

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, MAY 10, 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, May 10, 2002.

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II. INVOCATION

Commissioner Joe Murray Rivers gave the invocation.

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III. PLEDGE OF ALLEGIANCE

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

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IV. ROLL CALL

The Clerk called the roll.

PRESENT: Dr. Billy B. Hair, Chairman
Frank G. Murray, Chairman Pro Tem, District Four
Jeffrey D. Rayno, District One
Joe Murray Rivers, District Two
John J. McMasters, District Three
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
Sybil E. Tillman, County Clerk

[NOTE: Commissioner Thomas was on an excused absence following surgery.]

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YOUTH COMMISSIONERS

Chairman Hair recognized the following Youth Commissioners who were in attendance: Nivea Gregory, a Freshman at Beach High School, Ashley Moore, a Junior at Providence Christian, and Krystal Wise, a Junior at Savannah High School.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. RECOGNITION OF DELTA SIGMA THETA SORORITY, INC.

Chairman Hair said, the first thing on our agenda this morning is recognition of Delta Sigma Theta Sorority. They'd like to make a presentation to the Commission this morning. Is Ms. Davis or someone --, is Ms. Davis here?

Ms. Joyce Davis said, good morning, Dr. Hair. Chairman Hair said, good morning. Ms. Davis said, good morning, Commissioners. I'd like for our members who are here to come forward please. Dr. Hair, Commissioners, we're here just to tell you thank you for all the things that you do for this community to enhance it. To also let the community know that there are more than 100 women in the --, educated women in the community who work in all facets of the community, who are interested in all the things that happen. We have had personal conversations with some of you. Even though we do not endorse candidates, we do lobby things that will enhance the lives and the environment of the people in the community. And so we just wanted to meet you, greet you, and let you know that we're here.

Chairman Hair said, thank you very much. We appreciate what y'all do. Most of y'all received a letter from this sorority. They do do a lot of things in the community for public service. We appreciate what you do, too. Thanks.

Ms. Davis said, okay. Also, I needed to say that one of the Youth Commissioners, ZaDonna Slay, last night was one of our 50 --, I mean, \$500 scholarship winners. She's really an impressive woman. Chairman Hair said, terrific. Thank you.

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2. PROCLAMATION FOR POLICE MEMORIAL DAY - COMMANDER EDDIE WILLIAMS WILL BE ACCEPTING.

Chairman Hair read the following proclamation into the record:

WHEREAS, dedicated and professional law enforcement officers are necessary to protect our rights as set forth in the Constitution and without them, life would become intolerable in an anarchic society cut off from law and justice; and

WHEREAS, every day of our lives, law enforcement officers must place their lives in jeopardy to protect the lives and property of Chatham County citizens, indeed the lives and property of all our nation's citizenry; and

WHEREAS, all citizens should express respect and appreciation to all officers now serving and especially express our respect and appreciation to the families of those officers who have fallen in the battle against crime and to whom we owe infinite gratitude.

NOW, THEREFORE, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim Wednesday, May 15, 2002, as:

"POLICE MEMORIAL DAY"

in Chatham County and urge all citizens to join us as we pay respect to the memory of policemen who faithfully served our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 10th day of May 2002.

Dr. Billy B. Hair, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

Commander Eddie Williams said, Chairman Hair and my fellow Commissioners, I certainly appreciate this fine gesture in representing the Chatham County Police Department and also the Savannah Police Department and our Chatham County Sheriff's Department and all our local law enforcement agencies throughout Chatham County. This is the most

humble way that we can pay tribute to those that have risked their lives and putting their lives on the line in serving this community, and we certainly appreciate you recognizing that and joining with us in recognizing the families also that are going to be present. This May 15th is the National Memorial –, Police Memorial Observance, and I've given out all the invitations and what not. It's going to be at the Savannah Police Department's Headquarters, and we have a memorial right there in front of that particular headquarters, and we certainly invite everybody to come out and be with us. Thank you so much.

Chairman Hair said, thank you. Commander, Commissioner Murray has –.

Commissioner Murray said, I want to tell you know. I apologize, but I have a flight to leave town that morning and will not be able to be there, but I certainly wish I could be there. So –. Commander Williams said, we understand, sir. Thank you so much.

Chairman Hair said, thank you, Commander.

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VI. CHAIRMAN'S ITEMS

1. DISCUSSION ABOUT CHANGING AUDITORS.

Chairman Hair said, I would like to have a brief discussion this morning of our changing of our auditors. We voted at the last meeting to change auditors, and I think there are some things that we need to think about in that decision. Since that time we have lost our chief financial officer. There's a number of things going on in our finance office. We've lost –, in addition to him, we've lost three or four other people in the last couple of years. We have –, we're changing standards. We're also changing accounting systems in both the Tax Commissioner's office and also Chatham County's office, and what I'd like to see us do is continue on a month-to-month basis with the current auditors for twelve months and then when that contract is up for renewal in July of next year, we'll have plenty of time to do an RFP and change auditors if the majority wishes to do so. You've all received a letter from the Purchasing Department from Mr. Parson and he said it would take three to four months to do an RFP and get new auditors anyway. So really what we're asking or what I'm asking is that we –, we'd only be talking about extending them month-to-month for seven or eight months, not twelve months because it's going to be three to four anyway. I think that there's probably a lot of people here this morning that can testify probably better than I can of the difficulties that we're going to face if we're changing auditors in the middle of the stream here. The savings that was anticipated by the vote last –, two weeks ago was about \$40,000 over two years. I've asked Finance to look at that, and if we continue on a month-to-month basis for next twelve months, we'd be talking about \$11,000. So I think for \$11,000 it would pay us to be prudent and not change auditors at least until next July. That would give us plenty of time to do as –, a thorough search and I just think it's a terrible time to change auditors, but I'd like to have a discussion of that. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, you said that we've lost our finance officer. According to what Mr. Abolt said, there's been tons of cross-training in the organization and he commented in the local paper that we would not miss a beat with Reese White in that location, so as far as that being an argument, it seems like it's a pale one at best. And about changing the accounting system, you're referring to GASB-34, and the fact is that David Persaud sat here and told us that we're fully compliant with GASB-34, so we're good to go. The only thing we're doing is asking for a quote. We don't have to pick the new person. We can go back to the old one, but I think it would be prudent to do what's best for the taxpayers.

Chairman Hair said, I'd like to call on Commissioner Danny Powers. I believe he's here. If he could maybe tell the Commission what you think this impact could have on your office.

Tax Commissioner Danny Powers said, good morning, everyone. Mr. Chairman, we –, my department just undertook a switch in our tax collection program. We were an in-house program and went out for bid and we got a fantastic Windows-based collection system on hand. The previous accounting system was kind of a homemade disbursement method that I guess was grandfathered by Mr. Tindol. He's done the audit in that department for a number of years. I think it goes back onto the –, to the early 70's, maybe even the 60's, when he worked with other firms. He has implemented and done the transition from our old collection system to the new collection system and we're currently under the new disbursement system that we're using. I just think the timing is just not good for us to go out and hire a new auditor when we had a contract, a three-year contract, with the existing auditor that everyone has been absolutely pleased with. I mean, I have not had a single minute's problem with Mr. Tindol nor his firm. If we need a surprise audit or anything along those lines, I pick up the phone. His staff is there. If we have trouble balancing somewhere –. You've got to understand, I do not have an accountant in my department. I have a bookkeeper, and I rely on that firm deeply. I mean, very, very deep. And, again, I'm responsible –, I'm responsible for those funds to make sure –, I don't want a situation in my department that happened, you know, in Liberty County or any of these other departments. Okay? I've got to make sure that I've got a solid CPA that knows governmental work in the manner that Mr. Tindol does, you know, to keep –, to keep our heads above water.

Commissioner Rayno asked, what's your budget, like \$2.6 million? Tax Commissioner Powers said, well, the amended was \$2.6, yeah, after –. Commissioner Rayno asked, how come Muscogee County does it for like \$900,000? Why is yours so much more expensive when they've got the same size population? Tax Commissioner Powers said, we're not a same size population as Muscogee County. Where did you get those numbers from? What does that –, what does my budget have to do with an accountant? Commissioner Rayno said, well, it just seems to me a fresh set of eyes –. Tax Commissioner Powers said, and the population –, what does population have to do with it? What are you diving at?

Chairman Hair said, I think we need to keep the conversation germane to the issue. The issue is whether or not we're going to change auditors. We could discuss that at some future time.

Commissioner Rayno said, but again this is just merely a quote. If we find out it's less money, we can go with them or we could go back with the other one. I don't see the harm in just looking at figures. Tax Commissioner Powers said, I just don't see the disruption when I've got –. Commissioner Rayno said, there won't be disruption. We'll keep the firm month-to-month until we get the quote and then we could go back with them if we want to. I don't know what you're so afraid of. Tax Commissioner Powers said, I'm not afraid of anything. Commissioner Rayno said, apparently you are. You're here to ask us to keep them. Tax Commissioner Powers said, I'm concerned. Why are you so adamant that we change it then, Mr. Rayno? Commissioner Rayno said, for a fresh set of eyes. I've stated my purposes before. Tax Commissioner Powers said, so you're telling me that a fresh set of eyes –, are you worried about Mr. Tindol's integrity? Is that what you –? Chairman Hair said, let's keep it –. Commissioner Rayno said, now that's being rude to me, sir. Chairman Hair recognized Commissioner Murray. Tax Commissioner Powers said, I don't think so.

Chairman Hair said, Commissioner Murray and then Commissioner McMasters. Let's keep it civil please.

Commissioner Murray said, if I understand correctly what we did when the vote was taken to put this out again for bid, we cannot ask for reconsideration because it was a contract and they have already been notified that it was going back out for bid. Is that correct? Chairman Hair said, that is correct. County Attorney Hart said, we've got a little bit of a procedural problem here. Last meeting y'all voted to take an affirmative act to terminate the contract, and we have given notice of termination. And the problem we have is that the Purchasing Ordinance says that for, you know, professional services anything over \$15,000 needs an RFP. And we're looking at Robert's Rules of Order this morning and it says actions that cannot be rescinded or amended, and it's got a list of them and one of them under there is when a case in the nature of a contract where the other party has been informed of the vote, so we're kind of hemmed in.

Chairman Hair said, the only we have in the one that I said –. County Attorney Hart said, yeah, that's –. Chairman Hair said, we could continue month to month. County Attorney Hart said, you know, trying to figure out a way is –.

Commissioner Murray said, we're going to have to do an RFP regardless of what happens or how long we extend it or how many months we extend the 30-day time. Chairman Hair said, that's correct. My recommendation would be since we're going to have to do an RFP anyway, that we go ahead and do one so that we can go ahead and hire a firm, whether it's the current firm or whether it's a new firm, as of January 1st. That way it gives us plenty of time. If Mr. Tindol's firm is willing to do a 30-day, month-to-month until that time until the RFP is [inaudible]. He's going to have to do that anyway if he's going to bid back on it.

Tax Commissioner Powers said, I'm just asking you to please –, please reconsider this. I think that the –. Commissioner Murray said, but we can't reconsider it, that's the problem. Chairman Hair said, we can go month-to-month for twelve months. That's one thing we can do. Tax Commissioner Powers said, well, please do that because if you're looking for cost savings, I'm scared that you're not going to save anything. I think it's going to cost you more in the long run if you cut this off at this point. Commissioner Murray said, but what I'm saying though is if we –, if we're going to have to do an RFP anyway and Mr. Tindol's firm is willing to do a month-to-month up until the time –, up until January 1st when we can make a selection, whether it's his firm or another firm, then I think that we go ahead and move forward based on that, and it gives us time to do the RFP and it gives us time to get all of that out and gives us time to get things back like we think we need them within the County, we get through the budget, we get through the changing in the finance office, and everything else. And I'm not saying that Mr. Tindol's firm won't be the one, if they bid on it, to get the contract again, but unfortunately based on the action that was taken, we cannot reconsider. We've got through a process and an RFP has to be issued in order to hire a firm period regardless of who that firm may be.

Chairman Hair said, the only problem with that is we'll be halfway through the audit at that time. Commissioner McMasters, then Ms. Wise, then Ms. Moore and then Ms. Gregory. Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, Mr. Powers, the financial well-being of Chatham County is my primary concern and my feeling is that, depending upon the same set of eyes for the length of time that we have, whether or not we were in such dire financial strait or not, it would be provident to mix it up occasionally and bring in a different set of eyes, so I'm certainly in favor of doing that.

Chairman Hair recognized Youth Commissioner Wise.

Youth Commissioner Wise asked, how long have you had the auditors? Chairman Hair said, Mr. Abolt, a long time. I don't know how long. County Manager Abolt said, well, you –, no. Well, this same firm has competed on several occasions, but you have in effect –. Chairman Hair said, every three years we bid it and, you know –. Youth Commissioner Wise asked, it's a contract for it? Chairman Hair said, yes. Youth Commissioner said, okay. And you all wanted to terminate the contract and you're trying to –. Chairman Hair said, well, the way the law works is we can't sign more than 12-month contracts. What you do is you have a three one-year contract, so it's up for renewal each year. The State Constitution of Georgia prevents governments from contracting for more than a 12-month period. So this is a renewal. Commissioner Murray said, first renewal. Chairman Hair recognized Youth Commissioner Moore.

Youth Commissioner Moore asked, what exactly do the auditors do? Chairman Hair said, basically they go in and make sure that all of the finances are handled according with general accepted County practices and according to laws and just making sure that everything, all the monies are accounted for and things of that nature. Chairman Hair recognized Youth Commissioner Gregory?

Youth Commissioner Gregory asked, what is RFP? Chairman Hair asked, pardon? Youth Commissioner Gregory asked, what is RFP? Chairman Hair said, it's a request for proposals. It's where, you know, when we're bidding particular professional services, we send out something called a request for proposals and any firms interested in bidding on that contract would come in and submit a request for a proposal to do the service that we need. Youth Commissioner Gregory said, thank you.

Chairman Hair said, okay, if –. Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, let me –, Jon [Hart], would you read that for me again, that piece that you –. County Attorney Hart said, sure. It says –, well, we've got two things to rely on. Are you talking about Robert's Rules of Order or the ordinance? Commissioner Rivers said, yeah, the Robert's Rules –, Robert's Rules and the ordinance. I just want to be clear. County Attorney Hart said, okay. The ordinance basically says that, you know, we've got a little bit of an exception for professional services under our ordinance or in a case of a sole source. If you had a sole source, you could avoid the RFP system. I don't think in an audit situation you're going to be able to fit that under this. But it says in here that the Purchasing Ordinance for contracts for materials, supplies, professional services that are in excess of \$15,000 shall be by RFP, and then if you turn around –, what happened is at the last meeting y'all took action. You recall that was something that wasn't initially on the agenda, but was put on the agenda at that meeting and then voted upon and you took action, number one, to terminate the contract and, number two, to put it on a month-to-month at that time, and when you look back at Robert's Rules of Order, it says actions cannot be rescinded or amended. Motions to rescind or amend a previously adopted are not in order in the following circumstances, and it's got a laundry list of circumstances and under (c) it says, when the case is in the nature of a contract and the other party has been informed of the vote. We sent out a letter to them advising them when, you know, the time frame which we were looking at. So, you know, I think y'all put –, we're kind of a procedural bind. Commissioner Rivers said, I'm clear –, I'm clear on the rule.

Tax Commissioner Powers asked, Mr. Chairman, can I make one more comment? Chairman Hair said, certainly. Tax Commissioner Powers said, I have never seen since 1995 when I was first elected where when the yearly option came up that we have rescinded someone's contract based on the fee that was previously approved. Now I've sat here and seen where we rescinded contracts and relooked at them when we had a doubt whether the service was being performed properly. And I'm going to be honest with you, I don't see where we've had a problem with services from Richard Tindol. I think you may have some legal ramifications in here. I mean, I'm not an attorney, but I don't know how you can go into a middle of a contract where you've agreed to pay someone on a three-year contract and then arbitrarily say we're going to rebid because it's based on –, it's based on a dollar amount. And what is the dollar amount savings? What was the difference between –? Chairman Hair said, about \$40,000 over two years. So roughly \$20,000. Tax Commissioner Powers said, \$20,000, yeah.

