deal with the public thinking we're cooking the books. The day after the meeting, June 21st, the newspaper quoted the cooking the books comment. While in the field that day inspecting properties, I had to defend the staff on more than one occasion and explain that we do not cook the books or do anything else that is illegal. Mr. Sommers and Ms. Stringer are intentionally stating falsehoods and half-truths in an attempt to discredit you and the office. They are harming the staff members' reputation, as well as that of this office. We have a hard enough job to do without the intentional sabotage of our reputations by the Board of Assessors members. Mr. Sommers also presented a memo to Russ Abolt from Commissioner Gellatly that is unsigned that discusses County employees voicing their opinion as to who the Commissioners should appoint to the Board of Assessors. Mr. Sommers was very upset that some of the staff would voice their opinion in regard to the reappointment of Ms. Pat Stringer and made comments about him to members of the County Commission. He felt that this was being insubordinate, as he feels that he and Ms. Stringer are our bosses and we should not say anything bad about them. Section 5-3.0, Political Activity, states all employees are free to engage in political activities to the widest extent, consistent with the restrictions imposed by law. Mr. Sommers was so upset about the employees talking to the Commissioners that he demanded on numerous occasions to know who the employees were. He specifically stated that he knew that I had talked with Commissioners, and wanted to know who else had. Mr. Sommers glared at me on several occasions, when demanding to know who the employees were that talked to —, that talked to the Commissioners. He was so upset about the issue that he and Ms. Stringer would not vote to adjourn the meeting until he knew who the employees were. The meeting with the County Commissioners was set up by someone other than myself. They were done at locations either suggested by the Commissioners themselves or agreed to by them. I had nothing to do with setting up the locations. I either took leave time or was on my lunch hour when the meetings took place. Commissioner Gellatly did not say anything about the meetings being inappropriate to the employees. He even suggested that we contact Commissioner Rayno. He said we should not leave him out simply because of his views and his involvement with STOP. If Commissioner Gellatly thought —, or had a problem with the meetings —, with the meeting place or employees voicing their opinions about the appointments of Board of Assessors members, he should have told the employees at that time. He should not have encouraged them to meet with other County Commissioners if this was inappropriate action on behalf of the County employees. Due to the way Mr. Sommers was glaring at me while demanding actions against the employees —, actions against the employees that had spoken to the Commissioners, and his attitude about the entire issue, I am in fear that Mr. Sommers will try to retaliate against me and try to have my employment terminated. Mr. Sommers' and Ms. Stringer's unfounded accusations and half-truths must not stop immediately. They are damaging my personal reputation, as well as that of the entire office and the Board of Assessors. Sincerely, Hal Copeland, Senior Appraiser."

County Attorney Hart asked, did you believe those opinions at the time you wrote the letter? Mr. Copeland said, yes, sir, I did. County Attorney Hart asked, do you believe those opinions today? Mr. Copeland said, yes, sir, I do. County Attorney Hart said, Mr. Copeland, you testified as a senior member you've attended board meetings. Have you had an opportunity to observe the conduct of Ms. Stringer and Mr. Sommers at those meetings. Mr. Copeland said, yes, sir, I have. County Attorney Hart asked, do you have any opinion in regard to their ability to attend Board of Assessors meetings and conduct themselves in a non-argumentative, non-disruptive, non-disrespectful manner? Mr. Copeland said, I don't think they can do that, sir. County Attorney Hart asked, do you have an opinion as to whether their conduct in the meeting constituted an impediment to the conducting of business of the Board of Assessors in a timely and orderly manner? Mr. Copeland said, yes, sir, it does. County Attorney Hart asked, and insofar as the attitudes that have been exhibited through them in the paper, do you have an opinion as to whether there has been any damage to the staff members and the Board of Assessors in regards to the eyes of the public? Mr. Copeland said, I think we have all been damaged. I think it's very obvious, and this Commission has said the same thing, that our reputation has been terribly damaged, and every person I talk to just about has some kind of comment about it because of the things that they have done in these meetings. County Attorney Hart asked, now then, subsequent to that, did you subsequently write another memo? Mr. Copeland said, yes, sir, I did. County Attorney Hart asked, and that is in Tab Number 9? Mr. Copeland said, Number 9, sir. County Attorney Hart asked, and what was that concerning? Mr. Copeland said, I was called by two members of the Bryan County staff that informed me that Mr. Sommers had been called there trying to find out why I had left Bryan

County and if they had problems while I was employed there. County Attorney Hart asked, based on the conversations that you had with them, did you have any concerns or fears about your status as an employee in the Board of Assessors office? Mr. Copeland said, that's exactly —, that was my concern, and I stated that in the original grievance and then a day or two later I find out that he's calling down to where I previously worked trying to find things —, trying to dig up dirt, I think, to have me fired. County Attorney Hart said, thank you. Your witness.

Chairman Hair asked, Mr. McGraw, do you have any questions of this witness?

Mr. McGraw asked, Mr. Copeland? Mr. Copeland said, yes, sir. Mr. McGraw asked, do you have an opinion of my being able to function as a board member? Mr. Copeland said, I think you could function as a board member, Mr. McGraw. I think —, the only problem that I have, I think, is sometimes your unwillingness to —, to make a decision. You're placed on the Board of Assessors in order to try and help this County, and I think that you frequently abstain from voting, and I think that kind of hinders it also because good, bad or indifferent, you've got an opinion, and these gentlemen up here put you on there because you're supposed to have one, and they trusted you enough to make the right decision. And that's the only thing that I know of that you've done is not voted at times that I thought you should. Other than that, you are a good board member. Mr. McGraw said, you've been to most of our board meetings. If you recall the first board meeting, I stated that a lot of things I didn't know about that were going on —. Mr. Copeland said, yes, sir. Mr. McGraw said, and I would not vote until I get all the information. Mr. Copeland said, yes, sir. Mr. McGraw said, okay. Mr. Copeland said, yes, sir, you did. Mr. McGraw said, okay. Thank you. Mr. Copeland said, you're welcome.

Chairman Hair asked, any further questions, Mr. McGraw? Mr. McGraw said, no. Chairman Hair recognized Mr. Center.

Mr. Center said, thank you, Mr. Chairman. Mr. Copeland, my name is Tony Center. How are you today? Mr. Copeland said, fine, sir, and yourself? Mr. Center said, fine, thank you. I have some questions for you. You work for the Chief Appraiser? Mr. Copeland said, yes, sir. Mr. Center said, okay. And do you find anything in the conduct of Jerry Hogan that formed an impediment to conducting business in an orderly manner at the BOA meetings? Mr. Copeland said, I think Jerry [Hogan] and Jackie [Sommers] both, you know, get under each other's skin and —, and he's caused problems, too, and I think that's one reason why he's resigned is because he wants to move on and let this board function properly. Mr. Center said, okay. Did you find any damage to the staff in the eyes of the public because the Governor issued a report that singled out Chatham County's appraisal staff? Mr. Copeland said, I read that report, and I don't —, it's hurt us, certainly, but you can interpret that report either way you want to, depending upon how you want to look at it. Mr. Copeland asked, do you find any damage to the staff in the eyes of the public because of the Performance Review Board report? Mr. Copeland said, again, the same thing. If you choose which half you want to look at, the first half says there's things wrong and the second half says nothing's been done wrong and that we're competent. Mr. Center asked, and wouldn't you say that same conclusion or conclusory ability is true for anything Ms. Stringer or Mr. Sommers might have said? Half the public can look at it one way and half the other way? Mr. Copeland said, no, sir, because they bring it in, in a fashion that they —, they're not asking or they're not there trying to help the staff do their job. They're bringing in half-truths, trying to find things that they can blame on Gary [Udinsky] to have him fired. Mr. Center asked, did you bring any examples of those half-truths with you today? Mr. Copeland said, yes, sir. Mr. Center asked, what do you have? [NOTE: Mr. Copeland held up a stack of documents.] Mr. Copeland said, I've got a copy of —, we were supposed to —, Ms. Stringer wanted to discuss the Pooler land values and how bad of a job we were doing with the commercial land values there. Now, when the staff wants to bring an item to the Board of Assessors, we have to give background information about it. Ms. Stringer and Mr. Sommers never give any background information. So she wanted to tell us how bad of a job we had done in the Highway 80 and I-95 area, and she had this property record card in her hand. She didn't give it to anybody, but she told us about Property Record Card 5-39-1-1(m), and she said this is a motel that has just sold, and it sold for \$3.3 million, and there's a building permit for \$1.98 million, which leaves \$1.4 million for the land value, and you have the land value at \$326,000 —, \$326,700. Look how bad of a job the staff is doing on the land values in Pooler. Well, you know, without having any information, it's hard to defend yourself, so I got up and I left the meeting room to find out what was going on here, and I came back with the property record card in hand, and I went to Ms. Stringer and I said, Ms. Stringer, here's your reason. She said, it's okay, we don't need it. The property in two of 1999 for \$350,000 vacant, and we have \$326,700 on it. That shows we have a very good value on that land. But that wasn't brought out by Ms. Stringer. That wasn't played up to the media. All that was played up was you have a building permit for \$1.4 million —, or \$1.9, so the land has to be 1.4 million. Everybody in this room, I think, knows that building permit values do not represent value. If I'm a builder and I'm going to build a building for \$4 million, and I go out to the County office and I say I want a building permit, they charge me based on how much I say that building's going to cost me. So if I say it's only going to cost me \$3 million to build it, I don't have to pay as large a fee for my building permit. Now, Mr. Anderson's office has a schedule of a dollar amount. If they take that dollar amount times the square footage and it comes up less than the number they put on the building permit, they issue it at that number. That number's too low in my opinion, but this sale shows \$350,000 for the land value and we have \$326,000 on it. Ms. Stringer didn't bring that out because that did not make the land values look bad. All this was for was to make us look bad in front of the media and in the public. The \$350,000 is right underneath the \$3.3 million. She did not miss that. She didn't bring it out. Mr. Center asked, there's a \$3.3 million value on that paper? Mr. Copeland asked, pardon me? Mr. Center asked, are you saying that there's a \$3.3 million value mentioned on that paper? Mr. Copeland said, there's a sale

of \$3.3 million. Mr. Center said, okay. Thank you. I want to look at —. Mr. Copeland asked, do you want another one? Mr. Copeland said, I want to look at your June 25 letter. Do you want to see Ms. Stringer dismissed? Mr. Copeland said, I feel she should be. Mr. Center asked, can you work with her? Mr. Copeland asked, can I work with her? The way she's acted in the past? No, sir. Mr. Center said, you —. Mr. Copeland said, well, I can. I hope I don't have to. Mr. Center said, you can, okay. I'm noticing that your —, it's Tab Number 8, June 25, 2001, grievance. Mr. Copeland said, yes, sir. Mr. Center said, I notice that there were four grievances all filed on the same day, all referring to cooking the books. Is that just a coincidence or did you four people get together and talk about that? Mr. Copeland said, no, sir, I didn't talk to the other people that filed them. Mr. Center asked, did you know they were filing them? Mr. Copeland said, at that time, no, sir. When I filed mine, no, sir, I didn't. Mr. Center said, they were just all filed on the same on the same incident by coincidence. Mr. Copeland said, if you look at that incident, it's pretty serious. Mr. Center said, well, I'm looking at that incident. It says —, we're talking about cooking the books? It says Mr. Sommers stated that Mr. Udinsky was cooking the books. It doesn't mention you at all. Why are you filing a grievance on that? Mr. Copeland said, it says that he —, that we're cooking the books to make the staff look good, doesn't it? Mr. Center said, it doesn't say that. It says Mr. Sommers stated that Mr. Udinsky was cooking the books, and last year that caused the budget to be overstated. I'm reading from the minutes that were provided to me by the County Attorney. Mr. Copeland said, just a second. Let's find a copy of the letter that Mr. Sommers actually presented that he wanted to be attached to that —, to the things. Mr. Center said, okay. Can you find a letter from Ms. Stringer?

Mr. Hartridge asked, do we have that exhibit? County Attorney Hart said, yes. That exhibit is —, it should be attached to the grievance, I believe, and if it isn't, it's Exhibit 17. Mr. Hartridge said, it's not. County Attorney Hart said, okay. I apologize. Mr. Hartridge said, don't have it. It's an exhibit we haven't been provided. County Attorney Hart asked, Exhibit 17? Mr. Copeland said, it's in Exhibit 17. Chairman Hair said, Exhibit 17. County Attorney Hart said, you've been provided that. Matter of fact, you showed me a copy of it, as I recall. Mr. Hartridge said, that's to Mr. Griggers. Mr. Copeland said, yes, sir. Mr. Hartridge said, it's not attached to the grievance.

