

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, APRIL 12, 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, April 12, 2002.

=====

II. INVOCATION

Commissioner Jeff Rayno gave the invocation.

=====

III. PLEDGE OF ALLEGIANCE

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

=====

IV. ROLL CALL

The Clerk called the roll.

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

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

IN ATTENDANCE: R. E. Abolt, County Manager
Emily E. Garrard, Assistant County Attorney
Sybil E. Tillman, County Clerk

=====

V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. OATH OF OFFICE FOR 3RD DISTRICT COMMISSIONER.

Chairman Hair said, the first thing on our agenda this morning is quite exciting for us that we have the swearing in of our new Commissioner from the Third District, who was –, you have elected on Tuesday, and I believe Judge Abbot is going to swear Mr. McMasters in.

The Honorable Louisa Abbot, Judge of the Superior Court, Georgia, administered the Oath of Office and Loyal Oath to John J. McMasters as the Commissioner for the Third District of Chatham County.

Judge Abbot said, Mr. Chairman, I am executing the oaths which have been duly administered so I believe that it would be appropriate for Mr. McMasters to take his seat, and I thank you. Thank you very much.

=====

COMPLETION OF ROLL CALL

The Clerk completed the roll call.

Present: John J. McMasters, District Three

=====

PROCLAMATIONS AND SPECIAL PRESENTATIONS (Continued)

2. PROCLAMATION RECOGNIZING THE RETIREMENT OF WILLIAM DUNCAN FROM THE PUBLIC WORKS DEPARTMENT - HE WILL BE PRESENT.

Chairman Hair read the following proclamation into the record:

WHEREAS, William Duncan, Jr., an outstanding employee of Chatham County Public Works, began his employment in the Road and Drainage Department in August, 1965 and has been employed for thirty-six plus years; and

WHEREAS, William was the first black Equipment Operator hired at Public Works. He was respected by management and his co-workers and has received numerous promotions and letters of commendation throughout his tenure; and

WHEREAS, William is retiring as a supervisor, given the opportunity to manage the field operations of the cleaning, mowing and herbicide program in the Drainage Maintenance section of Public Works; and

WHEREAS, William worked in the early construction of Lake Mayer as a Dozer Operator and as End Loader Operator in 1969 and as an operator constructing roads such as McWhorter Drive and Diamond Causeway. He was one of the first to take a barge to Skidaway Island to move heavy equipment there before the Skidaway Narrows Draw Bridge was constructed; and

WHEREAS, William's performance evaluations and attendance has always been outstanding and he has received several acknowledgments from citizens for a job well done and he is respected and liked by his peers, the office staff and co-workers.

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

WILLIAM DUNCAN, JR.

historically known as "Mr. Duncan," where he will be missed in the Public Works Department especially the "Drainage Section" and extend best wishes for many years of good health and happiness in his retirement.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 12st day of April 2002.

Dr. Billy B. Hair, Chairman
Chatham County Commission

ATTEST:

Frances Q. Rasmussen, Deputy Clerk

Mr. Robert Drewry said, before I give the podium and the mike to Mr. Duncan I'd like to say a few words about Mr. Duncan. A couple of weeks ago we had a reception in his honor at Public Works and I heard something I really hadn't heard out at Public Works before, particularly from some of the younger operators and younger staff. They referred to Mr. Duncan as Mr. Public Works. Now that says a lot for him. What tells me is that he's a teacher, he's been a mentor, and I'll tell you from a personal perspective that he's a man of very high integrity, and he's going to be greatly missed at Public Works, and I can tell you he's going to be leaving a big hole it will probably take several years for us to fill. Congratulations on your retirement, Mr. Duncan. We have a plaque in honor of Mr. Duncan from Public Works in recognition of 36-plus years of service.

County Manager Abolt said, gentlemen, what Mr. Drewry's attested to is also underlined by what you all will recall a few years ago when the County Commission asked the County staff to take over drainage countywide, a very imposing task, a task that we assumed with the full support of the County Commission and over time we have truly become experts on drainage throughout this County, both in each of our cities, but also in the unincorporated area. Gentlemen like Mr. Duncan and others have made that possible. We are going to miss him. I do want to --, before Mr. Duncan speaks I do want to present to him something that is symbolic of service to the County, though certainly not significant enough to recognize his individual contribution, but we do have this lamp that's engraved.

Mr. Duncan said, I thank you all for taking time out for having me down here today and I thank God for giving me the strength, the energy and the guidance, you know, to serve over 36 some years plus, and what bothers me the most when I started in 1965, Mr. Kilpatrick and Mr. Walter Bodiford [phonetic] called me in the office and they had all these operators in there and they was telling me that I was going to be joining their team as a heavy equipment operator. Most of them are gone now, but I want to speak of them and they got up and shook my hand, you know, and welcomed me, and I think it made me [sic] possible for me to be here today, you know what I mean, through these 36 years. Thank y'all for taking time out for having me. Thank you.

=====

3. PROCLAMATION FOR THE SCOTTISH HERITAGE WEEK - ANDREA RICHARDSON AND BOB LYTLE WILL BE PRESENT.

Chairman Hair read the following proclamation into the record:

WHEREAS, one of the prime reasons for the establishment of the Georgia Colony was that it would serve as a buffer between Spanish Florida and the Carolinas; and

WHEREAS, James Oglethorpe, looking for a sturdy and resolute force to man the Florida frontier, sent his agents to the Scottish Highlands where such people were to be found; and

WHEREAS, the result of his recruitment was the settlement in January 1736 of 177 men, women and children from the Inverness region, on the Altamaha River where they called their town New Inverness (now Darien); and

WHEREAS, this original group was joined by ship loads of their countrymen and formed themselves into the Highland Company of Foote and the Highland Rangers to establish patrols and outposts against incursions from Florida; and

WHEREAS, these Scottish Highlanders became General Oglethorpe's most trusted followers and were with him on every important occasion - The Treaty of Coweta, Ft. Moosta, and the Battle of Bloody Marsh in July 1742 on St. Simons Island where, with elements of Oglethorpe's 42nd Regiment, they decimated the Spanish advance guard by pushing their main force back and eliminating Spanish claim to the South Atlantic coast, forever.

NOW, THEREFORE, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby recognize the heroic deeds of the people of New Inverness who along with the thousands of Scots who came to this area and helped in settling our great state, am proud to declare the week of May 6 thru 12, 2002 as:

"SCOTTISH HERITAGE WEEK"

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 12th day of April 2002.

Dr. Billy B. Hair, Chairman
Chatham County Commission

ATTEST:

Frances Q. Rasmussen, Deputy Clerk

Ms. Andrea Richardson said, I have a little bottle of spirits for you and on behalf of the [inaudible] we thank you for this lovely honor. Chairman Hair said, thank you. Ms. Richardson said, and we have tickets for each of you for the Scottish Games. Chairman Hair said, great. Thanks a lot. Appreciate that. We will be glad to share this with my colleagues at the appropriate time.

=====

4. PROCLAMATION FOR EARTH DAY 2002 - COURTNEY REICH FROM MPC WILL BE PRESENT.

Chairman Hair read the following proclamation into the record:

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

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

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

WHEREAS, children are open-minded and can learn at an early age the importance of sustainable living habits; and

WHEREAS, Earth Day 2002 in Chatham County will foster environmental awareness and provide a wholesome family atmosphere in which to learn about natural resources; and

WHEREAS, the theme of Earth Day 2002, "Together We Make a Difference," is a celebration of past environmental achievements and future goals of our local and global communities.

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

EARTH DAY 2002

in Chatham County to be held April 20, 2002.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 12th day of April 2002.

Dr. Billy B. Hair, Chairman
Chatham County Commission

ATTEST:

Frances Q. Rasmussen, Deputy Clerk

Ms. Courtney Reich said, I want to thank the Commission for their giving this proclamation and to thank Chatham County for their support of the events, and I wanted to remind the Commission and everybody here that Earth Day is going to take place this year in Forsyth Park on Saturday, April 20, from 12:00 to 4:00. There will be plenty of environmental exhibitors and activities. There will be entertainment, the Jacksonville Frisbee Dogs. It will be a great day and we hope that you can all come out and make it. Chairman Hair said, thank you. Ms. Reich said, thank you.

