

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, MARCH 22, 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, March 22, 2002.

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**II. INVOCATION**

Dr. Wilson Scott, Jr., Pastor, Bethlehem Baptist Church, 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  
Frank G. Murray, Chairman Pro Tem, District Four  
Jeffrey D. Rayno, District One (Arrived approximately 9:30 a.m.)  
Joe Murray Rivers, District Two  
Harris Odell, Jr., District Five  
David M. Gellatly, District Six  
B. Dean Kicklighter, District Seven

ABSENT: Dr. Priscilla D. Thomas, Vice Chairman, District Eight

IN ATTENDANCE: R. E. Abolt, County Manager  
R. Jonathan Hart, County Attorney  
Barbara B. Wright, Acting County Clerk

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**YOUTH COMMISSIONERS**

Chairman Hair welcomed the following Youth Commissioners who were in attendance: Aminata Traoré, a Senior at Savannah Arts Academy, and Crystal Tyson, a Sophomore at Johnson High School.

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## V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

### 1. PROCLAMATION TO DECLARE APRIL AS CHILD ABUSE PREVENTION MONTH IN CHATHAM COUNTY, FOLLOWED BY A SHORT PRESENTATION - DEBBIE BENNETT AND ANGELA WARREN WILL BE ACCEPTING.

Chairman Hair read the following proclamation into the record:

**WHEREAS**, child abuse is a countywide problem and finding solutions depend on the involvement of people throughout the county; and

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

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

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

**WHEREAS**, in the year 2001, 366 children were removed from their homes in Chatham County because of confirmed reports of child abuse and neglect; and

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

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

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

#### **“CHILD ABUSE PREVENTION MONTH”**

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

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed this the 22<sup>nd</sup> day of March, 2002.

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Dr. Billy B. Hair, Chairman  
Chatham County Commission

ATTEST:

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Frances Q. Rasmussen, Deputy Clerk

Ms. Debbie Bennett said, thank you. Chairman Hair said, thank you very much. Ms. Bennett said, good morning. All of you should have received a packet describing our Blue Ribbon Campaign and our efforts to prevent child abuse in Chatham County. Chatham County is just one of 40 other Georgia counties who recognize April as Child Abuse Prevention Month. 1,110 children were –, excuse me, cases were investigated last year. That’s down from just over 1,300 in the year 2000, so we’re in hopes that our child abuse prevention efforts are working in the community. We still have to –, we still have a lot of work to go and even though it’s unrealistic to believe that that number would someday be zero, that’s our dream and we’re going to keep going until we realize that. Lifeline for Children is the advisory council to the Department of Family and Children Services, and we’re actually having our kickoff event for April Child Abuse Prevention Month in Johnson Square at 11:30, and we would invite all of you to be there. We’re in hopes that someone, a representative from the County Commissioners can be on hand to read the proclamation publicly. We will have media there. Hopefully the television stations and some of the radio stations will be there. Also, April 14<sup>th</sup> marked our Pinwheels for Prevention Day, and kickoff –, excuse me, game time is 2:05, and we’re hoping that you guys will be on hand for that also. Bring your family because it is family day. The kids will be able to run the bases and they’ll have the –, some of the players afterwards that will be there on hand to sign autographs and things for the kids. We would like to thank you all for your support for our efforts, for the Department of Family and Children Services, and –, and we’re in hopes that you will continue to support us, and we also have brought blue ribbons for you if you didn’t get them in your packets, and we would ask that you continue to wear these throughout the month of April to show your support publicly and in your –, in your own district. And with that, we thank you very much.

Ms. Angela Warren said, thank you very much.

Chairman Hair said, thank y'all for the work y'all do.

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**2. PROCLAMATION RECOGNIZING THE RETIREMENT OF MS. JUDY NICHOLS FROM THE CHATHAM COUNTY LIBRARY - SHE WILL BE ACCEPTING.**

Chairman Hair read the following proclamation into the record:

**WHEREAS,** time brings on change - a change from the role of employee to retiree, and today we salute Judy Nichols who will be retiring April 1, 2002; and

**WHEREAS,** Judy Nichols began working with the Library as a Reference Librarian I on October 1, 1973. She came with enthusiasm and a large family who quickly became a part of the library family; and

**WHEREAS,** through hard work, dedication and a desire to excel, Judy was promoted to an Intermediate Librarian in 1977 and to a Senior Librarian in 1979. She retires from the position of Librarian IV, Coordinator of Technical Services where she maintains a well organized, humane form of management which allows her department to be successful in ordering, disseminating and tracking materials for the 19 branches of the CEL Regional Library.

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

**JUDY NICHOLS**

upon her retirement and express sincere appreciation for over 28 years of dedicated service to the CEL Regional Library and continued success in her painting, gardening, travels and look forward to her returning as a volunteer at the Library.

**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed this the 22<sup>nd</sup> day of March, 2002.

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Dr. Billy B. Hair, Chairman  
Chatham County Commission

ATTEST:

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Frances Q. Rasmussen, Deputy Clerk

Ms. Judy Nichols said, thank you very much. I've enjoyed my 28½ years more than I can express, and so I'll be back as a volunteer.

Mr. Bill Johnson said, Commissioners, when I first came to visit in Savannah in 1981 to interview for my first job with the Library, Judy [Nichols] is one of the people who interviewed me. She has provided tremendous leadership to Library staff over the years. I think you should know that she was instrumental in [inaudible] some of the functions of her department and reducing costs in that department. She automated our catalog in 1990 and was instrumental in [inaudible]. Her staff love her, we love her. We're going to miss her tremendously.

Mr. Michael Kaigler said, Judy [Nichols], on behalf of the Commissioners of Chatham County, we want to present you with this token of appreciation for your years of service and we want you to display this in a prominent place in your home and whenever you see it, you think about Chatham County. Ms. Nichols said, thank you.

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**3. PROCLAMATION TO DECLARE APRIL AS FAIR HOUSING MONTH IN CHATHAM COUNTY - DAVID WAYNE DAWSON, JR. WILL BE ACCEPTING.**

Chairman Hair read the following proclamation into the record:

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

**WHEREAS,** April 12, 2002 marks the 34th anniversary of the passage of Title VIII of the Civil Rights Act of 1968, the Federal Fair Housing Law; and

**WHEREAS,** the Board of Commissioners of Chatham County, Georgia affirms the right of all people to choose where they wish to live without encountering discrimination; and

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

**WHEREAS**, the theme chosen by the U. S. Department of Housing and Urban Development for National Fair Housing Month 2002 is: "Celebrating Diversity, Ensuring Equal Opportunity."

**NOW, THEREFORE**, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim the month of April 2002 as:

**"FAIR HOUSING MONTH"**

in Chatham County, Georgia and call upon all citizens of our county to participate in ceremonies and activities supporting the Fair Housing Law and the celebration of diversity and equal opportunity throughout our community.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed this the 22<sup>nd</sup> day of March, 2002.

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Dr. Billy B. Hair, Chairman  
Chatham County Commission

ATTEST:

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Frances Q. Rasmussen, Deputy Clerk

Mr. Wayne Dawson said, good morning. I'd like to thank you for issuing this proclamation recognizing April as Fair Housing Month. We have a number of activities that are planned for April, and I'd like to introduce the President of our Board of Directors, Mr. Terry Tolbert.

Mr. Terry Tolbert said, good morning. Thank you for the proclamation. I wish I had a lot of great news to say that Fair Housing issues are over in Chatham County, but I can't say that. We've done some testing and we're a little disappointed, but certainly in the future you'll hear some of our —, the outcomes of what we've seen in the last six months. On April 2<sup>nd</sup> we will be celebrating Fair Housing Month at Savannah Station and it will be on April 2<sup>nd</sup> from 11:30 to 1:00, and, Wayne [Dawson], would you tell them who our esteemed speaker will be.

Mr. Dawson said, we're very honored this year to have Senator Max Cleland providing our keynote address, and, Board of Commissioners, members of the public, everybody's invited to attend.

Mr. Tolbert said, thank you so much.

Commissioner Rivers said, Mr. Chair. Chairman Hair recognized Commissioner Rivers. Commissioner Rivers said, this guy came up here as David Dawson, Jr. Why did he come disguised? I thought it was Wayne [Dawson].

Chairman Hair said, thank you.

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**4. PRESENTATION BY XERISCAPE GARDEN ON THE BAMBOO FARM AND COASTAL GARDENS FROM THE CHATHAM COUNTY GROUNDWATER GUARDIAN TEAM.**

Ms. Deatre Denion said, good morning. My name is Deatre Denion. I am the Chairperson of the Chatham County Groundwater Guardian Team, which was formed in 1996. This team is represented from the community from citizen organization, interested citizens, business, agricultural, education and government. And their mission is to raise awareness in the community concerning groundwater, issues of education and protection. Now last year the team created a local Groundwater Guardian Award recognizing groups or individuals for their efforts in protecting our precious groundwater. This year the team has elected the Bamboo Farm and Coastal Gardens for their efforts to educate the public on water efficient landscaping by creating a Xeriscape Garden along with other educational materials to save water. The garden demonstrates seven principles of Xeriscape, and it includes native plants, perennials, ornamental grasses, Xeriscape plants and a few unusual plants that most people would not consider including in a water-wise garden. Now this garden includes the recycled yard waste, mulch, that Chatham County Public Works provides. This garden was a collaborative effort with Chatham County Extension Service, the University of Georgia with their design and implementation, with funding from the Georgia Waterwise Council, Chatham County Public Works and the MPC Water Conservation Program. Now to establish this garden it only used six inches of water that was applied, and this is an equivalent to running an impulse sprinkler for one hour and ten minutes. The garden is a tool to showcase water efficiency for citizens of Chatham County and the region and here with us today is Ed Poenicke, one of the individuals that helped put this garden together. Also, Dr. Gary Wade, who could not make it, helped design this. Also, there were

master gardener graduates that were local and Kathy Dolle [phonetic] and Karen Tolbert from the Bamboo and Coastal Gardens that were also a part of the Xeriscape Garden, and I hope if you haven't seen this garden that you would get out there and go through it and see because every different season shows you all different kinds of plants. People think Xeriscape is basically cactuses. Here locally it is not, and it's beautiful and it's very water efficient. Thank you.

Mr. Ed Poenicke said, I invite you and thank you for the award from the Groundwater Guardian Group on behalf of the Bamboo Farm and Coastal Garden and the Extension Service. Xeriscape is something we all are looking at because water is a critical issue today, and fresh potable water and the landscape is two high users and watering our yards is the groundwater that we deal with. So anything we can do to reduce the amount that we pull from the aquifer is beneficial. And I do invite you to come out and look at it. If you've not seen it, it's quite interesting. Thank you.

Chairman Hair said, thank you.

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## **5. PRESENTATION BY THE CHATHAM COUNTY YOUTH COMMISSION ON TRIP TO NACo CONFERENCE IN WASHINGTON, DC.**

Mr. Van Johnson said, good morning, Dr. Hair and gentlemen. In 1992 when the Chatham County Commission accepted the concept of a Youth Commission, you directed us to provide the Youth Commission with empowerment, exposure, education and experience. We believe that we've done just that. On March 3<sup>rd</sup> through 7<sup>th</sup>, 2002, the Chatham County Youth Commission embarked on its fourth annual tour to Washington, DC, and New York. As guests of the National Association of Counties, Chatham County's youth could be seen dealing in workshops with Homeland Security, Introduction to Counties, Agriculture, Election Reform, Crisis Response, and Workforce Development. Our youth sat in sessions side by side with county commissioners, counselors, mayors, judges, and even freeholders from all over the country. Our youth asked some very hard questions and they received some very real answers. They were educated by this experience. We took them to the Holocaust Museum so that they could see one of the darkest periods in our history. We showed them the past so that they may understand the present and they may be able to prepare for the future. We also went to Ground Zero, the site of the massacre that claimed so many lives. Our youth saw it on TV, but it was totally different to see it in person. Our youth saw what hate, intolerance and evil can do. Our youth talked with New York City police officers and firefighters who were still at their post, even early in the morning, still looking for victims. They saw that above all of the pain, all the distress, all the depression, that our flag was still there. And, of course, you were there with us on Wednesday when the NBC Today Show featured the Chatham County Youth Commission freezing to death, but we wanted to show America that Chatham County had youth that are just as intelligent, as assertive and as bright as any student anywhere in the country. We thank you for your continued support. We thank Dr. Thomas and we're thinking about her today as she rests and recuperates. But she made the trip with us. She is the Chatham County road person. She will ride. We thank Mr. Abolt for his untiring support and encouragement. We thank Mr. Kaugler and the County department heads who always give us assistance when we need it. We also thank Kim Angellastro and WTOC and WSAV for their unselfish coverage of our trip. We certainly thank Four Seasons Travel, Gray Line Tours, Savannah Communications for all of their help, the parents that entrusted their children to us for four days out of a busy week, our partners, Greenbriar Children's Center, Summer Bonanza Partnership, the University of Georgia Cooperative Extension Service's 4-H Program, and just everybody for giving us the opportunity to expose our youth to the international and national stage. I am proud to present Katie Bernard and Crystal Tyson, who will share their perspectives on this trip.