Mr. Center asked, are you through reading it, Mr. Copeland? Mr. Copeland said, no, I'm not. Mr. Center said, okay. [NOTE: Mr. Copeland read the document in question.] Mr. Copeland said, it says that, "We believe the Chief Appraiser is cooking the books with sales ratio information simply to make the appraisal staff and Board of Assessors look good with the State of Georgia and with Chatham County." Mr. Center said, on your June 25, 2001, grievance, that's Exhibit 8 in this book —. Mr. Copeland said, yes, sir. Mr. Center said, in this book, reading through it, I noticed that you filed a formal notice against Pat Stringer and Jackie Sommers in the first paragraph. The second paragraph talks about this letter they presented, which I assume is the one we just referred to, which is Exhibit 17 in that notebook. Mr. Copeland said, yes, sir. Mr. Center asked, didn't you say Mr. Sommers made it a point —, I'm going through the rest of the letter. I don't see any other grievances against Ms. Stringer in this letter. Are there? Mr. Copeland said, there's nothing else in this official letter, no, sir. Mr. Center asked, and you filed your grievance and the Board of Assessors did whatever they felt appropriate with that grievance. Correct? Mr. Copeland said, the Board of Assessors didn't feel they could do anything with it, that they had no control over it, so they forwarded it on to —, excuse me, to Human Resources to be handled either by them or by the Personnel Advisory Board. Mr. Center asked, and this letter that you referred to that we just read from —, I think Exhibit 17 —, that was attached to the official minutes of the meeting? Mr. Copeland said, I don't know, sir. Mr. Center said, that's what you said. Well, it says this letter was presented at the June 20th Chatham County Board of Assessors meeting. Mr. Copeland said, yes, sir. And they wanted it attached to the digest and to the paperwork that comes to the County Commissioners and things. Mr. Center asked, and do you have any idea what happened to that letter? Mr. Copeland said, I don't know, sir. Mr. Center asked, you are here because you received a letter from the County Attorney directing you to be here? Mr. Copeland said, yes, sir. Mr. Center said, thank you.

Chairman Hair asked, any other questions, Mr. Center? Mr. Center said, no. Chairman Hair recognized Mr. Hartridge.

Mr. Hartridge asked, you still have your position, do you not, sir? Mr. Copeland said, yes, sir, I do. Mr. Hartridge asked, you haven't been fired, have you? Mr. Copeland said, no, sir. Mr. Hartridge asked, you do work for the Board of Assessors, but you're subject to the PAB, right? Mr. Copeland asked, to the what, sir? Mr. Hartridge said, Personnel Advisory Board. The regulations? Mr. Copeland said, yes, sir. Mr. Hartridge asked, but you haven't had any ruling on this grievance? Mr. Copeland said, no, sir. Mr. Hartridge asked, but you're still working, right? Mr. Copeland said, yes, sir, I am. Mr. Hartridge asked, you haven't lost your job? Mr. Copeland said, not yet. Mr. Hartridge said, okay. Now, you realize that the Board of Assessors members are appointed under state law by the County Commission for this County to perform a specific function, don't you? Mr. Copeland said, yes, sir, I do. Mr. Hartridge said, to see to it that they investigate diligently and inquire into the property owned in this County. Mr. Copeland said, yes, sir. Mr. Hartridge asked, are you contending that they don't have a right to ask questions at board meetings, to inquire into property is returned or how matters are handled? Mr. Copeland said, I'm not saying that at all. What I'm saying is they should treat us, the staff, in the same manner that they expect to be treated. If they want —, if we put something on the agenda, they expect to have a little bit of background about it. They expect to have some knowledge of it prior to coming to the meeting so that they can make an informed decision on it. I don't expect to be attacked at every meeting trying to find things that they can play up to the press, so that it looks bad so that they can have Gary [Udinsky] fired. Mr. Hartridge said, let me ask you this. In your letter you talk about meetings with, I think, Commissioner Gellatly and perhaps others. Mr. Copeland

said, yes, sir. Mr. Hartridge said, about the reappointment of Ms. Stringer. Mr. Copeland said, yes, sir. Mr. Hartridge asked, you had those meetings, didn't you? Mr. Copeland said, yes, sir. Mr. Hartridge asked, didn't you express an opinion you didn't want her reappointed? Mr. Copeland asked, did I express that opinion? Mr. Hartridge said, yes. Mr. Copeland said, yes, sir. Mr. Hartridge asked, you did? You don't want her —, you want her to be dismissed by the County Commission, too, don't you? Mr. Copeland said, I would like that to happen, yes, sir. Mr. Hartridge asked, and you want Mr. Sommers to be dismissed by the County Commission? Mr. Copeland said, yes, sir, I would. Mr. Hartridge said, all right. You want Mr. Udinsky to remain in his job, don't you? Mr. Copeland said, I think Gary [Udinsky] should stay in his job. That's his —. Mr. Hartridge said, you're an advocate —. Mr. Copeland said, his choice if he —. I'm not an advocate for or against. If he chooses to leave, that's up to him. If the Board of Assessors chooses to fire him, that's up to them. I don't know of anything he's been —, that he has done wrong that deserves him being fired for. Mr. Hartridge asked, you're his advocate here today, aren't you? Mr. Copeland said, no, sir. Mr. Hartridge said, all right. You read the Governor's report dated February 29, 2000? Mr. Copeland said, I've —, I've seen some of it. I haven't read it cover-to-cover. Mr. Hartridge asked, you know that a lack of uniformity was found in that report, among other things, don't you? Mr. Copeland said, I know a lot more about it than you probably do. Mr. Hartridge said, we'll see about that. Mr. Copeland said, okay. Mr. Hartridge asked, do you know what's in the June 15th, 2001, PRB report? Mr. Copeland said, yes, sir. Mr. Hartridge asked, do you know that also finds that there's a continuing lack of uniformity in the County digest? Mr. Copeland said, I understand that that's written in there somewhere, yes, sir. Mr. Hartridge asked, you disagree with that, don't you? Mr. Copeland said, well, I understand that part of the problems is that there's two different methods used to value two different kinds of property; that some were done by a cost approach and some were done by an income approach, and there's nothing wrong with that, and if you talk to the people that were involved with that report, you would find that out. Mr. Hartridge said, the State Revenue Department, Mr. —.

Chairman Hair said, Mr. Hartridge, you need to speak in the microphone, please, sir.

Mr. Hartridge asked, Mr. Sheppard oversaw the report, didn't he? Mr. Copeland said, Mr. Sheppard wrote it. Mr. Hartridge said, all right. You know that of your own knowledge? Wasn't it signed by all members of the —? Mr. Copeland said, yes, sir, it was signed by all members, but they didn't write it. Mr. Hartridge asked, they didn't write it? Who wrote it? Mr. Copeland said, Mr. Sheppard wrote it. Mr. Hartridge asked, how do you know that? Mr. Copeland said, because one of them —, I had a discussion with one of them about it. Mr. Hartridge asked, were you arguing with him about it? Mr. Copeland said, no, actually he came and apologized to me for that report. Mr. Hartridge said, I see. So you disagree with the report and you think there's something wrong with the report that this County Commission requested from the PRB under the law? Mr. Copeland said, I think if we read the whole report, it says nothing's wrong. Mr. Hartridge said, answer my question, sir. You disagree with the report, with any item in the report critical of Mr. Udinsky, don't you? Mr. Copeland said, no, sir. We, in the office, have asked the Board of Assessors, including Pat [Stringer] and Jackie [Sommers] to make a decision to correct every single thing that was in that PRB. We have asked how they want us to handle the uniformity issues. They won't make a decision. Mr. Hartridge asked, they are in a minority at the moment of 3 to 2 or 2 to 2 with one abstention, are they not? Are you echoing Mr. Udinsky's contention that everything is the board's problem and he can only do what the board says, so what he's done is to be excused? Is that your position? Mr. Copeland said, that's not my position at all. Mr. Hartridge asked, what's your position? Mr. Copeland said, my position was, and the question was about the report, is how should we fix it? The things that they have brought up, how do you want them fixed? Now, we have asked them in regards to the non-uniformity, where there are more than one method on a piece of property being valued, how would you like us to value it? They refuse to tell us how to do it. They said let's ask the Revenue Department. Mr. Hartridge asked, now with respect to the Revenue Department, you know that the report of February 29, 2000, was signed off on by Mr. T. Jerry Jackson, the Commissioner of Revenue of the State of Georgia, don't you? Mr. Copeland said, yes, sir. Mr. Hartridge asked, and you know the people who participated in that? Mr. Copeland said, no, sir. I wasn't here at that time. Mr. Hartridge said, all right. But you disagree with that report? Mr. Copeland said, no, sir. I didn't say I disagree with it. I said I haven't read it cover-to-cover, so I don't know what all exactly it said in it. Mr. Hartridge asked, you know that it found —, do you know that it found a lack of uniformity in this County? Mr. Copeland said, I believe it said there was a lack of uniformity. Mr. Hartridge asked, are you prepared to disagree with that? That finding, if you were's here there? Mr. Copeland said, I wasn't here in tax year 2000 to see what was actually done, so I don't know, sir. Mr. Hartridge asked, do you know who else of the staff went to the meeting and asked the Commissioner or Commissioners not to reappoint Ms. Stringer? Mr. Copeland said, well, there were different meetings and some had some people in it, some had others, so, I mean, you know, there was a lot of people that were involved. Mr. Hartridge said, a lot of people involved on the paid staff of the Board of Assessors that didn't want Ms. Stringer reappointed. Is that right? Mr. Copeland said, yes, sir, I'd say there was. Mr. Hartridge asked, who were they? Mr. Copeland said, I was there, Bonnie was there —. Mr. Hartridge asked, who is Bonnie? Mr. Copeland said, Bonnie Thomas. Mr. Hartridge said, yes. Mr. Copeland said, I think Kathy Wilkes showed up at one meeting. Mr. Hartridge said, Kathy Wilkes. Mr. Udinsky? Mr. Copeland said, no, sir. Mr. Hartridge asked, were you all speaking for him? Mr. Copeland said, I don't speak for anyone other than myself. Now, if you want to ask Mr. Udinsky questions, ask him. Mr. Hartridge said, we don't see him here today. Did you —, did you confer with the County Attorney, Mr. Hart, before testifying today? Mr. Copeland said, yes, Mr. Hart interviewed me. Mr. Hartridge said, all right. Did he prepare you to testify? Mr. Copeland said, no, sir. He doesn't prepare me. Mr. Hartridge asked, you prepared him? Mr. Copeland said, no, sir, I don't prepare him. I think he does a fine job. Mr. Hartridge asked, have you met with Mr. Udinsky before you testified here today about what your testimony would be? Mr. Copeland said,

no, sir. Mr. Hartridge asked, you have not? Have you discussed this matter with Mr. Udinsky, the removal of Mr. Sommers and Ms. Stringer? Mr. Copeland said, I'm sure it's come up in casual conversation. Mr. Hartridge asked, and what was that casual conversation? Mr. Copeland said, I don't know every comment that we've made. I don't know, sir. Mr. Hartridge asked, does he, to your knowledge —.

Chairman Hair asked, Mr. Hartridge, please, speak into the mike, please. We can't hear you.

Mr. Hartridge asked, does he, to your knowledge, want them removed? Mr. Copeland said, you'd have to ask Mr. Udinsky if he wants them removed? Mr. Hartridge said, have to ask Mr. Udinsky. All right. Thank you.

Commissioner Rayno said, I have some questions. Chairman Hair recognized Commissioner Rayno. Commissioner Rayno said, good afternoon. How are you doing? Mr. Copeland said, fine, sir. How are you? Commissioner Rayno said, I was one of the Commissioners that you invited to a meeting, is that correct? Mr. Copeland said, yes. Someone else invited you to the meeting, and I was just told about it and I was there also. Yes, sir. Commissioner Rayno said, right. And would you describe our meeting as agreeable and friendly? We laughed a little bit. A couple of people cried, but we all got along just fine, right? Mr. Copeland said, we got along fine. Commissioner Rayno said, you mentioned the employees manual on political activity. Mr. Copeland said, yes, sir. Commissioner Rayno said, 5-3.0, where all employees are free to engage in political activity to a wide extent, consistent with the restrictions imposed by law. You do realize that there are seven exceptions to that? Right? Mr. Copeland said, okay. Commissioner Rayno said, and the last one says use of any supplies or equipment of the governmental unit for political purposes. Mr. Copeland said, okay. Commissioner Rayno said, so if you use a room that's a government place, then you're violating that policy. Is that correct? Is that correct? Mr. Copeland said, I guess you could say that. Commissioner Rayno asked, when you became an employee of Chatham County, did you go through an orientation program? Mr. Copeland said, yes, sir. Commissioner Rayno asked, and you went through the whole manual and they explained everything to you? Mr. Copeland said, I don't think they went through it page-by-page, but they explained some of it. Commissioner Rayno asked, at the end, did you sign a document saying that you understood what was —? Mr. Copeland said, I have a copy of it, yes, sir. Commissioner Rayno asked, so you did say you understood everything that was presented to you? Mr. Copeland said, yes, sir. Commissioner Rayno asked, so you had former knowledge of what was in this book? Mr. Copeland said, yes. Commissioner Rayno said, on political activity. But yet you still went ahead into that room and had a meeting? Mr. Copeland said, yes, sir, as did you. Commissioner Rayno said, but I'm not bound by these same rules. Am I? Now, did you attend a STOP meeting within the past two years? Mr. Copeland said, yes, sir, I went to one STOP meeting. Commissioner Rayno asked, did Gary [Udinsky] ask you to go to the STOP meeting? Mr. Copeland said, no, sir. Gary's never asked me to go to a STOP meeting. Commissioner Rayno asked, did you ever have any discussions with Gary [Udinsky] about the STOP meetings afterwards? Mr. Copeland said, I laughed about it, how big of a joke it was afterwards with him. Commissioner Rayno asked, well, did you describe some of the details of the meeting? Mr. Copeland said, probably. Commissioner Rayno asked, probably? Mr. Copeland said, probably. Commissioner Rayno asked, did Gary [Udinsky] ask any questions based on some of the things you explained to him? Mr. Copeland said, we had normal conversations, just like you and the other people in the STOP meeting would have had afterwards. Commissioner Rayno said, okay.

