

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, FEBRUARY 8, 2002, 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, February 8, 2002.

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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 [arrived approximately 9:15 a.m.]
	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 welcomed the following Youth Commissioner who was in attendance: Valerie Moore, a Junior at Bible Baptist.

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**V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

None.

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**VI. CHAIRMAN'S ITEMS**

None.

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**VII. COMMISSIONERS' ITEMS**

**1. AMTRAK SERVICES (COMMISSIONER THOMAS).**

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman, members of the Commission. I thought that I need to make you aware, if you are not already aware, that there is a bill that's being proposed in the House up in Washington, DC, that seemingly would affect passenger rail services in Georgia, particularly here in Savannah and Jesup. It's --, they're trying to get Amtrak to become self-sufficient, and in doing that they're going to be, I guess basically, centering their attention more on the Northeast quarter from Washington, D. C., to Bos--, you know, to Boston. That route. And if this bill passes, who the author is Representative John Niker [phonetic] from Sanford, Florida. Ironically, he has preserved the auto-train, which comes out of Lawton --, I mean, out of Sanford going into Lawton, Virginia, which service his constituents. So his constituents will not be affected. I since then called Congressman Jack Kingston's office to find out if he knew anything about it, to find out --, but I found out that he was a co-author, but I was told on last night that he would not support the dismantling of the services through Georgia, but we're not sure about that because I understand that they're not really going to alert the public until March, and when March comes, that's going to be too late for anybody to react to do anything. So what I would like for this Commission is to go on record to maybe, you know, send a letter to Congressman Kingston asking for his support to maintain those services here in Georgia.

Chairman Hair asked, so you'd like a motion that we pass a resolution --? Commissioner Thomas said, right. Chairman Hair asked, supporting the continuation of train service in Georgia and through Savannah? Commissioner Thomas said, yes. Chairman Hair asked, do I have a second? Chairman Hair asked, any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rayno was not present; District Three was not represented.]

**ACTION OF THE BOARD:**

Commissioner Thomas moved that the Board pass a resolution asking Congressman Jack Kingston to support the continuation of train service in Georgia and particularly the Savannah area. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Rayno was not present; District Three was not represented.]

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**CHATHAM AREA TRANSIT AUTHORITY**

The Board recessed as the County Commission at 9:07 a.m., and reconvened as the Chatham Area Transit Authority.

The Chatham Area Transit Authority was adjourned and the Board reconvened as the County Commission at 9:13 a.m.

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**VIII. TABLED/POSTPONED ITEMS**

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

None.

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**IX. ITEMS FOR INDIVIDUAL ACTION**

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

- 1. REQUEST BOARD APPROVE THE FOLLOWING: GENERAL FUND M&O CONTINGENCY TRANSFER OF \$18,500 TO THE SHERIFF'S DEPARTMENT FOR VEHICLE REPLACEMENT, A SPECIAL SERVICE DISTRICT CONTINGENCY TRANSFER OF \$4,100 FOR COASTAL GEORGIA REGIONAL DEVELOPMENT CENTER DUES, A 1993-1998 SPLOST BUDGET AMENDMENT TO RECOGNIZE \$17,700,000 REVENUE FROM STATE OF GEORGIA, \$64,760 FROM THE CITY OF SAVANNAH, \$64,760 FROM THE SAVANNAH WATERFRONT ASSOCIATION AND TO APPROPRIATE \$359,520 TO THE MARITIME TRADE CENTER, A TRANSFER OF \$107,000 FROM THE 1993-1998 SPLOST, UNINCORPORATED ROADS FOR RECONSTRUCTION AND PAVING OF PRESIDENT STREET, AND A GENERAL FUND M&O BUDGET AMENDMENT TO REFLECT ADDITIONAL RESTRICTED REVENUES OF \$56,410 FOR VICTIM WITNESS PROGRAM.**

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

Commissioner Murray said, so moved approval. Chairman Hair asked, second? Commissioner Odell said, second. Chairman Hair asked, discussion? All those in favor vote yes –, go ahead.

Youth Commissioner Moore asked, what is SPLOST? Chairman Hair said, it's a Special Purpose Local Option Sales Tax. Youth Commissioner Moore said, thank you.

The motion carried unanimously. [NOTE: Commissioner Rayno was not present; District Three was not represented.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the following: General Fund M&O contingency transfer of \$18,500 to the Sheriff's Department for vehicle replacement, a Special Service District contingency transfer of \$4,100 for Coastal Georgia Regional Development Center dues, a 1993-1998 SPLOST budget amendment to recognize \$17,700,000 revenue from State of Georgia, \$64,760 from the City of Savannah, \$64,760 from the Savannah Waterfront Association and to appropriate \$359,520 to the Maritime Trade Center, a transfer of \$107,000 from the 1993-1998 SPLOST, Unincorporated Roads for reconstruction and paving of President Street, and a General Fund M&O budget amendment to reflect additional restricted revenues of \$56,410 for Victim Witness Program. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rayno was not present; District Three was not represented.]

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- 2. REQUEST BOARD APPROVAL TO ELIMINATE TWO PART TIME SEASONAL POSITIONS, AND CREATE ONE 40 HOUR PER WEEK CLERICAL ASSISTANT III POSITION AND ONE 20 HOUR PER WEEK PART TIME SEASONAL POSITION IN THE ASSESSORS OFFICE.**

Chairman Hair said, I'll entertain a motion to approve. Commissioner Gellatly said, I want to talk about it. Chairman Hair said, well, okay. Commissioner Odell said, motion. Chairman Hair said, we have a motion to approve. Do we have a second? Commissioner Murray said, I'll second it. Chairman Hair said, second. Okay, now, Commissioner Gellatly.

Commissioner Gellatly said, okay, just a question. By adding –, essentially we're adding a body, right? Chairman Hair asked, Gary [Udinsky], do you want to come forward and explain the issue? Commissioner Gellatly said, I just have a problem with the budget crisis we're in right now adding people to the payroll.

Mr. Gary Udinsky said, this is budget neutral. We have two seasonal positions that the money total for the two seasonal positions is \$33,893. What we want to do is take one of those seasonal positions and shorten the number of hours and take all the hours that belong to the other seasonal position and make it a permanent full-time position. What happens is with these seasonal positions they –, the people turn over too quickly. We can't get them trained well enough to do the job, so we want to make one of them permanent and make the other one a shorter time.

Commissioner Gellatly asked, Gary [Udinsky], what's the bottom line? Is there going to be an increase in funding? Mr. Udinsky said, no sir. Commissioner Gellatly asked, including the benefits or nothing like that? Mr. Udinsky said, no sir, there's no –. Commissioner Gellatly asked, there won't be any increase at all? Mr. Udinsky said, no increase at all. Commissioner Gellatly said, okay, I have no problem.

Chairman Hair said, all right, we have a motion and a second to approve. 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 Odell moved to approve the request of the Assessor's office to eliminate two part-time seasonal positions and create one 40-hour per week Clerical Assistant III position and one 20-hour per week part-time seasonal position. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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**3. BOARD DIRECTION TO IDENTIFY FUNDS SETTling THE SHERIFF'S VARIOUS BUDGETS.**

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, gentlemen, it may be appropriate or assist you if you would turn to Tab 3, and I will take you through the alternatives you have, and as we all know, the situation leading to this was the court decision and the need to look at the Sheriff's budget again with the final outcome a negotiation of about a \$2.9 million challenge we have defined. In December I sent you a memorandum and three alternatives were presented, which I'll summarize and go down today. The first alternative was -, would be to make additional cuts within the M&O departments. I did assume, I think, what is the obvious to assume, that you would not be taking any reduction in getting that \$2.9 million either from the Juvenile Court, Superior Court or the different operations of the Sheriff, and that's because of the legal positions and the final result of those three departments in their discussion with you. I did indicate in there that obviously this could precipitate a reaction by other constitutional officers, as well as create morale -, further morale problems in the organization. The second option posed at the December writing was the possibility of an immediate tax increase with supplementary tax bill sent out yet this year, this budget year. The County Attorney advises that that is not possible. The third option now is, and this is obviously based on the nature of the account from which you would withdraw the money, is very serious if you choose to do this, and that would be to use the catastrophic reserve. As I mentioned in my memo to you, you have to make, in my estimation, a commitment to increase the millage in July to replenish that reserve account. We estimate that increase would be just shy of a half a mill, and then as I indicated in my summary, that by doing that I think it's fair to assume that the \$2.9, just shy of that, obligation would continue in the Sheriff's budget for the next fiscal year. So you possibly might be, you know, looking down the barrel as much as a mill tax increase.