Ms. Bernard said, hi, I'm Katie Bernard and I'm a 17-year-old Junior at Savannah Arts Academy. I would at this time like to thank each and every one of you for giving all of us the opportunity to visit our nation's capital and New York City. It was an honor and a privilege to represent my community. By attending the NACo Conference, visiting the Holocaust Museum and visiting Ground Zero in New York City, I was given the chance to grow and make connections with other Americans. I would be neglect if I didn't mention how much fun we had. Thank you.

Chairman Hair said, thank you.

Ms. Tyson said, good morning. My name is Crystal Tyson. I am a Sophomore at Johnson High School. This is my first year on the Chatham County Youth Commission and I'm very proud of it. The Youth Commission has been a great experience for me thus far. Having spent time in New York City and Washington, DC, has made it much better. Finally I have found a program that really stands for what it says, vocalizing our views for a prosperous future. This program is truly helping fulfill our destiny. By attending the NACo Legislative Conference we found out how important counties are in shaping our everyday lives. The conference was a good experience because we, the youths of the new generation, took part. We were able to see what we will be inheriting as the future generation. We met with county leaders from all over the country and they were very interested as to how to start youth commissions in their counties. We went to the Holocaust Museum and learned how we must never allow evil to win anywhere in the world ever again. We went to Ground Zero and we saw the devastation firsthand. The news reports cannot properly report the damage that we saw, yet in the early morning hours of Tuesday, March 5, 2002, there were police officers, firefighters and rescue workers still working, still searching for victims. We saw a new definition of hero. My heart was touched. We were on the NBC Today Show where we showed the entire world just how great the youth in Chatham County are. We are so proud of the Chatham County and the cities and schools that we represent. We [inaudible] it, but it was so cold.

This was the best –, one of the best trips of my life. I'll be changed forever by it. We thank you for this opportunity. We thank you for this great chance. We represented you in Washington, DC, and New York City. We hope that we made you proud. Thank you.

Mr. Johnson said, and just as an addition, I would certainly be remiss if I did not thank Peter Nichols, who accompanied us on the trip and who's putting together a photo documentary of our trip. My outstanding staff of professionals that count it a personal –, personal mission to help the youth of this County, and that is Debra Allen, Louise Copeland, Jill Grove and Connie Roberts. Thank you.

Commissioner Rivers said, Mr. Chairman. Chairman Hair recognized Commissioner Rivers. Commissioner Rivers said, I can't say enough for the Youth Commission to my fellow colleagues. I chaired a panel, or moderated a panel on remote sales tax, a very complex issue, and I had several of the Youth Commissioners in attendance, and, man, I was amazed at the questions, how quick they grasped remote sales tax and all its complexities. They grasped it and they asked timely questions, and I was –, I was just flabbergasted. I was amazed. Also, we had with us in some workshops Brianne Draffin, who graduated from the Youth Commission last year, who's studying International Law at the University –, at Washington University in DC. This is amazing of the success that this Youth Commission has had. There's one young lady at Howard, she could not get out of classes to come over to the sessions, but it's remarkable when you give young people the opportunity to participate what you can gain. So I want to thank you personally for your participation. I want to thank you for being in Washington and I want to thank you for attending the Board of Directors meetings where we made various reports and the workshops where you participated. So thank you, thank you, thank you.

Chairman Hair said, thank you. Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, I cannot hope to speak for Dr. Thomas, but I will speak as County Manager. I appreciate the work of one individual not yet mentioned and that's Mr. Van Johnson.

Chairman Hair said, thank you, Van [Johnson].

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**6. PRESENTATION OF CHECK TO THE CHATHAM COUNTY YOUTH COMMISSION FROM THE GEORGIA CHAPTER 8<sup>TH</sup> AIR FORCE HISTORICAL SOCIETY BY HENRY HUGHEY, ACCOMPANIED WITH ALBERT MCMAHAN, FRANK KAYE, WILBUR E. BELL, AND JOHN WILLIFORD.**

Mr. Henry Hughey said, thank you, Mr. Chairman. We do have some people here from the Georgia Chapter of the 8<sup>th</sup> Air Force Historical Society. If I appear before you many more times, I'm going to have to go on the payroll. When I was here in January, I was President of the Georgia Chapter. I've been replaced by Al McMahan, who is now the President of the Georgia Chapter, 303<sup>rd</sup> Bomb Group. Albert McMahan, who was Chairman of the Board, he's fired. I'm Chairman now. He was the 306<sup>th</sup> Bomb Group. Frank Kaye from Savannah 389<sup>th</sup> Bomb Group. Where's Wilbur Bell? 305<sup>th</sup> Bomb Group. And our new Vice President, another generation. He's representing the 487<sup>th</sup> Bomb Group. His father flew with the 487<sup>th</sup>. That was the bomb group that won the air war over Germany. Oh, did I tell you I was in the 487<sup>th</sup>, too. But we had a very successful 60<sup>th</sup> anniversary celebration here. We do not try to make money on our functions, but we don't want to lose any money. We arrive at a number of people who will let us break even for these functions, and we got surprised. Several times that number showed up. We're a nonprofit organization. We talked to the Board of Directors of our chapter and we're going to take this money this morning and present it to your Chairman for the Chatham County Youth Commission, a check for \$7,000. We hope that this group of young people will move on in this world to leadership positions and if we've had just a little part in helping them get there, we thank them for the effort.

Ms. ZaDonna Slay said, good morning, Commissioner Hair and other distinguished County Commissioners, our County Manager, Russ Abolt, and staff. Most importantly, good morning to the Mighty 8<sup>th</sup> Air Force Historical Society. On behalf of our founder, Dr. Priscilla Thomas, in her absence, our director, Mr. Van Johnson, other various advisers, the executive board and the members of the Chatham County Youth Commission, I would like to thank you for your generous donation to us. Thank you for being heroes, role models and inspirations and a provider to the youth of the community. By entrusting us with such a powerful contribution, I feel this will help us continue our efforts of becoming positive influences and vocalizing issues of the youth in the Chatham County area. Thank you. We'd like to grant to you the Chatham County Youth Commission water bottle. Thank you so much.

Chairman Hair said, you gentlemen can think of those water bottles as sort of modified canteens.

Mr. Wilbur Bell said, I'm Wilbur Bell and I'd just like to thank the County Commissioners for your support. The first time we came to you here we were talking about the museum. Without your help, without your support, with Russ [Abolt], the museum would have never been there, and as you know, Savannah's the birthplace of the 8<sup>th</sup> Air Force, and hopefully down the road, when the younger generation takes over, that we'll get the support of the museum that is in my opinion an asset to the community, and it's a family-type, worthwhile. If you've never been there, go there. If you haven't been there, you let me know and I'll go there with you. Thank you.

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

Commissioner Murray said, Wilbur [Bell] –. Mr. Bell said, yes, sir. Mr. Hughey said, and I hope you never have to fly a B-24. Mr. Bell asked, what's that? Commissioner Murray said, I don't know whether you remember or not, it was a long time ago in 1966 –. Mr. Bell asked, what you mean a long time ago? Commissioner Murray said, when you swore me into the National Guard. Do you remember that? Mr. Bell said, oh, definitely. Yes, yes. Frank [Murray] goes a long way back. He's older than I am, but we go a long way back.

Chairman Hair said, he looks older than you do actually. Mr. Bell asked, sir? Chairman Hair said, he looks older than you. Mr. Bell said, I'll let that one lay.

Mr. Hughey said, in parting let me say that you people helped us in 1992 when we had the 50<sup>th</sup> anniversary celebration. It's something we don't like to talk about, but we have to face. Last January I was up there on that platform for the third time in the same spot. I'm the only man alive who was on that platform in '92. The rest of our heroes are gone. They made a sacrifice that these young people could go forward with their lives, but we thank you for your help and, as Wilbur [Bell] said, without you, I can't tell you how many places we went to try to get a museum, and then we found out that it was born in Savannah and for us that's where we'll die. And thanks to you people that's the most awesome museum in the nation. It is one that I enter with reverence and respect for all the men and women who took part in that war and have fought since. The Mighty 8<sup>th</sup> is still alive. It's probably in Afghanistan even as we speak, but nothing can function without the support of people like you and we thank you.

Chairman Hair said, thank you.

Mr. Frank Kaye said, Frank Kaye, Past President of the Savannah Wing. I only hope that the future doesn't make these kids fly the planes that we had to fly. That's all I can add to it.

Chairman Hair said, thank you. We appreciate the work y'all do. We had the privilege, Russ [Abolt] and I both were at the 60<sup>th</sup> celebration in front of the American Legion Post there and it was a great ceremony.

Mr. Bell said, I just want to reiterate what Henry [Hughey] said. Without you we wouldn't be where we are now. Thank you.

Chairman Hair said, thank you very much. We certainly appreciate y'all supporting the Youth Commission.

Mr. McMahan said, as the new President of the Georgia Chapter, I second, third, fourth and fifth it.

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

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## **7. MICHAEL COHEN REGARDING FEES COLLECTED BY TEAM SAVANNAH.**

Chairman Hair recognized Mr. Michael Cohen.

Mr. Cohen said, good morning. In 1994 the –, Chatham County through the One Percent Sales Tax built the Weightlifting Center we have in Savannah now, the Paul Anderson/Howard Cohen Weightlifting Center. That facility was built with the One Percent Sales Tax. It was a kind of unique situation because the County built a building and then it was up to Team Savannah to put the equipment inside the building and, as you see, we have a joint partnership between the facility. It's not a weightlifting facility without the equipment inside the facility. So Team Savannah through its contacts with the international community and national community was able to acquire the half a million dollars worth of equipment that's inside the facility and the County built the \$300,000 facility. It's been a wonderful relationship. Last year in October we started collecting money for people to utilize that facility, something I fought hard against, but unfortunately because of the financial situation, that's what you guys voted on and that's what we did. Starting in October that money was collected, \$10 a person for everybody from Special Olympics kids to the needy to everybody, and no direction was given to us about the money, how it was to be used or where it was to go or whatnot. Staff at that time in October of 2001 had a meeting with myself and Henry Meyers of the Weightlifting Complex and informed us that because of the budget cuts to the Weightlifting Complex and because of the contract we had with the County calling for the number of hours to be a set –, set number of hours, that the funds that were collected, part of those funds would go to offset the budget cut with the other part of the funds going back towards the County. Fine relationship, we said no problem, we'd be glad to do that. That's exactly what we did for October, November and December. Beginning in December a new staff was placed in charge of the complexes, including the weightlifting facility, and Kathy White had a meeting with myself and Henry [Meyers]. At that point in time she wanted to know what we were doing with the funding for the money that was raised for the Weightlifting Center and we explained how it was set up and that's what we were doing. And she informed us at that time that that was not correct, that we were not supposed to do it that way, and of course we explained to staff that that's the way we were informed to do it. That's what we did, exactly what we were told to do. From that point on, all funds collected by the Weightlifting Center now go directly to the County, all one hundred percent of the money. We felt that that was –, that was unfair, but if that's what the County wanted to do, that's

what we were going to do. Well, lo and behold, I got a letter from staff informing us that whatever information that we had received from the past staff did not count and that we were responsible for one hundred percent of the money that was collected for October, November and December. So basically it meant that money that was used to offset the cost cuts that we had in the facility would now go back to the County, which meant that Team Savannah would have to go back into its coffers once again to come up with approximately \$3,000 to offset those fees that were collected. I asked staff to reconsider that because I didn't think it was quite fair. I mean, after all, we were told one thing and we did exactly what we were told to do, and then you changed staff and now this new staff is saying, no, that's not correct, we want to go back to where you started and start over again and go that way. So I'm coming to you today basically to say that we are in compliance with new staff, we were in compliance with old staff, but to go back means that Team Savannah would have to dip into its coffers \$3,000 to meet new staff requirements.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, if I understand this correctly, I've read the writeups we've had also, in other words, when you originally started, you were sending a part of it to offset the -. Mr. Cohen said, yes, sir, Mr. Murray. What happened is is that the staff, the older staff, not new staff, the old staff said, look here, you're going to collect this money, we want you to collect the money, we want you to use part of that money to offset the cost cuts that the County gave to the Weightlifting Complex, we know we have a contract with you for a certain amount of hours a day, and since we're cutting you back you can't cover those hours, use part of the funds for that, and after you use part of the funds for that, whatever is left goes back to the County. So it came close to a 50/50 split between the County and the organizations that run the facility. Our Board of Directors didn't have a problem with that. In fact, they voted to approve that particular way of doing business. Then, lo and behold, it's changed now. Commissioner Murray said, where I have a problem with this is, you know, we're dealing with some things right now trying to come up with ways to charge user fees in some of our facilities that we have throughout the County. Whether that's going to fly or not, I don't know, but I've always felt that monies collected in a particular facility should go towards that particular facility. My question is where's the money going when it comes back to the County?