=====

YOUTH COMMISSIONERS

Chairman Hair welcomed the following Youth Commissioners who were in attendance: Rebecca Warnock, a Junior at Providence Christian School; Akira Watanabe, a Sophomore and Japanese Exchange Student, University of Georgia Cooperative Extension Service, 4-H Program, Johnson High School; and Christina Watts, a Senior at Beach High School.

=====

VI. CHAIRMAN'S ITEMS

Chairman Hair said, I'd like to add one item. We need to excuse Dr. Thomas who is going into surgery on Monday and she'll probably be out for some weeks. We don't know, so I'm going to ask for a motion to excuse her until she returns from surgery. Commissioner Murray said, I move approval. Commissioner Odell said, second. Chairman Hair said, motion and second. All those in favor vote yes, opposed no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes. Thank you.

ACTION OF THE BOARD:

Commissioner Murray moved that Commissioner Thomas be excused from attendance as a result of surgery. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

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

Chairman Hair said, just a reminder the budget presentation will begin immediately following the Executive Session.

=====

2. ADDED COURTROOM SECURITY FOR RECORDER'S COURT.

Chairman Hair asked, has Judge Dillon arrived yet? Yes, he has. Judge, if you would come forward, I'll go ahead and introduce this item. For some time we have been dealing with this issue. The Judge has made a request for additional security. We've been working with staff and the County Manager's office and we've been assured that the funds for this is in the Judge's budget and would not increase any of the other items, and that also that this item, the budget item is recurring each year, and I've had assurances –, I have a letter from the Judge assuring that, and I don't think there is any question the Judge needs this security. He's the only courtroom over there that doesn't have it. So I'll let the Judge explain it. Chairman Hair recognized Judge Dillon.

Commissioner Odell said, I'll move for approval. Commissioner Kicklighter 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.] Chairman Hair said, the motion passes. Commissioner Odell said, I love to listen to you, Judge, but I –. Judge Dillon asked, beg your pardon? Commissioner Odell said, I love to listen to you –. Chairman Hair said, thank you, Judge. Judge said, well, thank you. Commissioner Odell said, you're quite welcome. Commissioner Kicklighter said, you're welcome to talk if you want to. Judge Dillon asked, how long? Chairman Hair said, just briefly. Judge Dillon said, thank you.

Chairman Hair said, thank you, Judge. We know you need this. We appreciate you working with our staff in doing it.

ACTION OF THE BOARD:

Commissioner Odell moved that courtroom security for Recorder's Court be approved. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

3. TYBEE ISLAND PIER CHARGES (MAYOR WALTER PARKER).

Chairman Hair recognized Mayor Walter Parker.

Mayor Parker said, thank you. Good morning, gentlemen. Thank you for taking the time to –. I understand that there is a consideration to charge the City of Tybee a fee for using the pier and pavilion. If that's not true, I'll say thank you and go home, but if it is true, then I'd like to talk to you about it.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, if I could maybe save you some time. Mayor Parker said, sure. Commissioner Kicklighter said, I believe that we made a little error last time. That is true what you heard, but we can correct our past mistakes today. All government agencies should be able to utilize our facilities, recreational facilities free of charge for meetings and so on. It's bad –, bad relations between government agencies to actually charge them. We have Tybee out there. That's not right. We have like the DOT has a meeting coming up. They give Chatham County, what, a couple of hundred million dollars a year –. Chairman Hair said, correct. Commissioner Kicklighter said, and we're going to charge them a few hundred bucks to, you know, rent our facility so this is pretty much bad public relations between the government agencies, so at this time I'll make a motion for all government agencies, local, state and federal, to be able to utilize the County recreation facilities for meetings free of charge. Chairman Hair asked, second? Commissioner Rivers said, second. Chairman Hair asked, discussion?

Chairman Hair said, I'm in total support of this motion. I think it's correct. Commissioner Murray and then I'll recognize Ms. Heimes briefly.

Commissioner Murray said, yes, I understand what we're doing and I have mixed feelings on it. You know, and the reason I do, Walter [Parker], is what does Tybee contribute to the pier? Mayor Parker asked, to the pier? Commissioner Murray said, yes. Mayor Parker said, well, let's see. We've spent several hundred dollars in putting electricity around. We clean the area around the pier and pavilion and we also offer security. Our police department is there if there's a need, and also, Frank [Murray], we have tens of thousands of Chatham County people that use that facility and the City of Tybee Island as a recreational area. It's the largest and most popular recreation area that Chatham County has. Commissioner Murray said, well, I understand that and I'm not saying I'm voting against the motion yet. I'm just asking some questions -. Mayor Parker said, sure. Commissioner Murray said, before I get to that point. Mayor Parker said, all right. Commissioner Murray said, you said that y'all clean up. I get phone calls when there's a reception or something at the pier with all the trash and everything else around and I end up having to call the County Manager and I thought that we were sending the people down to clean it up. Is that right or wrong? Mayor Parker said, on the -, on the facility itself, yes. I'm talking about around it. Commissioner Murray said, and I'm not -. I'm talking about around it, too. Mayor Parker said, okay. Commissioner Murray said, and the stuff that's been thrown off on the beaches, which shouldn't be done. Mayor Parker said, well, we clean the beaches, Frank [Murray]. I understand the motion, but I feel like that if we're going to do this that we need to cancel out everything that we approved a month or so ago and we come up with a fair and equitable plan for everyone. We've got community centers that were built around this community that the people -, the citizens were told when they were built in those communities that they would not be charged for non-profit groups meeting there. They are being charged now also with this. I don't think we thought it through when we first implemented it. I think we were concerned about putting a flat rate across the board for everybody regardless of who they were, but I think right now not just exempting the government agencies, I think we need to put the whole plan that we approved at that meeting on hold until we can come back with a fair and equitable way to come up with charges and who pays and who doesn't pay and that type thing for all of our facilities because right now what we're doing is going to say all government agencies and then we're going to have somebody else that's going to come back up. I've already gotten letters from the Boy Scouts association and a lot of other groups wanting to use the pavilion at Lake Mayer without reserving it. If no one else is using it, they're still being charged. The same thing with community centers. So I think we have got to look at the whole picture and not just government agencies. You know, I happen to feel that just because we're government does not mean we're exempt from paying the things, but I would like to see an overall plan done and until we get that done I think we just need to do away with -, well, whatever we have to do to straighten out what we caused the last time.

Chairman Hair said, Ms. Heimes, Commissioner Odell and Commissioner Kicklighter. Chairman Hair recognized Ms. Heimes.

Ms. Heimes said, my name is Marianne Heimes. I'd like to speak out for the citizens too who want to use the pier and these centers. Our group actually worked along with Commissioner Murray and the School Board representative to try to get our community center built out on the Island. Many groups use that. There's a charge of \$150 if somebody wants to, say, has a birthday party, a wedding reception or a social event, but we have always been able to meet there for free and then suddenly somebody called and found out they were going to charge us \$150. Now that's a little bit different from free, and I think we need to think this over because there was a lot of citizen input when that community center was built. A lot of work from the citizens went towards it and we've appreciated it very much. Now the taxpayer money paid for it. I don't think it was SPLOST, but I'm not sure, and we're still paying a large amount to have it run, which it's running quite well, but to turn around and charge nonprofit groups \$150 to go over once a month for two hours, I think that's ridiculous, and I think it would be good [inaudible].

Chairman Hair said, thank you, Ms. Heimes. I think Commissioner Murray's point is well taken, but I don't think we should -, I think we still should definitely pass this motion today and then deal with that other issue later. Commissioner Odell and then Commissioner Kicklighter.