Chairman Hair said, okay. I discussed yesterday with the County Manager number three. I think basically number three -, it's not the only option. We have other options. I'm sure Commissioner Rayno has one of his own, but I do not believe that in number three that you have to tie those two together, that you have to automatically assume -. It does have to be replaced in June, but I do not think that we have to today vote to automatically increase it a half a mill. I think there are other ways that we could replenish that fund. We already have some, for example, some real estate that's for sale that we could put that money back in and some other options. I think to do that today without knowing how our expenditures will go between now and June would not be the best way to go. So I can support number three without the irrevocable commitment to raise the millage. I'd be interested in anybody's discussion. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, the budget before the last one we had a digest increase of 11.7%, somewhere in that ball park and then this past year we saw a digest of 2.9%, and I've always questioned the validity of that digest growth last year. How do you go from 11.7% to less than 2.9% in the course of a year in a booming economy where houses are being built left and right, businesses are coming into Chatham County. Nothing makes sense. And then we had two Governor's reports. You had the Governor's report that came down and said there's a lack of uniformity in Chatham County. You had a Performance Review report which said there's a lack of uniformity in Chatham County. You had a judge who ruled in the case saying there's a lack of uniformity in Chatham County, and this is not new. All the way back in the 1970's, if you read the book called **The Water Lords**, they talked about a lack of uniformity in Chatham County. An it's been like a gorilla in the room and nobody wants to talk about the fact that there's undervalued properties in Chatham County. There's a lack of uniformity. We showed one big corporation where that happened and we said, oops, we made a mistake and we went back in and corrected it. Well, there's other places like that too. We need to have at this point in time the Governor to send the Department of Revenue down to oversee what's going on in the Appraiser's office because you're going to have a brand new Board of Assessors that are not going to know what they're doing. They're going for training. Is that going to make them qualified in time before the Summer digest to give you an accurate digest? No, it won't. But if the Department of Revenue is here to oversee what's going on, we can get an accurate digest. We've estimated between 12 and 15 million dollars is off the table right now. We can put it on, solve our problem. For raising taxes you don't have to do it. If we put things where they should be we can solve the problem, but it takes the will of this Board to do that. To make things right that have been wrong for over 20-something years.

Chairman Hair said, Commissioner Odell and then Commissioner Kicklighter.

Commissioner Odell said, I'm concerned that if we go to option three and we do not have a commitment, if we take the insurance reserve, which compared to other similar-sized counties is relatively low, I think ultimately the shell game is going to catch up with us. There's just so many places that we can take money. We had an opportunity to increase the millage and I agree that no one wanted to do that, but I think the Superior Court Judge said that the Sheriff's budget was fair. We made an independent determination after reviewing all the evidence that the Juvenile Court budget was fair. We further concluded that the Clerk of Superior Court's budget was fair, and I think it's just so much that you can get out of this. I understand what you're saying, Jeff [Rayno], and if that is a solution, then I think we need to consider that. My concern is that if you look at the laws which besiege this County, even if there were re-evals, then the impact of those re-evals is we have to reduce the millage by the amount of the re-eval. So to do otherwise, we would have to give notice and have three meetings and give a commitment in essence to do what the County Manager said that we need to do and that is to increase the millage. I don't think anyone can be blamed for the position of trying to keep funds in the taxpayer's pocket, but we're in a crisis situation, and that crisis situation is that we are self-insured and if we take this money and if we get hit, and we could get hit because we have some contingent liabilities out there, and we don't have that ironclad commitment then what do we do as far as funding? Because we do not have great standing as far as our bond rating because we do not have the fund balance, our rating or our ability to go into the market and float a bond has been severely hampered. We're caught legitimately between a rock and a hard place. We've got departments who are also elected officials who have an obligation like the Sheriff's Department, to carry out their charter. The Sheriff does not make a determination as to who go to jail. If you commit a crime, the police take you there, we ought to make accommodations for you, and if we make those accommodations for you, we have to have a certain amount of staff. I don't know of any other options and I'll entertain any other option. I think selling off real estate still is a stop-gap measure. There's just so much real estate we can sell. We're postponing, and in postponing what we're doing is we're placing this County's government in financial jeopardy, and I go on the record for that. I said it during last year's budget proceeding, and I say it not as an attorney but having work as a budget analyst right out of college. You don't have to be a CPA to realize that our numbers are not good. We're not in run, but we are near the brink, unless we have a major infusion of cash, of bankruptcy. I mean, our financial position is bleak and for us to take funds from the insurance reserve without a concurrent commitment –, I'd like to hear from the County Attorney as to whether or not if we took the funds from the insurance reserve if he believes that we need to make a concurrent commitment to replace them.

County Attorney Hart said, that's a policy decision and I try to stick to the law part, but one point I would like to make and I appreciate your recognizing me is that technically the term that we're talking about is not an insurance reserve but the catastrophic fund, and there is a distinction there in that we're self-insured and that fund is designated for more than just claims. And, you know, the things you've got to think about are a natural disaster. We could get hit with a hurricane or whatever and we're going to have to lay out money immediately to take care of clean-up and relief and that sort of thing. I will comment that our catastrophic reserve fund is sound, but it's not –, there's not a lot of fat in it. We've been very fortunate over the years that we have been successful in not incurring claims of any size to speak of.

Commissioner Odell said, let me just finish with Mr. Hart. I understand basically what you said that there is a technical difference between the terminology insurance reserve and the other term that you used, but it's basically a half a dozen in one hand and six in the other. They mean basically the same thing. Your term simply expands it. My question nevertheless is if we take the money from the account that you've identified, is it your opinion, although you stay out of politics, that we should not replace it or you're neutral on that? County Attorney Hart said, no, sir. We've got to have some money in that account. I mean, there's no way we can operate if we –. You know, we deal with claims every month. Every month I'm in there dealing with something that –. Commissioner Odell asked, and ours is not fat, would you agree with that? That we have not –, we do not have an excessive account, is that true? County Attorney Hart said, yes, sir. We run pretty conservative there and we have been extremely fortunate in that we have not had significant claims, and pretty much for the history of this Commission, if you go back 10 or 15 years, that account's always been, you know, a pretty good account that can handle the normal day-to-day things, but, you know, when y'all got in –, when this Commission got into the Weatherwood situation and those type situations, you know, you had to make other arrangements, you know, so I would certainly say that that account needs to be of a balance so that, you know, you can handle the unexpected. That's all I'm saying. Commissioner Odell asked, and your opinion is that currently we're at a level in which we could handle the unexpected, is that true? County Attorney Hart said, say that again. Commissioner Odell said, your opinion as to the funds in that account now is that it's appropriate. We're not in excess of what you would recommend? You're not going to get away, Jon [Hart]. You're going to say either we have too much money –, if we have too much money, let's raid the account. If we don't, tell these people we don't have too much money. County Attorney Hart said, long term we don't have too much money in that account. Commissioner Odell said, that's all I need from you. Thank you.

Chairman Hair said, Commissioner Kicklighter, then Commissioner Rayno and Commissioner Murray. Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. First, I'd like to just ask a question. Does most counties have –, do they actually separate their catastrophic reserve and the reserve? County Manager Abolt said, if they're doing it right they should, yes, sir. Commissioner Kicklighter said, okay. I mean, I didn't know because, I mean, a lot just actually have one –. County Manager Abolt said, this is very prudent. Commissioner Kicklighter said, okay. So that is the norm to have this separated? County Manager Abolt said, particularly where we're situated, as the Chairman indicated –, the County Attorney indicated. Our proximity to Mother Nature and storms is –. Commissioner Kicklighter said, right. County Manager Abolt said, this is –, even that, that 3.2 million is very lean. Commissioner Kicklighter said, and I guess the reason I asked is because I just believe you shouldn't touch any reserve unless you absolutely have to.