County Manager Abolt said, this has happened in two phases. The first, and as always, we've had an excellent relationship with Mr. Cohen and Team Savannah. Last year, about a year ago when we had a daunting revenue shortfall, we had to do certain things that included reducing expenditures. So that was done in a timely fashion. The problems we had then carried forward into the next fiscal year, which began the 1<sup>st</sup> of July. Part of our strategy to balance, and there's only a very small part I candidly admit, was to charge fees wherever we could charge fees, and traditionally we have not earmarked these for facilities. It's an accounting expense. It isn't necessary because, in effect, it goes into the General Fund and were the fees not there, then the operation would be supported directly by property tax. So in the context of the overall budget, this is a small item. I certainly apologize for any misunderstanding, but it's very clean in my mind when the County Commission approved the budget, there was a part of it fees, and those fees had to go back into the General Fund from the standpoint of budgeting, balancing our overall budget problems.

Commissioner Murray said, I disagree with part of that because -, and the part I disagree with is it really doesn't mean anything, it's just an accounting thing. If the monies are collected from the Weightlifting Center to offset what's going on with the Weightlifting Center, then they should be used for that Weightlifting Center whether it's in maintenance or it's in the operation side of it. That's my feeling on it. When did you start paying a hundred percent to the County? Mr. Cohen said, we were informed of that in the beginning of December, and we started that immediately. Commissioner Murray asked, so in December you paid a hundred percent to the County? Is that correct? Mr. Cohen said, yeah, everything that's collected in this facility as of December of 2001. Commissioner Murray asked, what is the total amount now that the County is asking you to pay them from back -, I guess from the first part of December back? Mr. Cohen said, yes, sir, approximately \$3,000. Commissioner Murray said, I just -, I don't think it's right.

Chairman Hair said, Commissioner Kicklighter and then Commissioner Rivers and anybody else.

Commissioner Kicklighter said, okay, I just want some clarification here. I believe from what I understand the Commission cut some of their budget, okay, so they probably had to lay off some coaches. County Manager Abolt said, in addition, they came forward with absorbing some of the cost a year ago just based on their appreciation of the Center. This has not been a -, an acrimonious relationship, one of partnership. We're now talking about a little bit of confusion. Commissioner Kicklighter said, okay, because, you know, and I'm well aware of what you've said. We built the facility, y'all put \$500,000 in there, and I believe it's my understanding that that facility cost the County approximately \$200,000 a year is what we actually lose to run it, so when we set this fee it was actually more than that back then that we were actually losing per year on the facility just to run it. The fee was set to offset some of the expenses as in, like the County Manager said, a user's fee, to get the burden off of just the taxpayers and help share, you know, by having a user's fee, and even with this user fee of only \$10 per month, which is an absolute wonderful price to utilize such a fine facility, it's just barely offsetting -, I mean, you know, it's not a huge help, so you're helping us actually break even on this facility. So, you know, I don't know, I -, because of the confusion, I don't -, we can waive, whatever, that's fine with me, but from here on we should collect all of the money to be able to offset some of those expenses. Commissioner Murray said, all going to the Weightlifting Center though, right? Commissioner Kicklighter said, right, but see -. Commissioner Murray said, well, that's my point because if it's coming back here, there's no accountability for that. Commissioner Kicklighter said, but we pay the coaches and all there so that's why we need the revenues to offset some of the expenses, and, you know, I mean, let's look at, say, the YMCA. You know, no one does what we do when it comes to recreation. The YMCA at least has to break even to remain a viable nonprofit organization. We open up things and

lose hundreds of thousands a year and continue doing it, and, I mean, we're only talking about a little \$10 fee here. Commissioner Murray said, I'm not complaining about the fee. What I'm complaining about is, to me, any monies collected in that Weightlifting Center should go back to offset the Weightlifting Center, not for other projects in the County. Commissioner Kicklighter said, right, and it does. By going back in our General Fund, that's counted -- Commissioner Murray said, I don't know about that.

Chairman Hair said, Commissioner Rivers and then myself. I want to ask a couple of questions.

Commissioner Rivers said, Mr. Abolt, in that we have a direct expense to the Aquatic Center [sic], can't we set up --, I'm almost sure they've got a tracking account of monies that come into them and the expenses that are paid out, and I'm almost sure that whatever the expenses are at the Weightlifting Center, whatever the maintenance is, whatever the --, whatever cost we have there, more than offset that cost so I think we need to show it, and if they've got --, if they've got \$10,000 coming in and we --, we have spent \$20,000 in maintenance, I mean, it's a pure wash. But for the sake of reporting, maybe we need to show that.

Chairman Hair said, go ahead and answer his question. I've got a question very similar to it.

County Manager Abolt said, yes, sir, we're able --, we can do that, and in certain cases, and this is one of them, where the expenses far outweigh the revenue, one has to make a pragmatic decision do you want to increase additional expense in counting the beans to give you that type of information. Essentially we've chosen not to do that. This becomes further confusing because Team Savannah is a contractor and part of the expense of running the Weightlifting Center is to pay Team Savannah. I can't make a true analogy, but I can see where this thing can get confusing. If we had a contractor functioning in other settings where the County was responsible to operate, and normally we would not expect that contractor to do anything but what they're required to do, but in the case of collecting fees Mr. Cohen was asked to do that. Because of his expense as a contractor he's saying let me offset some of those contracting expenses by keeping some of the money. That's where we can fall short because that's not good management.

Chairman Hair said, I've got a question, Russ [Abolt]. County Manager Abolt said, yes, sir. Chairman Hair asked, what is the approximate total cost that we expend on that facility to operate, the utilities and all of that? County Manager Abolt said, I'll have to find out for you, sir, I don't have it in front of me. Chairman Hair asked, but is it in excess of the fee that we collect, the \$10? County Manager Abolt said, oh, yes. Chairman Hair said, okay, so I think Commissioner Kicklighter is correct. I think that the fee should go to the General Fund because we're already subsidizing out of the General Fund substantial monies to support that facility. I do think, however, though that because of the admitted confusion, I do think we should waive the \$3,000. I don't think we should go back and collect the \$3,000 from October because he was doing what staff told him to do. So I certainly don't have a problem with waiving the \$3,000 and not collecting that \$3,000 for the first three months of last year --, or last three months of last year, but I think this point forward I think the staff is correct, I think we should put that fee in the Weightlifting Center because even if you put it in there, we still are subsidizing it out of property taxes. We're just subsidizing it more if you allow that \$10 fee to go to the Weightlifting Center. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yeah, I agree with everything that's been said on this. My point though, I'm trying to make though is I would like to be able to look at our budget and see X-amount of money is coming from that and it's costing us X-amount of money, and we don't have that now, and that was my point. It's just going into the big fund. Commissioner Kicklighter said, we have that on that spread sheet on all the facilities. Chairman Hair said, I think we can show that. Commissioner Murray said, the one thing I wanted to show in there, and I will make a motion that we move to waive those fees that --. Commissioner Rivers said, second.

Chairman Hair said, all right let's go ahead and take that motion. Commissioner Rivers said, second. Chairman Hair said, motion and a second to waive the fees. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.] Chairman Hair said, the motion passes. Commissioners [inaudible] get in order, Commissioner Rayno and then Commissioner Odell.

Commissioner Rayno said, I asked for a profit and loss sheet on the Aquatic Center. It's very helpful to see for a month what's going in and what's going out and then comparing it to last year, and all of our facilities should have profit and loss sheets per month compared to what happened to last year so we can identify trends as they're happening in the market and we can identify what's happening within the facility from month to month. If we don't do that, what we're doing is allowing the possibility for money to be embezzled from a facility, we're allowing the possibility for a facility to go into a trend without us realizing it until it's too late, and we need to have some accountability here, and the only way to do that is to have a businesslike approach, profit and loss sheet to see what's going on. And it would be my recommendation that we do that for all facilities on a month-to-month and compare year-to-year basis. Mr. Cohen said, I don't think that's --, I don't think that's a problem. I think the concern was that we were told one thing and then we were told something else. There was never a question about collection of money --. Commissioner Rayno said, no one's arguing about that.

Chairman Hair said, we've taken care of that issue, Michael [Cohen]. We've taken care of that issue. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, Russ [Abolt]. County Manager Abolt said, sir. Commissioner Odell said, to do the kind of accounting that Commissioner Rayno has suggested, what kind of cost as far as bean-counting are we talking about, or is that already in the system and our system has that capacity? County Manager Abolt said, I didn't interpret his comment as reflecting additional cost by staff in Finance or wherever. The experience he related to was the Aquatic Center and we didn't produce --, actually the contractor produced a business plan. We can do that certainly, you know, with no additional staff. Where this would be --, where I think it becomes less than a reasonable return on investment is what you're alluding to. If all of a sudden in some of these operations which in and of themselves are very vital, but the dollars involved are quite small, to layer on that the cost of Finance and whomever, Data Processing, to micro manage something is not feasibly cost effective. Commissioner Odell said, but as a general rule in that it's public funds, we do audit --. County Manager Abolt said, yes, sir. Commissioner Kicklighter reminded me of it and it goes back to what Commissioner Murray said. We will not necessarily produce, you know, weekly, monthly, whatever, an account for the Weightlifting Center and show the revenues coming in for that month, but we will reconcile it and when you ask, as you usually do every six months or a year, what are we spending on the Weightlifting Center and what are the revenues, we show you. But for the sake of accounting, we don't waste accounting resources to go in and make ledger entries that say we collected \$500 last week in the Weightlifting Center and then put it in the Weightlifting Center. They'll keep track of the amount of money and it'll go into the General Fund, but we don't set up a separate enterprise account for the Weightlifting Center, which is --, doesn't seem to be justified in the context of the dollars that flow through this organization. That's all, that's all.

Chairman Hair asked, any other questions or comments? In the absence of a motion, then I would assume that we would continue the process of collecting the fees and all the fees going to the County at this point.

Commissioner Rayno said, well, I'll make a motion because the justification for doing it, Russ [Abolt], is the fact that you identify trends and you try to stop them before they happen, and if a facility's going into the red, you see it by the profit and loss sheet. That's how businesses operate. The fact that we ask you to reconcile every six months, suddenly we're in a financial crunch. Last year we were at \$13.9 million, this year we're going to be at \$11.6 million. If we had records in front of us, we would not be in that situation because we could see the train wreck coming. County Manager Abolt said, it's a different thing. I'm not talking about something like that. I'm talking about the Weightlifting Center and accounting for \$5,000 here and \$2,000 there and \$3,000 --. Chairman Hair said, state your motion. Commissioner Rayno said, let me say one more thing. With computerized spreadsheets and data entry forms it's simply for someone to do at the end of the day to fill in these things. It's not like sitting there with pen and paper doing it by hand. I make a motion that we have month-by-month profit and loss sheets for each of the facilities, such as the Weightlifting Center, the Aquatic Center, Tybee Pier, Henderson Golf Course, so we can identify trends in economic status for each of the facilities.

Chairman Hair asked, does the motion have a second? Commissioner Murray said, I'll second it for purpose of discussion. Chairman Hair said, second. Okay. Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, first of all, we're asking more from this entity than we ask for normal business operations. P&L statements and stuff are normally done on a quarterly basis in most businesses. So to put this kind of constraint on these guys that's operating, I think is ludicrous. If we want a P&L statement, we should be able from whatever data we've got to ascertain whether we're gaining money or losing money in any of these operations. All that information is there. All we have to do is pull it out and compile it any time that we want. But I would suggest that if you're going to do anything, and if we need to look at anything, that it be done on a quarterly basis. We've got an Audit Department up there. We've got Finance up there. Those are the guys that need to be looking at it and we need to be holding them accountable for whatever it is in there whether something go awry. I don't see the need of that month-to-month.

Commissioner Rayno said, I'll amend it to quarterly. Chairman Hair said, okay. Does the second accept the amendment? Commissioner Murray said, yes, I'll accept the amendment. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, the only reason I seconded it was for the purpose of discussion because I think we were getting ready to cut discussion off. You know, the only thing that I'm asking for out of this is that we are able to track those funds and we know where those funds go. I'm not asking for the extra burden on the Weightlifting Center or any of these facilities. I think that's something that we do in-house. They do the collections, we do it in-house as far as accountability for that money and where that money's gone and tracking it. And, you know, I've asked, you know, in the last couple of months about cost and expenses that we have on certain facilities we've got. How long does it take staff to go out and work that and pull that up? Once all this was put in place and implemented, it wouldn't be that much to keep it up. It's --, your initial cost is what you're talking about I think. County Manager Abolt said, well, yes, sir, and permit me. We'll do what you want, we'll make it part of the quarterly report. In the --, the activities that Commissioner Rayno has mentioned, only one of them, Henderson, is what we refer to as, you know, as an account set aside to be recognized as an enterprise. Everything else, it's not enterprise accounts and I don't think we want to do that. Commissioner Murray said, I'm not asking you to set up --, put money in separate accounts. County Manager Abolt said, because all --, because that --, in lay people's terms, our language, it sounds good, but when you look at the accounting requirements, the revenue accounting and having to include certain costs of --, we have been able to avoid from the standpoint of making it part of the General Fund, I think would be not --, not appropriate --, my recommendation, but we'll give you in your quarterly report, if that's sufficient, which we do give you as a part of the overall government operation, a breakdown on Weightlifting, Tybee Pier, Aquatic and Henderson. Commissioner Murray said, I just don't want to come

back during the budget sessions or anything else and have, well, the Weightlifting Center will cost us X-amount of money without the revenue side being shown on that. That's my point. County Manager Abolt said, sure. Commissioner Murray said, with any of these facilities.