Commissioner Odell said, I make a distinction between governmental and nonprofit. I think today the governmental needs to be corrected. We made a mistake, let's correct it. As far as nonprofits, I have no idea how many nonprofits there are in this County. Having practiced law for 22 years, I can set up a nonprofit in, oh, about 20 minutes, and it's a nonprofit. I make a distinction between a governmental agency and a nonprofit, and I'd like to review that, Frank [Murray], at a later date, the nonprofits. I have the same problem you do. I had a group at Tatumville, the association worked, and now they have to pay to use it, and I don't think that's necessarily fair, but if we open it up to one nonprofit, we have to open it up to all. I'm not certain we are in a position now to make that decision.

Chairman Hair said, Commissioner Kicklighter and then Mr. Abolt.

Commissioner Kicklighter said, my question's been answered. Chairman Hair said, okay, Mr. Abolt, quickly.

County Manager Abolt said, gentlemen, you've had several iterations of a policy that really accommodates the testimonies received today. I believe the reason why you had the testimony today is that at a previous meeting a few weeks back there was a very direct motion that all facilities will be, in effect, rented out regardless. I would suggest that unless you feel differently, that we go back to the previous policy, which did involve an awful lot of previous reviews by y'all. I'd be glad to send this back to you, but there was consideration of the very things that Mayor Parker talks about. There also was issues involving nonprofit. You do have a situation in nonprofit we were able to manage and manage reasonably well. Nonprofit, like Commissioner Odell says, can be many things, and when it's fund raising, when it's a variety of other things, you know, that could be interpreted as a misuse of a public facility. So unless you feel

strongly about it, I would suggest that you accede to the request before you today, we'll bring back to you the policy you already had in place and we'll go from there.

Chairman Hair said, I think we need to go ahead and pass this motion and then do that. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, what equity does Chatham County get from other governments? Do we go to Bloomingdale all the time and ask them to use their facilities, do we go to Tybee and ask them to use their facilities all the time, or all these other facilities? The reason that we did what we did was because, say, someone uses the portable band shell and they destroy it, we end up having to repair it out of our budget, and everybody has the joy of picking on Chatham County about we misuse our funds and how we can't seem to balance the budget, but they don't mind sucking from the well when it comes their time to come to it, and that's why that motion was passed. User fees. If you don't do that, you go back to the M&O budget to pay for all these things and you penalize every single person in Chatham County to make these facilities solvent, and that's not fair either for people that don't use them. So, I'm still going to stick with what we did to be consistent because I like to be consistent as a Commissioner and a government official.

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

Commissioner Kicklighter said, I understand Commissioner Rayno down there, but I believe on this specific occasion, we're the one sucking from the well and we're talking a couple hundred million from the DOT and we want \$400 to rent the facility. So this --, the priority's a little backwards there. We need them a lot more than they need us, and this would be the thing to do.

Chairman Hair said, all those in favor vote yes, opposed no. Chairman Hair and Commissioners Rivers, McMasters, Murray, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes. Thank you, Mayor, we appreciate you being here very much. Thank you.

Commissioner Rivers said, Mr. Chairman, I didn't want to delay the vote, but I do want to say something. Chairman Hair said, yes, sir. Commissioner Rivers said, I have a meeting on the second Wednesday of each month at St. Pius, and it's a community meeting. We put a lot of money in that facility. If they start charging, then I think that's unfair. So when you've got community groups that use facilities that were built for that purpose, then we need to look at that very closely so we need to adjust our policy.

Chairman Hair said, I totally agree with you, Commissioner Rivers. I think that what the Manager was saying, and I think I agree with you.

Commissioner Murray said, right now you will be charge \$150 to use it.

Mayor Parker asked, Mr. Chairman, may I just make one point? Chairman Hair said, certainly, sir. Mayor Parker said, you know, there was talk too about maybe some of these facilities might be turned over to various organizations and the pier and pavilion, of course, came up as one of the discussions about Tybee. I think now would be a good time. The Chairman and I have had some very informal conversations about Tybee controlling the pier and pavilion. I think now would be a good time to get down to serious discussions. I think the atmosphere is fine at Tybee for that, and we'd be glad to do that if it's your will. Chairman Hair said, thank you, Mr. Mayor.

Commissioner Rivers said, Mr. Chairman, I would entertain an idea like that but, Mr. Parker, you would have to give people access by public transportation to those facilities, and unless we get that tied in I will not yield to give the pier to Tybee. Mayor Parker said, I understand your position very well, and that is something that we can certainly discuss.

Chairman Hair said, thank you very much. We appreciate it, Mayor. Commissioner Murray said, you might go back and survey your council because some of them said they don't want any part of it. Mayor Parker said, I shall. Chairman Hair said, we're not discussing that today.

ACTION OF THE BOARD:

Commissioner Kicklighter moved that all governmental agencies, local, state and federal, be allowed to use Chatham County recreational facilities free of charge. Commissioner Rivers seconded the motion. Chairman Hair and Commissioners Rivers, McMasters, Murray, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Thomas was not present.]

=====

VII. COMMISSIONERS' ITEMS

Chatham County Commission

Attest: _____
 Sybil Tillman, Clerk
 Chatham County Commission

=====

2. DISCUSSION FOR SCHEDULING A JOINT MEETING OF COMMISSIONERS AND GRANTS-IN-AID CITIZENS COMMITTEES.

Chairman Hair said, I believe, Commissioner Rayno, this was your suggestion. I think all we need to do is just try to set a date and time. That's all --, I think that's the only reason this is on here today, I believe. Is that correct, Mr. Abolt? I think it's just to set a date. Commissioner Rayno said, yes. Chairman Hair asked, does anybody have a date suggested?

County Manager Abolt said, I was just told to put out your request. May I suggest --. Chairman Hair said, well, Commissioner Rayno had requested it. That's why --. County Manager Abolt said, initially we were following up on --. Whatever, sir. May I suggest that you have something later on on this same page where we're asking you to consider the possibility of a workshop for this body a week from Monday. You might want to look at, if that date is convenient to you all --. Chairman Hair said, would that, Commissioner Rayno --? Commissioner Rayno asked, in the afternoon, would that be okay? County Manager Abolt said, yes. Again --. Chairman Hair said, I would suggest the later the better for me. I mean, most of us work. County Manager Abolt said, why don't you then, if it's permissible to you, Mr. Chairman and members of the Board, if you'd look at your item number --, well, the item you're on right now and also look at item number five and, in effect, then set a time convenient to your schedule a week from Monday, the 22nd, to deal with both further discussion on the metropolitan police department and then have the Grants-in-Aid --.

Chairman Hair said, I would suggest three o'clock on the 22nd. Is anybody opposed to do, and we can do both at the same time and have maybe the first hour be one and the second hour be the other. Any objection to that? Any Commissioners object to that? Okay. That's what we'll do then, the 22nd at three o'clock.

ACTION OF THE BOARD:

It was agreed that a joint meeting of the Commissioners and Grants-in-Aid Citizens Committees would be held on Monday, April 22, 2002, immediately following the workshop on metropolitan police departments scheduled to begin at 3:00 p.m.

=====

3. DISCUSSION ON WHICH ADVISORY BOARDS TO KEEP.

Chairman Hair said, I had a discussion with the Assistant County Attorney about this, and she certainly can speak for herself, but basically she --, they have reviewed, the County Attorneys have reviewed this list and basically have determined that the majority of these are required by law, and I think she's --, Emily [Garrard], are you prepared to comment on that this morning or not? Assistant County Attorney Garrard said, I have not personally prepared a list, however, it appears that most of them are required by State law or there are good policy reasons under the general functions for which you would want to keep these boards. Chairman Hair asked, and you're going to provide us the list? Can you provide us that list? Assistant County Attorney Garrard said, the list is in your package. Chairman Hair said, okay, that's right, it's in the packet. Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, I don't know if the attorney --, not speaking contrary to what Ms. Garrard just said, but we have prepared a memo to you that really was a composition of work that was part Ms. Tillman and also Mr. Hart. We wanted to go through it today because I believe all these questions are answered, and the reason for some urgency in your decision, we want to create this pool, if you will, for appointments to begin academies that would allow men and women to come forward, you know, and become eligible and interested, so we need you define the [inaudible].