So that's why I was asking that. A couple of statements. I would go along with you, Mr. Rayno, if you'll make a motion to ask Georgia to come down to oversee the BOA, I think that's great. If we can get the money without burdening the taxpayers, let's do whatever we can. That don't hurt to make the motion and bring them down if they'll come. So please make that motion in a minute. The other I will state that if it comes today to getting the money from the catastrophic reserve, I absolutely will not commit my vote, will have nothing to do with committing to a tax increase in the future. I've stated it before and I'll state it again, barring something catastrophic here in Chatham County, I don't foresee a vote from me for the tax increase. Once we sell the frivolous items we have in Chatham County that this group's not responsible for doing, but we're now having to pay for, when the swimming pools are gone, the piers and pavilion, the racetracks. Yes, the museums in the district, the golf courses, every frivolous item that's not absolutely a necessary expense for Chatham County, once all that frivolous spending's gone, if we're still flat-out broke, then that would be something you would have to consider in the future. Once Mr. Rayno's idea, his thought's been –, we go through that, if he's not correct and every frivolous spending item's gone, then I think you consider the tax increase, but not until then.

Chairman Hair said, Commissioner Rayno, then Commissioner Murray and then myself. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, unless I'm missing something, you get a millage rate set here, you've got X-amount of money sitting there with that digest. If we re-eval and find out we've been under-appraising properties, all of a sudden you've got more money right there with the same millage rate. Because of the Taxpayer Bill of Rights, you roll back the millage rate. Fine, but then we say there's a tax increase. We're just going to bring it back up to that original millage rate so a person owning a home pays the same amount because of the Stephens-Day Bill. Your taxes don't increase at all. The only people that see more money spent out in taxes are the people that were under-appraised all those years. Not the homeowners at all. You've increased the pool of money and you've brought the millage rate back to where it was again. The semantic argument is, oh, it's a tax increase, but it's not. The people that start paying then are the people who've been getting away for years not paying what they were supposed to off the backs of all the homeowners in Chatham County. It's purely a semantic argument, and that's what they're trying to use against them to not do this.

Chairman Hair said, Commissioner Murray and then myself and then –. Commissioner Rayno said, I'd like to make a motion first. I'd like to make a motion that we have the Department of Revenue come down and oversee the Appraiser's office. Chairman Hair said, all right, we have a motion. Do we have a second? Commissioner Kicklighter said, second. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I certainly will support the motion because I think it's the only way we're going to find out whether those numbers they keep putting out there for \$15 million is correct or not, if in fact the State Revenue Department will commit to come down here when we request it. So I will support it for that. I doubt that we're going to see those kind of numbers come in, and if we do I don't think we're going to see that kind of revenue come into Chatham County from it. But, nevertheless, I'll support the motion just so we can find out one way or the other.

Chairman Hair asked, Mr. Hart? County Attorney Hart said, yes, sir. Chairman Hair said, I question the legality of the motion. I'm not sure that it's legal for a State department to come in and manage a county, local county department. There are some legal issues there. County Attorney Hart said, there may be, and just off the top of my head I'd have to give it more thought, and I would not want to express an opinion one way or the other until we had an opportunity to really look at it. If you wanted the Department of Revenue to come in and help you, you know, and I put the word "help" in quotes. I don't know what that would mean, whether they're there running the day-to-day operations or whether they're in –, coming in an advisory capacity or if they're sending somebody down here just to kind of see how things are going and sort of be a liaison to the Department of Revenue. All those type of issues would require some research on our part, but there's nothing to prevent this Commission, if it wanted to, from asking the Department of Revenue to supply some help and then sit down with them within the confines of the law and see exactly, you know, what they are or are not able to do.

Commissioner Rayno said, let me be very clear, and the intent of my motion was to make sure that all the problems that were listed in the PRB report are corrected. Chairman Hair said, let me ask you a question, Mr. Rayno, on the motion. Let me ask a question on the motion. Commissioner Rivers said, define that motion. Chairman Hair said, yes. Is your motion would oversee, does that mean that –, who does the tax person report to in that case? Commissioner Rayno said, he'd be reporting directly to the Department of Revenue and –.

Chairman Hair said, see, I don't think that's legal. I don't think there's anyway that could be legal. I don't think you could take a County department, a constitutional office or department head of a department, I don't think you could have him report to a State agency. I don't think that –, I don't think that's legal. Commissioner Kicklighter asked, couldn't they in a time of –? Chairman Hair said, I think advice yes. I think they could come down and advise, but I don't think there is any way that we can put one of our County departments under the State for control. I think that's –. Commissioner Rayno said, well, you're not a lawyer the last time I checked, and so I would like an opinion from the Attorney General on this. Chairman Hair said, I'd be happy to have the Attorney General's opinion.

Chairman Hair asked, could someone state exactly what they're asking the Department of Revenue? Chairman Hair said, okay, Commissioner Rayno, state your motion. It's your motion. Commissioner Rayno said, I would like to have the Department of Revenue come down and oversee the Appraiser's office to make sure that all the concerns that were addressed in the PRB report are corrected and we have a proper digest. Chairman Hair said, okay, make sure when

you ask the Attorney General's approval that that motion includes a County department head reporting to a State agency, okay. That's what --, that's his intent of his motion. Commissioner Rayno said, oh, if that's what you're going to make it so that it fails --. Chairman Hair said, you just said that was your question. Commissioner Rayno said, I know, but we want --. Chairman Hair said, well, you said you know. Commissioner Rayno asked, don't you want there to be uniformity? Chairman Hair said, I certainly do, but I don't think --, I don't want a County department head reporting to State government. Commissioner Rayno asked, so why don't you make the motion so it can be right so we won't have a problem with it, Billy [Hair]? Chairman Hair said, it's your motion. I don't --, I'm opposing the motion. Commissioner Rayno said, I think you don't want uniformity in Chatham County, Billy [Hair], that's what I think you don't want. Commissioner Thomas said, Mr. Udinsky would like to speak. Chairman Hair said, I don't think you can do that. Chairman Hair recognized Mr. Udinsky.

Mr. Udinsky said, Dr. Thomas, thank you. Mr. Chairman, thank you very much. I've got --, I want to try to help you here. I don't know if I can or not, but we would welcome any help from the Department of Revenue we could get. Let me say that to begin with. We're not opposed to getting help from the Department of Revenue at all and in that regard the senior staff and myself met with the two field representatives from the Department of Revenue who are responsible for Chatham County about two weeks ago and, Mr. Rayno, every single question that was in the Performance Review Board's report was addressed to them and they're supposed to respond in writing to us exactly how they recommend we address those issues. So that question's already been --, and I have wrote a follow-up letter to them reiterating everything in our meeting that we are awaiting for them, and I'll be happy to copy to you and I'll copy to the entire County Commission if you'd like. But I do want to point out just a couple of things that might be helpful to you. The digest growth in the period of time 1999 to 2000 was astronomical: 12%. That's huge, but there's a reason for that and you need to know that reason, and that reason was, if you'll remember, the Board of Assessors in position at that time finished the entire re-val project in the year 2000. A lot of things were done in the year 2000 to get that project finished. The Department of Revenue recognized that and, in fact, in their review of commercial properties that they did, of the 2000 digest, which I have copy of the report here, they said, and this is just pieces of this, based on sales analysis, blah, blah, blah, the accuracy of appraisal in commercial properties is reasonably uniform and accurate according to State regulations. They go on to say that they found commendable accuracy and consistency in the assignment of property characteristics on the sample properties reviewed. The digest grew so much in the year 2000 because we finished the project and corrected these issues with commercial properties. Why didn't it grow a whole lot though for the year 2000-2001? It only grew by about 3%, 2.8%. Well, primarily it didn't grow by a whole lot because we gave away --, for very good reasons, and this is not critical. We gave away over \$215 million assessed in value, and where did that value go to? Well, if you remember, you, we, the County raised the freeport exemption from 80% to 100%. So that was about \$100 million lost off the digest, and the Stephens-Day homestead exemption went into effect, which happens to be that I am very much in favor of. It's a good thing. I'm a homeowner, I was very much involved in it and I think it's great, but that knocked off \$116 million off the digest. Those are brand new things that just knocked off value. If you factor those back in as if they didn't happen, your digest growth would have been 6.4%, which is --, if you go back beyond 2000, more representative of what the digest growth has been over a relatively long period of time. So Mr. Rayno is right. We had big growth from '99 to 2000 and very little growth from 2000-2001, but there's very good reasons for that. Now what does that mean though to you in terms of the 2002 digest? Well, that's almost impossible to estimate. A good bit of your value growth because of reassessments, which we're doing a fully Countywide reassessment this year, will not come onto the digest because it will be wiped off by Stephens-Day. Again, that's a good thing. The other property value will come onto the digest and you will have to roll back for that value growth. Mr. Rayno's again correct when he says that Gary Udinsky, as a homeowner, if you've got Stephens-Day and the millage rate goes down because you have to roll it back and then you advertise a tax increase and all of you vote for a tax increase, but you really set the millage rate back to the level that it was at, Gary Udinsky's taxes won't go up. Neither will Mr. Hair's and neither will Mr. Rayno's. Okay? But you still have to understand that if you go back and look at years gone by, and Mr. Murray you'll remember this, there was a great outcry, a human outcry when you didn't roll the millage rate back equal to the value of growth because of reassessments, and I happen to agree that you should roll it back. I'm a big believer in that. Mr. Murray, I think you know that, but that's your dilemma, that's where you are. I would hate to walk away from you today leaving you with the impression that the digest is going to solve your budget problems. I honestly don't believe it will. Thank you.