Chairman Hair said, Commissioner Odell and then Commissioner Kicklighter.

Commissioner Odell said, just to follow up on Franks' [Murray] question, we can do that without any additional increase in anything, is that true? County Manager Abolt said, yes. Commissioner Odell said, the second part of my question is whether or not to do the kind of things that Jeff [Rayno] has indicated, does the motion anticipate if there's an increase in staff cost that there's a corresponding increase in the budget? Commissioner Rayno said, my feeling would be that the operators of these facilities would be able to use a computerized program to make the entries and it would just spit out the data. Commissioner Odell said, it'll wash. Commissioner Rayno said, yes. Commissioner Odell said, okay.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I think this is all great and we'll get to see how much we're losing on the facilities. We know it's hundreds of thousands of dollars a year. I think what we as a Commission need to decide, rather than just trying to track just how much money we're losing, just figure out if we want to really continue losing money on the facilities. The structure of the Weightlifting Center at \$10 a month, we're going to lose hundreds of thousands per year from here on out. The Aquatic Center, unless we do something drastic, we're going to continue to lose, but, you know, fees, in my opinion, if you wanted to come close to just breaking even because you don't want –, I don't want to see the County make a profit on something built with tax dollars, but the fees could be even raised more than \$10 a month and you're still –, you could go to \$20 and still be \$30 less a month than your average gym anywhere around, and then we're doing a little bit better, getting closer to breaking even. It's just amazing to me that we as a County government run facilities and accept absolutely just losing tons of money every year. No business anywhere around can make it year to year like that and, you know, I just don't see how we can justify using the taxpayers' money to run a negative business year after year when there's things –, after we've exhausted all chances of breaking even, say, you try that, and, say, a lot of people quit because \$28 a month is too much, then we lower it, lower it back, but it's just –, it's amazing to me that we continue to run these facilities accepting major losses on the taxpayers' backs when usage fees could be increased. That \$10 fee could go to \$20 and that's still dirt, dirt cheap as far as fitness centers goes in Chatham County.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rayno asked, may I respond, Mr. Chairman. Chairman Hair said, yes. Commissioner Rayno said, thank you. Commissioner Rivers said, you know –. Commissioner Rayno said, go ahead. Commissioner Rivers said, let him respond. I'll yield. Commissioner Rayno said, thank you. We have not even looked at the possibility of developing some kind of a business plan for the Weightlifting Center, such as Team Savannah's one of the greatest assets of this community with worldwide recognition. Why couldn't Mr. Cohen and his crew over there conduct seminars for people to come to Savannah and see what he's done with ordinary children and turn them into world-class champions and charge them a fee for that and stay in hotels, eat in the restaurants, and conduct seminars for these people and charge a healthy fee for that? He could also be tied into television programming and sponsorships for world-class events, which we haven't even looked into that much, and could raise the revenue that way. Commissioner Kicklighter said, and what we could do in that type case with a business plan is, yes, let's grant Team Savannah a portion of that revenue, which would encourage –, encourage them to actually raise the revenues. Commissioner Rayno said, absolutely and so my point is that with a tracking mechanism to see where we're at and seeing what's occurring at this facility money-wise, once you've got that picture, you know where you have to go with your business plan to get it back to the even keel that you're talking about.

Chairman Hair said, Commissioner Rivers and then I think we're ready to vote.

Commissioner Rivers said, Mike [Cohen], y'all are already doing seminars and having various people come in, right? Mr. Cohen said, the seminars are happening all the time. Television crews are in Savannah, we've got one in Savannah just a few hours that they'll be filming at the Center. As far as international competition, as you are aware, '99 was the World Championships, 2002 this December is the Pan American Games Championships, which will be televised, and 2003 is the National Championships. 2003 the World Championships returns again to Savannah for the adults. So as far as that goes, the economic impact of this facility on the community, we're generating millions of dollars, as the Savannah Chamber of Commerce has produced in its overview of Team Savannah and its involvement. We hold competitions in Savannah, what, four times a year. Two of them are national level, Georgia games, district games, whatever. So we do those things now. The problem we have is up until this season we've done everything to try to get people into the community from both athletics and non-athletic programs and health related programs, and there's been [inaudible] to generate the excitement in the community. Commissioner Rivers said, I don't want to single out just any one facility, but as a youngster in this community I played on many athletic fields that were not covered by fees. I participated in many leagues that we tried to cover by fees and never cover all the expenses. I'm sure my colleague played at Memorial Stadium when he was a youth, and nobody was concerned about fees. There are certain things in a community that you give back to the people and that we do for the people. That's the purpose of the Commission being is to provide a certain quality of life and facilities for people to enjoy. That's what the tax dollar is all about. Other

than that, we don't need to even pay it. We just need to abandon the whole recreation situation if we can't pay for it through taxes and through fees, but fees will never will cover all of the facilities that we operate.

Chairman Hair said, okay, I think we're ready for the vote. Commissioner Kicklighter asked, can I ask one question? Chairman Hair said, one quickly.

Commissioner Kicklighter asked, who keeps the revenues from the big world championships and all? Mr. Cohen said, it goes through the organizing committee. Commissioner Kicklighter said, the organizing –. Mr. Cohen said, the organizing committee for each individual event. So those games and competitions are not held at the Weightlifting Center. The Weightlifting Center is not big enough for that type of thing. It's at the Savannah Civic Center, National Guard, Armstrong, Jenkins High School. So to have places –, to have competitions located at the facility for that size event is not [inaudible]. You're talking about over 2,500 people coming into Savannah for the World Championships 2003. You can't put that many into the Weightlifting Center. Commissioner Kicklighter said, well, let me ask this. Is the organizing committee for all these local events Team Savannah? Mr. Cohen said, part of it, yes it is because Team Savannah owns the equipment that will be used on that, and you must be able to get a competition –, you've got to understand, Commissioner Kicklighter, to get a competition what you have to have is you have to have your local LWC, your local committee, weightlifting committee, that's recognized by the United States Federation to say, yes, they are capable of putting on a competition. Then you go to the region and you ask the region to endorse it, and then you go to the state and then you go to the national level, and once you get those things done, then you go to the international level and ask them. Because of our reputation in producing this type over the last several years, it makes it quite easy for us to be able to attract this level of competition in Savannah. So when those events come to Savannah, then obviously those people are staying in hotels, they're eating and they're staying here for quite a bit of time. When those film crews come into Savannah, which happens all the time now, especially since we're starting to just now gearing up for 2004 Olympics, again those people come into our community, stay in our community. Commissioner Kicklighter asked, so does the events raise enough money to fund all the coaches on Team Savannah where –? Mr. Cohen said, no money goes –. Commissioner Kicklighter said, we could get out the business of subsidizing? Mr. Cohen said, no money goes to coaches. None of the funds. All profits –. Commissioner Kicklighter asked, what does the funds actually go to? Mr. Cohen said, all profits from all competitions go to the general fund for transportation of athletes. Commissioner Kicklighter asked, what –, how –, how much money do y'all have in your general fund right now? Mr. Cohen said, well, we had quite a bit and we gave the County \$13,000 just a few months ago. So at this point in time I think we're in the low eights. We just sent a team to California, 42 athletes to California. Of course, as you know, those are very expensive trips. Commissioner Kicklighter said, right. Mr. Cohen said, we've got a trip just came back from Australia, a trip just came back from El Salvador, and we've got a group of 32 athletes going to New York City in two weeks. So to send athletes out –, in other words, to develop a world-class athlete, and you must understand that Chatham County hasn't produced a lot of great world-class athletes in a long time so I've pretty much got an idea of what I'm talking about, you have to go out and you have to spend a lot of money and take the athlete, take the young person and develop them athletically is one thing, but then you've got to get them to the competitions. You can't go to mom and dad and say, look here, your child's doing fantastic, they're this close to being on the top level team, the Olympic team, we need you to spend, you know, \$18,000 next year and get your child to [inaudible]. You can't do that and be successful. What we've made a point of in this community is to provide opportunities for everyone so if the child comes from the lowest of the low and doesn't have anything in the world, they're going to spend as much money as Cheryl Hayworth, who's the top of the echelon, and that's all because Team Savannah raises the money to do that for the athletes. Commissioner Kicklighter said, let me ask you –. Mr. Cohen said, the money is generated for these events. It goes strictly for the transportation of athletes. Coaches' salary does not come out of that. Commissioner Kicklighter said, let me ask you this. You stated that Chatham County was a partner with Team Savannah. Mr. Cohen said, correct. Commissioner Kicklighter asked, is that in expenses only, not revenues? Mr. Cohen said, well, it's this. When we put this thing together in '94, actually it was '93 we put this thing together, one of the one percent sales tax programs was going to be the Weightlifting Complex. One of them. One of the many ones that they spent the money on. The soccer fields, if I'm not mistaken, the Tybee Pier, the Aquatic Center. The deal was that the County would build the building, the structure, and it would be up to Team Savannah to supply the equipment to go inside the facility. I don't believe that arrangement, if I'm not mistaken, is at any other facility in the County. I think we're the only ones that's asked to do that, and we said –. Commissioner Kicklighter said, let's let Russ [Abolt] –. Mr. Cohen said, okay.

County Manager Abolt said, I don't disagree. There's a point, if I could and I think it's very appropriate to what Mr. Cohen has said and Commissioner Kicklighter, the facilities that Commissioner Rayno has listed, Weightlifting, Tybee Pier, Aquatic and Henderson, those –, Commissioner Rivers, Commissioner Murray were certainly there, I believe, on the Commission, and possibly Commissioner Odell will remember, none of those were proposed by County staff or the County Commission. They were a part of a vote back in 1993. You all that were here remember there was a sea of people in this room, help us out, prime the pump, we're going to do all these wonderful things. There were talks of a sports festival, the Sports Council was formed, the Recreation Authority was formed, not to add further burden on Chatham County taxpayers, but to say give us these assets and we will market them. What has happened now, all that interest, and it's certainly not a reflection on Mr. Cohen, it's gone away. So we are, and you particularly, are left as stewards of these facilities. You're asking the right questions. I submit though the solution is to go back to those folks that were the most vocal of advocates saying build it and, gentlemen, we have built. There's nothing to be ashamed about in any of these facilities. By and large, they're primo. The task now must be to get the attention of those that came before and say, they're here, the taxpayers cannot afford to do what we're now doing, now begin to market. I submit the concept of a sports festival, marketing these very facilities we're talking about. It would offset everything because like Commissioner Rivers said, we always have to be concerned about inclusion, and it certainly will go a long

way towards the type of burden the taxpayers are now assuming on these very nice facilities. Commissioner Kicklighter asked, can you provide us a list of those people that –? County Manager Abolt said, yes, sir, and I did provide a written proposal to y'all here a few weeks ago on it, yes sir.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I see us going down this road and we're going to continue to go down this road. When we attempt to apply broad based business principles cost benefit to governmental functions, that model does not work. It's not a logical model, and the reason it's not a logical model is there are things that we do that's mandated by the Constitution. Our court systems will never break even. In fact, I don't think anyone in Chatham County wants a court that financially has to break even. That simply means that justice is for sale. On the flip side, when we built this center, we were looking at ways that we could attract people into Savannah with the expectation that there would be some overlapping costs that would be borne by the general taxpayers, and that would come under the heading of quality of life. And there are many quality of life issues which, rather than we only do this, we pay for these kinds of things, if this Commission no longer chooses to become involved in quality of life issues, then we can reduce this 35-minute discussion in the future. It won't have to come up. We will make a business decision that we are out of the quality of life business that we were in many, many years ago. We have devoted –, what is our budget, Russ [Abolt]? County Manager Abolt said, the total budget is \$330 million. Your M&O budget is about \$90 million. Commissioner Odell said, okay. We've devote 40-minutes to a \$3,000 problem. My solution is that there should be no ex post facto laws. The man shouldn't have to pay back the \$3,000 and going forward he knows what the deal is now. We've voted on that, it's unanimous. If we have a problem with whether or not we should be in the business, whether or not some programs are ever going to break even, then let us make a policy decision that we are out of the quality of life business and look at all of the various programs and get out of the business or stay in it.

Chairman Hair said, I think too I would agree with my colleagues, Commissioner Odell and Commissioner Rivers. I think that you can never charge fees to get your way out of a deficit and plus, I mean, I think at some point you run into moral issues, you know, what are you going to do for people that can't pay the \$10 fee, you're still going to have to let them use the facility, so now you get into subsidies and you get into everything else. I think we have to –, I think the answer to this is we've got to look at –, we've got to broaden our scope of ways to fund it. I have said along, and Commissioner Murray is in total agreement with this, that we need to change the law, the sales tax law or the SPLOST law, we can build these facilities, but we can't maintain them, and I think that's ridiculous, and we need to get some help from our legislative delegation that would allow us to use a flat percentage, 10 or 15% of the SPLOST money. That would alleviate –, we wouldn't –, if we could do that, we could get out of this business of fees and we still could –, it would not come out of the General Fund, it still would not come out of the taxpayers, the property tax, and I think that's what we've got to do. We've got to look and broaden our concept of how we're going to fund it, but we cannot continue to raise fees high enough to support these facilities, and then at some point where do you stop. I mean, if you start that, then you've got to start charging fees for everything. You know, are you going to start charging fees for people to run around Lake Mayer? I mean, you know, Lake Mayer costs us a lot of money. You know, we're going to have a gate up there and we're going to charge runner's fees and skateboarder's fees to go around Lake Mayer? I mean, at some point it just gets where you cannot do that. I just think we do have, and I totally agree with Commissioner Rivers, we do have a general obligation to provide recreational services, and I don't think it can be on a fee basis and I think we just have to look at other –, other methods.