County Attorney Hart said, Mr. Chairman, by State law the County can only enter into one-year contracts, and what they've done is they've got an automatic roll-over provision for however many years, and you're allowed to do that. Mr. Powers is correct that we traditionally as a body, you have made traditionally a decision that when you award a contract on these three-year basis that unless we have a reason or cause to terminate, we generally roll those over. Now a classic example of that was the prison services and in the second year of that contract we had some performance issues there. We met with the people and advised them of the performance issues, gave them a period of time to get it straight, and we terminated the contract. Okay? You have the legal right to terminate this contract. Period. Now, there is a policy issue there that is not in my –. Tax Commissioner Powers said, it's setting a precedence though. I mean –. County Attorney Hart said, – my purview as a County Attorney to tell you to do it or not to do it, and that is whether when you go out into the marketplace to bid, a lot of our services, just as a general matter, are more than one-year services, and a lot of our services, especially when they're dealing with mechanical things during that first year, have a fair amount of start-up costs. So oftentimes we get inquiries as to, "We don't want to do it for one year. If we've got some type of insurance that we're going to be able to do it for two or three years to bid and spread those costs over that term." That is purely policy though.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, Jon [Hart], let me get some clarification, too, on another thing. RFP's going out for services are not a bid situation. They're a negotiable contract. So it's not necessarily, even if we put out a bid —, out a request for proposal and take it away from the bid ramifications, we can still negotiate with the company, existing company, on the price. County Attorney Hart said, that is correct. Commissioner Rivers raises a very good point that if you're buying desks, chairs, police cars, objects like that, the law requires us to accept the lowest responsible bidder. Period. And if they're a dollar cheaper than the other guy, we have an obligation to provide that. In the area of professional services the law is more flexible and allows this Commission to exercise some discretion in regard to how they wish —, wish to do that. So you don't necessarily have to take the lowest bid. You do have the opportunity, if you chose to, to go back to the second bid and say, "Would you match the first bid and maybe change this around?" Now there are limits to that, but you do have a little more flexibility in a professional service contract.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I guess my question is with our loss of the financial director, how wise is it to change horses in the middle of the stream for a minimum saving of perhaps \$20,000 a year? Russ [Abolt]? County Manager Abolt said, I would like to —, with your permission, gentlemen, to make two points and to certainly answer your question. I'll answer your question first. I would like to have the security of having a continuation of institutional knowledge for a while. I'm the first one to admit, as I've told you and told the news media, that having the benefit of appointing Mr. White as an interim director is a benefit, and I value that. I value what it will do for the organization. I'm also by nature very conservative. I would like to have the continuation of institutional knowledge that the current audit firm has. But I say that, as I've told this Board and every Board since I've been here, I value, protect and will defend the independent nature of your auditor. Every time we have the audit report, every time I introduce the auditor, I always underscore the fact that this person works for you. If the real issue is a new set of eyes, then act on it. If the issue is the dollars, gentlemen, please don't make that determination based on dollars. I would much rather be able to give you solid, well thought out and well documented financial advice in these troubled times having the benefit of Mr. Tindol, but if you do want a new set of eyes, obviously you act on that. Chairman Hair said, Commissioner McMasters —. Commissioner Odell said, I haven't finished. Chairman Hair said, okay, I'm sorry. Commissioner Odell and then Commissioner McMasters. Commissioner Odell said, and my second point is the policy impact. My concern would be, if I was a provider, whether or not I would choose, if I had other options, to do business with the County, and I see Jeff shaking his head, but the impact is that if it's a three-year, one-year roll-over contract, you do place a fair amount of costs in that first year where you're going into a new institution, and I think that it creates a negative policy impact. When is the end of this audit cycle? When would the three years —? County Manager Abolt said, two different questions, sir. The term audit cycle is in effect the responsibility for a fiscal year. Commissioner Odell said, right. County Manager Abolt said, and in effect by renewing or dealing as you have with an audit contract, we are now having about —, about trying to get an auditor to do the current —. The books close on the first of July —, 30th of June. We need an auditor in place to do that work. Mr. Tindol has already his work for the year that is ending. So we need, and I don't know whether month-to-month is the best way to do it, we need someone to be about closing the books. We close the books, auditing the books. We have a deadline to have in Atlanta our audit by the 31st of December of this year. So that is not an issue. The issue would become —, is that even month-to-month we're going to have to deal with getting that audit to Atlanta and making sure our books close timely. Commissioner Odell said, yes, but this roll-over cycle, Russ [Abolt], ends when, is my question? County Manager Abolt said, it's ended. I mean, technically it ends the end of the fiscal year, which is the 30th of June. Commissioner Odell said, I know, the one-year contract ends then, but it's bidded on a three-year contract —. County Manager Abolt said, oh, yes, sir. I'm sorry, I'm sorry. Commissioner Odell said, that three years would end when? County Manager Abolt said, you have two more years —. Chairman Hair said, we had the first year of a three-year. Commissioner Odell said, if that's the case, I would urge that we consider making a change at the end of a cycle, and my rationale is that (a) we have lot a financial director who's been here since God was a boy, and (b) whether anyone chooses to believe it or not, if we lose 50¢ there, we're going to have to go into aluminum recycling. That's just how tight the budget is. Additionally, I haven't heard and I would ask any Commissioner to produce any information which would infer that there is an impropriety which would suggest the need for new eyes. If that is a factor, then that to me takes it out of a sheer cost savings. If cost is the object, then I think that it does not justify making the change given all of the factual circumstances.

Chairman Hair said, Commissioner McMasters and then Commissioner Murray.

Commissioner McMasters said, I'd like to know the answer to the Youth Commissioner, Ms. Wise's question as to how long the current firm has been our set of eyes? County Manager Abolt said, sir, my recollection would be at least for a decade and a half. Commissioner McMasters asked, 15 years? County Manager Abolt said, yes, but realize during that time it has been competed. They were —. Commissioner McMasters said, I understand that, but for 15 years the same firm has been looking —. County Manager Abolt said, that is only my recollection based on my tenure, but I believe that they have been auditing some aspect of the County for probably about 15 years. Commissioner McMasters said, my concern here is not so much immediate savings, but long term financial stability of the County, and I think 15 years is an awfully long time to have one group exclusively, solely, doing this type of work. So I'm certainly in favor of a change.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, again, we would have to do an RFP. If we do the RFP, it's going to take at least four months to have another firm in place. Is that right? That's correct? Chairman Hair said, yes, that's correct.

Commissioner Murray said, our books and audit have to be in Atlanta on December 31st of this year. Is that correct? County Manager Abolt said, that's correct, sir. Commissioner Murray asked, so why can't we go ahead and put the RFP out, since we're going to have to do it anyway, with whichever firm that is that would take effect and that firm would be under contract as of January the 1st, regardless of who that firm is. We still have to do the RFP. If they go –, if that contract starts January the 1st, it certainly does not affect the current audit we're doing or anything else. County Manager Abolt said, yes, it does, sir? Commissioner Murray asked, how if it's got to be in Atlanta December 31st, how is it going to affect it? County Manager Abolt said, well, I don't I understand your premise. Your premise –, the premise right now is that we have a work that is complete the end of this year. The audit has been submitted already. We're now looking for services to close the current year's books. See what I mean? Commissioner Murray asked, doesn't that have to be –, isn't that what has to be in Atlanta on December 31st? County Manager Abolt said, yes, sir, and that was the contract –. Commissioner Murray said, so if the person starts –, it takes place January 1st of next year, how is that going to affect December 31st of this year? County Manager Abolt asked, what happens to the current books? Commissioner Rayno said, it will go month-by-month with the current auditor –. Commissioner Murray said, that's what we're talking about keeping them. County Manager Abolt said, oh, okay. That's fine. Commissioner Murray said, they don't go away until after December 31st. County Manager Abolt said, okay. Commissioner Murray said, and they may not go away then. The RFP is going to have to be done anyway.

Chairman Hair said, Commissioner Gellatly and then Commissioner Kicklighter.

Commissioner Gellatly said, if I understood the attorney correctly, with this particular type of a contract, we can make considerations. In other words, if this firm that we have now were to rebid and even if they were slightly, and I emphasize slightly, higher, why we could take into consideration their years of service and historical knowledge of our bookkeeping system right now. I'm not opposed to going out for rebid just to give –, for the sake of giving the opportunity to sharpen their pencil a little bit and maybe be more competitive.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. I just want to state that I'm happy with the service of the current auditors. I don't have any problems, I'm not out looking for a fresh set of eyes. I believe they've done a fine job, but if we can send out for an RFP, and, you know, we were talking history a little while ago, I can't remember us being this broke in the history of Chatham County either. So if it can save a little bit money there, it's worth sending out for an RFP and seeing if we can reduce the cost a little bit.

Chairman Hair said, okay. I think everybody's said everything they need to say –. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I never questioned the integrity of this firm, but the other firms that were competing, like Stephens, Moore and Tiller [sic], I think it was, they work for the library and they don't have problem with them. And the start-up costs will be negligible because the information in the database the County has could be easily transferred into a new software program and utilized immediately.

Commissioner Rivers said, Mr. Chairman. Chairman Hair recognized Commissioner Rivers. Commissioner Rivers said, you've got the County Manager with his hand up. Chairman Hair asked, sir? What was that? County Manager Abolt said, I just want to –. Chairman Hair said, go ahead, Russ [Abolt]. County Manager Abolt said, to ask, not clarification, but to express my understanding of what you are requesting, what you have done. In effect, you would continue the services of the current auditor to allow us to get the audit in Atlanta by the 31st of December. Is that what you're telling us? Chairman Hair asked, Commissioner Murray? Commissioner Murray asked, do we need a motion? Chairman Hair said, we don't need a motion. We don't need a motion. What you're doing is leaving the previous action in place, so –.

Commissioner Rayno said, I think at the last meeting we already said we'd do it by month-to-month. Commissioner Murray said, I understand that, but –. Chairman Hair said, yeah, but, you know, that is one clarification. Commissioner Murray said, I want to make sure though that staff puts out the RFP in time for it to go into effect January the 1st of 2003. County Attorney Hart said, yes, that's new. Chairman Hair said, that is new. County Attorney Hart said, that is a new statement. County Manager Abolt said, the PR –, permit me –. Commissioner Murray said, and that way it doesn't interfere with the audits.

Chairman Hair said, well, the previous motion now –, that is new. The previous motion was to put it out on RFP and to go month-to-month until we selected a new auditor. That was the previous motion two weeks ago. Now we're saying until the current audit cycle, which will be at least through January, we go month-to-month, which will be seven months, eight months. That's different than what we said two weeks ago.

Commissioner Murray said, I would like to make a motion to do that because if we don't, we're going to come right back again with the same problems and we're still going to be doing month-to-month. I think Mr. Tindol's firm and anybody else needs this thing resolved one way or the other, and I would move that we go month-to-month until January 1st, or December 31st the audit's done, but staff put out the RFP in enough time that we have it back with a sight selection or the selection of a firm –.

Chairman Hair said, do we have a second? Commissioner Rayno said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rayno, McMasters, Murray, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner Rivers 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.

ACTION OF THE BOARD:

Commissioner Murray moved that the County continue with the current contract for an auditor on a month-to-month basis through December 31, 2002, when the audit is done, and that staff put out an RFP in enough time to have it back for selection of an auditor to begin January 1, 2003. Commissioner Rayno seconded the motion. Chairman Hair and Commissioners Rayno, McMasters, Murray, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner Rivers voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Thomas was not present.]

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VII. COMMISSIONERS' ITEMS

1. COMBINING PROPERTY IDENTIFICATION NUMBERS (COMMISSIONER MCMASTERS).

Commissioner McMasters said, thank you, Mr. Chairman. The subject cropped up in budget workshops where our Internal Auditor –, our Internal Auditor, Reese White, was giving some information about his department and I happened to ask him a question relative to a practice that I'm aware of in the Board of Assessors office wherein when you take two property identification numbers and create a new PIN, the history associated with the two prior PIN numbers is purged and lost forever in the system, and I have a –, have a problem with that practice, both for taxpayer access to historic data relative to the two prior properties. I've also got a technical question whether or not that new PIN, which is a recombination of two existing parcels, how that's handled in the tax digest relative to is that new growth or a revalued property? Chairman Hair asked, who best –, Mr. Udinsky, who's best to answer that question? You or someone –, I don't –?

Mr. Gary Udinsky said, first I'd like to mention that the Chairman of the Board of Assessors, Chairman Vestal is out of town and was not able to be here today. I do have though here the Vice Chairman, Mr. McGraw, Mr. Lower and Ms. Dixon are also here, so if you've got questions of the Board, those members are here and have expressed their interest to me to answer any questions that you may have. Now, to the specific question at hand, the situation has not been characterized completely correctly. If you'll remember or if you'll consider that a PIN, which is a property identification number, is essentially an inventory number. It's an inventory number, it's all it is. It inventories all the property in the County. And the books and records of the Board of Assessors are essentially only accurate once a year. They only are supposed to be accurate once a year. They're intended to be accurate only once a year, and that's when the digest is completed and submitted to the State. When parcels are combined or split during the year, it is true, and the Department of Revenue is completely behind this practice, the old PIN's are gone. They disappear, and a new PIN is created because it's kind of like if you take two inventory items and combine them through some work into a third inventory item, the first two items don't exist any more. You have a new inventory item. But the characterization of that information is lost forever is false because those PIN's exist in the history and we currently have history in the computer system back through 1992. That's when we went to the new –, new system and that's, we have history back far. Secondly, we started maintaining in anticipation of a Countywide document imaging system about three to five years ago, and I couldn't get the next date. We started maintaining hard copy files on all these parcels, splits and combinations, and now there's a hard copy file back –, back through, like I said, the last three to five years, and what you can find is you'll find the old PIN that has a copy of the information about the split in it, and if you had a situation where you had a hundred acres and it was split into a hundred one-acre parcels, you'd find this information in those one hundred new PIN files as well. The information is also coded in the computer in the notes screen on all of those parcels. So you could easily track in both directions. As I said, the Department of Revenue supports this practice. It's a practice that's done in almost every County that I'm aware of, and on top of that the Board of Assessors back in March of 1997 adopted a policy to implement the split, transfer and combination practices that we follow. That policy, again, has been reviewed by the Department of Revenue and is in full compliance.

Chairman Hair asked, Mr. McMasters, do you have any further questions? Commissioner McMasters asked, so, Mr. Udinsky, you're saying that you don't eliminate any history when you recombine? Mr. Udinsky said, exactly what I said, and I'll say it one more time. We have databases back through 1992. Every year's digest is on the computer system back through 1992. Every PIN that was there in that particular year is still there and will be there until that computer system either disappears or something else happens to it. The data for the digest year exists essentially forever. Commissioner McMasters asked, so the answer –, the answer to that is yes? Chairman Hair said, yes. Ask Mr. Udinsky. Commissioner McMasters asked, what's the short answer? The answer is that you keep all pertinent history, fully accessible to the public within the system, or do they have to jump through hoops to get the information? Mr. Udinsky said, if you will go to the Property Record Room in the Board of Assessors, you will find on the screen of the computer terminal the request, "What year information do you want to look at?" You have a choice to look at years '92 through the current year. If you choose '92, you will see every single PIN, every single property that existed on the digest at that time. I can't answer the question any more simply than that.

Chairman Hair said, Commissioner Rayno and then Commissioner Murray.

Commissioner Rayno asked, is this information available on the property records card on the Internet? Mr. Udinsky said, no, that's a different question. The Internet only represents the parcels that exist at that moment. If you want to put all that history information on the Internet, I'd love to do it. It's a function of financing and availability –, resources. You give us the resources, we'd be more than happy to put 10 years, which is what we –, almost what we have at this point, of information on the Internet. We'd love to do that. Commissioner Rayno asked, how about just for the three years that show up? Mr. Udinsky said, no. I'll answer the question again. The only information on the Internet is the current, at this moment, information. Period. Chairman Hair recognized Commissioner Murray. Commissioner Rayno said, I have one question. Chairman Hair said, oh, I'm sorry. Commissioner Rayno said, thank you. The property record card on the Internet has been down for a while. When do you expect that to be back up? Mr. Udinsky said, that's a question you need to ask Mr. Leonard from the ICS department. We've been leaning on them as hard as we can lean on them, and I would appreciate if you would do the same thing to get that information updated. It's a function –, it's some problem that they're having, not a problem we're having.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yeah, my question is not pertaining to that, but since you're up there, I want to ask it anyway. There's been some concern about when we will have the digest. When will we have a number that we can use, whether it's growth or not growth or what percentage of growth we might have so those of us that are responsible for setting a budget –? I mean, I don't know how somebody's going to work a budget up without knowing that figure. Mr. Udinsky said, right. And I didn't bring the calendar with me, but I think it's the 20th of June. Commissioner Murray said, and I'm not saying when does it have to be in. I want to know when will we be able to get it. Mr. Udinsky said, no, I understand. I think the current calendar calls for us to send numbers to Finance the 20th of June, Russ [Abolt]? I'm not sure. I didn't bring the calendar with me. County Manager Abolt said, if I may, let me explain how we've handled it in past years, and it's been effective for your policy decisions. We have already received from Mr. Udinsky incremental assumptions. He actually did them on half percent increments. When we meet with you, when we show you the budget choices and also talk about options, we will make, you know, for your availability to plan for percentage increments on digest growth knowing full well you'll not actually adopt the budget until July when you also adopt the millage rate.