Chairman Hair said, thank you, Mr. Udinsky. Commissioner Rivers asked, can I ask him a question? Chairman Hair said, certainly.

Commissioner Rivers asked, Gary [Udinsky], where do we stand on the uniformity issue as to commercial property? Mr. Udinsky said, well, Mr. Rivers, based on the January 30<sup>th</sup>, 2001, report from the Department of Revenue, they say commercial properties are uniform. Now, disregarding that report for a minute, we in the staff, the staff and myself, we are completely redoing all properties in the County for this year. That doesn't mean every property will get visited, get inspected. We're going to inspect a third of the properties, but every single property in the County, their value will get looked at. Commissioner Rivers said, you know, there are two things that has been a stickler here. One was uniformity of residential property, the other was of commercial property, and yet the State said we're uniform according to the law, yet we're having the same thing stated up here by my good friend and some of the other folks who are constantly looking over this stuff saying that it's not, yet we're going to ask the Department of Revenue to come in, who says that it is uniform, to go over --. What are they going to do? Rescind what they have done? Mr. Udinsky said, we're not sure what they would do, but we would welcome their help whatever it is. Commissioner Rivers said, but --, but --, I would welcome their help too because I want to get out of this dilemma, but you see what my friends don't understand is that it takes a certain amount of money to runt his government, and we're going to have to either run it like it should be ran

or forget about it. See, nobody goes back to the fact that we have been losing money in Chatham County beginning with \$2.8 million in revenue sharing money. That stream was never replaced. We continue to lose money down the line on the homestead exemption, we lose money on the freeport. We continue to lose revenue without anything being put back in. My problem with this whole thing on this catastrophic loss, and I don't know if John Q. Public understands catastrophic loss, it's a separate account for those things that may happen, man made or nature, hurricanes, oil spills, or whatever may happen, that catastrophic loss fund needs to be there. If we are not going to replenish it, then forget about it. If we're talking about replenishing the Sheriff's money with catastrophic loss money, then next year where do you get the money from for the Sheriff? You see what I'm saying? So, so those of us who don't understand the rudiments of this budget need to sit down and get a clear picture and a clear understanding of what is happening with this budget and go all the way back and understand it. Put it in your mind of what's going on. Now a lot of things that happened, it's not the fault of this Commission here. We're making up for things that we did two or three years ago that should not have been done. Okay? So we're steady giving away the money. We gave the Sheriff –, one example: we gave the Sheriff \$400,000 half a year increase. Come back it almost calls for a million dollars just to have his officers certified. That's a million dollars that we never –, we never put in the revenue stream. So, you know, you did all these things and some of us that sit up here are guilty of that. We did it and knowing that money has to be put back in here. Wake up. Wake up. Open your eyes. Do your math. Come on back and [inaudible].

Chairman Hair said, I'm going to make some comments and then Valerie [Moore] and then Commissioner Murray and then Commissioner Kicklighter. That's the order that we have. First, I think this is a warm, fuzzy, feel-good motion, but I don't think it's going to solve any problems. I have some serious legal questions as to whether it's even legal and we'll get that [inaudible] through the Attorney General. But even if that motion passes, it's not going to replenish the money by June 30<sup>th</sup>, which is when we have to do the budget. So we're still going to have to go back, even if this motion passes, which I'm going to oppose, it still –, we're still going to have to go back to the second motion is how are we going to –, we've got to pass a motion designating which fund we're going to take it out of and how we're going to replace that money, and the motion to get the Department to come down here and look at us is not going to put the money back in the account. And even if it did, it would be next year, so it's not going to solve this problem. I just think that what the motion should be is to take the money from the fund to pay the settlement, but my problem with setting the millage increase today is that the County Manager already indicated that on July 1<sup>st</sup> you're going to have to do another .49 mills just to cover the 2.9 and there could be other things that would offset or increase the needs between now and July and we'd find ourselves in a position of setting the millage rate today and in July setting another millage rate, and I think a more logical and more businesslike approach would be to make the motion to take the funds from this account, as recommended by the County Manager, but not set the millage rate today because you can set the replenishment rate if we have to do it through tax increased or through other means, we won't know that until six months from now, but make that decision in July that we'd only have to do it once and not twice in three or four months. But go ahead and solve the problem of identifying for the Manager, let's take the money out of the catastrophic fund, pay the Sheriff's budget, and then deal with how we're going to replenish it at the time we're going to be discussing the whole \$337 million budget. I think it's inappropriate for us to talk about \$3 million out of \$337 million today in terms of replacement. We've got to deal with the big budget and let's deal with the big budget at one time, and this is going to have to be a part of that issue. I think that's a much more businesslike approach.

Commissioner Rivers asked, Mr. Chairman, do you see –, do you see the votes up here to do that? Chairman Hair asked, to do what? Commissioner Rivers said, to do what we're talking about? Chairman Hair said, yes, I do. Commissioner Rivers said, raising the millage in July. Chairman Hair said, yes, I do. In the big budget, in the big budget if we look at the whole thing in prospective in July and this \$3 million is part of –, actually it's going to be \$6 million, \$6 million is going to be part of the bigger issue. Yes, I do see that, Commissioner Rivers. Commissioner Rivers asked, you're committed to that? Chairman Hair said, yes, sir. Yes, sir. Commissioner Kicklighter asked, are we getting to speak out of turn now or are we –. Chairman Hair said, he's asking me questions about my comments. He's asking me what I meant by it. So, yes. Chairman Hair recognized Youth Commissioner Moore.

Youth Commissioner Moore said, yes, I'm new here and I've never been to one of these and I was –. Chairman Hair asked, fun isn't it? Youth Commissioner Moore said, yes. I was wondering, what is the goal that everybody's trying to sit here and accomplish? Chairman Hair said, we have to replace \$2.9 million in the Sheriff's budget that he won in court. That's what we have to do. Youth Commissioner Moore said, okay. Is this how it is normally, you know? Chairman Hair said, no, it's much worse. This is a slow day. Youth Commissioner Moore said, okay. Chairman Hair said, but you can't resign your term now. You have to serve your full term as a Youth Commissioner. You cannot resign your term. You're stuck with us. You asked for this. Commissioner Murray said, this is just a warm-up session. Youth Commissioner said, oh, it's just a warm-up. Okay, okay. I was just checking –. Chairman Hair said, thank you, Valerie [Moore]. Youth Commissioner said, to see if Mr. Springer was back stage.

Chairman Hair said, Commissioner Murray and then Commissioner Kicklighter. Commissioner Murray said, I don't know whether I want to follow that or not. Chairman Hair said, Commissioner Murray then Commissioner Kicklighter.

Commissioner Murray said, I have a couple of concerns. One concern is we're talking about \$2.8 million [sic] to replenish the Sheriff's budget and the other thing I'd like to say on that while we're discussing the Sheriff's budget is, if I'm not mistaken, the court ruled that we –, did not rule in our favor and did not rule in the Sheriff's favor. It ruled that we need to sit down and renegotiate the budget, and I don't know if that was ever done or not. I know the discussions we had in Executive Session, but that's past at this point. The votes were there. My other concern with this money that we're talking about today, we're talking about \$2.8 to replenish the Sheriff's money. We haven't talked about other

possibilities that may come up towards the end of this year from the courts and the judges if they cannot do what they need to do within the budget they have to work with. They did not join in the suit against us and if in fact they come up short before the end of our budget year, then we're going to have to put money in there and the money's going to have to come from somewhere, and that's why I will not support any type of millage —, setting any kind of millage today to commit to the end of this year. I think we have got to see what our final amounts are going to be for this year that we're going to have to come up with before we do any of that. Now as far as Commissioner Rayno's motion, I'm going to support it if in fact I'm interpreting it the way I think it is right, and I will not support it if in fact we're going to ask the State to come down and our department will answer to them. If they're coming down to advise and oversee what's going on, that is one thing. If they're coming down to take over the department, that is another and I just need that clarified before we vote on it.