Chairman Hair asked, what's the wishes of the Board? Whatever the Board wants to do on this. Anybody got any suggestions about how you want to handle this? Commissioner Rayno, do you want to --?

Commissioner Rayno said, well, it seems to me that we really need to have Mr. Hart here to get his recommendations. Chairman Hair said, well, he is out today due to his daughter's hospitalization, and so if you want to hold it to the next meeting, would that be okay? Anybody object to putting that on the next meeting? Any objection to that? Okay, we'll put that on the next agenda. Okay, thank you.

ACTION OF THE BOARD:

This item was postponed to the next meeting of the County Commissioners on April 26, 2002, to allow County Attorney Hart to be present.

=====

4. SECOND HARVEST FOOD BANK (COMMISSIONER THOMAS).

Chairman Hair said, Dr. Thomas, of course, is not here, but I think somebody is prepared to speak to that. We'll go ahead and address that item.

Ms. Phoenicia Puckett said, good morning and thank you, Commissioners. I'm Phoenicia Puckett. I'm the Director of Development for America's Second Harvest of Coastal Georgia, formerly known as Second Harvest Food Bank, and as the conversation for the 2003 SPLOST referendum begins, we would just like to put in a request for a half a million dollars for an expansion and a new food bank. Currently, we're at 5 Carolyn Street. From that facility we save the nonprofit community of this area approximately seven million dollars a year in food distributions. We have a Brown Bag Program, we run Kids Cafés, we now have the Bread and Butter Café and the Job Training Program, and we're interested in moving the facility from where we are now distributing five million pounds of food to the H&H Distribution facility on President Street, and we're currently in negotiations with them. The new U. S. Census shows that of the 232,048 people living in Chatham County, 69,150 of those live below poverty, and instead of looking to you for services, we'd like to have them look for us –, to us, rather. So do you have any questions concerning that?

Chairman Hair said, we'll certainly –, at this point we certainly can add it to the wish list. We're not in a position, once we get all the projects looked at, you know, certainly you'll have an opportunity to come back at that time and make your case. Ms. Puckett said, okay. Chairman Hair said, but certainly we'll be glad to add it to the wish list at this point. Ms. Puckett said, okay, thank you so much. I believe Dr. Thomas has submitted a letter to that effect. Chairman Hair said, yes, that's absolutely correct. Ms. Puckett said, thank you. Chairman Hair said, thank you.

ACTION OF THE BOARD:

The Director of Development for America's Second Harvest of Coastal Georgia, formerly known as Second Harvest Food Bank, put in a request for a half a million dollars for an expansion and a new food bank. Chairman Hair said, that at this time it will be added to the wish list and at the appropriate time they would be allowed to come back and plead their case.

=====

5. WORKSHOP ON METROPOLITAN POLICE DEPARTMENT SUGGESTED FOR MONDAY, THE 22ND OF APRIL (BOARD).

[NOTE: See discussion regarding date and time under Item VII-2 above.]

Commissioner Murray asked, can I make a suggestion –? Chairman Hair said, certainly. Commissioner Murray said, on this item number five, workshop for the consolidation of police departments. I would like to request that some of the patrol officers with Chatham County be allowed to come so we can ask questions and get their feelings on what they're being told and what's taking place with this versus what we're being told, and then they'll be allowed to speak freely without anybody coming back after them for what they have to say. Chairman Hair said, I would actually, Commissioner Murray, if you would allow me to expand on that. I think we need to go beyond patrol officers. I think we need representatives of each group at the police department, you know, representatives of secretaries and representatives of groups, and that they be allowed to volunteer, they not be selected to appear, that they be allowed, anybody that wants to appear would be allowed to appear and say whatever they want to say, rather than just patrol officer. I think it's a great idea. Commissioner Murray said, I agree. County Manager Abolt said, we'll pass the word. Chairman Hair said, okay, thank you.

ACTION OF THE BOARD:

A workshop on metropolitan police department was scheduled to begin at 3:00 p.m., on Monday, April 22, 2002. It was agreed that representatives from various groups would be allowed to appear on a voluntary basis and express their views on the proposed merger of police departments. A joint meeting of Commissioners and Grants-in-Aid Citizens Committees would immediately following the metropolitan police department workshop.

=====

CHATHAM AREA TRANSIT AUTHORITY

The Board recessed as the County Commission at 9:32 a.m., and reconvened as the Chatham Area Transit Authority. The Chatham Area Transit Authority was adjourned and the Board reconvened as the County Commission at 10:58 a.m.

=====

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 untabled and placed before the Commissioners for consideration.

=====

2. **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. Tabled at the meeting of March 22, 2002.**

ACTION OF THE BOARD:

[NOTE: See action taken in Item VI-3 above.]

=====

PERSONAL PRIVILEGE - CHAIRMAN HAIR

Chairman Hair said, I want to publicly commend House Appropriations Committee Chairman Terry Coleman. He has single-handedly put substantial money, \$270,000 to be exact, back in the budget for the Tag Center, and the citizens will greatly benefit from his efforts, and I'd like to just say to my fellow Commissioners that I will come back at some point in the future and ask that we maybe find a more appropriate way to thank him, but he has –, he has displayed great leadership for Savannah. The man lives in Eastman, Georgia, but he has helped us tremendously, and I just wanted the record to reflect that Commissioner Coleman has been outstanding in his leadership of this and without him we wouldn't have the \$270,000.

=====

IX. ITEMS FOR INDIVIDUAL ACTION

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

1. **REQUEST BOARD APPROVE THE FOLLOWING: A GENERAL FUND M&O CONTINGENCY TRANSFER OF \$1,360 TO ANIMAL CONTROL FOR RACCOON TRAPS, A BUDGET AMENDMENT TO THE MULTIPLE GRANT FUND FOR A LOCAL LAW ENFORCEMENT BLOCK GRANT IN THE AMOUNT OF \$81,560, A BUDGET AMENDMENT TO THE SPLOST 1985-1993 FUND TO RECOGNIZE \$1,655,120 FROM GEORGIA DEPARTMENT OF TRANSPORTATION TO BE APPROPRIATED FOR TRUMAN PARKWAY PHASE V, AND A TRANSFER OF \$170,000 FROM SPLOST 1985-1993 TRUMAN PARKWAY PHASE V TO TRUMAN PARKWAY PHASE III.**

Chairman Hair said, I'll entertain a motion to approve. 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 Rayno and Commissioner Thomas were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the following: A General Fund M&O contingency transfer of \$1,360 to Animal Control for raccoon traps, a budget amendment to the Multiple Grant Fund for a Local Law Enforcement Block Grant in the amount of \$81,560, a budget amendment to the SPLOST 1985-1993 Fund to recognize \$1,655,120 from Georgia Department of Transportation to be appropriated for Truman Parkway Phase V, and a transfer of \$170,000 from SPLOST 1985-1993 Truman Parkway Phase V to Truman Parkway Phase III. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Rayno and Commissioner Thomas were not present.]

=====

2. **REQUEST BOARD DIRECTION ON WHETHER OR NOT THERE SHOULD BE A VOTE ON SPLOST RENEWAL BEFORE IT EXPIRES SEPTEMBER 30, 2003.**

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, we do not expect certainly today for you to go beyond just making the decision that you have introduced on the agenda. If it's the wish of this Board to present to the voters some time between now and the first of October, 2003, it would be very advantageous for staff to know that, who would then come

back at a future time for you to decide what might be on that ballot, also the process you would use to solicit from other municipalities their wish list.

Chairman Hair said, Commissioner Kicklighter and then Commissioner Murray.

Commissioner Kicklighter said, Mr. Chairman, I'll make a motion that we have a vote on SPLOST renewal before it expires September 30, 2003. Chairman Hair asked, do I have a second? Commissioner Murray said, I will second that. Chairman Hair said, okay, Commissioner Murray has a comment and then we'll take a vote.

Commissioner Murray said, I just feel like we need to go ahead and make the commitment today so I'm glad he made the motion -. Chairman Hair said, yes. Commissioner Murray said, that we -, at least we're going to have and then we can sit down and decide what's going to be on that and, again, I would hope it stays with roads and those type things.