Chairman Hair asked, any other questions, Mr. Rayno.

Commissioner Rayno said, yes, one other question. Were you aware that Judge Abbot, a Chatham County Judge, ruled recently in November that there was a lack of uniformity in Chatham County? Mr. Copeland said, I understand that she did that based on the Performance Review Board and I understand that that's being challenged, isn't it? Commissioner Rayno asked, do you disagree with what Judge Abbot said? Mr. Copeland said, I haven't read her ruling, so I don't have enough information to say. Commissioner Rayno said, okay. Thank you.

Chairman Hair asked, any other questions of this witness? Mr. Center said, I may have a question if you'll give me just a moment to find my file. Give me a moment. Commissioner Odell asked, while he's looking, can I ask him a question? Chairman Hair said, Commissioner Odell, ask your question.

Commissioner Odell asked, is the underlying problem the level of civility, the level of respect that's being shown to staff? Is that your perception? Mr. Copeland said, that's the majority of it, sir. The biggest problem is, I feel personally, is Ms. Stringer and Mr. Sommers both have something to offer to the board —, or they could, if they wanted to —, but their whole purpose of being on this board is not to help the citizens of Chatham County or the employees. Their purpose is to fire Gary [Udinsky]. And they come at us at every meeting, and there's other examples if Mr. Center would like to see them, where they ambush the staff simply to find things that they can accuse Gary [Udinsky] of doing wrong to fire him. Commissioner Odell asked, so you believe that the staff is caught in a cross-fire in an effort to document reasons to terminate Mr. Udinsky? Mr. Copeland said, yes, sir.

Chairman Hair asked, Mr. Center, are you ready now? Mr. Center said, yes. Chairman Hair asked, okay, what's your question?

Mr. Center asked, Mr. Copeland, you attended a BOE meeting in December 2000 at the request of Mr. Udinsky? Mr. Copeland asked, December of 2000? Mr. Center asked, and then you wrote him a memo saying that Ms. Stringer and Mr. Sommers threatened the BOE? Mr. Copeland said, no, sir. I didn't attend that meeting, no, sir.

I was —, I was called by the, at that time, coordinator, Tereska Sears. There had been some problems the previous year in —, the Board of Equalization would have a hearing and they would either make a decision or it would be a no-show, no-change, because the person didn't show up, and then they'd say, oh, we made a mistake, and they'd have a second hearing for them. And the Board of Assessors says we're not going to allow any more of this and our staff to participate in that. They said that one hearing is all they're going to get. Now, if there's extenuating circumstances, they can bring it before the full board to see if there's a reason why that hearing should take place, and, if so, then they would make a decision as the board to let the staff participate. The Landings Marina —, The Landings Association, I guess, that owned the marinas for The Landings people, had filed for hearings the previous year. Their attorney, Scott Poole, had requested ten days in advance, in writing, that the hearings be postponed, and the staff told them —, I think Gail Gordon was the one that had said, yes, we will reschedule your hearings for you. Well, through lack of communication, those hearings went on and they were held without anybody from The Landings being there. So they weren't —, they didn't get their legal hearing the way they should. They brought it to our attention the next year when they finally realized that they hadn't had a hearing and they'd actually been no-show, no-change. And Mr. Poole came before the Board of Assessors and explained the situation. And in doing so, the Board of Assessors voted three to two to allow the staff to participate in the hearings for the previous year for The Landings. Mr. Center asked, so all that —. Mr. Copeland said, so I contacted —. Let me finish the question. Mr. Center said, go ahead. I thought you'd stopped. Mr. Copeland said, so I contacted Tereska [Sears] and told her that we have been authorized to participate in the hearings and go ahead and set them up. So the following Monday, I believe it was, they were having their board meeting where all their members come together in the evening and they discuss whatever kind of business they're going to have, and she called me the next day and said, Hal, I don't know what's going on; that Mr. Sommers and Ms. Stringer showed up at the meeting, and they told us that we couldn't have them, that they were illegal, and to find another way to have this hearing. They said that they were threatened to have them, having that hearing, and that they were going to get with the County Attorney's office to find out if they should or shouldn't have these hearings. So she didn't know what was going on and she was asking from me what to do and to let me know that they weren't going to hold them like we had set up already. Mr. Center asked, so all that is a no, you were not asked to go by Gary [Udinsky] to that meeting? Mr. Copeland said, no, sir. I didn't even know they were having a meeting. Mr. Center said, I got lost. That was a no, is the response to my question? Mr. Copeland said, no. Mr. Center said, I'm concerned because there's a charge that we received that says that you, Ms. Stringer, individually and as a member of the Board of Assessors, have requested in a threatening manner that the Board of Equalization not allow a hearing for a property owner after the Board of Assessors voted to support the holding of the hearing, and the only documents I could find whatsoever related to that charge is a memo from Gary Udinsky to Jerry Hogan, which said, "See attached Hal Copeland memo." And you're talking about this Landings Marina. Do you know of anything they did threatening at that meeting? Mr. Copeland said, I wasn't at the meeting, no, sir. Mr. Center asked, you don't know what they did at that meeting? Mr. Copeland said, no, sir. Mr. Center said, thank you.

Chairman Hair said, Mr. Copeland, I've got a couple of questions. Mr. Copeland said, yes, sir. Chairman Hair said, several —, has it been a practice in the past that when you had a Board of Equalization meeting and mistakes were made that certain second hearing were granted? Was that a practice in the past or not? Mr. Copeland said, it has not been to my knowledge, sir. Chairman Hair said, it has not been. Has there been any change —, any definitive statements about having second hearings, no second hearings, in the last year? Mr. Copeland said, the Board of Assessors had said —, and this was before this season started —, that, you know, there had been a lot of those in the previous year, and that they were not going to allow the staff to participate in any more of the second hearings unless it was something that was brought to them that was clearly a mistake. Chairman Hair asked, so there were —, there were a number of second hearings in the past, though? That's my question. Mr. Copeland said, the previous year, there was apparently a lot of them. Chairman Hair said, that's my question. Mr. Copeland said, yes, sir. Chairman Hair said, my first question. Mr. Copeland said, yes, sir. Chairman Hair asked, there were a number of previous second hearings, correct? Mr. Copeland said, yes, sir. Chairman Hair asked, do you —, are you aware of why that policy was changed and who instituted that policy? Mr. Copeland said, the Board of Assessors are the ones that did. I'm sure that either the staff or Gary [Udinsky] brought it to the Board of Assessors at one of their meetings to see how they wanted us to handle those type situations because once we have a decision sheet in hand, it gets kind of tricky having second and third decision sheets in the folders. And that was one of Mr. Sommers' complaints, I believe. Chairman Hair asked, if the Board of Assessors is appointed by the County Commission and the Board of Equalization is appointed by the Grand Jury, how do they —, how do the Board of Assessors have any legal right to tell the Board of Equalization what to do? Mr. Copeland said, well, I don't think they're telling them what to do. They're just saying they're not going to allow the staff to participate as a party to it. Chairman Hair asked, so they can have the hearing, but it will be without Board of Assessors staff? Mr. Copeland said, yes, sir. Chairman Hair asked, is that your understanding? Mr. Copeland said, yes, sir. Chairman Hair asked, are you aware of anybody that —, that tried to implement a change in that? Mr. Copeland said, I don't think that any change was necessary. What happened from that point on was if there was a situation like the one with The Landings —, and there was a couple of others, and I can't think of who they were, and nothing ever happened with those. They had their actual —, they got their actual hearings —, where the staff said, yes, we're sorry, here's the letter where they had asked for a reschedule and it was our fault that we had the hearing without them here, they should have —, it should have been rescheduled, then we're okay to participate in those also. Chairman Hair said, okay. Thank you, Mr. Copeland. I have no further questions.

Chairman Hair asked, any further questions of this witness?

County Attorney Hart said, I have two follow-up questions. You referred to STOP. What do you —, what is that? Is that a —. Mr. Copeland said, Stop Taxing Our People. It's an organization. County Attorney Hart said, and you referred to Gary. Did you mean the Chief Appraiser? Mr. Copeland said, the Chief Appraiser Gary Udinsky. County Attorney Hart said, just for clarification of the record.

Chairman Hair said, okay. Do both stipulate that we can dismiss this witness? Mr. Hartridge said, yes, sir. Chairman Hair asked, Mr. Hart, do you want to dismiss this witness? County Attorney Hart said, yes, sir. Chairman Hair said, Mr. Copeland, you're dismissed. Mr. Copeland said, thank you, sir. Chairman Hair said, let's take a seven-minute break and reconvene at 2:15.

NOTE: The hearing was recessed at 2:08 p.m., and was reconvened at 2:26 p.m.

Chairman Hair said, Mr. Hart, call your next witness, please. Chairman Hair said, Bonnie Thomas, please. Chairman Hair said, Ms. Thomas, come on around the side here and take a seat. A seat in the chair in the center there. Ms. Thomas, if you'll face the attorney and be sworn in, please.

County Attorney Hart asked, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God? Ms. Thomas said, I do. County Attorney Hart said, have a seat. Step up to the microphone there, or slide up to the microphone and speak in a loud, clear voice. Please state your name for the record. Ms. Thomas said, Bonnie Thomas. County Attorney Hart asked, and by whom are you employed? Chatham County Board of Assessors. County Attorney Hart asked, in what capacity are you employed? Ms. Thomas said, I'm an Appraiser IV. County Attorney Hart asked, and what area of —, of the appraisal business are you in insofar as —. Ms. Thomas said, I'm a residential appraiser. County Attorney Hart said, okay. And are you required to go out and do appraisals in the field? Ms. Thomas said, yes, sir, I am. County Attorney Hart asked, you ring doorbells and talk to people? Ms. Thomas said, that's what I do. County Attorney Hart said, okay. Now is your husband associated in any way with the Chatham County Board of Assessors' office? Ms. Thomas said, no, sir. County Attorney Hart said, okay. Is he even employed —, is he employed in the private sector? Ms. Thomas said, right. He is not employed by the County. County Attorney Hart said, okay. And he works for a company and has a job that he values. Is that correct? Ms. Thomas said, absolutely. County Attorney Hart said, okay. During the course of your employment at the Chatham County Board of Assessors, did your husband ever come home and tell you that he was upset about anything? Ms. Thomas said, yes, sir, he did. County Attorney Hart asked, and did that relate in regards to a conversation that he had with Mr. Sommers at his place of employment? Ms. Thomas said, yes, sir, it did. County Attorney Hart asked, now, is your husband an acquaintance of the Chief Appraiser? Ms. Thomas said, yes, sir. County Attorney Hart said, okay. And has your husband requested certain information from the State through the Open Records request? Ms. Thomas said, yes, sir. County Attorney Hart said, okay. And at some point in time did you —, do you attend the board meetings on a regular basis? Ms. Thomas said, yes, sir. It's part of my job. County Attorney Hart asked, you're required to? And that's due to your staff level in the appraiser's office? Ms. Thomas said, right. County Attorney Hart asked, you have the opportunity to observe the interaction of the board members then, is that correct? Ms. Thomas said, yes, sir. County Attorney Hart asked, and at some point in time, did you file a grievance? Ms. Thomas said, yes, sir, I did. County Attorney Hart said, I'm going to ask you to turn to page 10 of the book in front of you —, it's Tab 10. Ms. Thomas said, I've got it. County Attorney Hart said, is that a copy of your grievance? Ms. Thomas said, yes, sir, it is. County Attorney Hart said, I'm going to ask you to read that into the record. Ms. Thomas said, okay. "Never in my life has my honesty and integrity been put in doubt in any way, and I will not stand quietly and let it happen now. In a letter dated June 20th, 2001, Mr. Sommers and Ms. Stringer directly accused you and the appraisal staff of illegal and unethical practices in the preparation of the 2001 digest. Since I am a member of the appraisal staff, I consider this a direct attack on my honesty, integrity, and ability to do my job. As appalling as this is, it is not an isolated event, but a straw that broke the camel's back. Since their appointment to the Board of Assessors, Mr. Sommers and Ms. Stringer have worked single-mindedly at what is obviously their vendetta to have you removed as Chief Appraiser. In the process, they have destroyed public confidence in this office, in me, as a staff appraiser, by creating a media circus and employing any other public forum available to slander this office. Needless to say, this has made doing my job extremely difficult. I have been verbally abused by taxpayers as they spout the untruths they have read in the newspaper and take as gospel. Over six years ago, during my interview for employment in this office, I told you that I was not looking for a job, I was looking for a career. Towards that end, I have attended many hours of classes to better understand and perform my job. I have achieved the Appraiser III status, certified by the Georgia Revenue Department. I know how to do my job and I do it well. I have always been a team player, giving a hundred percent all the time and 120 when deadlines are upon us, and I will not allow anybody to say differently. I insist that the blatant accusations and innuendoes of Mr. Sommers and Ms. Stringer toward you, me as a staff appraiser, and this office, stop immediately. I have spoken to several others in the office who feel as I do, this —, that the time has come to start to repair the damage inflicted upon us in this office by Mr. Sommers and Ms. Stringer, and will take whatever steps necessary to do so." County Attorney Hart asked, now, you've been at the Appraiser's office for how long? Ms. Thomas said, over six years. County Attorney Hart said, and in over six years you've probably visited how many pieces of property? Ms. Thomas said, oh, goodness. County Attorney Hart asked, thousands? Ms. Thomas said, thousands and thousands. County Attorney Hart said, okay. And until the point that Mr. Sommers and Ms. Stringer were one the board, had you ever been treated rudely or disrespectfully by taxpayers making comments about —? Ms. Thomas said, no, never. Never been like that. County Attorney Hart asked, what kind of comments do you get?