Chairman Hair said, I asked that question and he said he intends for Mr. Udinsky to report to the State department. Commissioner Rayno said, it's fine. They can be an advisory status. That's fine. Chairman Hair asked, well, are you going to modify your motion? Commissioner Rayno said, yes, I will. When the time comes.

County Attorney Hart said, Mr. Chairman, we have absolutely no problem in the County Attorney's office going to the Attorney General and asking whatever it is y'all want asked, okay, but we need to know what y'all want asked. Okay? That's number one, and number two —. Chairman Hair said, well, if it's to advise, you don't need an Attorney General's opinion. It was only if you were going to report.

Commissioner Rayno said, let me revise my motion. Chairman Hair said, okay. Commissioner Rayno said, but I'm out of turn, so I'll just —.

Commissioner Rivers said, Mr. Chair. Chairman Hair asked, have you got a question? Because if not —, if you want to make a comment, Commissioner Kicklighter is next. Commissioner Rivers said, Commissioner Kicklighter go ahead and I'll —.

Commissioner Kicklighter said, I'm going to ask you a question, Commissioner Rivers. When you're referring to some of us up here do not understand the budget, who were you referring to? Commissioner Rivers said, I'll rephrase that to budgetary process, and I'm talking about the process going all the way back, which you don't have any knowledge of. Okay? See you don't understand that \$2.8 million was taken out of this revenue stream that was never put back in that we used for purchasing cars and all that, and I'm talking about the history of the budget. Okay? That's what I'm talking about. Now you don't understand the history of the budget. You may understand this budget and budgets. I don't take that away from you. But you don't understand the history of this particular budget of Chatham County. Commissioner Kicklighter said, I would like to state probably not. You know, my experience —, you like to talk about your experience and all —, my experience gives me the understanding of a budget, how to run a tax-free city. My experience on budget shows me how to make the tough cuts available not to raise taxes. Commissioner Rivers said, okay. Commissioner Kicklighter said, my experience shows me how to face the problems head on and make the tough decisions that's —, that's life-shaking to some to please the majority. That's my experience with budgets. So, no, I really don't understand your thinking with the budget, Mr. Rivers, and I will agree with you, I have a totally different logic —.

Chairman Hair said, all right, let's put it to rest, Commissioner Rivers.

Commissioner Rivers said, I'm going to put it to rest. Commissioner Kicklighter? Chairman Hair said, this is not —, getting anything. Y'all can argue about —. Commissioner Rivers said, we're going to go back in the back after this is over because it doesn't need to be anything that's transpired here, so you'll understand where I'm coming from because whatever decisions you make here today, you'll see it tomorrow. Commissioner Kicklighter said, and I understand that. Commissioner Rivers said, and you may not be here and somebody else may —.

Chairman Hair asked, was that going to be your comments, Commissioner Kicklighter, or did you want to respond? Commissioner Kicklighter said, yes, I had a question, you know. If I'm being pointed out, I want to know how —. Commissioner Rivers said, no, don't take it personal.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I just want to start by apologizing to you, Mr. Hair, by raising my voice to you. I'm sorry for that. Commissioner Odell said, we accept it [inaudible], Jeff [Rayno]. Commissioner Rayno said, thank you. Miss Moore, just so you'll understand the passion that comes out of me is not because of an anger, it's because of the frustration over the years of seeing people being taxed out of their home and older people who sacrifice taking medicine in lieu of paying their taxes or not running their air conditioning in lieu of having to pay their taxes. That's where it comes from. Pure and simple. Mr. Udinsky, in the 2001 report on the commercial digest, was that based on a sales ratio study or was it based on pure uniformity? Mr. Udinsky said, both. Commissioner Rayno said, both. Okay. Would you agree that if you use sales ratio as an analysis, there could be pockets of businesses that are not uniform compared to one another within the same neighborhood? Mr. Udinsky said, I will agree with that and I'll say that there's very likely does exist and it's very likely good reasons for it to exist, and I'll give you the most obvious answer. Two identical buildings, commercial buildings, standing side by side. We look at the exterior. As you know, we don't get to go inside unless we're invited inside. One owner invites us in and says, "See all the bad stuff in this building." We see all the bad stuff and, as you know, because we've done it for properties you've pointed out to us and we make an adjustment and lower

that value. The guy next door doesn't invite us in and, in fact, says, "No, I'm not going to let you in." So those two buildings that look identical from the outside will have different values. That is not a uniformity problem. Commissioner Rayno said, okay, but you do admit there is a lack of uniformity if you look within neighborhoods, and we could find some values. It could come up. Mr. Udinsky said, with the explanation that I just gave you, yes, but to use it in the terms that you're trying to use it, no, I'm sorry, I don't agree. Commissioner Rayno asked, but it is --? Chairman Hair said, okay. Commissioner Rayno said, I've a got a little line of questioning here, Billy [Hair]. So it is possible that the State could have a different interpretation of the laws than you do, and when they came into Chatham County and they looked at a neighborhood, they might decide, you know what, I don't think his definition of uniformity compares to ours, and they might have a different interpretation to the point where we could have more revenue? Mr. Udinsky said, well, I'm just reading from their report. Commissioner Rayno asked, but isn't it possible? Mr. Udinsky said, well, based on their report, they're saying that it is uniform. Commissioner Rayno asked, based on sales ratios? Mr. Udinsky said, and their field work. They actually did field work for this report. Commissioner Rayno said, uh huh.

Chairman Hair said, all right, we have a motion and a second on the floor. Commissioner Murray asked, can I ask one question before we vote? Chairman Hair recognized Commissioner Murray.

Commissioner Murray asked, Commissioner Rayno, if the State agrees to come down and --. Commissioner Rayno asked, can I redefine the motion and then you can ask your question? Would that be okay? Commissioner Murray said, sure. Go ahead.

Commissioner Rayno said, okay. My motion would be this. That we talk to the Attorney General about the possibility of Gary [Udinsky] reporting to them and addressing the issues that were outline in the PRB report; if the Attorney General says that we have no jurisdiction to do that, then I would ask that we simply move the Department of Revenue to an advisory status where they just come down and oversee.

Chairman Hair asked, does that motion have a second? Commissioner Kicklighter said, let me --, let me --. Repeat that again. Commissioner Gellatly said, we were ready to go. Commissioner Kicklighter said, yes, I was ready with what you had. Chairman Hair said, he --, well, he's changed it again. He's now saying ask the Attorney General for a ruling that if Gary [Udinsky] can report to the State, Gary [Udinsky] would report to the State; if he can't, then they would come as an advisory role. That's what the motion is now. Commissioner Kicklighter said, second. I'll second. Commissioner Rayno said, it's very simple. Chairman Hair said, all those in favor of the motion --.

Commissioner Murray said, let me ask a question. Chairman Hair said, we're ready to vote on the motion now. Commissioner Murray said, if the State agrees to come down here and oversee what's going on and if the State after overseeing the whole process comes back and says that what has happened is right, the same as they just said in that letter he stated, what's next? Commissioner Rayno said, what's next is we'll have to find the money or raise taxes, one or the other. Commissioner Murray said, no, no, but I mean is that going to put to rest this thing about uniformity? Commissioner Rayno said, I don't see what --. Commissioner Murray said, if the State says it's uniform --. Commissioner Rayno said, I would have no leg to stand on otherwise.

Chairman Hair said, all those in favor of the motion vote yes --. Commissioner Odell said, Mr. Chairman --. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, my concern is that I could support the motion but not as it's couched --. Chairman Hair said, I can't either. Commissioner Odell said, for a couple of reasons. One is I have some serious problems with --, unless there has been some grand jury finding or a criminal indictment where one of our departments is taken over by the County, I don't --, taken over by the State. I have some serious problems not only as to that philosophy. I don't think the State government needs to come down here and run our departments. I think that's our responsibility. I would vote to have them in as an advisory capacity, and I think they can do the same thing, Jeff [Rayno]. I would support it.