Commissioner Kicklighter said, I just want to say I believe this is the fairest way to tax. This actually gets money from people living outside of our County that comes in and utilizes our facilities, streets, garbage. This is a way to get everyone involved and that's why I think this is a -.

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

Commissioner Rayno said, may I have discussion please? Chairman Hair said, certainly. Commissioner Rayno said, it's been the general premise of our budget problems that we built things but we failed to acknowledge how we're going to maintain them, and if you look at this wish list there's huge amounts of projects which we're going to -, some people are going to vote for today, but they have no idea how we're going to maintain those projects after they're built, which will further your deficit in future years and raise your taxes. It sure looks good on paper and, shoot, why don't we add onto the list? Why don't we add a brand new science museum on there for a couple ten million dollars and let all the kids go for free? It sounds like a good idea. Why don't we add all sorts of sports facilities and music facilities and add them on, too? It sounds great, doesn't it? But how are you going to maintain them, how are you going to pay for them? Your budget's going to continue to increase and increase and increase and then we're go our taxes are too high but you went and voted for this SPLOST.

Chairman Hair recognized Commissioner Kicklighter.

Chairman Hair said, Mr. Chairman, I want to agree with Commissioner Rayno. I agree there's some projects on here that I believe is wasteful on the wish list, but today is not the appropriate time to discuss the list. We will have time in the future to debate before we actually get to that point, get -, weed out the wasteful projects. Today is just saying that we are going to move forward because there's some very viable and necessary projects on that wish list, and as long as in the future we'll have time to debate that, I agree with him, but this is -. Chairman Hair said, Commissioner Murray and then we'll vote. Commissioner Kicklighter said, this is not the wish list.

Commissioner Murray said, the way I understand it, the only thing we're voting on today is that we will have a referendum. Chairman Hair said, that's correct. Commissioner Murray said, we're not voting on any item, whether they're on the wish list or not on that wish list that could or could not go on it.

Chairman Hair said, that is correct. All those in favor of the motion vote yes, opposed no. Chairman Hair and Commissioners Rivers, Murray, Gellatly and Kicklighter voted in favor of the motion. Commissioners Rayno and McMasters voted in opposition. The motion carried by a vote of five to two. [NOTE: Commissioner Odell and Commissioner Thomas were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to have a vote on SPLOST renewal before it expires September 30, 2003. Commissioner Murray seconded the motion. Chairman Hair and Commissioners Rivers, Murray, Gellatly and Kicklighter voted in favor of the motion. Commissioners Rayno and McMasters voted in opposition. The motion carried by a vote of five to two. [NOTE: Commissioner Odell and Commissioner Thomas were not present.]

=====

3. RECONCILIATION OF PROJECT FUNDING WITHIN SPLOST FUND 334 (1993-1998).

County Manager Abolt said, this is administrative in nature, but it's appropriate to be on Individual Action, Mr. Chairman and members of the Board. As you know, we've been about closing out projects. These are not in the current SPLOST. These are projects authorized prior to 1993 for a collection period of the sales tax ending in 1998. We have identified a certain amount of dollars. This was something that was discussed some time ago. I know Commissioner Murray [inaudible] possibly something going to Charlie Brooks Park and Commissioner Gellatly brought to our attention some problems we had with the Aquatic Center and the need to do a better job of dehumidifying it, and then we have general parks renovation, which again members of the Board, including Commissioner Rayno, I know have brought to our

attention as to our lack of having facilities that have the type of equipment that they should have. The long and the short of it is the amount of money that has been identified, just a little over \$200,000 or almost \$300,000, we're looking at authorization, if you choose, to allocate 289, \$290,000 of that as I've described.

Chairman Hair asked, do I have a motion? Commissioner Murray said, I move for approval of alternative one. Chairman Hair asked, second? Commissioner Rayno said, second. Chairman Hair said, all those in favor vote yes, opposed no. Commissioner Rivers said, hold on, Mr. Chairman. Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, you know, we're divvying up monies here and I'd like to see where this money's going to go. Commissioner Murray said, it's broken down -. Chairman Hair said, it's there in your packet. County Manager Abolt said, we have a 115 -, again, the figure is just shy of \$300,000. We're looking at \$115,000 allocation to improve the dehumidification of the Aquatic Center, 900 -, \$90,000, excuse me, that comes from Mr. Lipsey based on unmet needs throughout all of our parks, and then there's an amount of -, a rounding amount of just shy of \$85,000 that would go towards renovations as needed for the Charlie Brooks Park on Wilmington Island. Commissioner Rayno asked, can I add also -. Go ahead. Commissioner Rivers asked, how much more money do we have left? County Manager Abolt said, that's it. That taps it out for that entitlement with the exception of the road projects. This is the period that ended in 1998. Commissioner Rivers said, you know, I'd like to see some of this money come back in the inner city. We've got -. County Manager Abolt said, it's your decision. Commissioner Rivers said, some projects in here that need some money too, so, you know, I'm going to -, I'm going to go along with this for today, but I'm coming back because I've got some unreadiness on this one.

Chairman Hair asked, Commissioner Rayno, did you have something?

Commissioner Rayno said, I just wanted to add that the dehumidification in the Aquatic Center will stop a lot of the problems that are costing us tons of money like the revolving door, the peeling of paint, the audio equipment that goes down because of the chlorination in the air, et cetera, and will reduce costs. We actually will save money by spending it in this situation.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Commissioner Rivers, this -, this list, the \$90,000 that goes to parks renovation program, that is -, some of those will have it. The \$84,000 really is the only thing that I have asked for and the budget for that, the estimate is about \$120,000 so that will get some of the things done that are need there and have been needed, and the bulk of that \$289,000 came from the Islands Community Center Project when it was completed, so I would think that some of that money should stay in that area, so that's -. Commissioner Rivers said, I don't have a problem with that. Commissioner Murray said, okay.

Chairman Hair said, all those in favor vote yes, opposed no. The motion carried unanimously. [NOTE: Commissioner Odell and Commissioner Thomas were not present.]

ACTION OF THE BOARD:

Commissioner Murray moved to approve reconciliation of project funding within SPLOST Fund 334 (1993-1998) by closing out and transferring funds from the following projects: 7013 May Street YMCA, \$645; 7015 Pennsylvania Center, \$7,062; 7019 No Wake Project, \$12,265; 7024 Community Centers Furniture & Fixtures, \$62,82; 7028 Sallie Mood Corridor Parking Lot, \$21,091; 7031 Whitmarsh Island Community Center, \$144,418; and 7032 Aquatic Center/Soccer Parking Lot, \$41,528, (\$289,831 total transfers), and to authorize expenditures as follows: Aquatic Center for repair of the humidity control system, \$115,000; Parks Renovation Program, \$90,000; and Charles Brooks Park Renovation Program (partial of \$120,000 estimate), \$84,831, (\$289,831 total expenditures). Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Odell and Commissioner Thomas were not present.]

=====

4. REQUEST BOARD APPROVAL OF CHANGES IN THE CHATHAM COUNTY PERSONNEL AND PROCEDURES MANUAL TO IMPROVE VEHICLE SAFETY PROCEDURES.

Chairman Hair asked, does anybody want to ask any questions about this or -. I'll entertain a motion. Commissioner Kicklighter said, motion to approve. Chairman Hair asked, second? Commissioner Rayno said, second. Chairman Hair said, all those in favor vote yes, opposed no. Sybil [Tillman], did you get the new vote? Okay, this is a new vote. This is on the policy and procedures manual everyone please. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve changes in the Chatham County Personnel and Procedures Manual to improve vehicle safety procedures. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

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, anyone want to take anything off the Action Calendar? Commissioner Rayno, do you want to take anything off? Commissioner Murray said, I've got -. Commissioner Rayno said, #11 please and B and C. Commissioner Murray said, I've got O, P and Q. Commissioner Rayno said, and Q. Commissioner Murray said, I had O, P and Q. Chairman Hair asked, Q, Commissioner Rayno? Commissioner Rayno said, yes sir. County Manager Abolt said, Item 3 has been pulled. Chairman Hair said, okay. I'll entertain a motion to approve the balance of the Action Calendar. Commissioner Murray said, so moved. Commissioner Rayno said, second. Chairman Hair said, second. All those in favor vote yes, opposed no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved that the Action Calendar be approved in its entirety with the exception of Items 3, 11, 14-B, 14-C, 14-O, 14-P and 14-Q. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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

=====

1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON MARCH 22, 2002, AS MAILED.