Mr. Hartridge said, I object to that because that assumes some causal connection between some unnamed general public members and what's something that my client may have said. It's really remote and we object to that, Mr. Chairman. Chairman Hair said, so stated. Commissioner Rayno said, I'd like to state my objection, too. Chairman Hair said, so stated. Commissioner Rayno said, it's totally out of order. Chairman Hair said, continue the question, please.

County Attorney Hart asked, what kind of comments did you have? Chairman Hair said, you can answer the question. Ms. Thomas said, okay. They call us crooks, they say that we lie, we do anything we can to put out a digest; that we don't know what we're doing, that the —, all kinds. It's just amazing. County Attorney Hart said, okay. Now, you've been to the meetings, is that correct? Ms. Thomas said, I have. County Attorney Hart asked, do you have an opinion in regard to the ability of Ms. Stringer and Mr. Sommers to conduct these meetings in a non-argumentative, non-disruptive, non-disrespectful manner? Ms. Thomas said, the meetings are a circus. I don't think they —, I just really don't think they can. I've seen them try, but I —, they can't pull it off. County Attorney Hart said, okay. Is it an impediment to the conducting of public business of the Board of Assessors in a timely and orderly manner. Ms. Thomas said, absolutely. They often last way, way too long. County Attorney Hart said, okay. The —, that's it.

Chairman Hair asked, Mr. McGraw, do you have any questions for this witness? Mr. McGraw said, no, I have no questions. Chairman Hair recognized Mr. Center.

Mr. Center said, Ms. Thomas, it looks like the letter I had up there earlier got removed. Are you here —. Hi, I'm Tony Center. How are you? Ms. Thomas said, hi. Mr. Center asked, are you here today because you received a letter directing you to come? Ms. Thomas said, yes, I am. Mr. Center asked, and you're an employee of the Chief Appraiser staff? Ms. Thomas said, I am. Mr. Center asked, do you want to see Ms. Stringer removed? Ms. Thomas said, I think that the board would be better off. Mr. Center asked, so is that a yes, you do want to see her removed? Ms. Thomas said, yes. Mr. Center asked, have you ever had any member of the public come up and tell you you've done a good job? Ms. Thomas said, yes, I have. Mr. Center asked, is it your experience that the tax man's never been well-loved by the public, has he? Ms. Thomas said, that's absolutely true.

Chairman Hair said, Mr. Center, you need to speak into the mike, please. Mr. Center said, I'm sorry. Chairman Hair said, we can't hear you. Mr. Center asked, do you want me to repeat that? Chairman Hair said, no, that's fine.

Mr. Center said, I'll repeat it for the mike. It's your experience that the tax man has never been well-loved by the public? Ms. Thomas said, right. Mr. Center said, you filed a grievance dated June 26, 2001. I guess that's what's in the book that you read? Ms. Thomas said, right. Mr. Center said, and it says, "Never in my life have my honesty and integrity been put in doubt." Were you personally —, was your personal honesty and integrity attacked by Ms. Stringer or Mr. Sommers? Ms. Thomas said, by attacking the office it does affect me because I'm the one out there doing the job. So I'm the one who's taking the grief. Mr. Center said, but as I read the minutes of the meeting and the letter that they wrote, which is, I think, the second page of Item 17 in the book in front of you, they accused Mr. —, we believe the Chief Appraiser is cooking the books. They never attack you. Ms. Thomas said, the appraisers are the ones who do the work. Mr. Center asked, and you turn it into the Chief Appraiser to handle in any manner he sees fit, correct? Ms. Thomas said, he then prints out the digest that we've prepared. Mr. Center said, all right. You don't control his activities once you turn your work over to his supervision, do you? Ms. Thomas said, no, sir. Mr. Center asked, so whatever he does, one you've done your work, is his responsibility, correct? Ms. Thomas said, right. Mr. Center asked, and how he handles or files or sorts your work, you don't have any control over it, do you? Ms. Thomas said, no. Mr. Center said, there was a June 20 —, well, this letter is dated June 20, 2001, but there was also a Board of Assessors meeting June 20, 2001, in which the letter Mr. Sommers and Ms. Stringer signed was brought up. And I find it very curious that just a few days after that, on the same day, June 25, 2001, four members in your office, four colleagues, filed a grievance based on that letter. Was that a coordinated effort? Ms. Thomas said, no, sir. Mr. Center asked, did you talk to Mr. Udinsky about that? No, sir. Mr. Center asked, did any of the others to talk to you about their filing a grievance? Ms. Thomas asked, to me? Mr. Center said, yes.

Chairman Hair said, you need to answer out loud. Ms. Thomas said, I'm sorry. Chairman Hair said, the recorder won't pick up that nod.

Ms. Thomas said, I'm sorry. Yes, a little bit. Mr. Center asked, was Mr. Copeland one of those people. Ms. Thomas said, no, I did not talk to him. Mr. Center said, okay. I'm interested that you —, how did you find out about this June 20, 2001, letter? Ms. Thomas said, everybody knew about the letter. Mr. Center said, go ahead. How did you know about it? Ms. Thomas said, we talk about what goes on in the meetings after the meetings are over, and the next day we read in the newspaper what's in the newspaper, and we listen to the talk radio program in the morning, and everything we do is out in —, that happens is out there for everybody. Mr. Center said, I'm asking that question because I have the minutes of that June 20 meeting and you were not present. Ms. Thomas said, I was not. Mr. Center asked, so you can't remember specifically if someone else on the staff brought that letter to your attention? Ms. Thomas said, they might have, but I don't remember specifically, no. Mr. Center said, all right. And are you aware that this was brought up —, your grievance was brought up at the Board of Assessors and they took no action on it? Ms. Thomas said, I am aware of that. Mr. Center said, thank you.

Chairman Hair recognized Mr. Hartridge.

Mr. Hartridge said, yes, Ms. Thomas, you've been —. Chairman Hair said, please speak into the microphone, sir. Mr. Hartridge asked, you've been in the office for six years, haven't you? Ms. Thomas said, that's right. Mr. Hartridge asked, you were there when a report came down dated February 29, 2000, from Mr. T. Jerry Jackson, a letter addressed to Governor Barnes with a report dealing with the Chatham County Assessor's office and Appraiser, were you not? Ms. Thomas said, I was there, yes. Mr. Hartridge asked, have you ever read it? Ms. Thomas said, yes, a long time ago. Mr. Hartridge asked, would you acknowledge that it was critical of the operations of the Chief Assessor's office with respect to a lack of uniformity existing in Chatham County? Ms. Thomas said, not without reading it again. Mr. Hartridge said, all right. Have you read the June 15th Performance Review Board report issued by the Performance Review Board, which was requested by this County Commission? Ms. Thomas said, I have. Mr. Hartridge asked, are you aware that that also states that there's still a lack of uniformity of taxation in Chatham County? Ms. Thomas said, it does state that. Mr. Hartridge said, all right. Now, with respect to the cooking the books business again, it says we believe the Chief Appraiser —, in this letter of June 20th —, is cooking the books with sales ratio information. Do you see that? It doesn't accuse you of that, does it? Ms. Thomas said, but we are the ones who prepare all the sales ratios. Mr. Hartridge asked, but you furnish all this data to Mr. Udinsky, don't you? Ms. Thomas said, yes, we do. Mr. Hartridge asked, and he has his computer, doesn't he? Ms. Thomas said, he does have a computer. Mr. Hartridge asked, doesn't he oversee the final methodology by which the ratios are calculated? Isn't he the final arbiter in the office? Ms. Thomas said, all the individual ratios are already prepared. All he does is run off one big digest. Mr. Hartridge asked, but he puts all this in the computer, doesn't he? Ms. Thomas said, no, we've already put that information in the computer. Mr. Hartridge said, okay. So he has no way of changing the information you've put in? Ms. Thomas said, I don't know about that. Mr. Hartridge asked, you don't know? Ms. Thomas said, we —, we put the information into the computer. Mr. Hartridge asked, and after that you're not certain what happens to the information, are you? Ms. Thomas said, once I get my completed ratio, I'm finished. Mr. Hartridge asked, now, did you attend a meeting with Commissioner Gellatly or any other Commissioners, Commissioner Rayno, with respect to whether or not Ms. Stringer would be reappointed as an assessor? Ms. Thomas said, I attended a meeting, but not particularly so that she would be reappointed. We were asking that they take care and give us somebody without an agenda. Mr. Hartridge asked, who attended the meeting? Ms. Thomas said, Anna Brown, Kathy —, Kathy was there. Mr. Hartridge asked, Kathy Wilkes? Ms. Thomas said, uh-huh, and I think Hal was there. Mr. Hartridge asked, Mr. Hal Copeland? Ms. Thomas said, that's all I remember I think. Mr. Hartridge said, you think. All right. In your letter of June 26, 2001, to Mr. Udinsky you say, "I have spoken to several others in the office who feel as I do." Ms. Thomas said, uh-huh. Mr. Hartridge asked, who were the several others in the office that you spoke to who feel —, or felt then as you do? Ms. Thomas said, many people. These people and other appraisers in the office also. Mr. Hartridge asked, any of them who've testified here today, to your knowledge? Ms. Thomas said, some of the people I've talked to are testifying here today. A lot of them are not. Mr. Hartridge said, all right. Well, name the ones who've testified today who you have spoken to about feeling as you do, as you put in your letter of June 26th. Ms. Thomas said, Hal, Anna —. Mr. Hartridge said, Hal Copeland. Ms. Thomas said, Anna Brown. Mr. Hartridge said, Anna Brown. Ms. Thomas said, Kathy Wilkes. Mr. Hartridge said, Kathy Wilkes has not yet testified, but she's here today, isn't she? Ms. Thomas said, right. And Lisa's here today, too. Mr. Hartridge asked, Lisa? Ms. Thomas said, High —, not Hightower. She got married. Mr. Hartridge said, her name is —. County Attorney Hart said, [inaudible]. Mr. Hartridge said, thank you. All right. Do you want the County Commissioners to remove Ms. Stringer as a Tax Assessor of Chatham County? Ms. Thomas said, yes, I do. Mr. Hartridge asked, do you want the County Commissioners to remove Mr. Sommers as a Tax Assessor of Chatham County? Ms. Thomas said, yes, sir. Mr. Hartridge asked, do you want the County Commissioners to remove Mr. Elijah McGraw as a Tax Assessor of Chatham County? Ms. Thomas said, I don't know Mr. McGraw very well. He hasn't been around very long. Mr. Hartridge said, all right. Do you want Mr. Udinsky to remain as Chief Appraiser? Ms. Thomas said, I would like that. Mr. Hartridge asked, are you his advocate today? Ms. Thomas asked, his advocate? Mr. Hartridge said, yes. Are you looking out for him? Ms. Thomas said, no. Mr. Hartridge asked, presenting his views? Ms. Thomas said, no, I'm not. Mr. Hartridge said, thank you.

Commissioner Rayno said, I have a question, please. Chairman Hair recognized Commissioner Rayno. Commissioner Rayno asked, were you aware that your husband filed a Freedom of Information for Open Records request with me concerning any correspondence I might have with Ms. Stringer? Ms. Thomas said, not before, not until later. Commissioner Rayno said, not until later. When was later? Ms. Thomas said, right around the time that Mr. Sommers called him. Commissioner Rayno said, right about the time Mr. Sommers called him. Ms. Thomas said, uh-huh. Commissioner Rayno asked, so he did it on his own act, he didn't talk to you about it at all? Ms. Thomas said, no. Commissioner Rayno said, your husband didn't talk to you about it. Okay. Were you aware that Mr. Udinsky was sending e-mails to your husband asking him to file Open Records requests? Ms. Thomas said, again, not until later. They kept me out of it. Commissioner Rayno said, they kept you out of it. Okay. You said you wanted to have a better board. Do you think there'd be a better board —, could you please elaborate on what you would describe as a better board? Ms. Thomas said, what I meant was one without an agenda, one who has the whole County at heart, and not something just single-mindedly wanting to get rid of one person or whatever. Just somebody who cares and who wants to work for the whole of the County and the whole of the office. I have no idea who that would be. Commissioner Rayno asked, do you have knowledge that nearly every meeting the votes —, unanimous votes far outweigh, far exceeded the divided votes? For instance in January there's 23 unanimous, five divided; February 17th there was 22 unanimous and there divided. Do you think that three divided votes is bad? Ms. Thomas said, no, I don't. Commissioner Rayno asked, you don't? Or five divided

votes is bad? Ms. Thomas said, no, I don't. Commissioner Rayno said, one meeting they had 45 unanimous votes and zero divided votes. Is that bad? Ms. Thomas said, no. Commissioner Rayno said, well, you're describing a board that you want to get rid of. Ms. Thomas said, I'm describing the way the board comes to those decisions. I mean, they may actually come to agree, but they —, it's horrible watching them come to it. Commissioner Rayno asked, but the fact is, they do come to agree, don't they? Even after vicious arguments, they have unanimous votes, don't they? Yes or no? Ms. Thomas said, yes. Commissioner Rayno said, thank you.