Commissioner Rayno said, I'll revise the motion to drop him reporting to the State, him report to. Chairman Hair said, well, that's a big change.

Chairman Hair recognized John Saxon "Piccolo" Pierce.

Mr. Pierce said, that tax thing [inaudible] the people. The people say, the federal government say you must know how to spend that tax money. Like you take that tax money and pay the [inaudible] the people are for it, that's the tax money. If you work that tax money, you work and put it somewhere else, then the federal government will come and get you. That's the federal government. You can't go by that federal government because the federal government can understand. You got a big old law and whatever that tax say goes. You got to abide by it and the tax [inaudible], so go along with it, the Chairman and the Board. And the Board of Assessors [inaudible], and you can't take that thing and go down there with it. Y'all sit down and take the money and go somewhere else. You take the money and put it to the staff or anything else. That's a tax [inaudible], and that's a government rule. Y'all can't abide by that government rule. You've got to [inaudible]. If the government come down, y'all going to have to abide by it.

Chairman Hair said, all right. Thank you, Mr. Pierce. Mr. Hart and then we're ready to vote.

County Attorney Hart said, yeah. When y'all get through with this, I've got to go ask somebody what it is you want them to do. Chairman Hair said, well, it's very simple now. We don't need an Attorney General report now. He dropped that -. County Attorney Hart said, okay. Chairman Hair said, reporting issue. It's just -. County Attorney Hart said, so all you're asking is the Department of Revenue to come in [inaudible]. They have the right to do that. We can ask that. Chairman Hair said, to come down and advise. They have the right to do that. [Inaudible] it really doesn't mean anything, but, you know. County Attorney Hart said, but we absolutely can ask that. I mean, what I'm going to be asking when we go to the Department of Revenue is what do you want us to do when we come down there. Chairman Hair said, you come down and advise our office, make sure that our office is operating under all State rules and regulations. Commissioner Rayno said, and addressing the issues that were listed in the PRB report and that they're corrected.

Chairman Hair said, okay. All those in favor of the motion vote yes, opposed vote no. The motion carried unanimously. [NOTE: District Three was not represented.] Chairman Hair said, the motion passes. Now we need a motion to identify the catastrophic fund as the source of taking the \$2.9 million from without designating a source of replacement today.

Commissioner Odell said, I'll make the motion that we steal from the catastrophic fund and the necessary -. Chairman Hair asked, how about using a different word, Mr. Odell? Commissioner Odell said, Jon [Hart] is a white collar lawyer -. Chairman Hair said, I can't vote for that motion the way it is. Commissioner Odell said, I'm a blue collar lawyer. That the take the funds from the catastrophic account. Chairman Hair said, okay. Does that motion have a second? Commissioner Rayno said, second. Chairman Hair said, all those in favor of the motion vote yes, opposed vote no. 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.] Chairman Hair said, the motion passes. Thank you.

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

1. Commissioner Rayno moved to request the Department of Revenue to come down and in an advisory capacity oversee the Tax Assessor's office and determine that the problems listed in the Performance Review Board report are corrected. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]
2. Commissioner Odell moved to take \$2.9 million from the catastrophic fund account to cover funds in settlement of the Sheriff's budget. Commissioner Rayno 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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#### **4. PRESENT TO THE BOARD THE SECOND QUARTER DECEMBER 31, 2001 (FY 2001-02), INTERIM FINANCIAL STATEMENT FOR THE FINANCIAL ACTIVITIES FOR THE VARIOUS COUNTY FUNDS.**

Chairman Hair said, that's just a statement for information. Any questions on that?

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

Received as information. No action required.

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#### **5. BOARD DIRECTION ON FUTURE USE OF THE MONTGOMERY BOAT RAMP.**

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, I'll defer to the Attorney on this.

Chairman Hair recognized County Attorney Hart.

County Attorney Hart said, Mr. Chairman, the Montgomery Boat Ramp was the boat ramp that there were some very strong feelings about. I think we had a lot of discussion about that. Some people at one point wanted it to close, some people wanted it to stay open and the Commission very wisely basically passed an ordinance that said the Montgomery Boat Ramp shall be open from 6:00 'til 9:00 p.m. and shall close from 9:00 p.m. to 6:00 a.m., and sort of said we're going to give it about eight months and see how things go and then we'll bring it back and see whether we just want to continue it or whether there needs to be further modification. Eight months has passed and basically all I need to know

is whether y'all wish to continue those hours of operation, which as near as we can tell in talking to the Police Chief seem to be working.

Chairman Hair said, Mr. Rayno, this is in your district. How do you feel about it. Commissioner Rayno said, the neighbors have said it seems to be working fairly well. I'd still like to put it under another year trial basis and see how it goes so that -. Chairman Hair said, without objection. It's in his district. Without objection, okay.

**ACTION OF THE BOARD:**

Without objection it was agreed that the Montgomery Boat Ramp will continue on a trial basis for another year the present hours of operation from 6:00 a.m. to 9:00 p.m., and shall close from 9:00 p.m. to 6:00 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 asked, does anybody want to pull anything off the Action Calendar? Commissioner Odell asked, other than Jeff [Rayno]. Chairman Hair said, other than Jeff [Rayno]. Jeff [Rayno], what do you want to pull off? Commissioner Rayno said, hey, thanks. Commissioner Murray said, M. Chairman Hair said, M. Okay. Commissioner Rayno said, actually nothing. Chairman Hair said, I'll entertain a motion to approve the balance of the Action Calendar. Commissioner Murray said, so moved. Commissioner Thomas said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: District Three was not represented.]

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the Action Calendar in its entirety with the exception of Item 24-M. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: 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 JANUARY 25, 2002, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the minutes of the regular meeting on January 25, 2002, as mailed. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JANUARY 17 THROUGH JANUARY 30, 2002.**

**ACTION OF THE BOARD:**

Commissioner Murray moved to authorize the Finance Director to pay the claims against the County for the period January 17, 2002, through January 30, 2002, in the amount of \$3,449,148. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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**3. REQUEST FROM THE ENGINEER FOR THE DEVELOPER, SOUTHBRIDGE DEVELOPMENT COMPANY, TO RECORD THE SUBDIVISION PLAT FOR SOUTHBRIDGE, PHASE 16C, ACCEPT THE SUBDIVISION AGREEMENT AND FINANCIAL GUARANTEE AND RECOMBINE THIS PHASE INTO THE EXISTING STREETLIGHT ASSESSMENT DISTRICT. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the request from the engineer for the developer, Southbridge Development Company, to record the subdivision plat for Southbridge, Phase 16C, accept the Subdivision Agreement and financial guarantee and recombine this phase into the existing Streetlight Assessment District. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 4. REQUEST BOARD APPROVE AN AGREEMENT WITH THE CITY OF SAVANNAH TO EXCHANGE PROPERTY FOR TRUMAN PARKWAY, PHASE V, AND THE HOLLAND DRIVE OUTFALL PROJECT.  
[DISTRICT 6.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve an agreement with the City of Savannah to exchange property for Truman Parkway, Phase V, and the Holland Drive Outfall Project. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 5. REQUEST BOARD ACCEPT AND EXECUTE A GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS LOCAL ASSISTANCE GRANT.**