Commissioner Kicklighter said, one last comment please. Chairman Hair said, let's try to wrap this up. Commissioner Kicklighter said, I'll make it short. I just want to clarify. Harris [Odell], I promise I wasn't arguing over \$3,000. I voted to give that back. I was talking about the \$200,000 we lose per year on the facility. Not \$3,000, \$200,000 per year.

Chairman Hair said, all right, it's been so long, let me restate the motion that Commissioner Rayno made. Commissioner Rayno made a motion to have quarterly reports for some designated facilities, and I'm sure the record reflects. I can't remember which ones. I know the Weightlifting Center, the Aquatic and –. County Manager Abolt said, Tybee and –. Chairman Hair said, the golf course and Tybee, whatever. Whatever it's quarterly reports that we would get that would show revenue and expenses. All those in favor of the motion vote yes –.

Commissioner Rivers said, Mr. Chairman. That quarterly is three times a year rather than four. Four quarters. In other words, four months lumped together. Chairman Hair said, I thought the motion was quarterly. Commissioner Rayno said, it's quarterly, every three months.

Chairman Hair said, yes. Okay, all those in favor vote yes, opposed no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.] Chairman Hair said, the motion passes.

Mr. Cohen said, thank you. Chairman Hair said, thank you, Michael [Cohen].

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

1. Commissioner Murray moved that the County waive the approximately \$3,000 collected by the Weightlifting Center during the months of October, November and December, 2001. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

2. Commissioner Rayno moved that the Commissioners be provided with quarterly reports showing revenues and expenditures from the Weightlifting Center, the Aquatic Center, Henderson Golf Club and Tybee Pier so trends may be identified on these facilities. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

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**8. EVONNE MARTIN REGARDING TERMINATION OF CONTRACT FOR SECURITY SERVICES AT BULL STREET LIBRARY.**

Chairman Hair asked, is Ms. Martin here? County Manager Abolt said, I don't believe she's here, Mr. Chairman. Chairman Hair asked, she's not here? Okay.

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**VI. CHAIRMAN'S ITEMS**

Chairman Hair said, I'd like to first recognize Joe Vestal who is with us, who is the newly elected Chairman of the Tax Assessors. God bless you, Joe. You need divine intervention, I believe, and I will keep you in my prayers. We do appreciate that.

The other comment I'd like to make, another person I'd like to recognize –, this is strictly personal privilege –, I'd like to recognize Iris Guzman. Iris has been covering us for many years now for WJCL and now she's moving on to West Palm Beach, and I think she's done an outstanding job. She's always been fair to us, tough but fair. Iris, we're going to miss you. I'd just like to recognize you. Would you stand up.

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**1. REMINDER: BUDGET PRESENTATIONS WILL BEGIN IMMEDIATELY AFTER EXECUTIVE SESSION.**

Chairman Hair said, just to remind everyone that we will have budget presentations immediately following Executive Session.

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**VII. COMMISSIONERS' ITEMS**

**1. FINES & PENALTIES DEVELOPMENT DISREGARD (COMMISSIONER MURRAY).**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, before I talk about that can I mention something that was in my packet this morning? Chairman Hair said, certainly, certainly. Commissioner Murray said, and this is good news as far as I'm concerned, and I think Commissioner Rivers and I think Commissioner Thomas were the only other ones that were involved in this, but it was the buyout of Weatherwood Subdivision a number of years ago, and that debt has now been paid off in full. Is that correct? That's what I understood. County Manager Abolt said, that's correct. Commissioner Murray said, so I think that is good news and that part is over with now and, you're right in there, there are some bad memories about it and I'm sure there will be for a long time, but at least that is taken care of.

Commissioner Murray said, under "Fines & Penalties," the reason I put this on here, I just, you know, right now –, and, Jon [Hart], I got your memo stating that in our charter or Enabling Act that we can only do fines up to \$500. County Attorney Hart said, correct. Commissioner Murray said, I'd like for all the Commissioners to get a copy of where that is. I'd like to see it. I'm not saying it's not there, but I'd just like to have a copy of it. County Attorney Hart said, sure. Commissioner Murray said, and I understand there's legislation up in Atlanta now that might change that and allow us to raise those. County Attorney Hart said, yes, sir. Commissioner Murray said, I just feel like that, you know, and I'm not saying that it happens all the time, but a lot of people that do things without permits and a lot of people that do things without doing –, go in and clear cut or take out buffers or things like that and we can put stop-work orders on it and we

can go in and we can charge a minimum penalty, and once we've done that it's probably less expensive for whoever's doing that to pay that penalty than it is to go through the proper process.

County Attorney Hart said, to a large extent you've put your finger right on the problem. We really have a twofold system of making people comply, and I think Gregori Anderson can speak a little bit more from the practical standpoint. If we charge a fee for a certain permit and someone doesn't get them —, get the permit and we catch them, we double the permit fee. The problem is the permit fee is \$25 and a lot of times the person says, "Huh, we got caught, it's worth paying \$50." On the other hand, if it's a building permit, and it's \$1,500-\$1,600 and it's doubled now to \$3,000, we don't have too many people go out in the business and avoid that fee, and then from a fine standpoint, you know, under our charter we're limited to \$500 by our Enabling Act and generally that's court-imposed. I've got to say, to be quite honest with you, that oftentimes we go to court and people apologize to the court and say we won't do it again, and basically they are people who haven't had a long criminal history and you've got a bunch of people up there that are on DUI's or some type of criminal activity and the court has somewhat of a tendency, you know, with a law abiding, tax paying citizen to be somewhat lenient in those fines and say, well, you know, I'm going to suspend the fine this time or you've got 30 days to bring it in compliance, and that's not, you know, anything against any of our judges or anything against our judicial system, but, you know, sometimes they look at these things and they don't take them quite as serious as the folks that have to necessarily enforce those, and that's just the way it is.

Commissioner Murray said, my only point is that we need to have something that we can have some teeth in or we don't need to have it at all, and if this new bill that's up in Atlanta passes, then it will give us a little bit more discretion on it, but right now I don't —.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell asked, did you have an opportunity to review the bill and provide comment? County Attorney Hart said, no, I haven't. I don't —, my understanding is that it's another one of those bills that right now is in committee and whether it comes out or not is, you know, anybody's guess to be honest with you. Commissioner Odell asked, when we look at our fine and current structure, does it correlate with the City of Savannah's? County Attorney Hart said, in most things it does. Commissioner Odell said, okay. But there are some inconsistencies? County Attorney Hart said, yes, sir. Chairman Hair said, okay. And as far as the other municipalities, would that also be true? County Attorney Hart said, pretty much, yes, sir. Commissioner Odell asked, is there any way that, I mean, we could kind of big picture this and take one look at, say, what the City of Savannah is doing so that if you walked across a boundary line and A, B and C happened, the same impact would be if you're in the State of Chatham County versus if you're in the City of Savannah or in the unincorporated area. County Attorney Hart said, the fines between the City of Savannah and Chatham County are not that far apart and some of the smaller municipalities they are further apart and consistency to which they are applied vary among the municipalities. Commissioner Odell asked, is there any way, in that we are the largest city outside of Savannah, that we could share that information with the other municipalities? County Attorney Hart said, sure, we could look at that. I would also say this that, you know, if there's a situation in which there's a concern in your district and, say, we move to take someone to court for abatement of a nuisance or a building violation or any number of things that may —, abandoned vehicles is a typical case, okay, I have found in the past that when it has occurred in a Commissioner's district and that Commissioner has actually gone out there and laid eyes upon the situation and is willing to go to court with the County Attorney, like Commissioner Odell did, that y'all's input into that situation and y'all's presence in the courtroom has a substantial impact and bearing upon the gravity and the seriousness to which everybody looks at the situation. Also, I can tell you right now if there's something you're concerned about and don't feel that maybe this has got as high a profile as you wish to have it to have, your presence certainly is not a detriment to our position. It certainly is helpful and, quite frankly, we don't mind calling you as a witness, as we did with Commissioner Odell in a particular case, and say have you been out there, have you looked at it, what did you see, and for about 10 minutes Commissioner Odell graphically explained what the problem was, and we got a —, got what we needed.

Commissioner Murray said, one other question on that. You talked about the other municipalities, are they restricted to the same guidelines we are with the —? County Attorney Hart said, various enabling acts have various —, varying different amounts. Many of the municipalities actually have a smaller amount. Commissioner Murray asked, kind of like franchise, 'eh? County Attorney Hart said, yes.

Commissioner Rayno said, Ms. Osteen wanted to speak.

Ms. Flo Roberts-Osteen said, I have a quick suggestion. On the penalties for building code violations, I —, this may sound a little stiff, but I do think that y'all ought to have a policy where if someone is continually violating building codes that you say, okay, three strikes and you're out, you don't build here anymore. You know, I mean, if they're continuing to really violate really bad. You know, don't let them just go somewhere else and change their name.

Chairman Hair said, thank you very much, Ms. Osteen.

Commissioner Murray said, I think that's point well taken. Chairman Hair said, it is. Commissioner Murray said, this —, what I had on the agenda was not just construction. I mean, it was overall penalties and fees, so —. Okay.

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

Received as information.

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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. CNT FUNDING. NOTE: Tabled at the meeting of February 22, 2002.**

**ACTION OF THE BOARD:**

This item was not placed on the table for consideration by the Commissioners.

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**\* 2. CONTRACT AWARD FOR STEPHENSON AVENUE PROJECT. Tabled at meeting of March 8, 2002.**

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
N. Contract to construct the Stephenson Avenue Widening Project	SPLOST	APAC-GA, Inc.	\$4,670,657.15	SPLOST (1985-1993) - Stephenson Avenue Widening project

Chairman Hair said, the staff has recommended this number two, but I've just talked to Commissioner Rivers and he --. Commissioner Rivers said, they've got a representative here. Chairman Hair asked, oh, they do? Okay. All right, I need a motion to take contract award for Stephenson Avenue off the table. Commissioner Rivers said, so moved. Chairman Hair asked, second? Commissioner Murray said, second. Chairman Hair said, all those in favor vote yes, opposed no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.] Chairman Hair said, okay. Commissioner Rivers, if you have questions, a representative I believe from APAC-GA I assume is here. Would you like to come forward, sir. Commissioner Rivers probably has some questions for you since he's the one that took --, tabled this item. Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, okay. We have a contract here of \$4.6 million. What's the amount awarded to local contractors? Mr. Jim Merritt said, I haven't got --, I've got --, I can tell you each individual contractor. I can't --. I'd have to go back and look. I wasn't --. I can tell you how many were DBE's, which is a total of \$562,994, which is 12.08%. I don't know --, I'd have to go add --, get a calculator and add up the --. Chairman Hair asked, do you know that, Mr. Parson? Mr. Parson said, they're all local. Chairman Hair said, they're all local, okay. Commissioner Rivers asked, they're all local? Chairman Hair said, they're all local. Commissioner Rivers said, okay. Chairman Hair said, that's what Mr. Parson said. Commissioner Rivers asked, how many --, how much of it is local DBE's? Mr. Merritt said, the total DBE is 12.08%. Commissioner Rivers said, not the total. Chairman Hair said, well, if he said they're all local that would be 12% if they're all local. Mr. Merritt said, there are --, no, there are some --. Commissioner Rivers said, Bly, Bly & Pittman is not local. Mr. Merritt said, in the concrete we had Bly, Bly & Pittman is from Atlanta. Commissioner Rivers said, Bly, Bly & Pittman is not local. Mr. Merritt said, the Bly firm they are out of Atlanta. Commissioner Rivers asked, is Bly, Bly & Pittman --, how much percentage of that is minority or black owned? Mr. Merritt said, percent owned they are a black owned --. Commissioner Rivers said, yes, they qualify. Yes, I understand that. That's why I'm --. Mr. Merritt said, I haven't got their financial statement, sir, to tell you exactly what percent. I mean, they are a certified DBE. Commissioner Rivers said, you've answered the question that you didn't know. Mr. Merritt said, yes, sir. Commissioner Rivers said, that's all --, that's all I need. What's the amount awarded to local minority black contractors? What is the amount? Mr. Merritt said, I don't have that number in front of me. I wasn't prepared to ask [sic] for local --, I've never been asked that question on any contractors. Commissioner Rivers said, well, sir, sir, that's --, that was the directive that I put out last week that I wanted to know that amount because it was a very minuscule amount. It was Kelly & Dukes --, how much you awarded Kelly & Dukes. Mr. Merritt said, Kelly & Dukes was \$21,000 --. Commissioner Rivers said, \$21,000. Mr. Merritt said, Jenkins is \$45,000. Commissioner Rivers said, Jenkins is \$45,000. Mr. Merritt said, and then --. Commissioner Rivers asked, now is Jenkins a minority, black minority owned? Mr. Merritt said, no, sir, that's a female. Commissioner Rivers said, okay. Okay, you see, that's --, you know, everything come up with a facade and what I want to do is knock down the facade. This is a one percent sales tax which we collect from everybody, poor folks, black folks --. Mr. Merritt said, yes, sir. Commissioner Rivers said, across the whole spectrum and you walk in here with 21 lousy thousand dollars talking about an award to minority contractors. That to me is totally unacceptable.