Chairman Hair asked, any other questions of this witness?

County Attorney Hart said, I have one follow-up question. I asked you earlier in the day whether you had a conversation with your husband in which you came about being upset. And I don't want to go into the substance of the conversation because you weren't a party to that. But as a result of that conversation, did you fear for your job? Ms. Thomas said, absolutely. County Attorney Hart said, thank you.

Chairman Hair asked, any other questions of this witness? We'll stipulate to release —.

Mr. Center said, let me ask her. You're still on the job. Nothing's happened with your job security, has it? Ms. Thomas said, not at this point, no, sir. Mr. Center asked, and would you agree with Board of Assessors Chairman Hogan's comments to this Commission that the County business gets done at the Board of Assessors meetings? Ms. Thomas said, it does. Mr. Center said, thank you.

Chairman Hair asked, any other questions? Mr. Center said, no, sir. Chairman Hair asked, you agree to dismiss this witness? Mr. Center said, yes. Mr. Hartridge said, yes. Chairman Hair said, you agree, Mr. Hartridge. You are dismissed, Ms. Thomas. County Attorney Hart called Richard Thomas. County Attorney Hart said, you need to come all the way around and get in that chair. We make it difficult on everybody. Chairman Hair said, Mr. Thomas, if you'd have a seat in that chair and face the County Attorney and be sworn in, please.

County Attorney Hart asked, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God? Mr. Thomas said, I do. County Attorney Hart said, please state your name for the record. Chairman Hair said, please speak into the microphone also, sir, so we can hear. Mr. Thomas said, Richard Thomas. County Attorney Hart asked, are you married to Bonnie Thomas? Mr. Thomas said, I am. County Attorney Hart said, I don't believe we've ever met before, have we, sir? Mr. Thomas said, no, sir. County Attorney Hart said, okay. Now, you work —, and I don't want to go into where you work, but you work outside the County, is that correct? Mr. Thomas said, that's correct. County Attorney Hart asked, you have absolutely nothing to do with the County, is that correct? Mr. Thomas said, that's correct. County Attorney Hart asked, you're a member of the public, is that correct? Mr. Thomas said, that's correct. County Attorney Hart asked, and you're also an individual that works in computers, is that correct? Mr. Thomas said, that's correct. County Attorney Hart said, I'm just going to ask you a rhetorical question, and pardon my English. But does the term "shit has hit the fan" have any meaning to you whatsoever? Mr. Thomas said, it does. County Attorney Hart said, okay. Could you please explain —, would you please turn to Page 11 of the book in front of you? Commissioner Odell asked, it's actually in here, Jon [Hart]? County Attorney Hart said, Tab 11. Mr. Thomas said, I've got it right here. County Attorney Hart said, okay. And that is a document that you prepared memorializing an incident that happened to you. Is that correct? Mr. Thomas said, no, sir, it's not. County Attorney Hart said, excuse me. Ms. Garrard said, you're not on Tab 11. Mr. Thomas said, oh, okay, here we go. I'm sorry. Now, yes, sir, it is. County Attorney Hart asked, now is it a document that you prepared? Mr. Thomas said, yes, sir. County Attorney Hart asked, and could you please tell us the circumstance —, does this accurately reflect the conversation that you had with Mr. Sommers? Mr. Thomas said, almost verbatim. County Attorney Hart said, okay. And was this a conversation at your place of business? Mr. Thomas said, yes, it was. County Attorney Hart said, now, could you read that into the record for me. Mr. Thomas asked, the whole —? County Attorney Hart said, yes. Mr. Thomas said, okay. "Dear Mr. Hart. I am the spouse of a Chatham County employee, Bonnie Thomas, who is a member of the County appraisal staff. I am so appalled by the haphazard actions of Jackie Sommers, a board member of the County Assessors, that I will first share my courtesy complaint to you. This letter is to respectfully inform you of an antagonistic phone call I received on Friday, July 27, 2001, at my place of employment, from Mr. Sommers. While this is respectfully submitted, please know that I am making a firm request that you bring an immediate halt to the inappropriate actions of Mr. Sommers, presumably acting in his official capacity. As I exited my office meeting at my place of employment on Friday, a frantic receptionist approached me and said that a man had called many times to speak to me. She related to him that I would be out of the meeting at five o'clock. 'Richard, it's 4:59, and he's on hold,' she said. I asked her to send the call to my desk. Upon answering the incoming call, I was greeted by a highly agitated, nearly ballistic caller, who said in a booming voice, 'Richard Thomas, this is Jackie Sommers, and the shit has hit the fan.' Befuddled, I begged the caller's pardon and he repeated his first statement, followed with, 'And your wife —, and it doesn't look good for your wife.' Again, I asked what he was talking about, and the rest of the call went roughly like this. Mr. Sommers: 'I have requested and gotten copies of Gary Udinsky's e-mail for the past 45 days, and the shit has hit the fan.' Myself: 'What are you talking about?' 'I can see that you requested the report from the Performance Review Committee and passed it on to Mr. Udinsky. I can also see where you used an alias requesting other information.' Myself: 'What's that name?' He shouted some name that I don't remember. Myself: 'I've never heard it., Besides, why would I use my name one time and —.' Mr. Sommers: 'It doesn't matter. All I can say is it doesn't look good for your wife.' You said that —, me. I said, 'You said that. What does it mean? "I'm going to ask that she be dismissed.'" Click. He hung up on me. Today I learned that Mr. Sommers had called

my employer to complain regarding my communications. It is my clear understanding that the Freedom of Information Act allows for requests such as mine without reprisal or threats. Sir, regardless of the position or the person's affiliation or association, I will not sit idly by while anyone attacks or threatens my family or myself. Neither will I tolerate haphazard behavior that potentially jeopardizes my livelihood and my working relationship with my place of employment. I am requesting that you inform everyone pertinent to this issue of the exposures and liabilities this type of haphazard actions by Mr. Sommers could bring upon the County. Further, please inform Mr. Sommers and anyone who may have participated with him in this egregious action that should he ever approach or contact me, myself, my place of employment, or anyone I am connected to again, I will immediately seek formal legal and public handling of this matter. I have respect for all those who may wish to get the Assessor's office off the front page and back to some level of civility. I am extending to you a chance to handle this matter internally. I will appreciate and expect your prompt reply and acknowledgment. Richard Thomas."

County Attorney Hart asked, is your job important to you? Mr. Thomas said, yes, sir. County Attorney Hart asked, is that how you feed your family? Mr. Thomas said, yes, sir. County Attorney Hart asked, have you ever had anybody else call up and threaten your job to your employer? Mr. Thomas said, no, sir. County Attorney Hart asked, does Jackie Sommers have anything to do with your work? Mr. Thomas said, not whatsoever. County Attorney Hart asked, does the Board of Assessors of Chatham County have anything to do with your place of employment? Mr. Thomas said, no, sir. County Attorney Hart asked, does your wife work at the Chatham County Board of Assessors? Mr. Thomas said, yes, sir. County Attorney Hart asked, did you come away with any feeling whatsoever that your wife may be subject to retaliatory acts of Mr. Jackie Sommers in his capacity as a member of the Board of Assessors? Mr. Thomas said, I thought that was highly possible. County Attorney Hart asked, do you think the use of the language that we have previously referenced is appropriate use for describing this situation? Mr. Thomas said, not whatsoever. County Attorney Hart said, thank you.

Chairman Hair asked, Mr. McGraw, do you have any questions of this witness? Mr. McGraw said, no questions. Chairman Hair asked, Mr. Center, do you have any questions? Mr. Center said, nothing reflects on Ms. Stringer in this testimony. I have no questions. Chairman Hair recognized Mr. Hartridge.

Mr. Hartridge said, let me ask you this. Did you use the Freedom of Information Act to request information? Mr. Thomas said, yes, sir, I did. Mr. Hartridge asked, and for whom did you request the information? Mr. Thomas said, it's been six months. I'm not exactly sure, but I believe it was Mr. Thomas? Mr. Hartridge asked, at the Department of Revenue? Mr. Thomas said, yes, sir. Mr. Hartridge said, all right. Did Mr. Udinsky ask you to do that? Mr. Thomas said, we were talking about the information and, to be honest with you, he either requested it or I volunteered. Mr. Hartridge said, all right. Mr. Udinsky is a friend of yours, isn't he? Mr. Thomas said, not best friends, but we're friends. Mr. Hartridge said, but you're friends? Mr. Thomas said, yes, sir. Mr. Hartridge said, and y'all were talking about the subject of Chatham County Board of Assessors. Mr. Thomas said, well, we were talking about the Review Board, and —. Mr. Hartridge said, oh, the Performance Review Board. Mr. Thomas said, yes, sir, and that the information was being —, you know, would be coming out. Mr. Hartridge said, oh, the report that came out on June 15th, 2001. Mr. Thomas said, yes, sir. I said, well, you know, that's, you know, free information. I either volunteered or Mr. Udinsky asked me to request it. I'm not a hundred percent sure which. Mr. Hartridge asked, so you requested it prior to its issuance under date of June —? You wanted a preliminary copy? Mr. Thomas said, yes, sir, I believe so. Mr. Hartridge said, all right. Did Mr. Udinsky ask you to do that? Mr. Thomas said, well, again, he either asked me or I volunteered. We were discussing the information's availability. Mr. Hartridge asked, didn't Mr. Udinsky by e-mail ask you to get that? Mr. Thomas said, he may have. Mr. Hartridge said, right. I mean, if we have a copy Mr. Udinsky's e-mail —. Mr. Thomas said, then —, then it's there. Mr. Hartridge said, that Mr. Sommers obtained under the Freedom of Information Act, and it shows —. Mr. Thomas said, sure. Mr. Hartridge said, that he e-mailed you to get this stuff from Mr. Thomas —. Mr. Thomas said, he may have —, I believe he may have e-mailed who to request the information from. Mr. Hartridge said, all right. That's Mr. Thomas, right? Mr. Thomas said, I believe so. It's been, again, six months. Mr. Hartridge said, Georgia Department of Revenue. Mr. Thomas said, uh-huh. Mr. Hartridge said, all right. And what did you get? Mr. Thomas said, I got two or three forms —, the report. Mr. Hartridge asked, any different editions of the report or anything like that? Mr. Thomas said, no, sir. Mr. Hartridge asked, had it been signed when you got it? Mr. Thomas said, I don't think so. Again, I opened it up, glanced it over. It was extremely lengthy, it didn't pertain to me. I closed it and forwarded it to Mr. Udinsky. Mr. Hartridge asked, you gave it —, you sent it what, by mail, or something? Mr. Thomas said, by e-mail. Mr. Hartridge asked, by e-mail? Mr. Thomas said, uh-huh. Mr. Hartridge asked, you attached it? Mr. Thomas said, yes, sir. They sent it to me via e-mail —. Mr. Hartridge said, oh, the did send it to you by e-mail. Mr. Thomas said, yes, sir. They sent it to me via e-mail and I, in turn, sent it to Mr. Udinsky. Mr. Hartridge said, transmitted it on e-mail. And all this e-mailing was done on whose equipment? Mr. Thomas said, well, from my end either at home or at work. Mr. Hartridge said, right. Ad your work is a separate entity, right? Mr. Thomas said, uh-huh. Mr. Hartridge said, all right. Does your employer work with Chatham County? Mr. Thomas said, they do often do business with Chatham County. Mr. Hartridge asked, what? With respect to computerized information or —? Mr. Thomas said, equipment. Mr. Hartridge asked, electronic? Mr. Thomas said, uh-huh. Mr. Hartridge said, tell me exactly what. Mr. Thomas said, well, various things. Hardware, software. Mr. Hartridge said, okay. Do they have a contract? Mr. Thomas said, no, sir. Mr. Hartridge said, they just do it —. Mr. Thomas said, on bid. Mr. Hartridge asked, as a vendor? Mr. Thomas said, uh-huh. Mr. Hartridge asked, did you also request a commercial real estate appraisal report from Mr. Thomas or another employee of the Department of Revenue? Mr. Thomas said, I don't recall. I know I requested more than one report. Mr. Hartridge asked, you did request more than —? Mr. Thomas said, yes, sir. Mr. Hartridge asked,