ACTION OF THE BOARD:

Commissioner Murray moved to approve the minutes of the regular meeting on March 22, 2002, as mailed. - Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD MARCH 14 THROUGH APRIL 3, 2002.

ACTION OF THE BOARD:

Commissioner Murray moved that the Finance Director is authorized to pay claims for the period March 14, 2002, through April 3, 2002, in the amount of \$6,704,206. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

3. COMCAST MERGER RESOLUTION. (Note: Mr. Autry, General Manager for Comcast, will be present.) NOTE: This item will be postponed until County's consultant completes review.

ACTION OF THE BOARD:

This item is postponed until the County's consultant completes a review.

=====

4. **REQUEST BOARD APPROVE A REQUEST BY THE GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT) FOR A QUITCLAIM DEED FOR A PROJECT LOCATED ON S.R. 25 [HPP-000-00 (344)].
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve a request by the Georgia Department of Transportation (GDOT) for a quitclaim deed for a project located on S.R. 25 [HPP-000-00 (344)] to construct a bridge over S.R. 25 for the Georgia Ports Authority. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

5. **REQUEST BOARD APPROVE A SUPPLEMENTARY AGREEMENT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT) FOR TRUMAN PARKWAY, PHASE V, FROM ABERCORN TO WHITFIELD AVENUE.
[DISTRICTS 1, 6.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve a supplementary agreement with the Georgia Department of Transportation (GDOT) for Truman Parkway, Phase V, from Abercorn to Whitfield Avenue. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

6. **REQUEST BOARD APPROVE A QUITCLAIM DEED REQUEST BY THE GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT) FOR THE U.S. 17 ROAD WIDENING PROJECT FROM BRYAN COUNTY LINE TO ABERCORN STREET EXTENSION [STP-009-2(79)].
[DISTRICT 6.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve a quitclaim deed request by the Georgia Department of Transportation (GDOT) for the U.S. 17 Road Widening Project from Bryan County line to Abercorn Street Extension (STP-009-2(79)). Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

7. **REQUEST BOARD APPROVE A UTILITY RELOCATION AGREEMENT WITH SAVANNAH ELECTRIC AND POWER COMPANY FOR THE RELOCATION OF ITS FACILITIES FOR THE CONSTRUCTION OF TRUMAN PARKWAY, PHASE 4.
[DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve a utility relocation agreement with Savannah Electric and Power Company for the relocation of its facilities for the construction of Truman Parkway, Phase 4. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

8. **REQUEST FROM SOUTHERN WOODS DEVELOPMENT, THROUGH THEIR AGENT, SAUSSY ENGINEERING, APPROVAL TO RECORD THE FINAL PLAT FOR RICE MILL, PHASE 6E, ACCEPT THE SUBDIVISION AGREEMENT AND FINANCIAL GUARANTEE AND**

**RECOMBINE THE SUBDIVISION INTO THE EXISTING STREETLIGHTING ASSESSMENT DISTRICT.
[DISTRICT 6.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve a request from Southern Woods Development, through their agent, Saussy Engineering, to record the final plat for Rice Mill, Phase 6E, accept the subdivision agreement and financial guarantee and recombine the subdivision into the existing streetlighting assessment district. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

- 9. REQUEST FROM THE ENGINEER FOR THE DEVELOPER, INTERNATIONAL PAPER REALTY, TO APPROVE THE CONSTRUCTED IMPROVEMENTS FOR THE FIRST SECTION OF BERWICK BOULEVARD FOR BERWICK PLANTATION, DIVISION 1, INITIATE THE TWELVE MONTH WARRANTY PERIOD, AND ACCEPT THE FINANCIAL GUARANTEE. [DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve a request from the engineer for the developer, International Paper Realty, to approve the constructed improvements for the first section of Berwick Boulevard for Berwick Plantation, Division 1, initiate the twelve month warranty period, and accept the financial guarantee. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

- 10. REQUEST BOARD TO APPROVE AMENDMENT #3 TO THE AGREEMENT WITH THE CITY OF SAVANNAH FOR UTILITY RELOCATIONS FOR TRUMAN PARKWAY, PHASE III, IN THE AMOUNT OF \$169,830.11. [DISTRICTS 1 AND 3.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve Amendment #3 to the agreement with the City of Savannah for utility relocations for Truman Parkway, Phase III, in the amount of \$169,830.11. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

- 11. REQUEST BOARD APPROVE THE TRANSFER OF TWO K-9 VEHICLES (K-3, K-4), AND TITLES TO DEPARTMENT OF PUBLIC SAFETY EXCESS PROPERTY UNIT.**

Commissioner Rayno asked, Russ [Abolt], was this based on a previous agreement we had made to transfer –? County Manager Abolt said, yes. The Sheriff –. Commissioner Rayno said, I'm fine. Motion to approve. Commissioner Odell said, second. Chairman Pro Tem Murray said, motion and second, let's vote. The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Thomas were not present.] Commissioner Rayno said, I just couldn't remember. Chairman Pro Tem Murray said, the motion is approved unanimous.

ACTION OF THE BOARD:

Commissioner Rayno moved to approve the request to transfer two K-9 vehicles (K-3, a 1997 Ford Expedition, Serial # 1FMRU18W1WLA19976, and K-4, a 1997 Ford Expedition, Serial # 1FMRU1822WLA25589) and titles to the Department of Public Safety Excess Property Unit. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Thomas were not present.]

=====

- 12. REQUEST BOARD APPROVE NEW BEER POURING AND SUNDAY SALES LICENSES FOR 2002. PETITIONER: JULENE MENDOZA, D/B/A DUCK POND, LOCATED AT 4001 OGEECHEE ROAD. [DISTRICT 5.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve the petition of Julene Mendoza, d/b/a Duck Pond, located at 4001 Ogeechee Road, for a new beer pouring and Sunday sales licenses for 2002. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

- 13. REQUEST BOARD APPROVE RENEWAL OF SUNDAY SALES OF BEER AND WINE POURING LICENSE FOR 2002. PETITIONER: MAEYU C. WU, D/B/A HUNAN'S RESTAURANT, LOCATED AT 318 JOHNNY MERCER BOULEVARD. [DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve the petition of Maeyu C. Wu, d/b/a Hunan's Restaurant, located at 318 Johnny Mercer Boulevard, for renewal of Sunday sales of beer and wine pouring license for 2002. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. 17 in-car video systems	Police	West Chatham Warning Devices	\$66,470	Multiple Grant Fund - Police (pending Board approval of budget amendment)
B. Confirmation emergency purchase of one 2002 Ford Crown Victoria Police Interceptor	Sheriff	Brannen Motor Company	\$21,175	CIP - Vehicle Replacement
C. Two (2) Model year 2002 Ford Taurus	Police	J. C. Lewis Ford	\$35,300.80	CIP - Vehicle Replacement
D. Exchange of a turbine assembly on the helicopter engine	Mosquito Control	Standard Aero	\$58,000	General Fund/M&O - Mosquito Control
E. Final renewal option to annual contract to provide door mat rental services	Various	Riverside Uniform Company	\$15,437.80	•SSD - Various •General Fund/M&O - Various
F. Final renewal option to annual contract to provide ammunition	Various	•G. T. Distributors •Gulf States Distributors •Master Cartridge Corporation	Varies by item	•General Fund/M&O - Various •SSD - Various •Confiscated Funds - Various
G. Final renewal option to annual contract to provide various high volume printing requirements	Various	Wynn Business Systems, Inc. (FBE)	Varies by item	•General Fund/M&O - Various •SSD - Various
H. Change Order No. 3 to the annual contract for daily janitorial services at the various southside locations to increase scope of service for the Parks and Recreation Administration building located at Lake Mayer	Facilities Maintenance and Operations	Quality Cleaning Contractors	\$3,600	General Fund/M&O - Facilities Maintenance and Operations
I. Final renewal option to the annual contract for daily janitorial services at the various southside locations	Facilities Maintenance and Operations	Quality Cleaning Contractors	\$29,700	General Fund/M&O - Facilities Maintenance and Operations
J. Final renewal option to the annual contract for daily janitorial services at the various downtown locations	Facilities Maintenance and Operations	Basic's Cleaning Company (MBE)	\$156,110.70	General Fund/M&O - Facilities Maintenance and Operations
K. First renewal option to the annual contract to provide oils and lubricants	Fleet Operations	Barrett Oil Distributors	Varies by item	General Fund/M&O - Fleet Operations