Mr. Merritt said, not local, but Bly, Bly & Pittman is a black –. Commissioner Rivers said, we know –, we know Bly, Bly & Pittman. We know who Bly, Bly & Pittman is. Mr. Merritt said, yes, sir. Commissioner Rivers said, we know them. They're out of Atlanta. Mr. Merritt said, yes, sir. Commissioner Rivers said, that means that no money stays in this local jurisdiction. All right, we know Bly, Bly & Pittman. We're very familiar with them. You see, I've been fighting this one percent sales tax beginning from the initial Truman Parkway on through and we have gotten little or nothing out of this, and I want you contractors to understand that, hey, we need some participation. Mr. Merritt said, you know, when y'all bid a project, sir, if you would put in that we had to have a certain percent of local, we would get it, but that's not the –. Commissioner Rivers said, you know that I can't put that in there, but we can highly suggest that you do that, and in good faith you should do that. Mr. Merritt said, in good faith whether it's private contracts or city contracts or state contracts, we try to use minority firms. We do not try as much to use local, we try to –, we have to be competitive also, sir. Commissioner Rivers said, you –, you –, you meet your obligation of federal dollars and what the federal law says, but you don't go beyond that. Kelly & Dukes we use them on every single contract –. Chairman Hair said, Commissioner Rivers, I'm not sure that's a fair statement. We don't know that. Commissioner Rivers said, but I know that. I know that for a fact. I follow this stuff too much. Chairman Hair said, that's an opinion, but I don't think –. Commissioner Rivers said, it's not an opinion, it's a fact, and the fact is here. \$21,000 is a fact. That local blacks in this community deserve more than \$21,000. Mr. Merritt said, but to say that we do not use minority firms and we do not have to is not even correct. Commissioner Rivers said, I didn't say that. I didn't say that. You said that. I didn't say that. So don't jump off there. \$21,000 coming in this community from a one percent sales tax project when in our RFP states certain things and that you should give locals an opportunity, and that's what it's all about. This money is coming out of this community. Put some back in.

Commissioner Kicklighter asked, can I ask a question.

Chairman Hair said, Commissioner Rivers –, I'll get to you in a second. Commissioner Rivers, I don't think –, I think you're attacking the wrong person. I think the contractor bid with the rules that we gave him to bid. If you want to change what your –, and you and I discussed this earlier this morning –. Commissioner Rivers said, we discussed it –. Chairman Hair said, if you want to change it, then the way to change it is through Mr. Parson's office and who directs the staff. I mean, I think this contractor bid the job under the rules we gave him. Now, if we want to –, I don't think it's fair now to go back and withhold this contract because you want to change the rules after it's already been bid. I think we ought to award this contract and then address your concerns through changes in the purchasing procedures that we could do in the future, but I don't think we ought to hold this contract hostage to make a point, and I just think he played by the rules, he played by the rules he was given by Chatham County, and he bid it fairly and honestly within the rules, and I think we ought to award the contract. Then I think we ought to deal with your issue separately in terms of if you want to change the purchasing policies, then I think that would be a way to handle that. Commissioner Rivers said, Mr. Chairman, Mr. Chairman, let me recall to you, and I'll recall to you going back to a number of contracts up here of how we have handled them. Take the contract on the Transfer Center, we brought those folks in here, we stood them up there, we told them exactly what we expected of them, we told them what was unacceptable, and so I'm only using continuity here. I'm treating everybody alike, as I've always treated them since I've sat in this chair. Now, in no uncertain terms I don't want it to be like the 60's that I've got to go back –. See, you haven't been up here fighting for minority participation and trying to get a share of this as long as I have. Okay? Not as long as I have. You haven't been out on the line as long as I have. You haven't had to go through marches and different things to get to a point. So what I'm sending a message to this contractor that he has to do better than what he's doing. And I'm through with that.

Chairman Hair said, okay, I'll entertain a motion on the contract. Commissioner Kicklighter said, I want to ask a question. Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter asked, when you bid it, how –, locally or whatever, what did you do? Put –, advertise for people to do certain aspects of the job and you accepted bids –? Mr. Merritt said, the project's advertised and we –, all contractors that we know of, we contacted and asked would they like to quote us, and then we have to put our bid together. On every single item except for electrical, now electrical we did get a quote from a DBE that was [inaudible], which was \$551,000, we used Hoffman [phonetic] Electrical for 457. Every other single item, not local, but every other single item if we got a quote from a DBE, that item used a DBE firm. We used Worldwind Enterprise, we used Triad Supply, we used Bly, Bly & Pittman, we used Kelly Dukes, Jenkins, Lee Trucking. Every single item if we had an opportunity –, except for the electrical had \$90,000, and as bad as we may want to use, we have to be low, and \$90,000 you can't gamble when you try to help a minority firm. Commissioner Kicklighter said, it was bid out is what you're saying? Mr. Merritt said, yes, sir. Commissioner Kicklighter said, everything was bid out. Mr. Merritt said, yes, sir. Commissioner Kicklighter said, and you played within the rules of what we have established. Mr. Merritt said, low contractor.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Joe [Rivers], I understand where you're coming from with this, but I want to ask a question. How many black contractors do we have in Chatham County that can work and do these projects? Commissioner Rivers said, we have a number –, we have a number of them that have worked on the Truman Parkway, that have worked on Southwest Bypass. There's a number of them that can do concrete work and culverts and all that kind of stuff. Commissioner Murray said, now, if I understood your answers to Commissioner Kicklighter's question just a minute ago, you put everything out on bid and when the bids came in you took all except one of the minority contractors that were on that bid list. Is that right? Mr. Merritt said, we asked for all contractors that would like to quote us to quote us. It's

a -. Commissioner Murray said, yes, but you accepted all expect one of them, right? Mr. Merritt said, it's not like a bid when we have a -. Commissioner Kicklighter asked, and how did you ask? Commissioner Murray said, let me finish please. Mr. Merritt said, when projects of this size are out, it goes out on a -, a Dodge bulletin goes out and data fax goes out and everything and then it lists on the data fax and all it lists who all the bidders are. We are contacted by them. Any contractor that we know of, then we try to get a price. On the concrete, well, we did use Bly, Bly & Pittman and we did get a price from MJS. He was \$10,000 higher. They're both minority contractors. We also got a price from C&G Concrete, who probably does more of our -, which is also a DBE firm. They are out of Atlanta. They do more of our concrete than anybody else. We don't discriminate as much maybe locally, but we do whatever we can because whether it be state, city or federal, whatever, there are a lot of restrictions that you must use DB firms and if you keep a good relation, whether it be private, city or state, then it helps everybody, and that's the way we do our business. Commissioner Murray said, but you're in business and you have to do business the same way other businesses do -. Mr. Merritt said, yes, sir. Commissioner Murray said, you put something out for bid, you normally take the low bidder. Mr. Merritt said, yes, sir. Commissioner Murray said, otherwise you wouldn't be in business doing that job. Mr. Merritt said, that is correct. Commissioner Murray said, okay.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I was thinking that maybe Mr. Rivers would like to in the next Commission meeting, you know, put it on under the agenda items that we look at the policy of how we put out these RFP's and come up with some kind of a formula that you'd be happy with so that we don't go through this again and you'd feel comfortable.

Chairman Hair said, I'll entertain a motion on the contract. Commissioner Kicklighter said, I make a motion to approve. Chairman Hair asked, second? Commissioner Murray said, I'll second. Chairman Hair said, second. All those in favor vote yes, opposed no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was to be represented.] Chairman Hair said, the motion passes.

Commissioner Rivers said, I want you to know that I can hold this up if I want to and delay it, but I won't, but I hope that you get the message that we want you to look closely at minority contractors locally. Mr. Merritt said, yes, sir.

Chairman Hair said, thank you, sir. I appreciate you being here.

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

Commissioner Kicklighter moved to award the contract to construct the Stephenson Avenue Widening Project to APAC-GA, Inc., in the amount of \$4,670,657.15 (SPLOST, 1985-1993). Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

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#### **\* 3. BOARD CONSIDERATION OF FEES TO BE CHARGED AT TYBEE PIER AND ANALYSIS OF OTHER OPTIONS. Reconsideration motioned by Commissioner Rivers at March 8, 2002 meeting. NOTE: A new staff report has been prepared.**

Chairman Hair said, this was a reconsideration. I discussed this with the attorney this morning. We do not need a motion since it's a reconsideration. It's not on the table. Anybody want to discuss this or make a motion?

Commissioner Rayno said, I'd just like to make a motion we move forward with the proposal that was set down last week that would be -. Chairman Hair said, charging a quarter. Commissioner Rayno said, yes, sir.

Commissioner Murray said, we've got a -. Commissioner Rayno said, Alternative One. Commissioner Murray said, one that Pat Monahan put out a writeup on this.

Chairman Hair asked, do you want to make -? Go ahead.

County Manager Abolt said, I don't want you caught up in the parliamentary requirements. We do want to introduce, if it's now appropriate, a proposal that you've asked us to work on, and I believe that was the momentum that was stopped with the reconsideration, but we do have a plan for you and we've addressed other issues, other options you might have as far as facilities. I would like for Mr. Monahan to make the presentation, which is driven by the staff report. The options are doable. We fall short for I think the reasons we all understand, of an estimated and counting on revenues of any substance, but it is a major shift and it is a change. Many of you will recall that it wasn't long after Tybee Pier opened there was a move to charge admission. That was not successful. We're coming back with not a similar proposal, but the end result would be charging admission and it would be driven by, in effect, a system which is meant to be from the beginning very low maintenance, and we do not have the resources that would justify based on revenue received a system that would be more restrictive, I believe, than what Mr. Monahan has outlined for you. We're also talking about increasing the fees at Tybee Pier, we've given the option on the possibility of alcoholic beverages, but with your permission I would like Mr. Monahan to come forward to give you a brief overview of the proposal.

Mr. Pat Monahan said, thank you, Mr. Abolt. Based on the Board's decision at the last meeting, the staff proceeded to implement or develop an implementation plan with three basic features. First, just as an underlying assumption that this —, implementing this would not cost the County any additional expense. It made little sense for the County to proceed and then need to hire additional personnel to implement it. Second, that we —, we wanted to assure the public that it would not have a —, even though it would be secure, that the facility would be very friendly to those who visit the pier. It's a very open environment now with visitors enjoying the beachfront environment, and so we wanted to continue that so the idea would be —, I asked our Building Superintendent to go out, survey the area and develop a little sketch, and what we sketched so far would be an entry area forward of the existing pavilion because of the beachfront access it would need to be outside, which then brings into this issue of weather protection for the turnstiles, but this entry pavilion would be in the same architectural style as the existing pavilion and then the fishing shelter at the end of the pier. So it will provide a friendly entry to those visiting. A visitor would come in, there would be a token machine, put in a quarter or a dollar, receive the tokens, put it in the turnstile, enter onto the pavilion —, excuse me, on the pier. The pavilion would still be free. And then visit as long as that person or family would want to visit and then return out of the turnstile. The difficulty with the turnstile it does not differentiate between the type of visitors. Even though the Commission wanted to charge a \$1.00 for fishing and not charge children, the turnstile does not provide that opportunity. If that happens, then the County would get into a personnel expense, which, you know, rules out the first priority that the staff proceeded under. And the third was that it would be very low maintenance. We feel as though with the tokens and the use of the turnstiles that we will be able to get a secure system that will not be expensive to maintain. And, finally, as a matter of funding, the Tybee Pier and Pavilion project still has some funding left over from the original project that would allow us to proceed without an appropriation from the Board.

Commissioner Kicklighter asked, can I ask a question?

Chairman Hair said, just one second. I wasn't here last meeting and, you know, I read with great diligence the minutes on the discussion. I've got some real problems with this and, as I just told my colleague, this is much ado about nothing I believe. I mean, to sit here and debate charging a quarter to walk on the pier when we've got an \$11 million deficit, it just doesn't make sense to me. I mean, you know, I think we need to get real here, and my problem too is you start talking about a quarter, becomes \$11 million, and then, you know, we also have to look at other facilities. It bothers me to charge anything for this pier. Number one, it was built with sales tax money and people have already paid for that pier and they pay for it every time they buy something, and every time they go buy something in the grocery store they pay to go out on that pier, and I think to charge them a quarter is ridiculous. And, secondly, you know, if you start charging for the pier, then suppose I'm a soccer player and I don't ever go out on the pier, but I use the soccer fields all the time. You know, or run around Lake Mayer. Again, are you going to start charging me to run around Lake Mayer? I mean, this is just —, I just don't understand this at all. I just think this is —, this might be nice and fluffy and warm and it gets good press, but I just think in terms of addressing our financial problems, this is a waste of our time. Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I appreciate your thinking there. I don't think that there's any one item in Chatham County that we can sell, get rid of, change, whatever, that's going to get rid of an \$11 million deficit. But, you know, if you're going broke in your own home, there's usually not any one solution. You downsize a little bit of everything. You may have to sell the Lexis and the big house. You know, when this is —, you know, we're talking a quarter here may raise what someone estimated \$15,000. That's a small portion, but if you find a lot of things throughout Chatham County that you can raise a little bit of revenues on, you know, then you're doing a good job around here. And, you know, right —, it's not going to solve the problem. Not at all. But you take that with other things raising money and then we may make a dent into it, and then when this body, if it has to and chooses to raise taxes, which I see most of you having to do that because I don't see you wanting to cut anything around here, then maybe you won't have to raise the taxes quite as high. Maybe you'll only have to raise it a mill rather than two mills, but every little thing we can do to dent this \$11 million deficit is going to help when those of you that won't cut anything has to raise taxes.