Commissioner McMasters said, Billy [Hair], I have one –. Chairman Hair said, sure. Commissioner McMasters said, I'd like to know the answer to my second question, and that is when you take two existing PIN's and you create a new PIN, in the digest is that calculated as new growth or not? Mr. Udinsky said, I believe it is calculated as new. I would have to do some research, but I believe it is called new. Commissioner McMasters asked, it is? Mr. Udinsky said, yes. Commissioner McMasters said, so that's not subject to a rollback under the current law? Mr. Udinsky said, that's essentially correct, yes. And the –. Commissioner McMasters said, okay. Is that consistent? Is that the practice whenever two PIN's are combined? Mr. Udinsky said, I believe it is, and here's the thinking behind it, and you're using the example of a combination. It's more obvious in the example of a split. If you have a hundred acres and it's valued as a hundred acre tract, and a developer goes in and does work, whether that be engineering work or design work to design roads and lots, and that hundred acres gets divided into a hundred lots so the original PIN goes away and the new –, there's a new hundred PIN's, there is value that's added because of that design infrastructure that's put in place. So that's why that would be called new. But that's a policy decision that should you dislike it or the Board of Assessors dislike it, it could easily be changed. Commissioner McMasters said, last question here. When you take two parcels and there's no change to them, they're merely combined into one new PIN number, is that new growth? Mr. Udinsky said, again, the short answer is I would believe it would be, but you have to understand that your example of just combining and just so isn't a good example. That doesn't happen. Parcels are only combined or divided because of a legal process. That legal process for us begins and ends with what's reported in the Clerk's office, the Superior Court Clerk's office. It's a legal process. So as a result of that legal process, if parcels are split or divided, we simply map what –, or inventory what is –, what is the result of the legal process.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, a few meetings back we asked the State to send out some people from the Department of Revenue to address the issues that were addressed in the PRB. What have they done? Mr. Udinsky said, we have met with the –, with representatives of the Department of Revenue and, in fact, I have an E-mail that essentially says that all issues at this point have been addressed and that we're wrapping up one major project and will be meeting –, our final meeting with the Department of Revenue representatives around the 20th something of this month, and that would be the Westside Land Revaluation Project. All other issues have been satisfactorily addressed. Commissioner Rayno asked, can you send us all that information in our packet so we can see it? Mr. Udinsky asked, what information? Commissioner Rayno said, the E-mail you got from the State and any pertinent information concerning the Westside reevaluation. Mr. Udinsky said, there is no information available on the Westside project. It's an on-going project. As I said, we expect to wrap it up in a wrap-up meeting with the Department of Revenue representatives, again, around the 20th of this month. I'm not sure of the exact date. When that information is –, when that project is complete, those values still won't be final, and they will not be final until the assessment notice is approved by the Board of Assessors some time, I think, around the middle of July –, June. Commissioner Rayno asked, can you send me a copy of the E-mail that says all issues have been addressed? Mr. Udinsky said, I'll be happy to do that. Commissioner Rayno said, thanks. Chairman Hair said, thanks.

ACTION OF THE BOARD:

Received as information.

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2. MEDICAL INSURANCE (COMMISSIONER RAYNO).

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, we've been approached by a financial management local company concerning our medical insurance program, represented by a local person, Frank Hardeman, and they made a very compelling presentation about how they could save the County millions of dollars in the process of just changing the way we do business with securing our insurance. Some of the representatives are here today and I'd like for them to step forward, if they could, so they could answer any questions. And they've met with nearly all the Commissioners as far as I know in individual meetings to pitch their proposal, and we're looking at savings anywhere between 1.5 million to 2.6 million dollars, and in a year where we're looking at a very tight budget, it's a very attractive proposal. And the fact that it comes through

the organization that all the Commissioners belong to, the ACCG, it means that we don't have to put out bids on this, which makes it easy for us to make a decision. The benefits to the employees of this organization and the fact that they get nearly what they've got now with health care, if not better in most cases, and they can still keep those providers that they have based on a 75% PPO proposal and a 25% HMO choice. In Hall County where they've used this particular company, their savings were larger than they expected, and at this time, since everyone's seen this proposal and talked to these people, for the sake of discussion, I'm going to make a motion that we go for their number three package that they've offered with a 75% PPO and 25% HMO.

Chairman Hair asked, does that motion have a second? Commissioner McMasters said, I'll second it. Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, I would encourage you to defer until your next meeting and staff be prepared to answer any questions you might have on that.

Commissioner Rivers said, Mr. Chairman, fellow Commissioners, this is nothing new. I want the public to know it's nothing new. We went out and requested that ACCG do an analysis on last year. This is the final results coming back. The Chairman asked the group to present it to all Commissioners. I in turn asked the staff to do due diligence on it to make sure that one proposal and our proposal that we –, the present plan that we have now have everything in it. I asked for a legal opinion and that legal opinion was forthcoming and said that we didn't have to do an RFP, we didn't have to bid it out. So I'm fine with that. But in that I asked them to do due diligence on that, I would ask my fellow Commissioners to hold up until the next meeting until we get that due diligence back and have all those comparisons. So at this point here I would ask you to table it until that time.

Chairman Hair said, we have a motion to table. Do I have a second? Commissioner Odell said, second. Chairman Hair said, all right, a motion to table is not debatable. All those in favor of table vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Odell and Kicklighter voted in favor of the motion. Commissioners Rayno, McMasters, Murray and Gellatly voted in opposition. The motion to table failed by a tie vote of four to four. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion to table fails.

Chairman Hair said, okay, the original motion is on the table. Any further discussion on the original motion? All right, all those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Rayno, Rivers, McMasters, Murray, Gellatly and Kicklighter voted in favor of the motion. Commissioner Odell 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.

Commissioner Rivers said, Mr. Chairman, I'll move that it be entered into the minutes that this be reconsidered at the next meeting. Chairman Hair said, so noted. Thank you.

ACTION OF THE BOARD:

Commissioner Rayno moved that the Commissioners approve number three of the package that has been offered with a 75% PPO and a 25% HMO. Commissioner McMasters seconded the motion.

Commissioner Rivers moved that this issue be tabled to allow staff's input. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Rivers, Odell and Kicklighter voted in favor of the motion. Commissioners Rayno, McMasters, Murray and Gellatly voted in opposition. The motion failed by a tie vote of four to four. [NOTE: Commissioner Thomas was not present.]

A vote was taken on the original motion. Chairman Hair and Commissioners Rayno, Rivers, McMasters, Murray, Gellatly and Kicklighter voted in favor of the motion. Commissioner Odell voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Thomas was not present.]

Commissioner Rivers requested that it be entered on the minutes for reconsideration at the next meeting.

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3. LOST NEGOTIATIONS (COMMISSIONER RAYNO).

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I would just like to know –, we authorized you and Mr. Murray Rivers to go into LOST negotiations for us. I'd like to know where we are and I'd also like to possibly add Mr. Frank Murray to the negotiation team, simply because of his years of experience on this Board, and I think it would be helpful in the negotiation process. Would you give us an update, Mr. Hair, please.

Chairman Hair said, I'd be glad to. We've had, I believe –, we met as our negotiating team initially, which was myself, Mr. Rivers and Mr. Abolt, and we discussed strategy. At that time it was decided that the first step in the process should be for me to meet with the Mayor, which I did, to lay out the general parameters. Subsequent to that, there was

another meeting held and –, with the City staff and the Mayor again, and the next meeting there was some information that the City wanted and we are preparing that information now, and we are preparing for our third meeting with negotiations.

Commissioner Rayno asked, are we in a better position to get us more of a chunk of the money than we were in the past? Chairman Hair said, you know, it's difficult to ask that. That's a question that has a political answer, not a logical answer. I mean, I can tell you that these negotiations, Mr. Rayno, will center around politics. This is all about getting as much as you can get for your government. That's what it's all about and giving up as little as you can give up. I believe that the City has been forthcoming. That's my personal opinion, and Mr. Rivers can speak for himself and Mr. Abolt can speak for himself, but I think the City has been forthcoming. I think they are willing to negotiate. If you look at the numbers, the City gets roughly –. Commissioner Kicklighter asked, what City, Mr. Chairman? Chairman Hair said, the City of Savannah gets 67% of the money right now. Commissioner Rivers said, 68. Chairman Hair said, almost 68. 67 and change, 67.6 or something like that. Commissioner Kicklighter asked, [inaudible] the smaller cities. Chairman Hair said, we get –, we get 19% of the money. All the cities together, you know –, the cities –, the other cities get range anywhere from .6% up to, I think, 2.1, I think, is the most that any other city gets. When you get into negotiations, everybody is going to pick the parameter that gets them the most money. You know, if a city thinks the population is the issue, they're going to pick population and say the money should be divided on population. Another city doesn't have the population, but they've got more geography and they're going to say, well, we should use geography. If you've got more square miles, you should have more of the money. And the difficult thing is going to be to determine a parameter that all the cities can agree on because everybody's going to pick a different parameter because that parameter gives them the most money. And I think that –, the final thing I would say is that there are going to be a number of other issues in this LOST negotiation. You cannot –, it is naive to believe that you can negotiate sales tax in a vacuum. All the issues –, the issues of millage rate increases is going to be in there, who's going to have to raise the millage rate and is somebody willing to raise the millage rate to get more money. Those issues are going to be in there. The SPLOST negotiations are going to enter in the LOST negotiations because they're going to say, well, if I can get a couple of projects in SPLOST, then I might be willing to give up more LOST money. So, it's a very, very difficult negotiation. It's going to involve primarily politics and how I can get the most money for my city or how we can get the most money for the County. But I would be remiss if I didn't say that in these negotiations you're going to have to lay everything on the table. You're not going to be able to just negotiate a penny sales tax. Everything's going to be there, tax increases, SPLOST, everything else. They're going to look at countywide services. We've already talked with the City about that. We're trying to put in, you know, marine patrol and animal control and those issues. The issue that always comes up with the cities is that's double taxation, we already pay city taxes and you're asking us to pay County taxes for that countywide service. The issue of quality comes up when you start talking about funding things, like recreation. X-number of dollars for maintenance is one thing, but, you know, we maintain our parks at a higher level. You know, that's the contention. So it's –, you know, it's going to be very tough negotiations and if we are willing to put everything on the table, it is my belief we will be more successful than if we try to negotiate just the penny by itself. I think we're going to be very unsuccessful if we just limit it to that. Commissioner Rivers, do you want to add anything.

Commissioner Rivers said, I'll add to that. To answer your question, Jeff [Rayno], until the City comes back with what we have put before them with the defined answer to what they are willing to do, then we don't know where we're going with that. You've got everything on the table. We'll present it to them. Now they're going to counter to us what they can afford to do, and it may not be all that we asked for, you know.

Chairman Hair said, okay, Commissioner Kicklighter and then Commissioner McMasters.

Commissioner Kicklighter said, I mean no disrespect here, but we're off to some terrible negotiations if we're waiting on what the City –. Chairman Hair said, yeah. Commissioner Kicklighter said, when we have several cities involved here. Several cities should be sitting down with Chatham County negotiating. If, based on the last formula of negotiations, some of the smaller cities have made tremendous increases in their population and would receive a significant chunk, bigger piece of the pie coming up, and I really don't care for what I'm hearing right now of getting together with the big city coming up with the little formula there that's going to negate what these other cities did planning for the future, and I'm going to give you an example. When I was Mayor of Garden City, I wanted to annex, number one, to have room to build houses to keep young people there. Number two, we increased that population by almost 50%, which if we hold by the current standards of negotiation, their revenues will increase on this LOST negotiation by 40-something percent. So people made moves planning for the future in other places to get their growth, and we need to let the other cities sit down at the table from the beginning. Not do what's been done in the past with the two big brothers up there working it out and then telling you here's your little piece. You know, they're all individual cities. They may not be as large as Savannah, but they deserve every bit of respect. The same amount of respect that we would give to the City of Savannah should go to your Garden Cities, Poolers, Port Wentworth, Bloomingdale, Tybee, Vernonburg, everyone. We're equals here. Commissioner Rivers said, there's no changes in your percentage. The negotiations were done with the City of Savannah to try to yank it out without having a whole lot of disparity and with everybody getting their same percentage. Now, we can go back and however y'all want to do it, you know. If that's not the best method, then, you know, we can try –. Commissioner Kicklighter said, well, and what I'm saying here, I don't, you know, that's up to all of the areas to do their negotiating, but let's please be fair and at least include these other cities at the table to come up with this. Let's not get together with Savannah, come up with a plan and then tell the smaller ones, you know, here you are. There was a recent study or something in the paper, for example here, and we tend to overlook them because we are –, we have Savannah here. Garden City, Georgia's population around 12,000. It's like 50-something in sizes of Georgia cities out of 500 and something cities, but compared to Savannah,

we sit here and we don't even mention them. You stick Garden City out in the middle of the State and that's a metropolis. I mean, it's a big place. It's a port city. We need to respect every city here to include them at the table to make sure we all get our fair share. And that's all --, I heard the Chairman say politics, we're all going for, you know, the most we can get. That's not right. We need to go for what's fair for every city, period. And fair will help us all out countywide.

Chairman Hair said, well, Commissioner Kicklighter, I can tell you the definition of fair to a mayor is going to be different from fair to you. So, if we had a common definition of fair, that would be wonderful, but I will assure you that everybody that sits at the table is going to have a different definition of fair. And I think it's wrong to characterize what has been done so far which is basically preliminary. We've only had two meetings. As to leaving anybody out, that's simply not true. You've got to face the facts, and the facts are that 86% of the money goes to the County and the City of Savannah. And --, yeah, we're still living in a democracy and where, you know, if you control the majority in terms of votes, you're going to be able to be in a better bargaining position, not that you're going to --. Now, let me tell you what else is going to happen, and you get prepared for this, particularly those of you that represent areas that have municipalities, like Frank [Murray] and like you where you've got a lot of municipalities. You're going to have a lot of split loyalties because in negotiating sales tax you're going to be on the one hand saying, well, Garden City and Pooler should get X-number of dollars, but you also are County Commissioners so you're going to have to protect the County. So, the same thing with Commissioner Murray. But I'll tell you one thing that's going to --, that you're going to have to face, and it's not going to be pleasant. What these cities are going to want is they're going to want a bigger piece of the pie, but they're going to want to continue for the County to shoulder the costs which came in the last negotiations, which is primarily the jail costs. You know, in the last five years the cities haven't paid one dime to the cost of the jails. One dime. And if you think that they can get the same percentage of sales tax money and the County continue to pick up a hundred percent of the jail costs, I've got some swamp land I'll sell you. It's got to be a fair negotiation, and when these cities say I want more percentage, that's one thing. Okay, fine, we'll give you another half a percent, but now we're going to start charging you \$42 a day for every prisoner you put in the County jail. And all of a sudden they'll say wait a minute now, I'm not sure I want that. Well, then keep your same percentage and we'll keep the jail costs. Now if you want more money, sure. But what I'm saying is it's a *quid pro quo*. It's a zero sum game, and if you want more in one thing, you're going to have to give up something else, and the County, in my personal opinion, and I'll qualify it as such, I can't speak for Commissioner Rivers or Mr. Abolt, but if you look at what happened five years ago, or actually six years ago now, I guess, when it was done, I mean, the County did not get a fair share. You know, if you look at what we assumed in costs versus our percentage, we got screwed. Okay? To use the French. And we're going to have to --, we're going to have to do a better job, you know, of negotiating and particularly those Commissioners that represent municipalities, y'all are going to have some tough decisions to make. Do you come down on the side of your cities or are you going to come down on the side of the County. Okay?

Commissioner Kicklighter said, and if I could please, I'll shock you here. I agree with you. Absolutely. Chairman Hair said, well, it doesn't shock me, but I --. Commissioner Kicklighter said, I agree with you. All I ask is that you allow all municipalities to be involved because I really don't care who funds the jails and who funds the drainage as long as it's negotiated and the person --, the city gets their fair share to cover the costs. Chairman Hair said, okay. Commissioner Kicklighter said, because of poor negotiations on the County's part they took a higher sum of money to cover the jail costs and to cover the drainage, but it wasn't high enough. So, you know, that's for the negotiations, but the smaller municipalities, they're not going to get to negotiate if they're not invited to sit at the table. So let's just have fair negotiations in every meeting. Let's include them in on it because what we talked about, it really don't matter if you're the two biggest. We're a team. We're Chatham County with all these municipalities, and like the football team just 'cause one's sitting on the bench, they still get to go to the game, and because they're smaller, they need to be in the game also. They need to be able to sit down at the table with their input because we're all a team here in Chatham County, and that's what we need to do. So --.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Commissioner Kicklighter, hopefully some of my comments will address some of your concerns, and I agree with you by the way on what you said. This is only the second time we've renegotiated this fifth penny, and I notice we've got Representative Day sitting out in the audience, and he's fully aware of some of the things that after I say that I know he's aware of it because we've talked about it in the past. But the issue came up about double taxation, which comes up every time we do this. Let me tell you something. The double taxation is not an issue in this for those people that live in the municipalities or the City of Savannah because they get the benefit of the M&O that the money comes into for Chatham County plus they get the benefit of that percentage they get out of the fifth penny. Those 60,000 to 75,000 people that live in the unincorporated area of Chatham County receives zero from this negotiations. None of that money goes there, and I will assure you if there's any way to track it, they probably pay the largest share of that fifth penny that comes in with what is spent in this community. But that's just the way the State law is set up and we're not allowed to get any. The M&O money, what little bit goes into M&O, will go into the unincorporated as well as it goes into the rest of the municipalities. So don't be fooled by this double taxation thing that is always thrown up at us because of the unincorporated area. They even tried to come to the last negotiations, which I was chairing, and tried their best to give some figures and give some numbers and had flow charts and everything else to do this with, and were not allowed to speak and they weren't allowed to speak because of the smaller municipalities and the City of Savannah saying they didn't have a say-so in this negotiation to begin with. Now what happened back the last time we negotiated this was that the City of Savannah convinced the smaller municipalities to come in with them and promised them all kind of things that would happen and they would give them, if they supported them, on what they wanted. That's how Chatham County got whatever terminology you want to use about it. I won't go into the French side,

if that's French. Chairman Hair said, it's all legal. Commissioner Murray said, but that's what happened and that was at the time the best deal we could get because all the small municipalities and the City of Savannah said that's the way it's going to be. We could have still been fighting it today if we hadn't agreed with it. But I do agree that some of these things have to happen, but keep in mind when you do it the unincorporated area of Chatham County receives zero from that percentage that goes around. And, Burke [Day], while you're here, I know we talked about it and Eric [Johnson] is fully aware of it, too, and all the local delegation is, but it's something that the State law has to be changed in order to allow that. And, if I understand it correctly, out of the 159 counties, there's only three in the State of Georgia set up like Chatham County with the special service districts. So it's something that I think needs to be looked at again because there is a large amount of money. If they were allowed to incorporate the unincorporated area of Chatham County, they then would receive the next to the largest percentage of that other than the City of Savannah, and there has been some discussion about it, but I don't think it's going to happen. But, anyway, that's where we are today.