by e-mail? Mr. Thomas said, yes, sir. Mr. Hartridge asked, to Mr. Thomas or another employee of the Department of Revenue? Mr. Thomas said, that's correct. Mr. Hartridge asked, and did you —, why did you do that? Mr. Udinsky ask you to do it? Mr. Thomas said, well, yes. Mr. Hartridge asked, he did? Mr. Thomas said, uh-huh. Mr. Hartridge asked, and what —, did you get that report? Mr. Thomas said, yes, sir. Mr. Hartridge asked, or the other report? And you got that by e-mail, too? Mr. Thomas said, correct. Mr. Hartridge asked, and you e-mailed that to Mr. Udinsky? Mr. Thomas said, correct. Mr. Hartridge asked, is that right? Mr. Thomas said, that's correct. Mr. Hartridge asked, and that's before the formal issuance of that report, right? Mr. Thomas said, I don't know exactly if it was before or after. Mr. Hartridge asked, do you know whether —, did you discuss with Mr. Udinsky the issue of what the reports might contain and whether he wanted to have input into those reports before they came out? Mr. Thomas said, no, sir. Mr. Hartridge asked, no? Mr. Thomas said, all I discussed with Mr. Udinsky is that with the Freedom of Information Act I didn't have a problem requesting that information, and I volunteered my services to do so. Mr. Hartridge said, right. But why did you do that? I mean, did he say, look —, is it Richard? Mr. Thomas said, yes, sir. Mr. Hartridge asked, "I really need to get this stuff," or how did it —, can you recall how it —? Mr. Thomas said, no, I really felt like Mr. Udinsky had a lot of loaded guns coming at him, and I went to him and said, "If I can —, if there's anything that I can do to help you, you let me know." Mr. Hartridge said, all right. So you got these reports before they were issued by e-mail under the Freedom of Information, gave them to Mr. Udinsky to help him out. Is that right? Mr. Thomas said, yes, sir. Mr. Hartridge asked, do you want Mr. Udinsky to remain as the Chief Appraiser? Mr. Thomas said, I think he's a fair person. Mr. Hartridge said, all right. Do you want Ms. Stringer to remain as an Assessor? Mr. Thomas said, I don't have an opinion on Ms. Stringer. Mr. Hartridge said, all right. Mr. Sommers, do you want him removed as an Assessor? Mr. Thomas said, I would like to see that very much. Mr. Hartridge asked, is that because of a personal matter here? Mr. Thomas said, it's —, well, it was before this matter, sir. Mr. Hartridge said, before this matter. Mr. Thomas said, yes, sir. I just felt like that Mr. Sommers came to the board with an agenda, and I thought that agenda was unfair to Mr. Udinsky, and —. Mr. Hartridge asked, now with respect to Mr. Udinsky, are you familiar with a report issued by Mr. Jerry Jackson of the Department of Revenue back on February 29, 2000, at the request of the Governor of Georgia? Mr. Thomas said, not —. Yes, sir, I am, I believe. Mr. Hartridge said, all right. Do you know that report was critical of Mr. Udinsky's office? Mr. Thomas said, yes, sir. Mr. Hartridge asked, do you know that report found a lack of uniformity in Chatham County? Mr. Thomas said, yes, sir. Mr. Hartridge said, all right. Are you familiar with the June 15th PRB report that came down? The one that you saw drafts of apparently? Mr. Thomas said, oh, yes, sir. Mr. Hartridge asked, do you that report also states a lack of uniformity in Chatham County exists? Mr. Thomas said, not verbatim, but I know that that was the gist of it —, it was part of the gist of it. Mr. Hartridge said, part of the gist of it. Okay. Mr. Thomas said, it had —, as a matter of fact, I think it had complaints on several areas of the County. Mr. Hartridge said, all right. But have you ever read the Governor's —, the report of Mr. Jackson at the request of the Governor, February 29th? Mr. Thomas said, that second one I think I eventually did. Mr. Hartridge said, oh, the PRB report you did read. Mr. Thomas said, the one that I actually read was the one that also stated that there was lack of camaraderie on the board itself. Mr. Hartridge said, right. Mr. Thomas said, and I'm using my own words there. Mr. Hartridge said, but also, that they found no reason to remove an assessor. Mr. Thomas said, right. I think that's the one that I actually read completely. Mr. Hartridge said, and so forth and so on. All right. Do you know why Mr. Udinsky himself didn't make these requests that he had you make? Mr. Thomas said, well, here again, I volunteered my services to Mr. Udinsky, and —. Mr. Hartridge asked, I know, but wouldn't it have been possible for him to have made the request himself directly? Mr. Thomas said, I suppose it would, but he's a busy man. I offered my services, he called upon me, I helped him out. Mr. Hartridge asked, did you not draw the inference that perhaps he asked you as a friend to request these reports so that it could be done in the blind, as it were, and the revenue people wouldn't know that it was going straight to him? Mr. Thomas said, well, here again, it is called the Freedom of Information Act. Anybody can request that information, I thought, without fear of reprisal. Mr. Hartridge said, well, nobody —, anybody can request the information. Mr. Thomas said, so, knowing that, I don't see why —, you know, other than, you know, "Richard, do me a favor and request this." Mr. Hartridge said, I see. Now Mr. Udinsky is very facile with computers, isn't he? Mr. Thomas said, uh-huh. Mr. Hartridge asked, and he's very used to e-mailing, isn't he? Mr. Thomas said, uh-huh. Mr. Hartridge asked, nothing would have precluded him from requesting it, would it? Mr. Thomas said, well, and again, I can't speak for Mr. Udinsky, but it may have just been a matter of, hey, Richard's offered two or three times to assist me in my trials and tribulations here, and I'll give him some menial little task to do and let him help me out. Mr. Hartridge said, all right, sir. Did you know that the County Commission was waiting to get the PRB report? Mr. Thomas said, no, I did not. Mr. Hartridge asked, so you helped Mr. Udinsky get the PRB report before the Chatham County Commission got it, didn't you? Mr. Thomas said, if the report wasn't available, I wouldn't have gotten it. Mr. Hartridge said, all right, sir.

Commissioner Rayno said, I have one question. Chairman Hair said, Mr. Odell's first and then Mr. Rayno. Commissioner Rayno said, thanks.

Commissioner Odell asked, is the sum total of your testimony —, not the sum total, but on the conversation which you summarized, you concluded from that, that your wife's position was being threatened because you had exercised your rights under the Freedom of Information? Mr. Thomas said, that is exactly what I am saying. Commissioner Odell asked, had you had any prior dealings with Mr. Sommers? Mr. Thomas said, none whatsoever. Commissioner Odell said, okay. So you didn't know him —. Mr. Thomas said, right. Commissioner Odell said, before that incident? Mr. Thomas said, I would have recognized him because his picture's in the paper all the time, but he wouldn't have recognized me. Commissioner Odell said, other than his local public press, you had no business with —. Mr. Thomas said, none whatsoever. Commissioner Odell said, that's all I've got.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, hi. It's good to meet you in person. Mr. Thomas said, thank you, sir. Commissioner Rayno said, you had filed an Open Records request against myself. Mr. Thomas said, uh-huh. Commissioner Rayno asked, can you tell me, did Gary [Udinsky] ask you to do that? Mr. Thomas said, probably. I would say yes. Commissioner Rayno said, yes. And why did you feel compelled to do it? Mr. Thomas said, because a friend asked me to do something for him. Commissioner Rayno asked, and what did you do with the information once you got it? Mr. Thomas said, I'm sure I forwarded it on to him. Commissioner Rayno said, thank you.

Chairman Hair asked, any further questions of this witness? Mr. Hartridge said, no, sir. Chairman Hair asked, do you agree to dismiss the witness, both —. Mr. Hartridge said, yes, sir. Chairman Hair asked, you agree? Mr. Thomas, thank you for your testimony. Mr. Thomas said, thank you, sir. Just for the benefit of the audience and also the parties here, we will take one more witness today. This will be our last witness. We have two Commissioners that have to leave and so this will be our last witness, and we will have to continue the hearing and we'll talk about the process of continuance after this last witness. County Attorney Hart said, Hugh King.

Mr. Center said, for the record, while Mr. King takes his seat, Mr. King's name was also to on the witness list we got. After much pulling and asking, we were given his name verbally just this week, and I think this is in appropriate due process and object to whatever testimony —. Chairman Hair said, I think you were given the witness' name prior to —, a few days prior to this —. Mr. Center said, not enough time, no telephone numbers, no addresses. It was impossible to get in touch with him. I'm making an objection that it does not comport with due process.

Chairman Hair recognized County Attorney Hart.

County Attorney Hart said, we initially gave a list of people we thought we'd interview very early on in the situation, along with a stack of documents. Subsequent to that, a number of people came to our attention. We met with them —, was it this week, last week —, I don't know. Tuesday. Mr. Hartridge said, last Tuesday. County Attorney Hart said, this past Tuesday and told them of the people we were going to call. We had narrowed that list down to the list that we presented today, including Mr. King's name on there. And we think we gave them as much notice as —, but today they tell us, you know, where we on there, so —.

Chairman Hair said, you've had this witness' name for four days. Is that correct? Mr. Hartridge said, Tuesday. We got it Tuesday at three o'clock, I believe. Mr. Center said, Tuesday afternoon. Commissioner Murray asked, I don't recall us ever receiving a list. Did we? Mr. Hartridge said, we had an initial list. Back on December 4th I got a list of names. Chairman Hair said, I'll tell you what. I'm going to so note the objection, and if you want to raise the same issue, if you want to bring another witness with the same amount of notice, I will allow it. Mr. Center asked, Mr. Chairman, why don't we just break today and give us the opportunity to talk to this witness before he testifies in January? It solves that problem. County Attorney Hart said, Your Honor, this witness has indicated to us he would like to get his testimony in today. He's got a broken leg and got other things to do, and he's a very short witness. We'd like to conclude him and dismiss him. Chairman Hair said, okay. Let's continue to proceed.

County Attorney Hart asked, please state your name for the record. Chairman Hair said, he hasn't been sworn in. County Attorney Hart said, oh, excuse me. Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God? Mr. King said, I do. County Attorney Hart said, please state your name for the record. Mr. King said, Hugh Scott King. County Attorney Hart asked, and by whom are you employed? Mr. King said, Ryder Truck Lines. County Attorney Hart said, okay. And you also serve on a public body in Chatham County? Is that correct? Mr. King said, yes, sir, I do. I serve on the Board of Equalization. County Attorney Hart asked, and very briefly, what is your understanding what you do —, what your functions are on the Board of Equalization? Mr. King said, to be an unbiased impartial hearing between the appraisers and the property owners when they come before me and two of my colleagues and we render a decision to —, either in favor of the County or in favor of the property owner. County Attorney Hart asked, so you have to determine the value of the assessors and compare that against what the taxpayer is saying and try to reach what you feel to be the appropriate value then? Mr. King said, yes, sir. County Attorney Hart said, okay. And that is a review process available to every citizen. Is that correct? Mr. King said, yes, sir. County Attorney Hart asked, and the Board of Assessors, as you understand it, under the law, is set up totally under a different framework than the Board of Equalization, is that correct? Mr. King said, yes, sir. County Attorney Hart asked, you're appointed by what? Mr. King said, appointed by the Grand Jury. County Attorney Hart asked, and do you understand who appoints the Board of Assessors? Mr. King said, the Grand Jury —, oh, the Board of Assessors? County Attorney Hart said, yes, sir. Mr. King said, the Commissioners. County Attorney Hart asked, is it your understanding those two organizations is to be separate in purpose and function? Mr. King said, yes, sir. County Attorney Hart said, okay. Did you ever have an occasion to attend a meeting where Mr. Sommers came and met with the Board of Equalization? Mr. King said, yes, sir. County Attorney Hart asked, and in your presence did Mr. Sommers make any statement about Board of Equalization being personally sued? Mr. King said, yes, sir. County Attorney Hart said, okay. Can you elaborate on that? Mr. King said, apparently there were some appraisals that didn't get met or the —, Mr. Udinsky's office, according to Mr. Sommers, dropped the ball, and that if we were to hear these appraisals over again, that the people could come back and sue us for them not getting their just due process. County Attorney Hart said, okay. Did Mr. Sommers have any reason to be before the Board of Equalization, telling what the Board of Equalization

could be doing and giving legal advice to the Board of Equalization? Mr. King said, not to my knowledge, no, sir. County Attorney Hart said, thank you.

Chairman Hair asked, Mr. McGraw, do you have any questions of this witness? Mr. McGraw said, no, I haven't. Chairman Hair asked, Mr. Center? Mr. Center said, no, I didn't hear any testimony related to Ms. Stringer. I have no questions. Chairman Hair said, thank you. Chairman Hair recognized Mr. Hartridge.