Chairman Hair said, okay, Mr. Earls and then Mr. Pierce and Commissioner Rayno. Chairman Hair recognized Mr. Earls.

Mr. Ken Earls said, my name is Ken Earls. I'm going back to the question that was asked at the last meeting. If the pavilion is put after —, I mean, sorry —, the turnstile is put after the pavilion, if someone wants to come back into the pavilion to get a drink, go to the restroom, got to pay a quarter again? Also, hey, y'all want to raise money? Start charging to come into this building. And that would include you all, too. Start charging for every time you go —, police write a call. You know, services. Make people pay for them. That seems to be the going theme here nowadays. But seriously, back to the quarter thing. Think about it again. If you're going to charge, you might as well go ahead and put —, charge to go into the bathroom if you're going to charge to get back on the pier after they've gone to the bathroom or to just go to get a refreshment. Thank you.

Chairman Hair said, thank you, Mr. Earls. Commissioner Odell said, what we're going to do is we're going to give free beer and charge \$100 for the restrooms. Mr. Earls said, start charging people to come up and speak. Chairman Hair said, that's the best solution I've heard today. That's a great idea. I could vote for that. Do you want to make that in the form of a motion? Chairman Hair recognized Mr. Pierce.

Mr. John Saxon (Piccolo) Pierce said, a thousand dollars whole lot. You're spending money today, it's a whole lot. One dollar ain't nothing. You buy —, you buy food. You buy tax. What is one dollar. You can [inaudible] with one dollar.

You've still got some land and all you want to do is look out for the homeless. The homeless, that's what counts. The dollar —, every dollar you're spending, you've got to buy something. You've got the payroll, you've got to pay the payroll, the check. You spend that check. Take tax out of there. What is a thousand dollars? A lots of it to everybody. I —, my family pays a thousand dollars. My family pays one dollar. Your family pays one dollar. That's a whole lot to —, that's a whole to think. It don't matter you pull out a dollar in your pocket and say, here, that's a thousand dollars. You go out in the stores and buy [inaudible] and all and that there. That's money. So y'all think about that. That's a whole lot of dough to black and white. Thank you very much.

Chairman Hair said, thank you, Mr. Pierce. Commissioner Rayno and then Commissioner Murray maybe, he's got a question by his name, and then Ms. Tyson. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, well, a quarter's nothing for a user to go onto that pier and use it. The other option is to raise taxes and it takes two to three dollars of each person across the County to pay for it, or the proposal as put forth by this Board that they ask the legislators to do is to turn SPLOST into taking a portion of that money and paying for maintenance, which is essentially the same thing. It's forcing someone to pay for something that was already built, which logically, if you look at that as an argument, Mr. Hair, you're saying that we shouldn't pay for something that's already built, yet you, you know, voted for that particular thing for the legislators to push for. It's a small amount of money for users to pay for this. This pier is going to degrade over time and how are you going to pay for it? You've got to pay for it somehow, and on April 12<sup>th</sup> they're going to come back here, staff has prepared a report with about \$500 million worth of SPLOST projects. Brand new ones. Seven or eight new libraries, \$56 million worth of greenspace, and we never spend [inaudible], we don't want to hear it, but we're going to build things and how are we going to pay for them? Here we are in a budget deficit, \$11.6 million, staff's going to come back on April 12<sup>th</sup> with \$500 million in new SPLOST projects, how are we going to pay for them? We've not learned our lesson. We're going to go deeper into deficit, and if [inaudible] raise your taxes in the next battle do you think it's going to stop their spending disease that they have? Not at all. They'll spend, they'll tax. They'll spend, they'll tax. They'll spend, they'll tax. And they're going to ask you to approve \$500 million in SPLOST projects this Summer. It's not going to end. User fees will cover it. It will put a dent in it, but we've got to stop this. It's just crazy what's going on in Chatham County and it just continues and continues and continues. We've got to stop it somehow.

Chairman Pro Tem Murray recognized Youth Commissioner Tyson.

Youth Commissioner Tyson said, okay, I don't understand the point of, you know, paying a quarter to go on the pavilion. Does that money go back to the people that built the pavilion or back to the tax fund, and then once that money is gained back, are you trying to make a profit off of it because it looked like, that like the Chairman was saying, like, you guys pay for everything and you're trying to just put money back where you got it from? Chairman Pro Tem Murray said, we're not trying to make a profit off of it, to answer your first question. The money would go back into the County funds for the maintenance on the facilities if this is approved. And, no, there's not anyone trying to make a profit. What we're trying to do is offset part of the expense to maintain the facilities that are out there that was built with tax money. Did I answer all your questions? Youth Commissioner Tyson said, uh huh. Chairman Pro Tem Murray said, okay, Commissioner Kicklighter.

Commissioner Kicklighter said, to get a little more detail, currently that pier costs the taxpayers approximately \$45,000, I believe the revised numbers showed, a year. This proposal would generate about \$15,000. So we would still be operating at a \$30,000 per year loss. But I want to make it clear to the people that use the pier and —, because I'll vote for this —, I'm not excited about putting a user fee on anything. I know —, you know, all I'm trying to do is spread the burden of paying for County functions to other people other than property owners. And, sure, property owners, because I'll go to the end of the pier and I own property and take my kids, I'm going to pay there too, but there will be others that's not property owners, property taxpayers that will use it, so this just spreads the burden a little bit. Currently the way we're structured, everywhere basically is the homeowners, especially in County government and most city governments, they bear the burden of providing all these wonderful services we're talking about. These fees just actually spreads that burden out a little bit other than just the people that own their homes. So I'm not anti anything, I'm just —, basically I'm for fair taxation in whatever form that comes in, and currently the structure of County government and most city governments, we don't have a clue to what fair taxation is because it only hits the homeowners and the property owners, and if we want to talk about equal treatment for all people everywhere around, equal that's equal paying, equal receiving, equals equal, and that's what we're trying to accomplish here is spreading the burden of all these projects out to all people, not just homeowners.

Chairman Pro Tem Murray recognized Commissioner Odell.

Commissioner Odell said, so that you're not confused, the Tybee Pier was not built with property taxes. Commissioner Kicklighter said, right, but it's maintained with them. Commissioner Odell said, that was built with SPLOST, and that's a sales tax. So what that means is that tourists pay for about 40% of it and you can —, I think it's a good thing. I think that we have a major political issue and it's not a Republican/Democrat, it is whether or not you will have things that add to the cost of living. I didn't grow up in Savannah. I chose to live here, but Savannah has to be more than just jails and roads and courthouses, and there has to be somebody that provides general services to everyone to make it more attractive, and we envisioned that the pier be one of those things and it would also attract people to that area and hopefully those people would spend money. That is an economic theory of development, and it's not the only one and it's not the only legitimate one, but I understand what these guys are saying. I differ with it and it's not different with

them. It's different with how I see this community and how this community should develop and grow. We compete for everything. We don't need another \$5.50 an hour job to move into the City. We need to attract industry that can pay a livable wage for high school graduates and technical school graduates. When we do that, when we attract industry in, industry makes a decision comparing us with other comparable cities, and one of the things that they look at is the quality of life. That's why when you talk about things like the symphony, if you are living in a culture that is more than just driving to a fast-food and you expect a certain level, then I think it's part of our entire recruitment package to get major industry to look at us other than industries that come in and pollute, that dump tons of pollutants into the air, that we can get clean industry in here that will provide you and your colleagues, if you elect not to go on to college, to go to technical school, but a decent job that you can make a living on. That's the difference in philosophy.

Chairman Hair said, okay, Mr. Rayno, do you want to –, which motion do you want to –. Okay, Commissioner Murray, I'm sorry. Commissioner Murray said, if he wants to go ahead and do that first, that's fine. Chairman Hair asked, do you want to go ahead and make your motion?

Commissioner Rayno said, yes, I'd like to approve number one please. Chairman Hair said, motion to approve, which is to charge the quarter. Commissioner Rayno said, yes, sir. Chairman Hair asked, do we have a second? Commissioner Kicklighter said, second. Chairman Hair said, second. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I intentionally waited before I spoke on this, and I've gone back and forth with it. Several years ago, a number of years ago after the pier was built we discussed on whether to charge a user fee on that pier or not and we went back and forth with it. We decided at that time not to do it. As things have come back up again I have looked at it a lot of different ways. I have supported it in one way of thinking. Another way I don't support it, and I'll give you a little bit of history on it. First of all, any of us that are buying a home, we are making payments on that home until it's paid off to a mortgage company or to someone. If that home needs maintenance done in the process of paying for, while we're still paying it or even after it's paid for, we have to do that maintenance. So we do continue to pay into that home. It's an investment for us. This pier and all these recreational facilities are an investment for the citizens of this community. So I look at it from one standpoint that as an investment we don't just put the initial cost in there, we still have to maintain that investment. So I support from that hand taking and charging some type of user fee to try to help offset some of that maintenance. On the other side, yes, it's built for with tax dollars and if we do that, are we going to eliminate anyone, even though we say 25¢, it's not that much. It's not that much to most of us, it's quite a bit to some. Are we going to eliminate those people from participating on any of our recreational facilities that are paid for by tax dollars? A little bit of history on the pier itself, the reason that pier is at Tybee and was paid for with sales tax dollars, I'll take the full blame for it if somebody doesn't like it being down there. I was the one that requested going on there. I was on a committee with people from Tybee, the Chamber of Commerce, Pat Monahan served on it, and we were trying to find a way to build another facility as the pier that used to be down at Tybee years ago that burned down. Some of us remember that, and the only way to do it, Tybee could not do it. Tybee does not own the beach. It's a State beach. So we came up with a way of saying, well, if the Commission will agree to put it on sales tax, we will allocate X-amount of dollars for that, which we did and that's how the pier was built. I'm glad it is down there, I'm glad it's built, and I want to see us maintain it and keep it up, just as I want to see us maintain and keep up all the facilities. I, right now, am having a problem with the 25¢ part because we are not looking at all of our facilities right now. I don't have a problem by increasing the fees that we charge somebody to go in and have a reception or something at the pavilion itself because there's an awful lot of cleanup and all that has to be done. We get calls –, or I get calls from time to time and I have to call Russ [Abolt] and he'll send crews down to get things cleaned up off the beach and everything else after some of these functions. But right now I would like to see us table this until we've got an overall plan for all of our recreational facilities, and I don't know how you're going to charge on some and not charge on others. I just don't know how we're going to set it up to do that. We can't pick and choose because I don't think it's fair to the taxpayers. I think we're going to have to find some ways to generate some revenue. I don't know how we're going to do that at this point, but I –.

Chairman Hair asked, do you want to make a motion to table? Commissioner Murray said, I'll make a motion to table right now until we get a plan back. Chairman Hair asked, motion to table. Do I have second? Commissioner Rivers said, second. Chairman Hair said, all those in favor of tabling vote yes, opposed no. Chairman Hair and Commissioners Rivers, Murray and Odell voted in favor of the motion to table. Commissioners Rayno, Gellatly and Kicklighter voted in opposition. The motion to table carried by a vote of four to three. [NOTE: Commissioner Thomas was not present; District Three was not represented.] Chairman Hair said, the motion is tabled.

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

1. Commissioner Rayno moved to approve Alternative One of the staff report to implement an admission charge of 25¢ to the Tybee Pier and, effectively immediately, increase the rental fee for the Tybee Pavilion from \$400 to \$500 for rental of one-half of the pavilion and from \$600 to \$750 for rental of the entire pavilion, said amounts being payable at the time of reservations to avoid cancellations, and users will be responsible for the payment of any necessary off-duty officers for security. Commissioner Kicklighter seconded the motion.
2. Commissioner Murray moved to table this issue until staff can bring back an overall plan for user fees for all of the County recreational facilities. Commissioner Rivers seconded the motion. Chairman Hair and Commissioners Rivers, Murray and Odell voted in favor of the motion to table. Commissioners Rayno, Gellatly and Kicklighter

voted in opposition. The motion to table carried by a vote of four to three. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

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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 TRANSFER OF \$5,050 FROM POLICE DEPARTMENT CONFISCATED FUNDS CONTINGENCY FOR PURCHASE OF FORENSICS EQUIPMENT; AN AMENDMENT TO THE MULTIPLE GRANT FUND BUDGET TO RECOGNIZE A \$10,000 GRANT FROM THE COUNCIL OF JUVENILE COURT JUDGES; AND A TRANSFER OF \$1,400,000 FROM THE 1985-1993 SPLOST, TRUMAN PARKWAY PHASE 5 TO TRUMAN PARKWAY PHASE 4.**

Chairman Hair said, I'll entertain a motion to approve. Commissioner Rivers said, so moved. Chairman Hair asked, second? Commissioner Kicklighter said, second. Chairman Hair asked, any discussion? All those in favor vote yes, opposed no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.] Chairman Hair said, the motion passes.