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, I'd like to say that I agree with Commissioner Kicklighter in many regards, and I'd like to just say that the westside of Chatham County is the future growth of our County, and we need to be thinking more universally here in a more positive [inaudible] sense because that's where growth is going to occur, and in the interest of fairness in negotiations, this --, this really --, this discussion began about whether or not you and Mr. Rivers would welcome Mr. Murray's assistance in the negotiation process, and I understand the *quid pro quo* example is a valid one, Dr. Hair, but I want to be certain that I'm not --, we're not trading, you know, my Volkswagen for your Cadillac in the deal. The history is such that Chatham County has come up short, and I would just hope that you and Mr. Rivers would welcome Commissioner Murray's involvement in the process.

Chairman Hair said, I personally will. That's fine. I don't care. It makes no difference to me. Commissioner Rivers said, and the municipalities. I don't have a problem with none of it. Chairman Hair said, that's --, you know, that's certainly not an issue. I don't know --. Commissioner Murray asked, what kind of time --? Chairman Hair said, we're operating on --, based on what we've decided, y'all decided before. So if you want to add Mr. Murray, that's great with me. I don't have a problem with that. Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, may I make a motion that all municipalities be included in any future LOST negotiations? Or let's rephrase it. I make a motion that all municipalities be included in future LOST negotiations. Chairman Hair said, in every meeting. Commissioner Rayno said, just say invited because they might not --. Commissioner Kicklighter said, invited. Invited. Commissioner McMasters said, I'll second that.

Chairman Hair said, okay, motion and second. I just --, the only thing that bothers me a little bit about this, obviously they need to be included, but if you make a statement that they have to be included in every meeting, first of all, you're going to bore them to death in some cases. Commissioner Kicklighter said, I'll rephrase that. Chairman Hair said, if that's what you want to do. I just --. Commissioner Kicklighter said, my motion --. Chairman Hair said, I've got a little bit of a problem.

Commissioner Kicklighter said, if I can change it. If one city is invited to negotiate with Chatham County, then all cities shall be invited. That's my motion. Chairman Hair said, that's fine.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I certainly don't have a problem with that. Chairman Hair asked, second accept that? Commissioner McMasters said, yes, I'll --. Chairman Hair said, okay. Commissioner Murray said, I know that the last negotiations we went through, we all sat in this room around the table and all the municipalities were invited. Everyone was invited that was going to share in this process because it affects everyone, and for that reason I would think that they should be invited. I understand where the Chairman's coming from, too, with the fact that the City and the County are having to work out some differences they have. But the small municipalities also have a say-so in that, and I think they should be included or at least invited. If they don't want to participate, that's entirely up to them.

Chairman Hair said, all those in favor of the motion vote yes, opposed vote no. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, point of clarification. Dean [Kicklighter], I'm going to support your motion, but I think bottom line is that if you've got 86% of the votes, then you've got 86% of the vote, and I'm glad to see that we changed it from attendance to invitation. I don't see a problem with inviting --. Chairman Hair said, I don't either. Commissioner Odell said, anyone to attend. I doubt very seriously if any of the --, many of the municipalities are going to participate because of time schedules. I would like to see us --. I don't think they will, Dean [Kicklighter]. Commissioner Murray said, I think they will because they have to all sign off on this before it's approved. Commissioner Odell said, I agree, but to attend all meetings, Frank [Murray], they're going to be --. Commissioner Murray said, I think [inaudible] is one of them. Commissioner Odell said, well --. Chairman Hair said, I think the motion is --. Commissioner Odell said, I don't have a problem with the motion. I would like to add that --, I'd like to see us consider shifting some of the burden of the jail back to the municipalities. I think it created a greater level of accountability, so when we're negotiating --. I know when we have the City of Savannah, the Chief --, when the Chief was responsible for people in our jail, he hired a person to make certain that we were not wasting jail space. But if he's not paying for it, then he terminated that person or tries to.

Commissioner Kicklighter said, and if they're invited, you can do it in their face rather than behind their backs. Commissioner Odell said, I don't –.

Chairman Hair said, every single city, Commissioner Odell, to verify what you're saying, every single city their population –, jail population went up dramatically once it became free. You know, and the statistics are there to prove that. All right, everybody's voted on the motion? The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, thank you.

ACTION OF THE BOARD:

Commissioner Kicklighter moved that if one municipality is invited to meet with Chatham County on LOST negotiations, then all municipalities shall be invited. Commissioner McMasters seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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4. GREENSPACE - GWEN McKEE (COMMISSIONER MURRAY).

Chairman Hair said, Commissioner Murray, I believe, is going to recognize Gwen McKee.

Commissioner Murray said, yeah. I had a call yesterday from Ms. Gwen McKee that would like to speak on greenspace and so I added her to the agenda. Gwen [McKee], if you –, yeah, there you are. Good.

Ms. Gwen McKee said, I'd like to thank you for putting me on the agenda today. My name is Gwen McKee and I'm reading a statement of support on behalf of the Greenspace Advisory Committee, which is a voluntary –, a volunteer committee, excuse me, which serves as an advisory committee to the MPC. It is the recommendation of the Greenspace Advisory Committee that the Chatham County Commission support the allocation of a portion of the one percent local option sales tax, the SPLOST funds, to the Chatham County Community Greenspace Program. This multifaceted program benefits Chatham County citizens as well as the Chatham County government in a variety of ways. For example, our Community Greenspace Program creates a variety of recreational and educational opportunities in a natural setting; it enhances neighborhoods and stimulates community pride; it preserves valuable tracts of undeveloped land throughout the County; it reinforces a positive image for the County; and, finally, establishes a positive role for marginal land. Greenspace sites offer several economical benefits as well. They generally cost less to maintain, they increase property values and decrease government costs associated with community infrastructure, such as sewer services that must be provided to more developed sites. By setting aside a portion of SPLOST funds for this program, Chatham County will be able to leverage these funds with other Federal and State funds to preserve additional greenspace throughout the County. Without a viable source of local funding, Chatham County decreases its opportunities to receive additional Federal and State funding for this program. Using SPLOST funds in conjunction with State funds has proven to be a successful strategy. For example, in the Fall of 2000 Chatham County purchased a prime undeveloped tract of land on Whitmarsh Island for greenspace preservation using SPLOST as well as State funds. Grant funds were recently received to enhance this property for use as a nature park for the islands community. The acquisition of this property has been cited by State officials as a measure of the success of the Community Greenspace Program and has generated strong public support for this program. As a final note, acquired greenspace provides water retention. Although we have not currently received heavy rainfall, during a time of heavy rains and flooding greenspace provides a place for water runoff and will prevent other properties from flooding. It is part of a drainage improvement plan for many communities. In the past the Chatham County has supported various efforts to increase greenspace in Chatham County, including the endorsement of the '96 Open Space Plan and the 2000 Chatham County Community Greenspace Program Application. Both of these documents strongly advocate the use of SPLOST funds for greenspace preservation. On behalf of the Greenspace Advisory Committee, I hope that you will continue this precedent. Thank you.

Commissioner Murray said, thank you.

ACTION OF THE BOARD:

Received as information.

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CHATHAM AREA TRANSIT AUTHORITY

The Board recessed as the County Commission at 10:16 a.m., and reconvened as the Chatham Area Transit Authority.

The Chatham Area Transit Authority was adjourned and the meeting of the County Commission was reconvened at 11:07 a.m.

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VIII. TABLED/POSTPONED ITEMS

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

1. NEXT STEP IN CREATION OF METROPOLITAN POLICE DEPARTMENT (COMMISSIONER MURRAY, ET AL). At meeting of April 26, 2002, Commissioner Rivers requested reconsideration.

Chairman Hair said, at the last meeting we tabled --, we made a motion and it was approved to discontinue the discussion of the combined police departments. It's up for reconsideration today. The motion to reconsider does not require a second. If Commissioner Murray --, Commissioner Rivers' motion is to reconsider. He does not need a second. If the motion to reconsider passes, then we will reconsider the vote. If the motion to reconsider fails, then the previous vote stands. So Commissioner Rivers' motion to reconsider does not require a motion. We're voting on the reconsideration. All those in favor of reconsideration vote yes, opposed vote no. Chairman Hair and Commissioners Rayno, Rivers, McMasters, Murray, Odell and Gellatly voted in favor of the motion. Commissioner Kicklighter voted in opposition. The motion to reconsider passed by a vote of seven to one. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes.

Chairman Hair said, all right. So now the motion was, I believe, five to three to discontinue. So now we'll have discussion. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yeah. I personally think we need to continue to discuss this. There was some questions from different Commissioners. Each one of us had different type questions that we wanted to ask about this. We would like to see some changes and some flexibility within the proposal that's been presented to us. I also would like today before we come off of this discussion, if the votes are there to continue discussions on the consolidated police force, that we remove the July 1 deadline that was put on that proposal. It's supposedly a budget neutral item based on the way it's been presented to us, so I don't see where it's going to affect our budget one way or the other for planning purposes, but I just feel like that we need to continue and we need to see if we can't have those questions answered that we have. When it's all said and done, if we still have questions and don't feel like it's in the best interest, we can always vote it down or the City can always vote it down. Both groups have got to agree to do it. But just to cut off debate and study on this I think is wrong at this point when we've gone as far as we have and there's a good possibility we could have those questions answered and concerns that we have, and we could make changes within that plan. It might work out. Who knows? And I think we need to move forward with it, and I would like to see us remove that July 1st deadline as the implementation date.

Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, yes, I'd just like to make a --, a brief comment. You know, when this concept first came out, I publicly supported it. That's a matter of public record. We had shortly after the paper came out, we had a joint meeting with and we had a presentation, and the position paper that first came out was ten pages in length. I had a problem with that. Also, as Commissioner Murray and several other elected officials have had, we have a problem with the July 1 deadline, which was [inaudible] possibly the chief was going to retire. I don't think those deadlines should be made on whether someone's going to retire or they're not going to retire. Chief Sprague during his tenure has appointed some very competent Majors. Either one of them could manage the department until a final decision was made. At any rate, I had --, at the meeting that we had between the City Council and the County Commission, I had requested a specific document and I also had requested additional details. I had problems that we were dealing with such an important matter and we had so very little specific information, and I was also concerned with the time restraints, that it was too important of a decision to --, to ram through either elected body. When we had our meeting, last Commission meeting to that date, which --, a week or several weeks that had expired from the time we had our City and Commission meeting, I had received, as the other Commissioners had, another document that I felt was also vague and I still did not receive the specific document that I had requested, so I voted not to let the study continue based on that. It's just too important of an issue. However, since that time I have been assured that details will be forth coming, and I have been assured that the specific document that I wanted to look at would be available, and I have also been indicated [sic] that the time restraints might not be as important as --, or at least the time restraints, it could be another six months, it could be a year before we continue with it. It's a very complicated issue when you combine any agencies and when you combine a law enforcement agency, two of them, it's even more complicated. We talk about the terminology merging two departments. The fact of the matter is that most law enforcement agencies in the country that have combined did not merge. They were absorbed. In other words, they were absorbed by a larger department into a smaller department, or another example would be like if Garden City were to say we don't want to do policing any more and work out an arrangement with the County Police. That's a 30-man department into 135-plus officers. That would be what you call absorbing one department into another. That's not particularly difficult because you don't have to worry about changing policies, uniforms, cars, ordinances, or anything of this nature. Those concerns are not that complicated. However, in the small number of departments that actually merge, merge means merging together on an equal basis. When you merge together on an equal basis, you have to give a lot of considerations. You're going to change your

badges, you're going to change the way your cars look, you're going to --, who is the chief you'll report to; you've got to change your policies. You have considerations that when you merge two departments together, you have the [inaudible] of rank, which would be the case with this, as opposed to if it was a Garden City situation, for instance, where one was absorbed into the other. Generally throughout the country that's handled a lot more quickly because the rank consideration is just not there. Generally, the members of the Garden City Police Department will have an opportunity to apply at the new department, and they probably started with a full rank. We're not talking about that. So what has to occur is that some very difficult, difficult things that have to --, that we have to go through as far as our clock process is concerned. I'm not picking on the [inaudible] of rank, but there are other issues that are equally as important. But unless we address for you --, the two chiefs address what are you going to do when all of a sudden you have seven majors and 14 or 15 captains and a whole bunch of lieutenants and sergeants and probably 20% more rank than what you need, what are you going to do? Well, the humane thing is to wait until they retire, but there's no assurances that anyone's going to retire. You know, if you're a captain and all of a sudden your responsibilities are reduced, why in the world would you want to retire. So I think some of the tough issues that the two chiefs are going to have to address is it possible with a merger, can you have the best of all worlds, can you give people an incentive to retire? Failing to do that, why you have another problem. You're going to retire I'm sure for five years, there will be no room for promotion or advancement in this new department because you're going to have all this rank, and those things need to be considered. So, at any rate, to end my comments, I have been advised that details will be forthcoming and I know and I'm so happy, Chief, that I'm retired and I don't have to face these issues, and y'all are real bright people and I know you'll be able to solve them adequately, but you need more time and we need to have more details. Not to be confused. I don't think the elected body should be in the business of micro-managing how those chiefs are going to put their departments together, but we do have to know if there are costs involved, if there's --, you know, what are all the issues? Externally, internally, make sure that all the personnel in both departments know exactly what's going on so there are no rumors going around and things of this nature, and I'm not saying you haven't been doing that already, but those are just concerns that you have to deal with. So --, at any rate, I'm advised that the details will be forthcoming and time restraints are no longer a concern. So I would urge that my fellow Commissioners do consider allowing this study to go forward because I still feel like it has merit and we should study it thoroughly.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. I'm still concerned that to date I've seen no effort to help in the area of accountability to the people located in the unincorporated areas. The media likes to report power --, that people are concerned with power. I could care less about power. I want the people living in the unincorporated area to be able to hold someone accountable should their police services go down. The only way they can do that is with their vote, and the structure to this point with no inkling that they want to change when there's all the people in the unincorporated areas without a voice. And I sat and I watched the meeting with the City of Savannah. They brought up some great points that needs to be answered. They talked about actually putting in additional --, requiring us to have an additional insurance policy on our officers because, I believe, our policy allows their families to ride in their cars that they get to take home. You know, so there's additional money that may be charged to us by the City of Savannah should we choose to merge. You have the morale issues on both parts, which could form a very unhappy police department where you have part of the employees being able to take their cars home. The other huge part, they wouldn't be able to, and then the new Chatham County employees hired would not be able to. So it's --, there's so many questions and so many --. I mean, at this point --, at this point, and I'll say it, it's a very bad proposal. You know, I'm not opposed to if they would look at forming a police commission where the residents in the unincorporated area could hold someone accountable. You know, do it. But to this point there's been no effort whatsoever. They've shown us a plan and basically said this is our plan, take it or leave it, with no effort to change that. And we are the ones that those citizens are going to hold accountable when we'll have absolutely no voice in the situation should this merger take place like it's been proposed. I appreciate the effort, the work. Both chiefs are doing a great job, but our job is different than their job and, you know, they're worrying about protecting the citizens, which they should and they do a good job, but we have to worry about the citizens having a voice. In this current proposal they have no voice. So I don't know what type of motion, whatever that would say --, I don't care if it continues or not, but if they continue going in this direction, I know my vote tomorrow will be the same as it was last meeting. It will be no because our residents have no voice with this proposal.

Chairman Hair said, I would like to comment. I have to agree with Commissioner Kicklighter. I think when you're going to study something, the implication is you're going to study it and you're going to find out the problems and you're going to fix them. And if that's possible, then the study is valuable and you should continue it. If, however, the problems are systemic in the proposal and there's no way to change it, then study is not going to solve your problem and, like Commissioner Kicklighter said, we're going to be back here six months from now and the issue's going to be the same. The press has tried to portray this as a power struggle between the City and the County. The City is all for it and the County is all opposed to it. Let me tell you something, and I challenge the press on this. You could go to everyone of the City Council members and the Mayor and say, tell you what, let's just change one thing in the proposal. Let's put the --, let's make Chief Sprague the police chief and put him under the County Manager, and you wouldn't get a single vote on the City Council for this. You wouldn't get a single vote for it. This is about control, this is about protecting the unincorporated taxpayers, as Commissioner Kicklighter said. And, you know, I think there is a way to do it, but combining these departments and putting them under the police chief for the City of Savannah and have him report to the City Manager, it's a bad deal for the Chatham County taxpayer, the one who lives in the unincorporated areas, and no study is going to change that. Unless you change what I just suggested, unless you change putting it under Chief Sprague and have him report to the County Manager, then you've got a deal from the County. But you wouldn't get a single vote for that on City Council.

Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, just a comment. I may be the exception of the County Commissioners, but I have no problem at all with the chief reporting to the City Manger.

Chairman Hair said, okay. Commissioner Rayno and then Commissioner Murray.

Commissioner Rayno said, I agree with Commissioner Kicklighter that if we had some kind of a police commission that they could report to would be a great idea. I don't like the concept of having just one plan voted up or down. We should be able to have alternatives, like you could have a Plan A or Plan B or Plan ABC, and there's nothing that stops you, Dr. Hair, you're a smart man, from putting in your own proposal.

Chairman Hair said, I have done that. I've been to the commission, if you remember. I mentioned that at the last meeting. I just wrote a letter to the editor about the commission. If you have a police commission that's made up of the Mayor, the Vice Mayor, the President of Council, the Chairman, Vice Chairman and Chairman Pro Tem, six people, make that the police commission and have the police commission control it, then that's a different story. Then the police chief would report to the police commission and not the County Commission and not the City of Savannah. I think there are ways to do it, but I agree the present structure is not going to work.

Commissioner Rayno said, okay. But the point is, we have a lot of good ideas on the table. There's a willingness on both sides to make it happen. You've got a County Manager that says let's do it, you've got a City Manager that says let's do it, you've got two chiefs, one's retiring and one's going to take charge. Nothing hurts for us to sit down at a table and talk. It doesn't cost anything. The only thing you invest time, and it's no big deal.

Chairman Hair recognized Commissioner Murray. Commissioner Kicklighter asked, can we come to a -. Oh, I'm sorry. Chairman Hair said, Commissioner Murray and then -. Commissioner Rayno said, no, go ahead. Let's just have a dialogue. Chairman Hair said, well, let's go -, Commissioner Murray. He's been waiting to speak.

Commissioner Murray said, I agree with what's being said, and that's my whole purpose for wanting to go further with these discussions. It is just one proposal that's been presented to us. At the same time, we along with City Council have the right to change that proposal to whatever we want it to be to make it work, if we want it to work. Now, a comment's been made about the unincorporated area. If I'm not mistaken, the last time I looked, the Fourth District is the largest unincorporated district in the County. I'm not saying the rest of the districts don't have that in it, but I'm not going to sit here and say I'm going to support something if it's not going to be in the best interest of those people that live in the Fourth District. The only municipality in the Fourth District is Tybee, but I am willing to sit down and look at this and see if we can make those changes we feel like are necessary to see if it's workable for all of us, and if it is, then move forward. If it's not, then we cut and stay as we are. But if we stay as we are, then we'll still -, we're going to have to budget more for our County police to do the things they need to be doing.

Chairman Hair said, I think the majority of the Commission is ready to -, to continue the study. So at any time y'all are ready to make a motion -. Commissioner Kicklighter said, Mr. Chairman. Chairman Hair said, to continue the study -. Go ahead, Commissioner.

Commissioner Kicklighter asked, can we make a motion or I'd like to make a motion to continue the study but provide some direction to ask the chiefs to come up with some type of police commission formula. Commissioner Gellatly said, I don't think the police chiefs should be doing that. Chairman Hair said, I don't either. Commissioner Kicklighter said, or the managers, or whoever. I mean, we need options.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt asked, may I suggest a process? First of all, you are at the juncture that you were last meeting. It's important for us to know whether we want to continue on this at all, and I think you -, at least the consensus seems to be you want to continue. So if that is consensus, and you want to give us that somehow in a vote, but then we would like to solicit from you and we'll do that -, not today, but in the near future -, you know, issues you want us to address. As I understand in talking to my City counterparts, apparently City Council has done that. Chief Sprague and I have talked only a short period of time on this, but a way in which you might do this is to say, please continue the study and allow us to, in effect, poll you, probably in written form, and have you address issues. Not solve issues, but address, you know, what is now burning as far as a matter you want us to either resolve or for which you do not want to proceed unless there is some reasonable source of alternative. We'll do that.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I think that the accountability and responsibility should go hand in hand. But my only concern is that if it's so good for the unincorporated areas that we should do this, have we approached Garden City, Pooler, Tybee, Thunderbolt, because when we talk about a metropolitan police department, it's interesting to note that we've excluded about 14.6% of the people, and I just wondered if we had considered approaching the other municipalities so that it would be one major metropolitan police department. I've looked at the rationale and the rationale says they're overlapping jurisdictions. Well, that only includes the unincorporated area and the City of Savannah. What about if you have to go through Thunderbolt. They've got a police department. Commissioner Rayno said, he's picking on another

municipality. Commissioner Odell said, I'm not picking on a municipality within Chatham County. I only do that for Jesup and out of the County or Ludowici. Chairman Hair said, yes, he has to live here. Commissioner Odell said, I have to travel to the beach occasionally. So I want Thunderbolt to know there's no venom from Harris Odell. But have we done that, Russ [Abolt]? Have we talked to the other municipalities? County Manager Abolt said, no, sir.

Chairman Hair said, no. And those are the kinds of things that we can give Russ [Abolt] –, we can give Russ [Abolt] in terms of feedback. That's what he's asking. I think it's time to make a motion. I think we've –.

Commissioner McMasters said, just one quick question. Chairman Hair said, certainly. Commissioner McMasters said, okay. Because I came into the process mid stream, have we taken the time to solicit public input on it? I know it came from the two chiefs –. Chairman Hair said, no. I can answer that. There has not been at this point, no. Commissioner McMasters asked, shouldn't there be? Chairman Hair said, certainly there should be, and I think that's part –. You know, I just think that –. Commissioner McMasters said, okay. Chairman Hair said, we try to –, the process I think got off to a bad start. Okay? I mean, I think it, you know, and Mr. Abolt and I have discussed this. Okay? It got off to a bad start because, you know, we found out about it –, I mean, it's –, this thing had been going on –. Commissioner Odell said, in the paper. Chairman Hair said, you know, this thing had been going on among the chiefs and the managers and we read about it in the paper. And that, you know –, and that –, it got off to a bad start and it's gone down hill since then. I mean, you know, and it's –, I just think that the whole thing needs to be –, we need to back up and look at it again and have a fresh start on this thing.

Commissioner Kicklighter said, Mr. Chairman, one comment. Chairman Hair said, yes, sir. Commissioner Kicklighter said, I want to thank Harris [Odell] for remembering the other municipalities, but I think as representing four of them, I don't believe they're interested in any –. Chairman Hair said, the chance is slim, but none. Commissioner Kicklighter said, yes, slim to none. Chairman Hair said, my bet's on none. Commissioner Kicklighter said, right.

Chairman Hair said, okay, we'll just have –, I'll need a motion to continue the study. Commissioner Rayno said, motion to continue the study. Commissioner Murray said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Rivers made a request for reconsideration to be entered upon the minutes of the meeting of April 26, 2002. The motion does not require a second. A vote was taken on the motion for reconsideration. Chairman Hair and Commissioners Rayno, Rivers, McMasters, Murray, Odell and Gellatly voted in favor of the motion. Commissioner Kicklighter voted in opposition. The motion for reconsideration passed by a vote of seven to one. [NOTE: Commissioner Thomas was not present.]

Commissioner Rayno made a motion that the County continue the study regarding the creating of a metropolitan police department. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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2. BOARD CONSIDERATION OF A MASTER LIST OF PROJECTS FOR INCLUSION IN THE CONTINUATION OF THE ONE PERCENT SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) AND HOW TO INVOLVE OTHERS. Tabled at meeting of April 26, 2002. Included is a legal opinion from the County Attorney regarding the number of years that SPLOST might be collected.

Chairman Hair said, this was tabled at the last meeting and we asked for a legal opinion. You have that in your file. Is anybody ready to pull this off the table. Commissioner Rayno said, I'd like to pull it off the table, Mr. Chairman. Chairman Hair asked, do you want to make a motion to remove it from the table? Commissioner Rayno said, I make a motion to remove it from the table. Chairman Hair asked, second? Commissioner Kicklighter said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, okay, Commissioner Rayno.

Commissioner Rayno said, the big question at the last meeting was is it four years or five years. It was answered by the attorney, as the Chair, said. There's some questions about one park being included when a couple of others that were already started, and I think that those two were Runaway Park and Mathilda Beasley Park. I want to restate the motion I made last week, which is to include in the SPLOST referendum roads, bridges and drainage, and the parks, Mathilda Beasley Park, Runaway Park and Tom Triplett Park. Chairman Hair said, all right, does he have a second to that motion? Commissioner McMasters said, second.

Commissioner Kicklighter asked, can we add the –. Chairman Hair said, he added Triplett. Commissioner Rayno said, the thought that any interest on this particular SPLOST referendum would be put towards the jail facility that would be for deadbeat dads.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, at some point before the motion is made I would ask that you decide whether or not you alone want to make the ultimate decision as to what will be on the SPLOST, and that is critical. That is critical because you're –. Chairman Hair said, it is critical. County Manager Abolt said, we've given you options here. We're asking for several things, one of which, do you want to go ahead, which you said you did, and the second is, obviously from the perspective of Chatham County in a parochial sense what would you like to see included, and you're doing that, but the third and fourth issue is very important. Number one, you had Ms. McKee up here this morning talking about greenspace. Do you want to, as other Commissions have done, open that up to testimony. How do you want to handle the other municipalities?

Chairman Hair asked, Commissioner Rayno, if you'll accept really the County Manager's suggestion that allow requests, but we would make the final decision as to whether it was included. Commissioner Rayno said, I'm ready to move forward today, sir. Commissioner Kicklighter said, now, yes, we would be including municipalities and future –. Chairman Hair said, yes, but that's not what he's asking. Commissioner Kicklighter said, okay. Well, that's my point here. Chairman Hair said, what the Manager is saying is you're going to allow other people to make requests and it could be this body could add them or could not add them, and Commissioner Rayno on this motion says he doesn't want to do that.

County Attorney Hart said, Mr. Chairman, if this Board wants to decide that it is their policy that's what they wish to include, then this Board can do that. The SPLOST law requires that this Board prior to the referendum notify the municipalities of the County –. Chairman Hair said, right. County Attorney Hart said, schedule a date, time and place to sit down and consider their concerns, and until you do that, you cannot have a referendum. Chairman Hair said, that's correct. County Attorney Hart said, I just want to make sure you know that. Chairman Hair said, that's correct. All right, the motion –. Go ahead, Commissioner Odell.

Commissioner Odell said, unreadiness. I still believe that if we limit this without having input from a major municipality like the City of Savannah, the impact of which is that I'm not certain that we, this body, can pass the SPLOST countywide without support from other municipalities. We tried to travel that road a few years ago and ended up –, I know there have been criticism of projects, but some of those projects were absolutely necessary to gain support to pass the other, so we made some decisions to include projects which the Commission didn't necessarily agree upon, but was necessary to secure the vote of the other municipalities to ensure passage of the project. My only concern is do we want to do this without first conferring with the major municipalities?

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter asked, wouldn't this just be our wish list? Chairman Hair said, no, that's not the way –, that's not the way the motion is stated. The motion stated is no projects except roads and drainage and the one y'all have added, the parks y'all have added. That's it. That's –. Commissioner Kicklighter said, as far as our personal vote. The motion that he –. Commissioner Murray said, the County Commission determines what goes on that referendum. No other municipality determines that. Commissioner Odell said, we don't determine –. Commissioner Kicklighter said, okay, then we can say –. Commissioner Murray said, it's our vote. It's on ours. Commissioner Kicklighter asked, can't we change this to say with future input from the municipalities? Chairman Hair said, well, I asked him if he would modify his motion and he said no. Commissioner Kicklighter said, okay, then I'm not –.

Chairman Hair said, all right, let's take a vote on the motion. Motion and second. All those in favor of the motion vote yes, opposed to the motion vote no. Chairman Hair said, the motion fails. Commissioner Rayno said, wait a second. Not everybody's voted. Chairman Hair asked, who has not voted? Commissioner Gellatly said, I haven't. Chairman Hair said, okay. Commissioner Gellatly asked, what did we –? Chairman Hair said, state your motion, Commissioner Rayno. Commissioner Rayno said, the motion is to pass the SPLOST referendum for streets, roads, bridges and drainage and include the three parks, Tom Triplett Park, Runaway Park and Mathilda Beasley Park, and any interest funds would be used for the building of the facility for deadbeat dads, which becomes revenue neutral after it's built. Chairman Hair said, it's still going to fail, Commissioner Gellatly. Commissioners Rayno, McMasters, Murray and Gellatly voted in favor of the motion. Chairman Hair and Commissioners Rivers, Odell and Kicklighter voted in opposition. The motion failed by a tie vote of four to four. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, okay, the motion fails. It's a tie vote.

Chairman Hair recognized Mr. Ken Earls.

Mr. Ken Earls asked, would you please share the opinion with the citizens. Will be this be a four or a five year thing? What was the opinion of the attorney from the last meeting. Chairman Hair said, Mr. Hart –, I'll be glad to do that, Mr. Earls.

County Attorney Hart said, sure. The law was amended since the last time y'all visited this issue in regard to SPLOST. As a matter of fact, it's been amended four times. In all of the various capital –, I use the term capital improvement in the broadest sense of the term –, SPLOST eligible capital improvements can be financed over the five-year period or the five-quarter period, so there's not the designation anymore that Commissioner Rivers correctly stated at the last meeting when y'all –, when this body had decided that, you know, we had limitations on some of those projects.

Chairman Hair said, may I suggest –, I can't make a motion, but could I suggest a motion that I think would probably be some compromise between what Commissioner Rayno's trying to do, is that we vote to have the SPLOST referendum, limit the majority of the money for roads, bridges and streets [sic], and after seeking input from the municipalities, decide if we want to add any other projects.

Commissioner Odell said, I'll make that motion. Chairman Hair said, okay, Commissioner Odell's made that motion. Do I have a second? Commissioner Kicklighter said, I'll second. Chairman Hair said, second, okay. Go ahead Commissioner Rivers. The Clerk asked, who made that motion? Chairman Hair said, Commissioner Odell made the motion.

Commissioner Rivers said, I'll say this now. We're talking about roads and bridges and other input, I'm going to tell you very frankly if you don't let those other municipalities have some of this money –. Chairman Hair said, I agree. Commissioner Rivers said, it ain't going to work. Commissioner Kicklighter said, oh, we're dead in the water. Commissioner Rivers said, I'll start [inaudible] the first one, so I –.

Chairman Hair said, that's why I made this motion [sic], Commissioner Rivers. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I move to table. Chairman Hair said, motion to table. Does that motion have a second? Commissioner McMasters said, second. Chairman Hair said, all those in favor of the motion to table vote yes, opposed vote no. Commissioners Rayno, Rivers, McMasters, Murray, Gellatly and Kicklighter voted in favor of the motion. Chairman Hair and Commissioner Odell voted in opposition. The motion to table carried by a vote of six to two. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion is to table. Okay.

ACTION OF THE BOARD:

Commissioner Rayno moved to untable this item and place it before the Commissioners for consideration. Commissioner Kicklighter seconded the motion. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.]

Commissioner Rayno moved that the County pass the SPLOST referendum for streets, roads, bridges and drainage and include the three parks, Tom Triplett Park, Runaway Park and Mathilda Beasley Park, and any interest funds would be used for the building of the facility for deadbeat dads, which becomes revenue neutral after it's built. Commissioner McMasters seconded the motion. Commissioners Rayno, McMasters, Murray and Gellatly voted in favor of the motion. Chairman Hair and Commissioners Rivers, Odell and Kicklighter voted in opposition. The motion failed by a tie vote of four to four. [NOTE: Commissioner Thomas was not present.]

Commissioner Murray moved to table consideration of a master list of projects for inclusion in the continuation of the One Percent Local Option Sales Tax (SPLOST) and how to involve others. Commissioner McMasters seconded the motion. Commissioners Rayno, Rivers, McMasters, Murray, Gellatly and Kicklighter voted in favor of the motion. Chairman Hair and Commissioner Odell voted in opposition. The motion to table carried by a vote of six to two. [NOTE: Commissioner Thomas was not present.]