**ACTION OF THE BOARD:**

Commissioner Murray moved to accept and authorize the Chairman to execute a Georgia Department of Community Affairs Local Assistance Grant for the Savannah/Chatham Humane Society. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 6. REQUEST BOARD APPROVE THE NOTE RESOLUTION FOR THE COUNTY TO ISSUE SHORT-TERM DEBT TAX ANTICIPATION NOTES (SHORT TERM BORROWING, 2002) FOR THE CALENDAR YEAR 2002 FOR \$11.3 MILLION.**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the Note Resolution for the county to issue short-term debt tax anticipation notes (short term borrowing, 2002) for the calendar year 2002 for \$11.3 million. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 7. REQUEST FOR NEW BEER, WINE AND LIQUOR POURING AND SUNDAY SALES LICENSE FOR 2002. PETITIONER: MICHELE QUATTLEBAUM, D/B/A DRIFTAWAY CAFÉ, LOCATED AT 7400-D SKIDAWAY ROAD.  
[DISTRICT 1.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of Michele Quattlebaum, d/b/a Driftaway Café, located at 7400-D Skidaway Road, for new Beer, Wine and Liquor Pouring and Sunday Sales License for 2002. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 8. REQUEST FOR NEW SUNDAY SALES LICENSE OF BEER, WINE AND LIQUOR POURING FOR 2002. PETITIONER: STANLEY H. WALKER, D/B/A FRATERNAL ORDER OF EAGLES, LOCATED AT 5406 LAROCHE AVENUE.  
[DISTRICT 3.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of Stanley H. Walker, d/b/a Fraternal Order of Eagles, located at 5406 LaRoche Avenue, for new Sunday sales license for Beer, Wine and Liquor Pouring for 2002. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 9. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER AND WINE POURING LICENSE FOR 2002. PETITIONER: HUGH LANGE BARNES, D/B/A BARNES RESTAURANT, LOCATED AT 4685 HIGHWAY 80 EAST [DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of Hugh Lange Barnes, d/b/a Barnes Restaurant, located at 4685 Highway 80 East, for renewal of Sunday sales of Beer and Wine Pouring License for 2002. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 10. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2002. PETITIONER: TED P. SHAW, D/B/A SAVANNAH YACHT CLUB, INC., LOCATED AT RT. 6, BOX 271 BRADLEY POINT ROAD. [DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of Ted P. Shaw, d/b/a Savannah Yacht Club, Inc., located at Rt. 6, Box 271, Bradley Point Road, for renewal of Sunday sales of Beer, Wine and Liquor Pouring License for 2002. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 11. REQUEST FOR NEW BEER AND WINE RETAIL LICENSE FOR 2002. PETITIONER: EDWARD D. DELOACH, D/B/A KROGER STORE #460, LOCATED AT 7 DIAMOND CAUSEWAY. [DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of Edward D. DeLoach, d/b/a Kroger Store #460, located at 7 Diamond Causeway, for new Beer and Wine Retail License for 2002. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 12. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING FOR 2002. PETITIONER: STEPHEN A. GROVE, AGENT FOR RESTAURANT CONCEPTS II, LLC, D/B/A APPLEBEE'S NEIGHBORHOOD GRILL & BAR, LOCATED AT 4705 U.S. HIGHWAY 80 EAST. [DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of Stephen a. Grove, agent for Restaurant Concepts II, LLC, d/b/a Applebee's Neighborhood Grill & Bar, located at 4705 U. S Highway 80 East, for renewal of Sunday sales of Beer, Wine and Liquor Pouring License for 2002. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 13. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING FOR 2002. PETITIONER: JOHN A. HENDERSON, D/B/A COUSIN VINNIES PIZZA, FUN & GAMES TAVERN, LOCATED AT 4700 U.S. HIGHWAY 80 EAST. [DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of John A. Henderson, d/b/a Cousin Vinnies Pizza, Fun & Games Tavern, located at 4700 U. S. Highway 80 East, for renewal of Sunday sales of Beer, Wine and Liquor Pouring License for 2002. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 14. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2002. PETITIONER: MARIA ARRIETA, D/B/A CANCUN MEXICAN RESTAURANT II, LOCATED AT 216 JOHNNY MERCER BOULEVARD. [DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of Maria Arrieta, d/b/a Cancun Mexican Restaurant II, located at 216 Johnny Mercer Boulevard, for renewal of Sunday sales of Beer, Wine and Liquor Pouring License for 2002. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 15. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER AND WINE POURING FOR 2002. PETITIONER: HEIDI ZHANG, D/B/A SAKURA PLACE, LOCATED AT 1190 KING GEORGE BOULEVARD, UNIT 4. [DISTRICT 6.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of Heidi Zhang, d/b/a Sakura Place, located at 1190 King George Boulevard, Unit 4, for renewal of Sunday sales of Beer and Wine Pouring for 2002. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 16. REQUEST FOR RENEWAL OF BEER, WINE AND LIQUOR POURING AND SUNDAY SALES LICENSE FOR 2002. PETITIONER: HUGH JONES, D/B/A SAVANNAH SOUTH INN, LOCATED AT 3 GATEWAY BOULEVARD. [DISTRICT 6.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of Hugh Jones, d/b/a Savannah South Inn, located at 3 Gateway Boulevard, for renewal of Beer, Wine and Liquor Pouring and Sunday Sales License for 2002. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 17. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2002. PETITIONER: DONNA M. LOVE, D/B/A LOVE'S SEAFOOD RESTAURANT, LOCATED AT 6817 BASIN ROAD. [DISTRICT 6.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of Donna M. Love, d/b/a Love's Seafood Restaurant, located at 6817 Basin Road, for renewal of Sunday sales of Beer, Wine and Liquor Pouring License for 2002. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 18. **REQUEST FOR TRANSFER OF BEER, WINE AND LIQUOR POURING AND SUNDAY SALES LICENSE FOR 2002. PETITIONER: GALE G. KNIGHT, D/B/A THE POUR HOUSE, LOCATED AT 5115 OGEECHEE ROAD. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of Gale G. Knight, d/b/a The Pour House, located at 5115 Ogeechee Road, for transfer of Beer, Wine and Liquor Pouring and Sunday Sales License for 2002. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 19. **REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER POURING FOR 2002. PETITIONER: RUSSELL C. DAWES, JR., D/B/A SANTINO'S, INC., LOCATED AT 5548 OGEECHEE ROAD. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of Russell C. Dawes, Jr., d/b/a Santino's, Inc., located at 5548 Ogeechee Road, for renewal of Sunday sales of Beer Pouring License for 2002.

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- 20. **REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER AND WINE POURING LICENSE FOR 2002. PETITIONER: SURENDRA PATEL, D/B/A DENNY'S RESTAURANT, LOCATED WITHIN THE BEST WESTERN AT 1 GATEWAY BOULEVARD. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of Surendra Patel, d/b/a Denny's Restaurant, located within the Best Western at 1 Gateway Boulevard, for renewal of Sunday sales of Beer and Wine Pouring License for 2002. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 21. **REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING FOR 2002. PETITIONER: STEPHEN A. GROVE, AGENT FOR RESTAURANT CONCEPTS II, LLC, D/B/A APPLEBEE'S NEIGHBORHOOD GRILL & BAR, LOCATED AT 5460 AUGUSTA ROAD. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of Stephen A. Grove, agent for Restaurant Concepts II, LLC, d/b/a Applebee's Neighborhood Grill & Bar, located at 5460 Augusta Road, for renewal of Sunday sales of Beer, Wine and Liquor Pouring for 2002. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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- 22. **REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2002. PETITIONER: RAYMUNDO L. JAIME, D/B/A EL POTRO MEXICAN**

**RESTAURANT #14, LOCATED WITHIN THE ECONOLODGE MOTEL AT 7 GATEWAY BOULEVARD.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of Raymundo L. Jaime, d/b/a El Potro Mexican Restaurant #14, located within the Econolodge Motel at 7 Gateway Boulevard, for renewal of Sunday sales of Beer, Wine and Liquor Pouring License for 2002. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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**23. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2002. PETITIONER: ELIZABETH GARRETT, D/B/A THE SHELL HOUSE RESTAURANT, LOCATED AT 8 GATEWAY BOULEVARD WEST.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition Elizabeth Garrett, d/b/a The Shell House Restaurant, located at 8 Gateway Boulevard West, for renewal of Sunday sales of Beer, Wine and Liquor Pouring License for 2002. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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**24. 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. Annual contract with automatic renewal options for two additional one year terms to provide conduit and cable installation	Various	SAMCO, Inc.	Varies by item	•General Fund/M&O - Various •SSD - Various
B. Annual contract with automatic renewal options for two additional one-year terms to provide Judicial In Rem Title Certification services	Tax Commissioner	Buttimer Law Firm	Varies by service provided	General Fund/M&O - Tax Commissioner
C. Declare three (3) Ford ambulances as surplus and sell at a public auction on the Internet	Purchasing	N/A	N/A	Revenue Producing
D. Professional services contract to provide instruction to and supervision of youth under the jurisdiction of Juvenile Court	Juvenile Court	•Brenda Davis •Jerome Davis •Frank Vanellison	\$12.50 per hour	Supervision Fees collected by Juvenile Court
E. Declare County-owned property as unserviceable and authorize property to be disposed of by sealed bid or sold for scrap value	Purchasing	N/A	N/A	Revenue Producing
F. Annual contract with automatic renewal options for two additional one-year terms to provide cost allocation services	Finance	Karp, Ronning and Tindol	Varies by year	General Fund/M&O - Audit Contract Account