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

Commissioner Rivers moved to approve the following: A transfer of \$5,050 from Police Department Confiscated Funds contingency for purchase of forensics equipment; an amendment to the Multiple Grant Fund budget to recognize a \$10,000 grant from the Council of Juvenile Court Judges; and a transfer of \$1,400,000 from the 1985-1993 SPLOST, Truman Parkway Phase 5 to Truman Parkway Phase 4. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

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2. **REQUEST BOARD APPROVE FUNDING OF \$35,120 FOR THE COASTAL GEORGIA GREENWAY STEERING COMMITTEE (CGGSC), FOR 2002-2003 AND APPOINTMENT OF THE VOTING MEMBER TO THE CGGSC TO REPLACE JIM GOLDEN WHO HAS RETIRED.**

Chairman Hair said, I'll entertain a motion. Commissioner Rivers said, so moved. Commissioner Kicklighter asked, second? Commissioner Murray said, second. Chairman Hair asked, any discussion? All those in favor vote yes, opposed no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.] Chairman Hair said, the motion passes.

Commissioner Rivers asked, who's going to replace Jim Golden? Chairman Hair said, I think --, the staff report says that whoever is in that position. It's a position, you create the position and the position would automatically serve. Commissioner Murray said, somebody's already on so he's headed out the doorway. Chairman Hair said, yes, that's what the staff --, the staff report says --. Commissioner Kicklighter said, he came back on that. Commissioner Murray said, he was getting out before you asked those questions.

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

Commissioner Rivers moved to approve funding of \$35,120 for the Coastal Georgia Greenway Steering Committee (CGGSC), for 2002-2003 and appointment of the voting member to the CGGSC to replace Jim Golden who has retired. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

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3. **REQUEST BOARD APPROVAL OF LOCAL GOVERNMENT PROJECT AGREEMENT WITH GDOT FOR 80% CONSTRUCTION FUNDING OF THE EXTENSION OF THE RIVERWALK ON HUTCHINSON ISLAND.**

Chairman Hair said, I'll entertain a motion to approve. Commissioner Odell said, so moved. Chairman Hair asked, second? Commissioner Kicklighter said, I've got a -. Chairman Hair asked, second? Commissioner Odell asked, anybody want to second? Commissioner Rivers said, I'll second it. Chairman Hair said, second. Okay, Commissioner Kicklighter.

Commissioner Kicklighter said, question. Is this something that we agreed years ago with the Department of Transportation -? County Manager Abolt said, not years ago. Well, several months ago, the Chairman was involved, Mr. Triplett. It has the opportunity -, the option to extend the riverwalk. There's some great benefit to it from the standpoint of a continuing investment on Hutchinson Island. It's also a very interesting and creative way of dealing with the State and creating a partnership that we want to have to continue to improve Hutchinson Island. Commissioner Kicklighter asked, and what's the actual cost going to be to us? County Manager Abolt said, \$8 million total. Our cost is just shy of \$2 million, \$1.9 million.

Chairman Hair said, this is a great project for Chatham County. It's also, it's mostly Federal Highway Money, FHA money. The previous District Director of FHA in Atlanta, we had numerous meetings on this -, this project, and it's going to really enhance Hutchinson Island. Any other discussion? All those -. Do we have a second? We had a second, right? Okay, all those in favor vote yes, opposed no. Chairman Hair and Commissioners Rivers, Murray, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioner Thomas was not present; District Three was not represented.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve Local Government Project Agreement with GDOT for 80% construction funding of the extension of the riverwalk around Slip 1 on Hutchinson Island. Commissioner Rivers seconded the motion. Chairman Hair and Commissioners Rivers, Murray, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

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**4. STATUS OF IMPROVE VEHICLE SAFETY PROCEDURES.**

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, it is just status, sir. We're not ready to come forward, but I will compliment in advance Mr. Hart, Mr. Kaigler and all the departments who were responding to a variety of issues not the smallest of which is certainly your continuing emphasis and appropriately put on vehicle safety and correct operation by our County employees of our equipment. We'll come back with a very specific and expansive new requirements for training, for discipline and for other preventive measures. As we all know, this is very timely particularly with the discussion in the Legislature about passing out liability to our taxpayers. I'm very proud of what staff is doing. Unfortunately we do not have in the stage we can ask to adopt, but we'll come back with you shortly on that.

**ACTION OF THE BOARD:**

Received as information.

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**X. ACTION CALENDAR**

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

Chairman Hair asked, does anybody want to remove anything from the Action Calendar? Chairman Hair recognized Commissioner Rayno. Commissioner Rayno said, just #1 please. Chairman Hair said, okay, anything else? Chairman Hair said, I'll entertain a motion to approve the balance of the Action Calendar. Commissioner Kicklighter said, so moved. Chairman Hair asked, second? Commissioner Murray said, second. Chairman Hair said, all those in favor vote yes, opposed no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved that the Action Calendar be approved in its entirety with the exception of Item1. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas 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 MARCH 8, 2002, AS MAILED.**

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, anywhere on page one or two where it said Chairman Hair opened the meeting, just replace that with Dr. Thomas.

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

**ACTION OF THE BOARD:**

Commissioner Murray moved to amend the minutes of the regular meeting on March 8, 2002, by striking "Chairman Billy Hair called the meeting to order," and inserting in lieu thereof "Vice Chairman Priscilla Thomas called the meeting to order," and to approve the minutes as amended. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

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**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD FEBRUARY 28 THROUGH MARCH 13, 2002.**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved that the Finance Director is authorized to pay claims for the period February 28, 2002, through March 13, 2002, in the amount of \$6,159,914. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

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**3. REQUEST FROM THE ENGINEER FOR THE DEVELOPER, EAGLE DEVELOPMENT GROUP, TO APPROVE THE CONSTRUCTION OF THE REQUIRED IMPROVEMENTS, REDUCE THE SUBDIVISION BOND BY 50% AND INITIATE THE TWELVE MONTH WARRANTY PERIOD FOR BERWICK LAKES, PHASE 2. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the request from the engineer for the developer, Eagle Development Group, approve the construction of the required improvements, reduce the subdivision bond by 50% and initiate a 12-month warranty period for Berwick Lakes, Phase 2. Commissioner Murray the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

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**4. REQUEST BOARD APPROVE AN AGREEMENT WITH THE SAVANNAH ECONOMIC DEVELOPMENT AUTHORITY (SEDA) TO FORMALIZE AN ACTION BY THE BOARD ON SEPTEMBER 7, 2001, FOR A COUNTY CONTRACT TO CONSTRUCT THE ROADS FOR**

**THE TECHNOLOGY AND ENGINEERING CAMPUS FOR THE GEORGIA INSTITUTE OF TECHNOLOGY.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve an agreement with the Savannah Economic Development Authority (SEDA) to formalize an action by the Board on September 7, 2001, for a County contract to construct the roads for the Technology and Engineering Campus for the Georgia Institute of Technology. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

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- 5. REQUEST BOARD APPROVE AN AGREEMENT WITH THE CITY OF SAVANNAH TO REIMBURSE THE COUNTY FOR WATER AND SEWER CONSTRUCTION TO BE INCLUDED IN THE ROAD PROJECT FOR THE TECHNOLOGY AND ENGINEERING CAMPUS FOR THE GEORGIA INSTITUTE OF TECHNOLOGY.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve an agreement with the City of Savannah to reimburse the County for water and sewer construction to be included in the road project for the Technology and Engineering Campus for the Georgia Institute of Technology. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

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- 6. REQUEST BOARD APPROVE EARLY ACQUISITION OF PROPERTY OWNED BY ELIJAH AND ODESSA RICHARDS, 1240 WEST VICTORY DRIVE FOR THE WIDENING OF U.S. 80 (OGEECHEE ROAD) FROM I-516 (LYNES PARKWAY) TO VICTORY DRIVE.  
[DISTRICT 8.]**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve early acquisition of property owned by Elijah and Odessa Richards, 1240 West Victory Drive for the widening of U.S. 80 (Ogeechee Road) from I-516 (Lynes Parkway) to Victory Drive. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

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- 7. REQUEST BOARD APPROVE THE GEORGIA EMERGENCY MANAGEMENT AGENCY STATEWIDE MUTUAL AID AND ASSISTANCE AGREEMENT AND RECOMMEND PARTICIPATION BY ALL MUNICIPALITIES.**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the Georgia Emergency Management Agency (GEMA) Statewide Mutual Aid and Assistance Agreement and recommend participation by all municipalities. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

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**8. REQUEST BOARD APPROVAL OF BEER AND WINE POURING AND SUNDAY SALES LICENSE FOR 2002. PETITIONER: RASHMIKANT PATEL, D/B/A GIOVANNI'S ITALIAN RESTAURANT, LOCATED AT 1 FORT ARGYLE ROAD. [DISTRICT 6.]**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the petition of Rashmikant Patel, d/b/a Giovanni's Italian Restaurant, located at 1 Fort Argyle Road, for a beer and wine pouring and Sunday sales license for 2002. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Annual software maintenance agreement	Assessor	ESDI, Inc. (sole source)	\$14,014.39	General Fund/M&O - Assessor
B. Confirmation emergency purchase order for labor and parts to repair Causton Bluff/Islands Expressway Bridge	Bridges	D. P. Joyner Electric Company	\$18,815	Reserve for Deductibles - Public Works
C. Annual contract with automatic renewal options for three years for professional mental health consultant services	Detention Center	Dr. Nic D'Alesandro	\$39 per hour	General Fund/M&O - Detention Center
D. One-year lease renewal, with 60-day termination clause amended to the contract, for office space for Internal Affairs	Police	Mahia K. Wilson	\$13,200	SSD - Police
E. Annual contracts with automatic renewal options for two additional one year terms for specialized water and wastewater system repairs	Water and Sewer	•Water/Waste Water Contractors (Primary) •Lakeside Water Company (Secondary)	Varies by service	Water and Sewer Enterprise Fund
F. Change Order No. 1 to the annual contract for trash collection and dumpster services, to increase scope of service to include a two-yard trash dumpster for the Islands Branch Library	Facilities Maintenance and Operations	Republic Waste Services	\$300	General Fund/M&O - Library

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve Items 9-A through 9-F. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; 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.

None.

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**XII. SECOND READINGS**

1. **PETITIONER, HAROLD B. YELLIN, AGENT (FOR PARKER #27, LLC, OWNER) IS REQUESTING REZONING THE NORTHWEST CORNER OF PRESIDENT STREET AND WAHLSTROM ROAD FROM I-H (HEAVY-INDUSTRIAL) AND I-L (LIGHT-INDUSTRIAL) CLASSIFICATIONSTO AP-B-C (PLANNED COMMUNITY-BUSINESS) CLASSIFICATION FOR THE PURPOSE OF ESTABLISHING A CONVENIENCE STORE AND RELATED COMMERCIAL USES. THE MPC RECOMMENDED APPROVAL OF A P-B-C CLASSIFICATION AND APPROVAL OF A FUTURE LAND USE MAP AMENDMENT FROM INDUSTRIAL TO RETAIL/OFFICE/COMMERCIAL. MPC FILE NO. Z-020117-38974-1 [DISTRICT 2.]**

Chairman Hair said, I'll entertain a motion to approve. Commissioner Kicklighter said, I so move. Chairman Hair asked, second? Commissioner Rivers said, second. Chairman Hair asked, any discussion? All those in favor vote yes, opposed no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.] Chairman Hair said, thank you very much.

**ACTION OF THE BOARD:**

Commissioner Gellatly moved to approve the petition of Harold B. Yellin, Agent (for Parker #27, LLC, Owner), requesting rezoning the northwest corner of President Street and Wahlstrom Road from I-H (Heavy-Industrial and I-L (Light-Industrial) classifications to a P-B-C (Planned Community-Business) classification and approval of a future land use map amendment from Industrial to Retail/Office/Commercial. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

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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 received as information.

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**EXECUTIVE SESSION**

Upon motion being made by Commissioner Rivers, seconded by Commissioner Kicklighter and unanimously approved, the Board recessed at 11:00 a.m., to go into Executive Session for the purpose of discussing personnel and legal advise. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 11:26 a.m.

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**ITEMS FROM EXECUTIVE SESSION**

- 1. 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 Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was not represented.]

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**APPOINTMENTS**

None

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**ADJOURNMENT**

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 11:27 a.m.

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APPROVED: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2002

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DR. BILLY B. HAIR, CHAIRMAN, BOARD OF

COMMISSIONERS OF CHATHAM COUNTY, GEORGIA

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SYBIL E. TILLMAN, COUNTY CLERK