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IX. ITEMS FOR INDIVIDUAL ACTION

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

1. **REQUEST BOARD APPROVE THE FOLLOWING: AN APPROPRIATION OF \$15,570 CONFISCATED FUNDS TO THE COUNTER NARCOTICS TEAM FOR EQUIPMENT AND A MULTIPLE GRANT FUND BUDGET AMENDMENT TO RECOGNIZE \$3,700 RECEIVED FOR THE PEDESTRIAN SAFETY AWARENESS CAMPAIGN.**

Chairman Hair said, I'll entertain a motion. Commissioner Murray said, so moved. Chairman Hair asked, second? Let's get together please. Second? Commissioner Rayno said, second. Commissioner Kicklighter said, what's this one? Chairman Hair said, first item. Request Board approve the following: An appropriation of \$15,570 Confiscated Funds to the Counter Narcotics Team for equipment and Multiple Grant Fund Budget Amendment to recognize \$3,700 received for the Pedestrian Safety Awareness. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved to approve the following: An appropriation of \$15,570 Confiscated Funds to the Counter Narcotics Team for equipment and Multiple Grant Fund Budget Amendment to recognize \$3,700 received for the

Pedestrian Safety Awareness Campaign. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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2. REQUEST BOARD APPROVAL FOR PLANS OF ACTION TO RESOLVE THE PROBLEM OF PROPERTY OWNERS WHO HAVE NOT CONNECTED INTO THE ISLE OF HOPE SANITARY SEWER SYSTEM AND DELINQUENT SEWER-ONLY ACCOUNTS.

Chairman Hair asked, Commissioner Murray, do you want to [inaudible] please? Commissioner Murray said, yeah, I will move to approve it, but for discussion. Chairman Hair said, okay. Do we have a second? Commissioner Odell said, second. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I remember when we went through this process, and at the time it was really whether —, there were a few people having problems with their septic tanks on particular roads in Isle of Hope, and that's why the vote was made to go in, if I'm not mistaken, and continue the sewer plan that we have out there. At the time, you know, I just —, I understand what we've done, I understand what the law is, or what we're being told that the State requires us to do when we do that and we use public funds, but I just can't imagine over 50% of the people on a road that have perfectly good septic tanks and drain fields that are operating properly that have to give that up and pay the kind of money to tap in that they're going to have to pay. Jon [Hart], I'd just like to understand better what we have to do or don't have to do based on the funding of this project.

County Attorney Hart said, well, you've got an ordinance that basically says that if you're in so many feet of a public water utility, either by county or city, that you have to tie in. It's a public safety and health regulation. If you do not have that in your ordinance, then it acts as a qualifier or disqualifier for many of the federal and state grants. Now, since the County is not as big in the water/sewer business as, say, the City of Savannah has been, you know, it hasn't been as detrimental to us. The City of Savannah did it, you know, they —, potentially their ID plant would be a treat as far as their financing goes. So you've got an ordinance pretty much required if you're going to put federal funds, or state funds for that matter, into a lot of these projects, and you've got a situation where you've spent to put a system in and now you've got people not tying into the system and you've got people tying into the system and not paying for sewerage.

Commissioner Murray asked, people have tied in but have not paid their bill. Is that what you're saying? County Attorney Hart said, have not paid the tap-in fee and they've not paid the sewerage for the last five or six years. They get free service. Commissioner Murray said, so you've got two issues then. You've got those that have already tapped into it —. County Attorney Hart said, yeah.

Chairman Hair said, and it's going to be very difficult to solve one without solving the other because then you're going to get discrimination issues —. County Attorney Hart said, correct. Chairman Hair said, so you're going to have to do it. If you're going to force the ones that have already tapped, you're going to ask —.

Commissioner Murray asked, how many people do we have out there total and how many have not tapped in? County Attorney Hart said, I don't know how many —. County Manager Abolt said, if Mr. Drewry will come forward, we're prepared to make a presentation. Mr. Drewry said, good morning. I don't have an exact figure on how many people have tied in as a result of the extension, but I've been told it's somewhere between 100 —, more than 100, less than 150 that have already tied in. Commissioner Murray said, that have already —. How many —, you don't know how many total, just a rough figure, that we have that would be involved in this? Mr. Drewry said, we're looking at 45 right now. Commissioner Murray said, no, I —, that are left, that have not tapped in. Mr. Drewry said, yes, there are 45 that have not tapped in.

County Attorney Hart said, two of them have absolutely legitimate reasons —. Mr. Drewry said, yes. County Attorney Hart said, for not tying in engineering-wise. Even with the existing system, you know, you couldn't do it. So we're not even involved with them.

Commissioner Murray asked, if these people tapped in, what kind of plan do we have for them to pay the County on that? Do they have to pay it at one time, do they have to pay it in three installments, can they pay it over a matter of X-amount of years? County Attorney Hart said, that's sort of in this Board's discretion. Generally, if you tap in, we have traditionally made you pay the fee at the time of the tap in. Now that's been true for —. County Manager Abolt said, ages. County Attorney Hart said, ages. I mean, that's just a part of you want a house there, you want water and sewer there, tap in. Commissioner Murray said, let me ask you another question then? As we add, and I don't know how many more projects we have like this, as we add these areas in, can we create a special taxing district in these areas that they would pay that bill, that tap-in bill on their property taxes for X-amount of time until it's paid out? County Manager Abolt said, other —. Commissioner Murray said, we do it with streetlight assessments and stuff. County Attorney Hart said, yeah, you'll probably have to —.

County Manager Abolt said, I never want to talk about in past life. Other communities have done this in other parts of the nation. Maybe five, seven years, you spread out, that's just one option. If Georgia law allows us, that is fine. County Attorney Hart said, it would be almost like a streetlight district except for sewer. Yeah, I'd have to look at it.

Commissioner Murray said, yeah. I just think that if we can do that, you know –, how much is it? Normally, about \$8,000 total on it, wasn't it? County Attorney Hart said, Robert [Drewry] –, I don't know.

Chairman Hair asked, what's the tap-in? County Attorney Hart said, the tap-in is only about five –. Mr. Drewry said, the tap-in is relatively cheap. I think it's like \$250, if I'm not mistaken. Commissioner Rayno said, but the plumbing is what's –. Commissioner Murray said, I'm talking about when you have to hire a plumber to come out and tie it into your house, are you talking –. I've heard in the neighborhood of \$5,000 to \$8,000. Is that right, total? With everything? Mr. Drewry said, that sounds high to me, but I don't know for sure. County Manager Abolt said, if I remember, when we went through Golden Isles, Harbor Creek, it was ten, but that was several years ago. You may be right, because what it is, it's lateral. Commissioner Murray said, I guess it depends on how far they've got to run that line from the property line to their point. County Manager Abolt said, where their point of contact –.

Commissioner Murray said, I'd like to have the County Attorney go back and look at it a little closer –. Chairman Hair asked, you want to table it? Commissioner Murray said, before we start taking action on these people. If that's our last recourse, then certainly we'll have to do it, but –. County Manager Abolt said, we've done about all we can do. We just need some direction. We've written letters to ask them –. Commissioner Murray said, well, if you could look at what we would have to do in order to –. Chairman Hair said, do it in installments maybe. Commissioner Murray said, do something to set it up to help them with the cost. Commissioner Rayno said, second. Chairman Hair said, we already have a motion and second.

County Attorney Hart asked, can we proceed on B. B is not –, we've got –, I don't want to use the term deadbeat, but I will. We've got some folks that aren't paying for their sewer service –. Commissioner Murray said, now those I think we need to –, if they're not paying for the service and they're receiving it –. Chairman Hair said, that's what B does. Commissioner Murray said, then we need to go after. County Manager Abolt said, okay. We'll proceed –. No, the difference is, you don't appreciate –. Commissioner Murray said, I mean, it's not a free service once you've tapped. County Manager Abolt said, yes, sir. If we were truly a utility providing both water and sewer service, you have the stick, you cut the water off. We can't cut the water off, so that's why we're looking for your direction.

Chairman Hair said, okay, will you agree to B then, make a motion as far as B. County Attorney Hart said, but I need to know whether under B –. Chairman Hair said, or you're going to table it. Whatever you –. Commissioner Murray said, I don't want to table that part. County Attorney Hart said, – want us to pursue the lien option of liening the property, giving them notice and say we're going to file a lien, or whether you want us to take them down to Recorder's Court and deal with it, and that's totally up to you.

Commissioner Murray said, the recourse that we have on those people that have tapped in that are not paying their bill, I wish we could send the City and let the City put their City water and sewerage out there, they'd find out right quick we've got a good rate. Chairman Hair said, no, that's not [inaudible]. County Attorney Hart said, that's really the critical –, that's really the critical problem –. Chairman Hair asked, what do you want to do, Frank [Murray]? It's up to you. County Attorney Hart said, is we having to supply the water and they're all private water.

Chairman Hair said, make your motion. Commissioner Rayno asked, is it cheaper to put a lien on them, Frank [Murray], so you don't [inaudible]? Commissioner Murray said, why don't we table this and you research and come back with all the options to us. Chairman Hair said, all right, the motion is to table. Commissioner Murray said, at the June –, first meeting in June because I won't be here the second meeting in May. Chairman Hair said, we have a motion and second to table to the first meeting in June. All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rayno, Rivers, McMasters, Murray, Gellatly and Kicklighter voted in favor of the motion. Commissioner Odell voted in opposition. The motion to table carried by a vote of seven to one. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved to approve plans of action to resolve the problem of property owners who have not connected into the Isle of Hope Sanitary Sewer System and delinquent sewer-only accounts. Commissioner Odell seconded the motion. [NOTE: Commissioner Thomas was not present.]

Commissioner Murray moved to table this issue until the first meeting in June. Commissioner Rayno seconded the motion. Chairman Hair and Commissioners Rayno, Rivers, McMasters, Murray, Gellatly and Kicklighter voted in favor of the motion. Commissioner Odell voted in opposition. The motion to table carried by a vote of seven to one. [NOTE: Commissioner Thomas was not present.]

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- 3. PRESENTATION BY MR. TIMOTHY WARREN ON WHY MEDICAL HARDSHIP GRANTED TO MS. HELEN WARREN, WHO RESIDES IN A SEPARATE STRUCTURE ON HIS PROPERTY, SHOULD BE CONTINUED. LETTER WAS RECEIVED ON MAY 6, 2002, FROM MARK A. BRADLEY, ATTORNEY FOR THE WARRENS, REQUESTING ITEM BE REMOVED FROM AGENDA OF MAY 10 AND RESCHEDULED FOR A LATER MEETING.**

Chairman Hair said, the next was a presentation by Mr. Warren. We have a letter from their lawyer requesting this be delayed. My understanding is this hardship doesn't expire until August anyway. Does anybody –, I mean, I think they have a right to appear. Does anybody have any problem putting that on until the next meeting, or until the first meeting in June, I believe it is? County Attorney Hart said, I think we sent –, told them the 24th, but I –. Chairman Hair said, whatever –. County Attorney Hart said, if y'all want to do it –. Chairman Hair said, whatever the attorney said. We'll have –, so we'll delay that until that time.

ACTION OF THE BOARD:

This action was delayed until the meeting of May 24, 2002, at the request of Mark A. Bradley, attorney for Mr. Timothy Warren.

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4. REQUEST FOR APPROVAL BY SOUTHSIDE FIRE DEPARTMENT FOR AN ALLOWED USE IN R-A ZONE (I.E., PUBLIC USE) FIRE/EMS STATION, 531 LITTLE NECK ROAD.

Chairman Hair said, Commissioner Kicklighter has discussed this with a neighbor, and I think we also need to table this until the next meeting. Everybody's in agreement, Southside's in agreement, so I'll entertain a motion to table that item.

Commissioner Kicklighter said, I make a motion to table. Chairman Hair asked, second? Commissioner Rayno said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes. That's just until the next meeting.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to table to the next meeting the request for approval by Southside Fire Department for an allowed use in R-A zone (i.e., public use) fire/EMS station. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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5. THIRD QUARTER MARCH 31, 2002 (FY 2001-02) INTERIM FINANCIAL STATEMENT FOR THE FINANCIAL ACTIVITIES FOR THE VARIOUS COUNTY FUNDS.

Chairman Hair asked, any questions on those funds? Commissioner Rayno asked, is Mr. Persaud here? County Manager Abolt said, no, he could be in route. I can explain some of it, sir. All I would like to point out –, this is on your individual action, not as action but as information. As you will notice from viewing it, it is reasonably good news in troubled times. What you're seeing is expenditure history less than the traditional 75% target, which one might expect it would be, and many of you commented to me privately, I know that Commissioner Murray was the last one to do it. It's very refreshing to me to see that all departments, including those constitutional officers that were about living within those reductions in M&O, appear to be towing the line, and obviously the last quarter can bring some surprises, but we are in reasonably good shape given the very difficult year we've gone through, and I'm very proud of the organization for doing it. You know, it's also at the request of you individually in the past, we've now included, starting on page 47, individual reports covering status of Weightlifting Center, Tybee Pier, Aquatic Center, Henderson Golf Course.

Chairman Hair asked, any other questions. Commissioner Rayno said, yes. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, on Commissions, Penalties and Interest we raised about \$2.5 million more than we budgeted for. Is that going to be used to reduce the deficit we're looking at? County Manager Abolt said, if I made do it without Mr. Persaud. Total revenue collected like this is discretionary. If it is excess to our needs this year, then it goes forward in a positive fund balance. Which the answer to your question is yes. Commissioner Rayno said, okay. Under Restricted Revenue it says the adopted budget was \$573,380 and then year to date realized \$330,531 and it said year to date percent realized 104.60%. Is that incorrect. County Manager Abolt said, no, it's correct. I'll have to get Mr. Persaud here though, down here. Chairman Hair asked, can we get that for you later? Commissioner Rayno said, but that's not really 104%. County Manager Abolt said, let me nail it for you, sir. I don't want to –. Commissioner Rayno said, okay. Chairman Hair said, okay. Commissioner Rayno said, the mobile home collection, adopted budget was \$225,320. We're only at \$46,000. Why are we so low on the collection of mobile home taxes? County Attorney Hart said, because we don't have a lot of them. Commissioner Rayno asked, pardon? County Attorney Hart said, we don't have as many of them under our new ordinance as we used to have. Commissioner Murray said, that are actually in the unincorporated area. County Attorney Hart said, yeah. Chairman Hair said, yeah, now you can't put them out there –. County Attorney Hart said, we've got a pretty strict statute here. Commissioner Rayno asked, well, why this budget set so high for that? County Manager Abolt said, it might have been part annexation. This would be coming from the

Tax Commissioner's office. Commissioner Rayno said, that's quite a change from 225 to 46. County Manager Abolt said, there's been some annexation [inaudible]. County Attorney Hart said, Garden City too. Commissioner Rayno said, pardon? I can't hear you. County Attorney Hart said, I'm sorry. Garden City, I think, took in some of the larger trailer parks. Chairman Hair said, and Bloomingdale too. They had some in their annexation.

County Manager Abolt said, here's David [Persaud]. First of all, I would like to add what I said publicly, how much I'm going to miss Mr. Persaud. Chairman Hair said, we've got a short-timer here. County Manager Abolt said, yes. [NOTE: Inaudible comments were made when County Manager Abolt briefed Mr. Persaud on the questions being asked by Commissioner Rayno.]

Mr. Persaud said, I think that the specific duties, it might be a timing problem of when we changed the fiscal year. Some of the revenues are [inaudible] now, but I can verify -. Chairman Hair asked, can you get an answer to Mr. Rayno? Mr. Persaud said, yes. Chairman Hair said, give it to him in writing.

County Manager Abolt asked, and the second question? Commissioner Rayno said, the second one was on transfers in -, no, that's not it. Restricted revenue, adopted budget was \$573,000 and then year to date realized was \$330,000. You gave us percentage realized 104 -. County Manager Abolt asked, what page? Commissioner Rayno said, page 6. County Manager Abolt said, page 6, thank you. Commissioner Rayno said, it's under Revenues, Restricted Revenue. Budget's 573, but year to date realized is 330. How is that 104%? Is it just a mathematical error? Commissioner Rivers said, somebody made an error. Mr. Persaud said, yes, that's a mathematical error. I need to change that. County Manager Abolt said, thank you for catching that. Mr. Persaud said, I'll have to recalculate that. Commissioner Rayno said, thank you. County Manager Abolt asked, any other questions? Commissioner Rayno said, no, that's it. Thank you.

Chairman Hair said, Commissioner Murray has a question.

Commissioner Murray said, a while back, probably just about a year ago, this Board voted a new policy that any non-reoccurring revenue that came in, whether it was on sales of excess property or whatever, 50% would go into a special account that we would hold as contingency. How much do we have there now? What have we done? Mr. Persaud said, the way that policy will work, and I have discussed the entire obligation with Mr. Tindol, the County auditor, we currently have a \$5 million deficit. You cannot intend it in fund balance, reserve any new revenues, until you have liquidated that \$5 million. You can't from an accounting policy. If you do that, it doesn't make no sense because in one column you have a \$5 million deficit, but in the next column you have reserve, positive reserve. You've got a net of two different -, and the way accounting philosophy and policy works, you have to liquidate the deficit, then after that point in time, you'll reserve future new revenues. Commissioner Murray said, so we're saying right now that 100% of the money that we've had that's non-reoccurring, the revenue that's come in, has gone to offset the deficit. Is that what you're saying? Mr. Persaud said, all new revenues have to resolve a deficit before you can reserve any future reservations.