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
L. Twenty Smith and Wesson 40 caliber handguns	Detention Center	Southeastern Public Safety	\$11,216	General Fund/M&O - Detention Center
M. Declare vehicles as surplus and authorize sale through a public auction	Fleet Operations	N/A	N/A	Revenue Producing
N. Annual contract with automatic renewal options for two additional one year terms to provide chemical herbicide products	Public Works	•Red River Specialties •Helena Chemical Company	Varies by item	SSD - Public Works
O. Change Order No. 6 to the design contract for the Fawcett Canal Storm Water Improvement Project for additional design, technical specifications and assistance in bidding	SPLOST	Hussey, Gay, Bell and DeYoung	\$12,240	SPLOST (1998-2002) - Fawcett Canal
P. Change Order No. 3 to the contract for the construction of the Fawcett Canal Storm Water Improvement Project for adjustment in actual bid quantities	SPLOST	ARCO, Inc.	\$50,421.81	SPLOST (1998-2002) - Fawcett Canal
Q. Change Order No. 3 to the contract to provide master plan design and construction management of the Savannah-Ogeechee (S&O) Canal Corridor to provide an in depth archeological survey as required by the Georgia Department of Natural Resources, Historic Preservation Division	SPLOST	Hinesley-Hickson Association	\$4,900	SPLOST (1998-2003) - Tom Triplett Park/Ogeechee Canal

As to Items 14-A through 14-N, except 14-B and 14-C:

Commissioner Murray moved to approve Items 14-A through 14-N, except Items 14-B and 14-C. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

As to Items 14-B and 14-C:

- B. Confirmation emergency purchase of one 2002 Ford Crown Victoria Police Interceptor; Sheriff; Brannen Motor Company; \$21,175; CIP - Vehicle Replacement.**
- C. Two (2) Model Year 2002 Ford Taurus; Police: J. C. Lewis Ford; \$35,300.80; CIP - Vehicle Replacement.**

Commissioner Rayno said, I'd just like to put B and C together if we could, Mr. Hair. Chairman Hair asked, I'm sorry? Commissioner Rayno said, put B and C together if we could please. Chairman Hair said, okay, sure.

Commissioner Rayno said, good morning, Sheriff. Sheriff St. Lawrence said, good morning. Commissioner Rayno asked, how you doing today? Sheriff St. Lawrence said, good. Commissioner Rayno said, good. You see that the Police force is getting two vehicles and it's roughly about \$17,000 apiece for each of those vehicles and you're asking for a Crown Victoria Police Interceptor at \$21,000. Is there any reason why you can't go with a Ford Taurus? I know it's only \$4,000 difference, but -. Sheriff St. Lawrence said, well, you know, these are street vehicles and they're outfitted with cages and they're used to bring people in. If you want to go to buying cages to try to fit a Ford Taurus, I guess we can do that, but I wouldn't -, certainly wouldn't recommend it. Commissioner Murray said, Commissioner Gellatly, will you -? Sheriff St. Lawrence said, I want to also point out that in the past year I've only gotten two new cars. I've got over 30 with over a hundred thousand miles on them. The fleet is in terrible shape. I don't need to go backwards, I need to go forward. I need vehicles, but there's no money there. The only reason we've gotten this one is Mr. Chatham with the Fleet Maintenance said we had that much in reserve, we can go ahead and buy one now. Commissioner Rayno said, I'm not saying you shouldn't get a car. I'm just asking why you can't go with a less expensive car. Sheriff St. Lawrence said, well, I -. Commissioner Rayno said, if it's good enough for the Chatham County Police, I'm just wondering why it's not good enough for the Sheriff. Sheriff St. Lawrence said, I tried to -, to point that out as far as the cages and all are concerned, and I will point this out and I think your Fleet Manager will back this up is that this Crown Victorias are made for this kind of work, they hold up better, they require less maintenance. When you're talking about putting a mock vehicle on the street and you're hauling prisoners back and forth, I think it's foolish to do -, to go with anything else except a police special. Commissioner Rayno asked, so you're calling the Chatham County Police a wuss [phonetic] for using cars that -? Sheriff St. Lawrence asked, do what? Commissioner Odell said, it's a different vehicle. It's a different purpose. Commissioner Rayno asked, is it? Commissioner Odell said, yes.

Chief Sprague said, the two vehicles that are on there for the Chatham County Police Department are not patrol type vehicles. We use them in our Special Investigations Unit, our Internal Affairs Unit. I've got one as a matter of fact. Commissioner Rayno said, okay. So not for transporting prisoners? Chief Sprague said, no, they're for --, they're for more surveillance type cases and cases that detectives need as opposed to hauling prisoners. Commissioner Rayno said, okay. Thanks for explaining the difference.

Commissioner Murray asked, did you have a question?

Commissioner Gellatly said, well, I think the question was pretty much answered, but I agree with the Sheriff from personal experience, a Crown Victoria for street purposes is a lot more economical maintenance-wise than a middle sized car. Commissioner Rayno said, okay. Sheriff St. Lawrence said, also too, you know, Ford is the only --, the only utility thing in town to do business with on heavier transmission, suspension, and so forth. Nobody else is making one. Commissioner Rayno said, thank you. Sheriff St. Lawrence said, if it had been Chevrolet I wouldn't care as long as [inaudible] the equipment. Commissioner Gellatly said, you won, Sheriff. Sheriff St. Lawrence said, thank you.

Chairman Pro Tem Murray asked, any other discussion? Do we have a motion? Commissioner Rayno said, motion to approve. Chairman Pro Tem Murray asked, have you got a second? Commissioner Kicklighter said, second. Chairman Pro Tem Murray said, all in favor --, let's vote. The Clerk said, Commissioner McMasters, you need to vote. Commissioner McMasters said, I'd like to abstain if I may. Chairman Pro Tem Murray said, you can't. Commissioner McMasters asked, I can't? Commissioner Rivers said, on what grounds? Chairman Pro Tem Murray said, you have to have grounds to do it and then we'd have to vote on it, but what are your grounds? Commissioner McMasters said, just not familiar enough with the subject and I'm not swayed by the presentation, but I'll go ahead --, I've voted. Chairman Pro Tem Murray said, okay. Chairman Pro Tem Murray and Commissioners Rayno, Rivers, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner McMasters voted in opposition. The motion carried by a vote of six to one. [NOTE: Chairman Hair and Commissioner Thomas were not present.] Chairman Pro Tem Murray said, the motion passes. Okay, unanimous.