Mr. Hartridge asked, was this a meeting of the —. Chairman Hair said, use the microphone, please, sir. Mr. Hartridge asked, was this a meeting of the entire Board of Equalization? Mr. King said, yes, sir. Mr. Hartridge said, all right. Was Mr. Bart Callahan there? Do you know him? Mr. King said, I believe so. I think he was there. Mr. Hartridge asked, isn't he the co-chairman of the Board of Equalization? Mr. King said, he might be one of them. Mr. Hartridge said, all right. When was this meeting held? Mr. King said, I believe it was held last December. Mr. Hartridge asked, and was it a facilitated meeting? Somebody organize it? Mr. King said, yes, sir. Mr. Hartridge asked, who organized it? Mr. King said, I guess Ms. Gail Gordon because it was in this building here. Mr. Hartridge said, she was here earlier. Ms. Gordon? Mr. King said, yes, because there's the —, it was like a luncheon. Mr. Hart talked first and Mr. Sommers and Ms. Stringer. Mr. Hartridge said, all right. And you have recounted something you said you heard Mr. Sommers say that if a freeze were not honored, there might be some liability on you? Mr. King said, yes, sir. Mr. Hartridge asked, were you intimidated by that, sir? Mr. King said, I was intimidated by it because I was under the impression from Don Sheppard, the —, I think he's with the Department of Revenue, that gives us our courses —. Mr. Hartridge said, right. Mr. King said, that we could not be sued. It would be like somebody being found guilty trying to sue their —, you know, the jurors. Mr. Hartridge asked, well, are you sure Mr. Sommers said you could be sued? Mr. King said, yes, sir, I am. Mr. Hartridge asked, well, if Mr. Sheppard had told you you had immunity or —, did he use that word? That you were immune from being sued in your official —, you know, doing your job? Mr. King said, yes, sir. Mr. Hartridge asked, then why did you feel intimidated? Mr. King said, I really didn't feel intimidated, I just, you know, didn't think Mr. Sommers really knew what was going on, and —. Mr. Hartridge asked, well, it didn't hurt you, didn't bother you, did it? Mr. Hartridge said, well, no, sir, because I was still going to do my job, because I was appointed by the Grand Jury to, you know, do this, and I felt that, you know, this is something that needed to be done. Mr. Hartridge asked, are you still a member of the BOE? Mr. King said, yes, sir. Mr. Hartridge asked, and you're still doing your job, aren't you? Mr. Hartridge said, okay. You haven't filed any complaint or anything, have you? Mr. King said, no, sir. Mr. Hartridge said, okay. Did you discuss your testimony before coming here today with Mr. Hart? Mr. King said, yes, sir. Mr. Hartridge asked, with Mr. Udinsky? Mr. King said, no, sir. Mr. Hartridge said, no. Do you know Mr. Udinsky? Mr. King said, no, sir. Just other than what I see on the media. Mr. Hartridge asked, that's about it? How did you happen to come to talk with the County Attorney about coming here today? Mr. King said, they contacted me. Mr. Hartridge asked, Mr. Hart did? Mr. King said, somebody from his office. Mr. Hartridge asked, or somebody —, perhaps the Assistant County Attorney, or one of their staff? All right. Do you know of any other BOE members who plan to testify? Mr. King said, no, sir. Mr. Hartridge asked, do you know who a Ms. Hirsch is? Mr. King asked, Ms. Hirsch? Mr. Hartridge said, Hirsch, yes. Mr. King said, no, sir. Mr. Hartridge asked, she's not a BOE member, is she? Mr. King said, not to my knowledge. I mean, there's a —, I don't know how many BOE members there are. Mr. Hartridge said, all right. Quite a few, right? Mr. King said, I would imagine. Yes, sir. Mr. Hartridge said, thank you, sir.

Chairman Hair asked, any other questions? Any other questions of this witness?

County Attorney Hart said, one other follow-up question. Did Ms. Stringer also attend that meeting that Mr. Sommers made those pronouncements? Mr. King said, yes, sir, but she was in the background. County Attorney Hart asked, did she ever correct anything about what Mr. Sommers said about y'all being personally liable or being sued? Mr. King said, no, sir. County Attorney Hart said, thank you.

Chairman Hair recognized Mr. Center.

Mr. Center said, yes. Did any member of this board or Mr. Hart correct anything Mr. Sommers said? Mr. King said, no, sir, because Mr. Hart left when Mr. Sommers, you know, did his little statements. Mr. Center said, thank you.

Chairman Hair said, sir, do I understand your testimony that Mr. Hart left after —, before Mr. Sommers made the statement? Mr. King said, yes, sir. Chairman Hair said, okay. Okay, hearing no further questions, all parties agree to dismiss this witness? County Attorney Hart said, yes, sir. Chairman Hair asked, Mr. Hartridge? Mr. Center? Mr. Hartridge said, yes, sir. Mr. Center said, yes, sir. All right, thank you very much for your testimony. You are dismissed as a witness.

Chairman Hair said, two things quickly to wrap up here. We will need to continue the hearing. The first thing, we need to set a date. Then I need to read a statement for the record in terms of what the —, all of us can and cannot do between now and the —, the continuance of the hearing. I would suggest to my fellow Commissioners, I think it's important that we get this out of the way as quickly as possible. I would suggest a special called meeting on Friday, January 4th. This will be one week prior to our regular meeting, and that way we would have the full day, if it takes that long. I would suggest that we start it at nine o'clock. Is there any reason that someone cannot come on January 4th? Commissioner Thomas said, I won't be back in Savannah until that Sunday. Chairman Hair said,

okay. How about Monday, the 7th? Mr. Hartridge said, I am on the Judicial Qualification —, we're having a trial for three days here in Savannah, 7th, 8th and 9th. Chairman Hair said, okay, I tell you what then, we'll go ahead and have it on the regular Commission meeting on the 11th. Everybody can be here then? Oh, that's right, he's got the surgery. What about the 10th? Would you be available, Mr. Hartridge? Mr. Hartridge said, I'm not certain, sir, because we're going to have a similar matter with counsel and sequestration and all of that, and I have been told to set aside 7th, 8th, 9th, and 10th by our chairman. Chairman Hair asked, okay, how about Monday, the 14th? Monday, the 14th? Commissioner Rayno said, I can't be here that day. Chairman Hair said, see, this is the —, this is the problem when you try to continue the hearing, and it's unfortunate that we have to do this. How about Tuesday, the 15th? Mr. Center said, I point out that the 15th is Martin Luther King Day. I don't know which day it's celebrated. Chairman Hair said, I think it's on Monday. Mr. Hartridge said, it's celebrated officially on Monday, I believe. Commissioner Kicklighter said, it says it's celebrated on the 21st is the actual, this year. Chairman Hair asked, Tuesday, the 15th. Does everybody —, anybody that cannot be here. Now it's very important that you tell us you're going to be here, it's very important that you're here. Now don't tell us you're going to be here and then not show up, and that's for everybody. Okay?

Commissioner Kicklighter asked, are we starting it in the morning? Chairman Hair said, we'll start at nine o'clock. Commissioner Thomas said, on the 15th. Chairman Hair said, and we'll go until completion. Please try to —. Commissioner Kicklighter said, the 15th is my wife's and father's birthday, so maybe by that night —, so in the morning that's great. Chairman Hair said, well, you'll have to stay until we're finished. Commissioner Kicklighter said, yes, that's fine. Chairman Hair said, okay. All right, let's start at nine o'clock on the 15th, 9:00 a.m., and please block your schedule out for the entire day so that we can complete this hearing on that date. Commissioner Thomas said, fine. I think it's very important. Wednesday [sic], the 15th.

Chairman Hair said, now, I want to conclude today by thanking everyone. I'm very appreciative of how everyone has conducted this hearing. I think all the parties have been very professional, and I appreciate that very much. I think all the witnesses have been very professional and I think it's been done in a very cooperative way, and I commend you all for that. I do think it's important to point out —, I need this in the record that —.

County Attorney Hart asked, Mr. Chairman, can we bring the witnesses back in here? Chairman Hair said, we can. I was going to have the three lawyers go give the same —. County Attorney Hart said, I think it needs to be said to the media and the public and everybody so there's no misunderstanding. Chairman Hair said, okay, let's bring the witnesses in. Mr. Hartridge said, yes, sir, so there's no misunderstanding. Chairman Hair said, let's bring all the witnesses in and I'll make the statement one time.

[NOTE: The witnesses were brought back into the Commission Meeting Room.]

Chairman Hair said, okay, do we have all the witnesses present? Okay, for the benefit of the witnesses, we have two Commissioners that have to leave today now so we cannot complete the hearing today. We have rescheduled the continuance of this hearing for Tuesday, January 15th, at 9:00 a.m., and we're going to ask everyone to make sure that you block out the entire day so that we can complete the hearing on that day and not have to continue this thing another day. It is also very important that everyone involved in this case, including Commissioners, including attorneys, plaintiffs, and the witnesses, and I would urge that none of us discuss this case with anyone, including each other, the press, or anyone else. That's in a sense of fairness. And, also, ask all of us not to engage in any adverse actions that will prejudice this hearing.

County Attorney Hart said, do not read the newspaper and do not look at the TV on this. That hurts the ratings tonight, but, you know, you're going to be asked when you come back up here if there's been anybody approach you or any action been taken that may in any way prejudice you and your ability to testify truthfully and honestly.

Chairman Hair said, this is extremely important that we not discuss this case outside. Everyone deserves fairness. The three assessor members certainly deserve fairness, and we want to be as fair to them as we can. So with that, again, thanks everyone for their participation today and their behavior today. I appreciate it, and we will see everyone on the 15th at nine o'clock.

ACTION OF THE BOARD:

Commissioner Murray moved that the witnesses in this show cause hearing be sequestered. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

By agreement of the parties, the show cause hearing was continued and will be reconvened on Tuesday, January 15, 2002, at 9:00 a.m.

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X. ACTION CALENDAR

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

Chairman Hair said, that takes us to the Action Calendar. Does anybody want to remove anything from the Action Calendar? Commissioner Rayno said, yes please. Chairman Hair said, give me the numbers please. Commissioner Murray said, D. Chairman Hair said, D. Anything else? Commissioner Rayno said, 10. Chairman Hair said, 10. Commissioner Rayno said, hold on. 10-K. I mean, K. I'm sorry. 12-K. Chairman Hair said, K. Okay. That's it? I'll entertain a motion to approve the balance of the Action Calendar. Commissioner Murray said, so moved. Commissioner Thomas said, motion for approval. Second. Chairman Hair said, motion and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved that the Action Calendar be approved in its entirety with the exception of Items 10, 12-D and 12-K. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

[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 DECEMBER 7, 2001, AS MAILED.

ACTION OF THE BOARD:

Commissioner Murray moved to approve the minutes of the regular meeting on December 7, 2001, as mailed. - Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD NOVEMBER 29 THROUGH DECEMBER 12, 2001.

ACTION OF THE BOARD:

Commissioner Murray moved that the Finance Director is authorized to pay claims for the period November 29, 2001, through December 12, 2001, in the amount of \$2,665,855. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

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3. REQUEST BOARD APPROVE A REQUEST FROM MR. AND MRS. JAMES AND KERRY COURSE, 1719 WILMINGTON ISLAND ROAD, FOR THE COUNTY TO DECLARE THE PORTION OF 2ND STREET RIGHT-OF-WAY BEHIND THEIR PROPERTY ON WILMINGTON ISLAND AS SURPLUS AND TO QUITCLAIM THE PROPERTY TO THEM. [DISTRICT 4.]

ACTION OF THE BOARD:

Commissioner Murray moved to approve a request from Mr. and Mrs. James and Kerry COURSE, 1719 Wilmington Island Road, for the County to declare the 60-foot by 120-foot portion of 2nd Street right-of-way behind their property on Wilmington Island Road (PIN 1-0099-04-003) as surplus and to quitclaim the property to them. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

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- 4. **REQUEST FROM THOMAS & HUTTON, AGENT FOR SAVANNAH QUARTERS, TO RECORD THE PLAT FOR STEEPLE RUN AT SOUTHBRIDGE, PHASE 14, LOTS 38/40, 42/44, 46/48 AND 49/51.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve a request from Thomas & Hutton, agent for Savannah Quarters, to record the final plat for Steeple Run at Southbridge, Phase 14, Lots 38/40, 42/44, 46/48 and 49/51. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

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- 5. **REQUEST FROM THE ENGINEER FOR CIRCA PROPERTIES, INC., DEVELOPER, TO RECORD THE FINAL PLAT FOR OLDE TOWNE PLACE, PHASE 2, LOT 3.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve a request from the engineer for Circa Properties, Inc., developer, to record the final plat for Olde Towne Place, Phase 2, Lot 3. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

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- 6. **REQUEST FROM THE ENGINEER FOR RDB ENTERPRISES, INC., DEVELOPER, TO RECORD THE SUBDIVISION PLAT FOR OLDE TOWNE, PHASE 11A, ACCEPT THE FINANCIAL GUARANTEE, AND RECOMBINE THE SUBDIVISION INTO THE EXISTING OLDE TOWNE STREETLIGHT ASSESSMENT DISTRICT.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve a request from the engineer for RDB Enterprises, Inc., developer, to record the subdivision plat for Olde Towne, Phase 11A, accept the financial guarantee, and recombine the subdivision into the existing Olde Towne Streetlight Assessment District. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

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- 7. **REQUEST BOARD APPROVE AN AGREEMENT WITH GDOT FOR ABERCORN STREET FROM RIO ROAD TO TRUMAN PARKWAY, PHASE V.
[DISTRICT 6.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve an agreement with the Georgia Department of Transportation (GDOT) for Abercorn Street from Rio Road to Truman Parkway, Phase V. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

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- 8. **REQUEST BOARD APPROVAL TO RECORD AN INFORMATIONAL DEED FOR THE WILMINGTON ISLAND LANDFILL.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve a request to record an informational deed for the Wilmington Island Landfill. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

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9. REQUEST BOARD TENTATIVELY SET MEETING DATES FOR 2002.