Commissioner Rayno asked, on the SPLOST we have project budget revised for Sales Tax I, but on Sales Tax I on the next page there was nothing for revised budget. Was there no change or -? Mr. Persaud said, it's probably a typo. Commissioner Rayno said, same thing for page 38. There's no figures there. Same thing for page 39. Nothing there. Any reason for that? Mr. Persaud said, that was left off. I need to add that in there. Commissioner Rayno asked, can we add that -? Mr. Persaud said, but the summary sheet -, on the summary sheet. Commissioner Rayno said, can we have all those revised figures? Mr. Persaud said, I'll get it to you. Commissioner Rayno said, thank you.

Chairman Hair asked, is that it? Commissioner Rayno said, yeah, thanks.

ACTION OF THE BOARD:

Received as information. Errors pointed out by Commissioner Rayno will be corrected and revised figures will be furnished to the Commissioners.

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X. ACTION CALENDAR

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

Chairman Hair said, that takes us to the Action Calendar. Commissioner Rayno, what do you want to pull off the Action Calendar? Commissioner Rayno said, C, E, H, L. Chairman Hair said, C, E, H and F? Commissioner Rayno said, Commissioner McMasters said, L. Commissioner Rayno said, C, E, H and L. Chairman Hair said, L. Commissioner Murray said, I've got H. Was H one of his? Did you have H? Commissioner Rayno said, yes, sir. Chairman Hair said, yes, he's got H. Anything else? All right, I'll entertain a motion to approve the balance of the Action Calendar. Commissioner Rivers said, so moved. Commissioner Murray said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Gellatly and Thomas were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Rivers moved that the Action Calendar be approved in its entirety with the exception of Items 9-C, 9-E, 9-H and 9-L. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Gellatly and Thomas were not present.]

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

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- 1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON APRIL 26, 2002, AND THE SHOW CAUSE HEARING OF JANUARY 15, 2002, AS MAILED.**

ACTION OF THE BOARD:

Commissioner Rivers moved to approve the minutes of the regular meeting on April 26, 2002, and the show cause hearing of January 15, 2002, as mailed. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Gellatly and Thomas were not present.]

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- 2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD APRIL 18 THROUGH MAY 1, 2002.**

ACTION OF THE BOARD:

Commissioner Rivers moved that the Finance Director is authorized to pay claims for the period April 18, 2002, through May 1, 2002, in the amount of \$5,853,661. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Gellatly and Thomas were not present.]

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- 3. REQUEST BOARD APPROVE AN EARLY ACQUISITION REQUEST FOR PROPERTIES OWNED BY GEORGE ELLIS AT 9181 CREEKWOOD ROAD, TRUMAN PARKWAY, PHASE V.
[DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Rivers moved to approve an early acquisition request for properties owned by George Ellis at 9181 Creekwood Road, Truman Parkway, Phase V. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Gellatly and Thomas were not present.]

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- 4. REQUEST BOARD AUTHORIZE COUNTY CONTRACTS WITH GDOT FOR THE PAVING OF RIDGE ROAD, CENTRAL AVENUE (WEST), LEGHORN STREET, BILLINGS ROAD, RIDGEWOOD AVENUE AND GLADE STREET AND AUTHORIZE SIGNATURES ON ALL FORMS NECESSARY TO IMPLEMENT THE PROJECTS WHICH INCLUDES THE GDOT FORM 532, UTILITY AGREEMENTS, A LOCAL GOVERNMENT PROJECT AGREEMENT AND THE RIGHT-OF-WAY CERTIFICATIONS.
[DISTRICTS 1, 3 AND 5.]**

ACTION OF THE BOARD:

Commissioner Rivers moved to authorize County contracts with the Georgia Department of Transportation (GDOT) for the paving of Ridge Road, Central Avenue (West), Leghorn Street, Billings Road, Ridgewood Avenue and Glade Street and authorize signatures on all forms necessary to implement the projects, which include the GDOT Form 532, utility agreements, a Local Government Project Agreement and the right-of-way certifications. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Gellatly and Thomas were not present.]

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- 5. REQUEST FROM THE ENGINEER FOR THE DEVELOPER, ALBERT LUFBURROW, TO RECORD THE SUBDIVISION PLAT FOR SOUTH HARBOR, PHASE G, ACCEPT THE MAINTENANCE AGREEMENT AND FINANCIAL GUARANTEE AND INITIATE THE 12-MONTH WARRANTY PERIOD.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Rivers moved to approve a request from the engineer for the developer, Albert Lufburrow, to record the subdivision plat for South Harbor, Phase G, accept the maintenance agreement and financial guarantee and initiate the 12-month warranty period. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Gellatly and Thomas were not present.]

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

ACTION OF THE BOARD:

Commissioner Rivers moved to approve a request from the engineer for the developer, Southbridge Development Company, to record the subdivision plat for Southbridge, Phase 16D, accept the subdivision agreement and financial guarantee and recombine this phase into the existing Streetlight Assessment District. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Gellatly and Thomas were not present.]

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- 7. REQUEST BOARD APPROVE AN EASEMENT LIMITED AGREEMENT BETWEEN CHATHAM COUNTY AND SAVANNAH ELECTRIC AND POWER COMPANY FOR THE CONSTRUCTION OF TRUMAN PARKWAY, PHASE 4.
[DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Rivers moved to approve an easement limited agreement between Chatham County and Savannah Electric and Power Company for the construction of Truman Parkway, Phase 4. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Gellatly and Thomas were not present.]

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- 8. REQUEST BOARD AUTHORIZE THE CHAIRMAN TO SIGN INFORMATION EXCHANGE AGREEMENTS, NON-DISCLOSURE AGREEMENTS, AND SERVICE ORDER AGREEMENTS WITH WIRELESS SERVICE PROVIDERS AS PART OF E911 PHASE I.**

ACTION OF THE BOARD:

Commissioner Rivers moved to authorize the Chairman to sign Information Exchange Agreements, Non-Disclosure Agreements, and Service Order Agreements with wireless service providers as part of E911 Phase 1. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Gellatly and Thomas were not present.]

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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>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Change Order No. 2 to the annual contract for janitorial services to reinstate daily janitorial service at the CNT facility	CNT	Basic's Cleaning Company	\$977.52 per month	General Fund/M&O - CNT
B. Annual maintenance agreement for software and software upgrades	ICS	Georgia Technology Authority (sole source)	\$58,815.30	General Fund/M&O - ICS
C. Confirmation emergency installation of a new roofing system for the Tybee Island branch library	Library	The House Doctor	\$11,250	General Fund/M&O - Library
D. Tactical protective body armor	CNT	RBR Tactical Armor, Inc. (sole source)	\$15,115	Confiscated Funds - CNT
E. One model year 2002 Ford F250 four door crew-cab pickup truck	Public Works	J. C. Lewis Ford	\$22,255	CIP - Vehicle Replacement
F. Contract for the University Drive relocation, Phase I Project (Armstrong Atlantic State University)	Engineering	Triangle Construction Company	\$444,945.96	•GDOT •Armstrong Atlantic State University (100% reimbursable)
G. Software programming and support	ICS	Palmetto Microfilm Systems (sole source)	\$12,912	CIP - NetPlan 2000
H. 60 personal computer systems	ICS	Dell Marketing (state contract)	\$73,600	CIP - NetPlan 2000
I. Annual contract to allow the continuation of operation and maintenance of a race track for small electrical cars	Parks and Recreation	Savannah Chatham Off-Road Racing Enthusiast (SCORE)	\$150 per month	Revenue Producing
J. Agreement for engineering professional services to prepare closure certification package for EPD at the Sharon Park Landfill and Chevis Road Landfill	Public Works	Hodges, Harbin, Newberry and Tribble, Inc. (sole source)	\$40,000	Solid Waste Management
K. Lease agreement for office trailer	Public Works	Williams Scotsman, Inc.	Not to exceed \$55,000	SSD - Public Works
L. Contract to provide investigation and recommendation for the HVAC systems and control systems	Aquatic Center	Dulohery, Weeks and Gagliano, Inc.	\$13,800	SPLOST (1993-1998) - Aquatic Center

As to Items 9-A through 9-K, except 9-C, 9-E and 9-H:

Commissioner Rivers moved to approve Items 9-A through 9-K, except Items 9-C, 9-E and 9-H. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Gellatly and Thomas were not present.]

As to Item 9-C:

Confirmation emergency installation of a new roofing system for the Tybee Island branch library; Library; The House Doctor; \$11,250; General Fund/M&O - Library.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, at a previous meeting we had asked Mr. Abolt not to actually go out and spend funds prior to the Board approving it. In this situation it says during a heavy rain the Library had to have the roof repaired. They went out and had it repaired. And my question is when's the last time we had a heavy rain that this was a real problem that you had to go out and do it? We should have approved this money in the drought period before y'all went out and had that roof repaired, but instead you had the room repaired on the 5th of May and now it's done and you're asking us to pay for it, leaving us kind of boxed in.

County Manager Abolt said, no, sir. Let me explain and I do need clarification of discretion that up to date we have had. In this case the money was there to do the roof repair. Staff was about and appropriately solicited the bids. The bids were in place. The only thing that was lacking was the approval of the Board. Staff felt that because of the timing of it that it would be appropriate, given the fact that we had competitive bids, it was just a question of waiting on the calendar for the Board to give us approval, that we could exercise the discretion to go ahead and say repair the roof in the event that Mother Nature might have dumped some water. That is it. If the Board –, now I must add, if this is an issue in which you have concern, I certainly, you know, would stop exercising the discretion, but there are certain limitations –, few –, in only meeting twice a month. And I'm not advocating you meet more, but if it is budgeted –. Chairman Hair said, neither am I. County Manager Abolt said, if –, let me explain the control you exercise. If a project is budgeted and the money is there, and certainly in this case as they've gone about getting the prices and all that lacks is convening this Board to say go ahead and do it, the need is obvious, staff exercised the discretion given the nature of the repair, the unquantifiable issue of Mother Nature, we said go ahead and do it. If you want to say don't do that anymore, fine. We feel we have that discretion at this point. If you want to stop it, we'll stop it.

Chairman Hair said, I think the County Manager needs the discretion. We pay him big bucks. We need, you know, to use his judgment, and in the six years I've been on the Commission I have never seen it abused, and I think at some point we have to give him discretion to do this, and I don't have a problem with it. It did it, he followed all the processes, it was, you know, sealed bids –, it was bids –. County Manager Abolt said, priced it. Chairman Hair said, you know –. Commissioner Rayno said, but he went against the policy that we have. Chairman Hair said, well, let's change the policy then. Let's change the policy then and –. Commissioner Rayno said, I don't want to change it. Chairman Hair said, give him that discretion. We need to give him discretion. County Manager Abolt said, I need –, I don't want hard feelings over this. I'm doing what I think is appropriate, but it's appropriate based on what previous boards have allowed me to do.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I don't want to micro-manage this. Chairman Hair said, I don't either. Commissioner Odell said, I mean, that's not our role. If we have a hole in the library and we have money allocated, I don't think we need to come here and have a meeting so we can vote on whether or not we're going to put the roof on. I expect you all to do that. Chairman Hair said, that's exactly right. Commissioner Odell said, I don't want to micro-manage that.

Commissioner Rayno said, but this was a problem caused by heavy rain. When's the last time we had a heavy rain? A year ago? Chairman Hair said, I don't think that's the issue, Commissioner Rayno. I think the issue is does he have the right to make an emergency –, what he believes is an emergency purchase, and I think he did the right thing. County Manager Abolt said, it's a choice of language –, the English language. It says during a heavy rain, not a heavy rain meaning a specific event, but when we do catch a heavy rain this happens. That was the purpose of –.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter asked, what is –, exactly is the cap on what you're allowed to spend without Board's approval? County Manager Abolt said, \$10,000 –, no, two different issues. We're coming to you in request of confirmation. If this were less than \$10,000, it would appear on the end of your agenda just saying we did it. But there is a very important policy issue that I need direction on because I do not want you in each Commission meeting say why did I do this. The only reason I'm doing this is because up until now I've had that authority. You can take it back if you want, but I don't think it's best. Commissioner Kicklighter said, I don't –, I mean, I don't see, because \$10,000 is a lot of money, you know, and again much smaller scale, smaller projects, it was like a \$1,500 cap in Garden City. The administrator had to get approval to spend over that and we met twice a month and that worked all right there, you know. I don't see where there's a problem if we spend over \$10,000 –.

Chairman Hair said, all right, let's do this. Let's do this, why don't –. Commissioner Kicklighter asked, can I finish please? Chairman Hair said, why don't we do this? Why don't we have –, why don't we have the County Manager –. Commissioner Rayno said, point of order, Mr. Chairman. He's still speaking. He has the floor. Commissioner Kicklighter said, I'd like to just finish. Chairman Hair said, I'm sorry, I thought you were finished.

Commissioner Kicklighter said, I just don't see –, if that's the problem, I don't see where it would be a problem if you spend over \$10,000 and get Board's approval because, I mean –. Commissioner Rayno said, it's the policy. Commissioner Kicklighter said, to keep it from being confusing. County Manager Abolt said, two different things, sir. Right now in the Purchasing Manual, and in this meeting we don't have any to record because there were no such transactions, but if you look at the back –, it's on page 12 of your agenda –, we have had now for a number of years, in this case it's item two, list of purchasing items between \$2,500 and just under \$10,000. You told –, the previous Board told us –, it used to be like \$2,000. That means –, or \$2,500. Everything over \$2,500 we had to put on this purchasing report, and it was –, it was a dictionary. Commissioner Kicklighter said, right. County Manager Abolt said, so we went back and the Board said many years ago, revise it. I mean, the ceiling is too low. So previous Boards set, and it's in your Purchasing Manual, less than \$10,000 staff, in effect, can award. And the only thing that the previous Board asked that you just –, we just keep you posted, which we do and we've done it for years. Now this is not the issue of the \$10,000 issue. This is where the Library had the money set aside. In fact, the Library Director just told me, 50% of this is coming from the federal government, but it's important to me, not the substance of what you see on your purchasing report, but the substance of the discretion that I have now that I will continue to exercise unless you tell me differently. Commissioner Kicklighter said, right, and I truly have no problem with your honesty, integrity. I know you

do your job well. County Manager Abolt said, thank you. Thank you for the compliment. Commissioner Kicklighter said, I'm saying I don't see a problem with any purchase over \$10,000 the Board approving it before it takes place. Chairman Hair said, except emergency purchases. He has to have that. Commissioner Kicklighter said, yeah, if there is an absolute emergency.

Chairman Hair said, but let me suggest this. Are you finished with your comments? Commissioner Kicklighter said, yes. Chairman Hair said, okay. I would suggest this. If --, since apparently Commissioner Rayno and Commissioner Kicklighter are the ones that has the major input to this, why don't we do --, give your input to the County Manager, let him come back with options for policy changes at the next meeting and then we can decide by majority vote which one of those options we want to pick. How about that?

Commissioner Rivers said, let me be clear on this, Mr. Chairman. You're saying that 50% of this came from federal funds? County Manager Abolt said, that's what Mr. Johnson told me. Mr. Bill Johnson said, yes, state and federal. County Manager Abolt said, state and federal. Commissioner Rivers said, so in other words, the County is only expending somewhere around \$5,000. Chairman Hair said, right. Commissioner Rivers said, okay, well, what's the beef? Commissioner Kicklighter said, I think the [inaudible] is in place.

County Manager Abolt said, that's not the issue. I need your help though, and that's not the issue. For the moment this is my relationship with y'all, and I want to make sure if you do not wish me to exercise discretion to the extent that I have now, tell me or I'll give you options.

Chairman Hair said, that's what I'm suggesting, Mr. Abolt. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, the paving at the Humane Society, for instance. He went over budget on what we approved. He came back after they did additional work and said, oh, it's already done, throw on another \$3,000, would you? County Manager Abolt said, no, sir.

Chairman Hair said, all right. Do you want to make a motion to change policy? Make a motion. Commissioner Rayno said, I want to make a motion to change the policy that gives you this discretion. Do it with some Board approval, maybe by a phone call or something. County Manager Abolt said, sure, I'll --. Chairman Hair said, well, make your motion. Commissioner Rayno said, we don't need to make a motion. We can just direct him to come back with a policy that we can vote on. Chairman Hair said, that's what I said. That's exactly what I said. Commissioner Rayno said, I know. Chairman Hair said, have him come back at the next meeting to have a policy --. Commissioner Rayno said, exactly. Fine. Chairman Hair said, okay. Now we need a motion to approve this. Commissioner Odell said, an include Prozac in the motion.

Commissioner Kicklighter said, I make a motion to approve this. Chairman Hair said, I think some Ritalin would be appropriate too. We need a motion to approve. Commissioner Kicklighter said, I'll make a motion. Chairman Hair asked, second? No second? Commissioner Odell asked, what was the motion again? Chairman Hair said, to approve it. Commissioner Kicklighter said, to approve. Commissioner Odell said, second. Commissioner Kicklighter said, to approve the --, paying the bill. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rayno, Rivers, Murray, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner McMasters 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.