As to Items 14-O and 14-P:

- O. Change Order #6 to the design contract for the Fawcett Canal Storm Water Improvement Project for additional design, technical specifications and assistance in bidding; SPLOST; Hussey, Gay, Bell and DeYoung; \$12,240; SPLOST (1998-2002) - Fawcett Canal.**
- P. Change Order #3 to the contract for the construction of the Fawcett Canal Storm Water Improvement Project for adjustment in actual bid quantities; SPLOST; ARCO, Inc.; \$50,421.81; SPLOST (1998-2002) - Fawcett Canal.**

Commissioner Murray said, Items Q and P I had pulled, and also --, O, P and Q, and I think Commissioner Rayno also had Q, I think. My concerns I can address all at one time on those three. What I'd like to know is, Al [Bungard], what was our budget for each of those items originally? What did we budget to do these projects originally, and are we within budget or with this change order are we over budget? County Manager Abolt said, it's in --. Chairman Pro Tem Murray said, no, that's not the budget, Russ [Abolt], that's the original motion. I want the total budget for that project, each one of the projects. County Engineer Bungard said, well, when we budget those, those are --, I don't want to use the term swag, but they are our best shot at what we think, you know, a project might cost, and often it includes like a contingency 10 or 20% because no estimate is perfect. In case of big quantities, well, it's actually [inaudible] issues. The first one concerns a design contract. This was a change in scope. Chairman Pro Tem Murray said, okay. County Engineer Bungard said, so we asked for them to do additional services for which they're entitled to more money. We don't normally budget for those except we normally have enough money in those projects. In the case of the second one, we estimate the [inaudible] cost and we estimate quantity and then we measure quantities during the course of the construction. We have to reconcile those through an [inaudible]. If we estimate 10,000 cubic yards of rock and we end up paying for 10,100, we have to officially adjust the contract quantities to pay for that. Chairman Pro Tem Murray said, excuse me. I understand what you're saying and that's not my question. My question is you had to have some figure --. County Engineer Bungard said, yes. Chairman Pro Tem Murray said, when we put this on the sales tax referendum to use for those projects. My question is are we over that budget or under that budget right now with all the change orders we've had on them? County Engineer Bungard said, I think we're under for the most part. Chairman Pro Tem Murray said, can we get --, I don't have to have it today, but if y'all can get us the figures and get them to us I'd like to look at them. County Engineer Bungard said, sure. Chairman Pro Tem Murray said, any time we do a change order on these projects that are SPLOST projects, I'd like to see what our original estimate was to do that project and what it's costing us now. County Manager Abolt said, we'll have it for you, sir. Chairman Pro Tem Murray said, okay. Jeff [Rayno], did you have any questions on the --.

Commissioner Rayno said, on Q, consistent with my past --. Commissioner Kicklighter asked, are we going to vote on O and P? Chairman Pro Tem Murray said, well, I had them all three together. We can --. Commissioner Rayno said, we can vote on O and P because --, I want to vote on O and P, that's fine, but I need to have Q separated.

Commissioner Kicklighter said, I make a motion to approve O and P. Commissioner Odell said, second. Chairman Pro Tem Murray said, okay. Ready to vote? The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Thomas were not present.] Chairman Pro Tem Murray said, O and P approved unanimously.

As to Items 14-Q:

Change Order #3 to the contract to provide master plan design and construction management of the Savannah-Ogeechee Canal Corridor to provide an in-depth archeological survey as required by the Georgia Department of Natural Resources, Historic Preservation Division; SPLOST; Hinesley-Hickson Association; \$4,900; SPLOST (1998-2003) - Tom Triplett Park/Ogeechee Canal.

Commissioner Rayno said, I'm a member of the Savannah-Ogeechee Canal Society and I request to be removed from this vote, and it's consistent with my past actions on this particular issue. Commissioner Rivers said, so moved that Commissioner Rayno be recused. Commissioner Kicklighter said, second. Chairman Pro Tem Murray said, please vote. The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Thomas were not present.] Chairman Pro Tem Murray said, okay.

Commissioner Kicklighter said, I make a motion to approve Q. Chairman Pro Tem Murray asked, do we have a second? Commissioner Odell said, I'll second. Chairman Pro Tem Murray asked, any discussion? Please vote. The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Thomas were not present.] Chairman Pro Tem Murray said, it's passed unanimous.

ACTION OF THE BOARD:

1. Commissioner Murray moved to approve Items 14-A through 14-N, except Items 14-B and 14-C. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]
2. Commissioner Rayno moved to approve Items 14-B and 14-C. Commissioner Kicklighter seconded the motion. Chairman Pro Tem Murray and Commissioners Rayno, Rivers, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner McMasters voted in opposition. The motion carried by a vote of six to one. [NOTE: Chairman Hair and Commissioner Thomas were not present.]
3. Commissioner Kicklighter moved to approve Item 14-O and 14-P. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Thomas were not present.]
4. Commissioner Rivers moved to recuse Commissioner Rayno from Item 14-Q because he is a member of the Savannah-Ogeechee Canal Society. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Thomas were not present.]
5. Commissioner Kicklighter moved to approve Item 14-Q. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rayno was recused from voting; Chairman Hair and Commissioner Thomas were not present.]

=====

XI. FIRST READINGS

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

1. **A TEXT AMENDMENT TO AMEND SECTION 2, DEFINITIONS, SECTION 4-1, ESTABLISHMENT OF DISTRICTS, SECTION 4-6.5, PLANNED DEVELOPMENT DISTRICT, AND SECTION 4-6.6, PLANNED UNIT DEVELOPMENT ORDINANCE, OF THE CHATHAM COUNTY ZONING ORDINANCE. THE MPC RECOMMENDED APPROVAL. MPC FILE NO. Z-001212-53756-1**

ACTION OF THE BOARD:

Chairman Pro Tem Murray read this item into the record as the first reading.

=====

2. **AN AMENDMENT TO THE CHATHAM COUNTY ZONING ORDINANCE TO ALLOW EXISTING ACCESSORY STRUCTURES TO BE USED SECONDARY RESIDENCES FOR INDIVIDUALS WITH A MEDICAL HARDSHIP. THE MPC RECOMMENDED DENIAL.**

MPC FILE NO. Z-011228-55053-1

Commissioner Rayno said, Frank [Murray], I'd just like to say I agree with that second part because we don't want to get into the business of allowing people to turn permanent structures into medical hardships because of the problems we've had with trailers in this community.

Chairman Pro Tem Murray said, okay, and those will come up for a vote at our next meeting.

ACTION OF THE BOARD:

Chairman Pro Tem Murray read this item into the record as the first reading.

=====

XII. SECOND READINGS

None.

=====

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.

=====

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

ACTION OF THE BOARD:

Written report received as information.

=====

EXECUTIVE SESSION

Upon motion being made by Commissioner Odell, seconded by Commissioner Kicklighter and unanimously approved, the Board recessed at 11:15 a.m., to go into Executive Session for the purpose of discussing litigation, land acquisition, and personnel. [NOTE: Chairman Hair and Commissioner Thomas were not present.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 11:47 a.m.

=====

ITEMS FROM EXECUTIVE SESSION

1. **REQUEST BOARD AUTHORIZE SETTLEMENT OF THE LIONEL FRAZIER WORKER'S COMPENSATION CASE (JON HART).**

ACTION OF THE BOARD:

Commissioner Odell moved to authorize settlement of the Lionel Frazier worker's compensation case in the amount of \$3,500 for a closed settlement from date of employment (12/00) through the date of injury (11/02/01) and a 3% permanent partial disability to the body as a whole, including attorney's fees, to close out any lifetime medical benefit and to close out the claim forever. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Thomas were not present.]

=====

2. REQUEST ADDITIONAL FUNDS FOR PAYMENT TO MENDOLA & ASSOCIATES IN THE J. C. PENNEY ARBITRATION CASE (JON HART).

ACTION OF THE BOARD:

Commissioner Kicklighter moved to authorize the payment to Mendola & Associates of additional funds in the amount of \$568.75 in the J. C. Penney arbitration case. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Thomas were not present.]

=====

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

ACTION OF THE BOARD:

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

=====

APPOINTMENTS

1. CHATHAM COUNTY TREE COMMISSION

ACTION OF THE BOARD:

Commissioner Kicklighter moved to appoint Mr. Hector Lopez of the Savannah Homebuilders Association to the Chatham County Tree Commission to replace Mr. Elliott B. Simmons, Sr., whose term will expire April 1, 2006. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Thomas were not present.]

=====

ADJOURNMENT

There being no further business to be brought before the Board, Chairman Pro Tem Murray declared the meeting adjourned at 11:50 a.m.

=====

APPROVED: THIS _____ DAY OF _____, 2002

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

SYBIL E. TILLMAN, COUNTY CLERK