ACTION OF THE BOARD:

Commissioner Murray moved to tentatively set days and time for regular Commission meetings for 2002 as follows: Set meeting time for 9:00 a.m., and set dates for the second and fourth Fridays in January through November and on the first and third Fridays in December. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

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10. REQUEST BOARD AUTHORIZE YEAR 3 FUNDING FOR "OTHER CAPITAL OUTLAY" OF CHATHAM COUNTY-SPONSORED PROJECTS UNDER THE 1% SALES TAX, 1998-2003.

Chairman Hair recognized Commissioner Rayno. Commissioner Rayno said, no, I just made a mistake. I'm sorry. Chairman Hair said, okay. I'll need a -, still need a motion to approve. Commissioner Murray said, so moved. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.] Chairman Hair said, motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved to approve a request to authorize Year Three Funding for "Other Capital Outlay" of Chatham County-sponsored projects under the One Percent Sales Tax, 1998-2003, as follows: \$1,500,000 for "Arts, Civic and Cultural Allocations" and \$480,000 for nine area fire departments (\$53,333 each). Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

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11. REQUEST BOARD AUTHORIZE THE CHAIRMAN TO SIGN INSPECTION SERVICES AGREEMENT WITH THE TOWN OF VERNONBURG.

ACTION OF THE BOARD:

Commissioner Murray moved to authorize the Chairman to sign an Inspection Services Agreement with the Town of Vernonburg. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

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12. 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. Professional services contract for engineering design of the Golden Isles Drainage Project	SPLOST	Hussey, Gay, Bell & DeYoung (HGBD)	\$13,600	SPLOST (1998-2003) - Drainage, Golden Isles
B. Change Order No. 3 to contract for the Kingsway Canal Drainage Project for additional services for the Halcyon Bluff Stormwater Improvement Project	SPLOST	Hussey, Gay, Bell & DeYoung (HGBD)	\$26,000	SPLOST (1998-2003) - Drainage, Halcyon Bluff

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
C. Change Order No. 2 to the contract for the construction and paving of the Westlake Drainage Project, Phase I, to extend bridge pile lengths	SPLOST	The Industrial Company (TIC)	\$7,406	SPLOST (1998-2003) - Drainage, Westlake Project, Phase I
D. Change Order No. 1, to the design contract for the widening and improvement of Eisenhower Drive to extend the scope of the contract to tie in with the Truman Parkway	SPLOST	Hussey, Gay, Bell & DeYoung (HGBD)	\$118,050	SPLOST (1998-2003) - Eisenhower Widening
E. Confirmation of Change Order No. 4 to the contract for Placentia Canal Improvements Project for changes in scope of work	SPLOST	ARCO, Inc.	\$4,080	SPLOST (1998-2003) - Drainage, Placentia Canal
F. Terminate the agreement with Georgia Municipal Association (GMA) for natural gas and piggy-back on the City of Savannah's contract	Various	Shell Energy	NYMEX Closing Price plus \$.11 per therm	•SSD - Various •General Fund/M&O - Various
G. Terminate the annual contract with Designlab, Inc. for uniforms and uniform accessories and award to various local firms	•Police •Sheriff •Detention Center	•West Chatham Warning Devices •Uniforms by Patrick (WBE) •Frank's Uniforms (WBE)	Varies by item	•SSD- Police •General Fund/M&O - Sheriff •General Fund/M&O - Detention Center
H. Rescind the award for the "As Needed" purchase of Thorogood brand shoes from Southeastern Public Safety and award to the next low bidder.	•Police •Sheriff •Detention Center Staff	West Chatham Warning Devices	Varies by item	•SSD - Police •General Fund/M&O - Sheriff •General Fund/M&O - Detention Center
I. Confirmation of Change Order No. 2 to the contract for the construction of a golf range net for the Bacon Park Golf Course adjacent to the Truman Parkway, Phase III, for additional services and materials	SPLOST	Golf Range Netting, Inc.	\$40,000	SPLOST (1985-1993) - Truman Parkway, Phase III
J. Disk drives and associated components	I.C.S.	Xiotech Corporation (sole source)	\$25,040	CIP - NetPlan 2000
K. Contract to construct and install a floating dock for the Savannah River Transportation System	SPLOST	Myrick Marine	\$397,664	SPLOST (1993-1998) - Water Ferry Docks

As to Items 12-A through 12-J, except Item 12-D:

Commissioner Murray moved to approve Items 12-A through 12-J, except Item 12-D. Commissioner Thomas - seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]

As to Item 12-D:

Change Order No. 1, to the design contract for the widening and improvement of Eisenhower Drive to extend the scope of the contract to tie in with the Truman Parkway; SPLOST; Hussey, Gay, Bell & DeYoung; \$118,050; SPLOST (1998-2003) - Eisenhower Widening.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I think my question was answered before the meeting, but I just want to verify it. What I'm saying, this is where they're going to widen the Truman Parkway Exit out onto Eisenhower, is that correct? Mr. George Lynch said, that is correct, sir. In essence, what it amounts to we had .8 miles in the first

increment. This extends it another 1.25 miles and gives you a logical terminus at the Truman Parkway. Commissioner Murray said, thank you. Move for approval. Chairman Hair asked, second. Commissioner Odell said, second. Chairman Hair said, If those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: District Three was not represented.] Chairman Hair said, the motion passes.

As to Item 12-K:

Contract to construct and install a floating dock for the Savannah River Transportation System; SPLOST; Myrick Marine; \$397,664; SPLOST (1993-1998) - Water Ferry Docks.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno asked, if we built this dock, how do we maintain it money wise? Does that come out of future M&O budgets? Mr. George Lynch said, I do not have the answer to that, sir. I would imagine that we do, but I'd like to refer that to Pat Monahan. I shall get back to you as soon as I get hold of Pat Monahan. Commissioner Rayno said, see, we had a budget crisis last Summer and one of the reasons we had that was because we built SPLOST projects and we had no money to maintain the things that we built, and here we are today wanting to build -. Mr. Lynch said, my reason for uncertainty, sir, is since this is part of the transportation system, it is quite possible that it is not going to be M&O maintained.

Chairman Hair said, Pat [Monahan], Commissioner Rayno has a question of how this dock is going to be maintained, the funding source of it.

Mr. Monahan said, the docks once constructed are actually the City of Savannah's. The City of Savannah will be responsible for maintaining it and the operation will be through the Trade Center Authority. These are on City property and the City has already agreed to that fact. Commissioner Rayno said, okay, and we're going to move ahead with this even though CAT hasn't even started or finished the study on the -. Mr. Monahan said, well, buy we still have a water transportation system in place. The study will be looking at the type of vessels that will be used, which are more design issues as opposed to operational issues. The other is within the next couple of weeks we'll be coming back to the Commission with the final leg of this. We worked out an agreement with the City of Savannah and the Waterfront Association for 400 feet of linear docks that will be about 250 feet to the east of these that will serve recreational purpose. Commissioner Rayno said, my point is this is -, this should be a function of private enterprise and not government. It's not an essential function of government and that's why I'm going to vote no when it comes time to vote.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Murray said, move for approval. Chairman Hair asked, second? Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of seven to one. [NOTE: District Three was not represented.] Chairman Hair said, motion passes.

ACTION OF THE BOARD:

1. Commissioner Murray moved to approve Items 12-A through 12-J, except Item 12-D. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present; District Three was not represented.]
2. Commissioner Murray moved to approve Item 12-D. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]
3. Commissioner Murray moved to approve Item 12-K. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Rivers, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of seven to one. [NOTE: District Three was not represented.]

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XI. FIRST READINGS

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

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

- 1. PETITIONER, EMC ENGINEERING, AGENT (FOR SWEETWATER, LLC, OWNER) IS REQUESTING THAT A 194 ACRE PARCEL LOCATED ON THE SOUTH SIDE OF GROVE POINT ROAD BE REZONED FROM R-A (RESIDENTIAL-AGRICULTURE) AND PD-R-SM (PLANNED DEVELOPMENT-RECLAMATION-SURFACE MINING) CLASSIFICATIONS TO A PUD-M-6 (PLANNED UNIT DEVELOPMENT MULTI-FAMILY RESIDENTIAL) CLASSIFICATION IN ORDER TO ESTABLISH SINGLE AND MULTI-FAMILY DEVELOPMENT. THE MPC RECOMMENDED THAT THE REQUEST BE APPROVED.
MPC FILE NO. Z-011102-39622-1
[DISTRICT 6.]

ACTION OF THE BOARD:

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

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- 2. PETITIONER, CHRISTOPHER A. REYNOLDS, AGENT (OR VETERANS OF FOREIGN WARS POST 660, OWNER) IS REQUESTING REZONING 5115 OGEECHEE ROAD FROM AN R-A (RESIDENTIAL-AGRICULTURE) TO AN A-T (AGRICULTURE-TOURIST) ZONING CLASSIFICATION TO ESTABLISH A WIRELESS TELECOMMUNICATIONS TOWER. THE MPC RECOMMENDED THAT THE REQUEST BE APPROVED.
MPC FILE NO. Z-011019-34721-1
[DISTRICT 5.]

ACTION OF THE BOARD:

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

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XII. SECOND READINGS

None.

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XIII. INFORMATION CALENDAR

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

ACTION OF THE BOARD:

Written report received as information.

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

ACTION OF THE BOARD:

Written report received as information.

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3. ROADS AND DRAINAGE REPORTS.

ACTION OF THE BOARD:

Written reports were received as information.

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EXECUTIVE SESSION

Chairman Hair said, I'll now entertain a motion to go into Executive Session for what purpose? County Manager Abolt said, personnel, litigation and land acquisition. Commissioner Murray said, so moved. Chairman Hair asked, second? Commissioner Odell said, second.

Commissioner Rayno said, I have discussion. One of the issues on the Executive Session is procedure for today's hearing and it's a public hearing under Georgia Code 31-5-2, and I think that the people that are here today, the Board of Assessors, their attorneys and the public have the right to know what the procedures are for this hearing that's going to happen today. Chairman Hair said, I'll ask Mr. Hart to rule on that.

County Attorney Hart said, sure. Yes. This is put down as procedures, but it really what we want to talk about is getting some legal advice on a couple of issues. I think there's a court ruling yesterday that I want to talk to y'all about, there's some matters that this Commission is going to have to decide --, it is your hearing --, about what you want to do in regard to those, and I wanted to lay out some issues insofar as things that could come up in regard to matters in the hearing not related to the merits of the hearing that you need to be aware of as public officers because you are going to have to conduct the hearing and I feel that that's something that you have the right to talk to your attorney in private, attorney/client privilege. I will state in my place and any member of the Board can report otherwise if I should breach that, but there will be no discussion in regard to the merits of this case.

Chairman Hair said, I'll entertain a motion to approve --.

Commissioner Rayno said, so we're not going to talk about the methodology of the proceedings. County Attorney Hart said, indirectly we will. There are two issues that I'm not at liberty to divulge in public until we deal with them in private, but insofar as the procedure, I think we've already given the procedural outline to the Chairman, which is going to be read into the record at the commencement of the hearing and there won't be any deviation from that.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Odell said, so moved. Chairman Hair said, second. Commissioner Murray said, second. [NOTE: A motion to go into Executive Session was already on the floor so this motion was not in order.] Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of seven to one. [NOTE: District Three was not represented.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved to recess at 9:37 a.m., to go into Executive Session for the purpose of discussing litigation, land acquisition and personnel. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Rivers, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of seven to one. [NOTE: District Three was not represented.]

Upon adjournment of Executive Session, the meeting of the County Commissioners was reconvened at 10:16 a.m.

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ITEMS FROM EXECUTIVE SESSION

1. **REQUEST BOARD APPROVE SETTLEMENT OF SHERIFF'S LAWSUIT AGAINST THE COUNTY.**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request to approve settlement of the Sheriff's lawsuit against the County in the amount of \$2,884,960 plus \$53,000 in legal fees. Commissioner Gellatly seconded the motion. Chairman Hair and Commissioners Rayno, Rivers, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of seven to one. [NOTE: District Three was not represented.]

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

ACTION OF THE BOARD:

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

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APPOINTMENTS

None.

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ORDER OF BUSINESS

All other business having been concluded, a brief recess was taken at 10:17 a.m., before reconvening at 10:31 a.m., to begin the Show Cause Hearing as outlined in Item IX-5 above.

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ADJOURNMENT

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 3:17 p.m.

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APPROVED: THIS _____ DAY OF _____, 2002

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

SYBIL E. TILLMAN, COUNTY CLERK