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
G. One-year lease extension for rental of the building occupied by CNT	CNT	Martin, Tovah and Ellen Melaver	\$72,539.52 plus percentage increase in the CPI	General Fund/M&O - CNT
H. Two (2) model year 2002 Ford F150 4x4 short bed pickup trucks	Marine Patrol	J. C. Lewis Ford	\$37,777.44	SPLOST (1998-2003) - EMS
I. Two (2) model year 2002 Ford F150 2x4 long bed pickup trucks	Animal Control	J. C. Lewis Ford	\$29,219	SPLOST (1998-2003) - EMS
J. Two (2) Mercury outboard motors	Marine Patrol	Mercury Corporation	\$16,278.76	General Fund/M&O - Marine Patrol
K. Change Order No. 3 to the contract for Westlake Drainage Project, Phase I for additional work	SPLOST	TIC	\$16,365	SPLOST (1998-2003) - Westlake Drainage Project
L. Change Order No. 3 to the contract for roadway and drainage improvements on President Street for additional work	SPLOST	Carroll & Carroll	\$106,464.50	SPLOST (1993-1998) - Unincorporated Roads (pending Board approval of transfer)
M. Confirmation emergency installation and purchase of HVAC systems for the Department of Motor Vehicles Drivers License Center	DMV Project Manager	All Seasons Comfort	\$58,644	General Fund - DMV Receivables (to be reimbursed by the State)

**As to Items 24-A through 24-L:**

Commissioner Murray moved to approve Items 24-A through 24-L. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

**As to Item 24-M:**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yeah. I didn't pull this off because I'm opposed to the contract. I pulled it off to find out what the status is and what's going on with the funding that the State is supposed to reimburse us with and if in fact they don't get that bill through this session, where's that money going to come from?

Chairman Hair asked, do you want me to address that? County Manager Abolt said, yes, please, sir. Mr. Chairman and I have talked about it. Commissioner Murray asked, that would be another one that we add to the end of the year? Chairman Hair said, well, we knew all along, and many of you were at the news conference when we did this, was that we were going to do this project and we were going to seek reimbursement. As of yesterday we have already \$200,000 on the House side that's already passed the subcommittee and it's been sent to the full committee. Mr. McAlister is working on the Senate side to restore the other \$300,000, but we currently have, and it's already passed the House subcommittee, the \$200,000 of the \$500,000. So it is making progress. When we were in Atlanta last week I met with the Commissioner and also the lobbyist and we also have -, the County Manager and I have discussed this, that we are monitoring the project very carefully and that if any point in time that we feel like those funds are in jeopardy, we're prepared to stop the project.

County Manager Abolt said, and the source of funds -, if I may, with your permission, Mr. Chairman and Commissioner Murray, we borrowed this from ourselves -. Commissioner Murray said, yes, I know. County Manager Abolt said, so if we don't get -. In fact, if I remember our cash flow issue, if Mr. Persaud doesn't get this money come about the tag end of April, we're in trouble.

Chairman Hair said, and I also will say that I met with Senator Thomas and Representative Jackson, both of which played a lead role in agreeing to push this through. They are still totally committed to it. I also met with Representative Purcell and she also is pushing it. So, you know, we're -, we sort of have both bases covered. To say that it's guaranteed, no, it's not a guarantee, but it never was a guarantee to start with, but I feel like the progress we're making through the Legislature is good at this point, but we also have a fallback position that if we feel like somewhere into this Legislative process those funds are cut out, then we're in a position to cut out.

Commissioner Murray said, okay. I 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: District Three was not represented.]

**ACTION OF THE BOARD:**

1. Commissioner Murray moved to approve Items 24-A through 24-L. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]
2. Commissioner Murray moved to approve Item 24-M. Commissioner Thomas seconded the motion and it carried unanimously. [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. **REQUEST BOARD AMEND THE CHATHAM COUNTY EMPLOYEE’S RETIREMENT PLAN ORDINANCE TO ALLOW FOR THE CONVERSION OF SICK AND/OR ANNUAL LEAVE TO CREDITED YEARS OF SERVICE UNDER THE PENSION PLAN ORDINANCE.**

**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. EXPANSION OF EXISTING RECYCLING OPPORTUNITIES AT THE WILMINGTON ISLAND DROP-OFF CENTER.**

County Manager Abolt said, Mr. Chairman, just for a moment. I realize you've already probably read it in your packet. In the Information Calendar, it certainly is some neat things that Mr. Drewry and his staff are doing pertaining to recycling out at the Wilmington Island Drop-Off Center. I just want to make sure y'all are aware of that.

**ACTION OF THE BOARD:**

Written report received as information.

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**PERSONAL PRIVILEGE - COMMISSIONER RAYNO**

Commissioner Rayno said, I want to make a motion that we discuss the Board of Assessors issue in open meeting. Chairman Hair said, okay, that's a motion. Do I have a second. Chairman Hair said, the motion fails for lack of a second.

**EXECUTIVE SESSION**

Upon motion being made by Commissioner Rivers, seconded by Commissioner Odell and unanimously approved, the Board recessed at 10:06 a.m., to go into Executive Session for the purpose of discussing personnel, litigation and land acquisition. [NOTE: District Three was not represented.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 11:12 a.m.

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**ITEMS FROM EXECUTIVE SESSION**

**1. REQUEST BOARD APPROVE SETTLEMENT OF RIETTE POLLACK CONDEMNATION AND LEROY MOORE CONDEMNATION (JON HART).**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve the following: Total settlement of Chatham County v. LeRoy Moore, et al, Civil Action No. X89-4430-H, in the amount of \$195,296, and total settlement of Chatham County v. 156.82 Linear Feet of Access Rights; Riette R. Pollack, Civil Action NO. CV00-0697-KA, in the amount of \$16,000. Commissioner Gellatly seconded the motion and it carried unanimously. [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 Rivers moved to authorize the Chairman to execute an affidavit that the Executive Session was held in compliance with the Open Meetings Law. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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**APPOINTMENTS**

**1. CHATHAM COUNTY BOARD OF TAX ASSESSORS**

Chairman Hair said, in a moment we intend to nominate and approve four people to the Board of Tax Assessors. I'm going to reveal their names and ask if anybody in the audience wants to comment on these names. First is Mr. Joe Vestal, second is Ms. Brunette Mitchell-Dixon, third is Jimmy Fields and fourth is Mr. Larry Lower. Would anybody in the audience wish to comment on any of these nominations? Hearing none, I will entertain a motion to approve the nomination for seat two, previous held by Mr. Hogan, Mr. Joe Vestal will fill that seat, seat three formerly held by Ms. Cox, we're recommending Ms. Brunette Mitchell-Dixon to fill that seat, seat four formerly held by Ms. Stringer, we're recommending Mr. Jimmy Fields to fill that seat, and seat five, Mr. Jackie Sommers' former seat, we're recommending Mr. Larry Lower. I'll entertain a motion to approve. Commissioner Rivers said, so moved. Chairman Hair asked, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair said, the motion passes. The Clerk asked, who was the second on those? Commissioner Odell said, I was. The Clerk said, thank you. The motion carried unanimously. [NOTE: District Three was not represented.]

Commissioner Murray said, I'd just like to make a comment before we leave, and that comment is we had 13 names originally. Out of those most of us did not know all of them, and I would just like to thank those people did submit their résumés and were willing to serve on this board, especially with everything that has taken place over the last several years. We had some good qualified people and, you know, we can't get everybody we wanted on it, but anyway, thank you. Chairman Hair said, thank you.

**ACTION OF THE BOARD:**

Commissioner Rivers moved to appoint the following persons to the Board of Assessors: Joseph C. Vestal to replace Jerry Hogan, which term will expire June 27, 2003; Ms. Brunette Mitchell-Dixon, to replace Ms. Tammy Cox, which term will expire June 27, 2003; Jimmy Fields to replace Patricia Stringer, which term will expire June 27, 2005; and Larry L. Lower to replace Jackie Sommers, which term will expire June 27, 2004. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: District Three was not represented.]

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**ADJOURNMENT**

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 11:17 a.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