As to Item 9-E:

One model year 2002 Ford F250 four-door crew-cab pickup truck; Public Works; J. C. Lewis Ford; \$22,255; CIP - Vehicle Replacement.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno asked, is Mr. Drewry here? Chairman Hair said, yes, he is. Commissioner Rayno asked, what year is the truck we're replacing? Mr. Drewry said, '91. Commissioner Rayno said, '91. How many miles? Mr. Drewry said, 102,000 miles. Commissioner Rayno asked, how much? Chairman Hair said, 103. Mr. Drewry said, 102,000 miles. Commissioner Rayno said, 102 and you say it's completely wrecked. Mr. Stuart Chatham said, no, it's just past the point where it's economically feasible to repair. It's not worth putting any more money back in it. Commissioner Rayno asked, what are you going to do with it? Mr. Chatham said, salvage it. Sell it at auction. Commissioner Rayno said, salvage. Motion to approve.

Chairman Hair asked, second? Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, motion passes.

* * *

Commissioner Kicklighter said, excuse me, Mr. Chairman. We need to approve D because it was pulled accidentally. So I make a motion to approve D. Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes,

opposed vote no. The Clerk said, that motion is moot because D was not pulled. Commissioner Murray said, well, it's approved the second time then.

As to Item 9-H:

60 Personal computer systems; ICS; Dell Marketing (State contract); \$73,600; CIP - NetPlan 2000.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, we'd talked in the past about taking the spare computers and I talked about the legality of just giving them to nonprofits and we found out you can't do that. I would request that you would let the Civil Rights Museum know that you have salvage Pentium I's and if you have II's available so they might use them for networking in a computer room and buy them at a reasonable price. Thanks.

Chairman Hair asked, motion to approve? Commissioner Murray said, so moved. Chairman Hair asked, second? Commissioner Odell said, second. Commissioner Kicklighter said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes.

As to Item 9-L:

Contract to provide investigation and recommendation for the HVAC systems and control systems; Aquatic Center; Duloherly, Weeks and Gagliano, Inc.; \$13,800; SPLOST (1993-1998) - Aquatic Center.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, we know that there's problems with the HVAC system, and have we decided whether or not, Mr. Hart, the person who designed the system is liable for its cruddy behavior? County Attorney Hart said, [inaudible]. Commissioner Rayno asked, pardon? County Attorney Hart said, I've never been asked that question and I don't presume to know at this point. Commissioner Rayno said, I don't like the fact that the taxpayers are asked to pay an additional \$13,800 in design trying to figure out what's wrong with the system when we should be holding the original contractor and designer accountable for what they put into that facility.

Chairman Hair said, we'll look into that. Commissioner Murray and then Commissioner McMasters.

Commissioner Murray said, I would agree with looking into the engineer that designed that system. The general contractor I don't think would be liable on it simply because he is the one that was going with what was spec-ed [phonetic] in the plan to put in to begin with. County Attorney Hart said, I don't even know how the contract was let. Commissioner Murray said, but I don't know what would happen on the other, but I would not have a problem looking into who engineered the system.

Chairman Hair said, he's going to look into to see that. Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters asked, just academically, how old is this system? County Manager Abolt said, '98, I think. County Attorney Hart said, it's got to be six years.

Chairman Hair said, '97. Okay, I'll entertain a motion to approve. Commissioner Rayno said, I'll table please. Chairman Hair said, oh, motion to table. Do I have a second? Commissioner McMasters said, second. All those in favor of tabling vote yes, opposed vote no. Commissioners Rayno, Rivers, McMasters and Gellatly voted in favor of the motion. Chairman Hair and Commissioners Murray, Odell and Kicklighter voted in opposition. The motion to table failed by a tie vote of four to four. [NOTE: Commissioner Thomas was not present.] The motion fails.

Chairman Hair said, okay. I'll now entertain a motion to -. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, well, first of all, let me say the reason I don't want to table this is this system needs to be fixed. Chairman Hair said, absolutely. Commissioner Murray said, and regardless of who's going to pay for it, we're still going to have to have this done. And I think we're going -, need to go ahead and move it forward so that new system that we've already approved the funding for can be put in as soon as possible. So I will move for approval. Chairman Hair said, and this has nothing to do with the liability. We can do that as a separate issue, but we don't need to table -.

Commissioner Kicklighter said, the motion's not clear. Is the motion to sell it to Savannah for a dollar? Chairman Hair said, the price went down. It's 50¢ now. Commissioner Murray said, I don't believe they'd buy it.

Chairman Hair said, all right, I need a motion to approve or to disapprove. Commissioner Odell said, move to approve. Commissioner Murray said, second. Chairman Hair said, second. All those in favor of the motion to approve vote yes, opposed vote 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.

Commissioner Odell said, but Jeff [Rayno] is concerned. You're going to come back to us –. County Attorney Hart said, yes, sir. I just wasn't here when that project was done, so I –. Commissioner Odell said, I know, but you're going to –. County Attorney Hart said, yeah, I'm going to have to track George Lynch down because he pretty much –. Commissioner Murray said, well, I know who the general contractor was, Donald Braun.

ACTION OF THE BOARD:

1. Commissioner Rivers moved to approve Items 9-A through 9-K, except Items 9-C, 9-E and 9-H. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Gellatly and Thomas were not present.]
2. Commissioner Kicklighter moved to approve Item 9-C. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Rayno, Rivers, Murray, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner McMasters voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Thomas was not present.]
3. Commissioner Rayno moved to approve Item 9-E. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]
4. Commissioner Murray moved to approve Item 9-H. Commissioners Odell and Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]
5. Commissioner Rayno moved to table Item 9-L. Commissioner McMasters seconded the motion. Commissioners Rayno, Rivers, McMasters and Gellatly voted in favor of the motion. Chairman Hair and Commissioners Murray, Odell and Kicklighter voted in opposition. The motion to table failed by a tie vote of four to four. [NOTE: Commissioner Thomas was not present.] The motion fails.
6. Commissioner Odell moved to approve Item 9-L. Commissioner Murray 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.]

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XI. FIRST READINGS

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

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

1. AN AMENDMENT TO THE CHATHAM COUNTY TAXATION AND REVENUES ORDINANCE, ARTICLE II, SECTION 7-208, "SCHOOL TAXES," TO ASSESS A FEE OF 2½% FOR COLLECTION OF SCHOOL TAXES.

Chairman Hair said, before I begin the First Readings, I want to remind the Commission of our policy, and if you want to change it, we can, but the policy has always been on First Readings that we do not take debate on First Readings because we can't take a vote by law anyway and we delay it until the Second Readings. When I met, and I saw the Superintendent here earlier and I know Representative Day is here, and Commissioner [sic] Abolt can confirm –, I mean, Manager Abolt can confirm this. When we met with the School Board last Monday morning, I made it very clear to them that we would have it on First Reading today, but it is the policy of this Board to not take First Reading –, take any debate on First Reading; that we would only take debate on Second Reading because that's the only time by law we can vote, and we had to be two weeks between the First Reading and Second Reading, so I don't know why the school folks were here today because I –, it was very clear. Now if this Board wants to change its policy, it can. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, you know, we changed our policy and agreed that the Commissioners could discuss this –. Chairman Hair said, that's correct. Commissioner Murray said, among ourselves, but if we're going to allow any member of the School Board or anyone else to speak on this particular issue, then we're going to have to open it up from now on on every First Reading we have that comes up here. Chairman Hair said, I agree, and it's a very –. Commissioner Murray said, I don't think we can be selective on who we allow to speak and who we don't when it comes to these. If we're going to keep the policy we have in place, fine. If we're not, then we change it for all First Readings, not just this one item that's on here. Chairman Hair said, I totally agree with you, Commissioner Murray. Commissioner Murray said, if they were told ahead of time that they were not –. Chairman Hair said, they were told that. Commissioner Murray said, the other point I'd like to make while we're on this, and I don't know if the newspaper is still here or not, but I wish you'd get two sides of this story before you start doing editorials like you did and especially criticizing the Commissioners

for not being there. I had a flight that morning to go out of town. I found out about the meeting on a Friday afternoon that it was going to be at 8:30 on a Monday morning. Now I think that might be the status with most of these Commissioners for not showing up for it because of the short notice of the meeting. But, nevertheless, we're criticized for something before you even talk to us about why we weren't there. I don't appreciate it at all. If you want to criticize us more, go ahead. You have the right to do that under freedom of speech.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, Mr. Chairman, I ask y'all to please recuse me or excuse me from any discussions of the First Reading because I have a financial interest in one -. Chairman Hair said, well, there's no vote to be taken anyway. Commissioner Kicklighter said, well, just I want it to be noted that I'm not -. Chairman Hair said, so noted in the record. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I just want to take the time to publicly state my -. I was disappointed in some of the statements of the press demagoguing the issue saying that we're taxing the children. That's just classic demagoguery in its finest form for them to take that -, and then to take the budget and say we've got a zero budget now, but if the County Commission raises it to 2½%, oh, we're going to be in trouble again. Again, that's classic demagoguery. If you go down to Bull Street and you look at the administrative, how heavy it is down there, having high schools with more than one assistant principal and when you've got classrooms in Chatham County that don't even have a dictionary in them, there's something wrong. Those people are paid very well to have dictionaries in classrooms. They're paid very well to have textbooks for science in middle schools, which in some middle schools just do not exist. The teachers are forced to go on the Internet to get their lesson plans. That's not right.

Chairman Hair said, in the sense of fairness, Commissioner Rayno, since we're -, if we're not going to -, if we are going to open it up to debate, full debate, that's fine, but if we're not -. Commissioner Rayno said, they used a one-sided assault on us in the press and on the news things, which they love because it's good for ratings. We should have the opportunity to say something back that's not whittled down into a sound byte that they throw on for 30 second at six o'clock that we hate kids and this and that, which is not true. I teach kids all the time. That's my business. I enjoy teaching kids. Chairman Hair recognized Commissioner Rivers. Commissioner Rayno said, I'm not done, sir. Chairman Hair said, I'm sorry. I'm sorry. Commissioner Rayno said, 2½% has been on the table as law in Georgia since 1918. This is nothing new. They know that, but they choose to use demagoguery and saying the County Commission's being mean to them and this, that and the other, and it's just not true.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, as Commissioner Murray said that we got that letter on a Friday, that note from the Chairman stating that he and Mr. Abolt would attend a meeting, and it was discretionary. If Commissioners would like to attend, they could. Now if he's going down there to negotiate, you don't take a room full of people to negotiate. Two people can negotiate and come to some conclusion. The Chairman and the Manager were sufficient to be there. I felt that way.

Chairman Hair said, all right. Do we want to -, does anybody want to change the policy. Commissioner Murray said, no, I don't. Chairman Hair said, okay, if not, then let's go ahead with the reading. Chairman Hair then read this item into the record as the First Reading.

Commissioner Murray asked, can I make just one comment about Item One -? Chairman Hair said, certainly. Commissioner Murray said, - on the First Readings. Commissioner Rayno said, yeah. Commissioner Murray said, keep in mind, everybody is assuming that the costs that we're using on this 2½% is the costs that come out of Commissioners Danny Powers office. It's much greater than that, and I think y'all will find out at the second reading just how great it is, and I would ask that that second reading be tabled to the first meeting in June because I will not be here for the second meeting in May. How do we do that?

Chairman Hair said, we need to vote on that if we're going to do that. Commissioner Rayno said, I make a motion to table the second reading until June. Chairman Hair said, until the first meeting in June. Do I have a second? Commissioner Rivers said, second. Commissioner Murray said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes. Thank you.

ACTION OF THE BOARD:

1. Chairman Hair read this item into the record as the First Reading.
2. Commissioner Rayno moved to table until the first meeting in June the Second Reading on an amendment to the Chatham County Taxation and Revenues Ordinance, Article II, Section 7-208, "School Taxes," to assess a fee of 2½% for collection of school taxes. Commissioners Rivers and Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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- 2. **AMEND SECTION 9-3.2, ISSUANCE OF BUILDING PERMIT, OF THE CHATHAM COUNTY ZONING ORDINANCE TO AUTHORIZE THE ZONING ADMINISTRATOR TO REQUIRE AN ENVIRONMENTAL SITE ASSESSMENT (ESA). THE MPC RECOMMENDED APPROVAL. MPC FILE NO. Z-020314-34739-1 [NO DISTRICT - TEXT AMENDMENT - UNINCORPORATED AREA.]**

ACTION OF THE BOARD:

Chairman Hair read this item into the record as the First Reading.

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XII. SECOND READINGS

- 1. **THE PETITIONER, HORIZON INDUSTRIAL PARK, LLC, NICK E. BELL, MANAGER, IS REQUESTING REZONING 3110 OGEECHEE ROAD FROM AN M (MANUFACTURING) CLASSIFICATION TO A B-C (COMMUNITY-BUSINESS) AND I-L (LIGHT-INDUSTRIAL) CLASSIFICATIONS TO ESTABLISH A GROCERY STORE, CONVENIENCE STORE, WAREHOUSES, OFFICE SPACE, AND HIGHWAY BUSINESS. THE MPC RECOMMENDED APPROVAL. MPC FILE NO. Z-020206-52314-1 [DISTRICT 8.]**

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

ACTION OF THE BOARD:

Commissioner Odell moved to approve the petition of Horizon Industrial Park, LLC, Nick E. Bell, Manager, requesting the rezoning of 3110 Ogeechee Road from an M (Manufacturing) classification to B-C (Community-Business) and I-L (Light-Industrial) classifications to establish a grocery store, convenience store, warehouses, office space and highway business. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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XIII. INFORMATION CALENDAR

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

ACTION OF THE BOARD:

A written report was received as information.

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2. LIST OF PURCHASING ITEMS BETWEEN \$2,500 AND \$9,999 (SEE ATTACHED). Note: None for meeting of May 10, 2002.

ACTION OF THE BOARD:

None received for meeting of May 10, 2002.

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PERSONAL PRIVILEGE - COMMISSIONER MURRAY

Commissioner Murray said, before we go [into Executive Session] can I ask some questions. I think we all got a copy of this memo, didn't we? Yeah. Yeah, I'll vote to go into Executive Session. Chairman Hair said, that's not what I --. Commissioner Murray said, Russ [Abolt], you sent a memo to all of us dated May the 8th, a short explanation to a long history of community project estimations. Now, I've read this and maybe we had sloppy record keeping back when all this first started, I don't know. But I'm going to tell you, to me this is not sufficient, and if this is the way we're keeping our records, then we've got a problem. And I for one would say that if, in fact, we have approval of the next referendum, that we have better estimates and we keep records of those estimates for each project so when we ask questions, we can get the information we ask about.

County Manager Abolt said, yes, sir. Let me --, with your permission. My intent was not to put a whole lot of words down because the words might sound like an excuse, which was not our intent. It's very important though, because you've brought it up in this setting, for me to explain how we have developed --, the community has developed cost estimates, and I'll give you the most classic of examples and the most recent in drainage. When the community came together through the Metropolitan Planning Commission and all the cities participated, each municipality in Chatham County submitted specific cost estimates on projects. The MPC staff, doing their job as trying to make an amalgamation of what would be spent for drainage, for roads, all of that, in effect arbitrarily said so much money will be spent. So the pattern was changed. The pattern had to be changed based on what dollars would be available once the voters approved it. I agree with you all a hundred percent. I also appreciate the fact the initiative you're taking on SPLOST. We can do what you want to do. In the past the answer has been one of compromise.

Commissioner Murray said, my point is though, if you have the estimate to do these projects, we've got a number to start with and we should be able to track from that number. County Manager Abolt said, yes, sir. Commissioner Murray said, my question way back when we --, I brought this up several months ago was that we've got a number. Whether it's an estimate or whether it's a firm figure --. County Manager Abolt said, sure. Commissioner Murray said, we've got a number, and we track what we [inaudible]. County Manager Abolt said, we don't --, we are right on --. Let me explain where we --, we're not taking across each other. I interpreted, Mr. Bungard interpreted that you wanted to go back to the very birth of the project when someone said Fawcett Canal. I was saying and Mr. Bungard has reaffirmed that since that time, yes, we've gotten everything you've said, but that was not the birth of the project. The project was born when somebody said let's do Fawcett Canal and let's do countywide drainage and let's allocate 140-some million dollars. Mr. Bungard has better estimates that have occurred since the birth of the project. We were trying to be very, very circumspect in answering your question and trying to go back to the genesis --. Commissioner Murray said, well, I think we're trying to make it too complicated. Chairman Hair said, I think --. County Manager Abolt said, that's why I made the memo that way. Chairman Hair said, we just need the tracking and I think --. County Manager Abolt said, we will give that to you. Yes, sir. Commissioner Murray said, you don't need to make it complicated where nobody's going to understand it.

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PERSONAL PRIVILEGE - COMMISSIONER KICKLIGHTER

Chairman Hair said, Commissioner Kicklighter wants to make a brief announcement.

Commissioner Kicklighter said, I have some great news that I want to share, to change our track of things here. I just want to let everyone know --, great news. One of our citizens here in Chatham County, they're putting together an event and I will be assisting them, on May 26th Gordon Varnedoe will be hosting a big, huge shindig, whatever, party over at the Tybee Pier and Pavilion. There'll be dancing, singing, dinners, you name it, from sunup to, you know, going throughout the night, and the goal is to raise hopefully the \$50,000 that we need to offset the costs for that pier and pavilion. So I just want to thank him for doing that and encourage everyone that can come out and support it, the people that used to skate on it years ago, come on out and have a good time.

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EXECUTIVE SESSION

Upon motion being made by Commissioner Rivers , seconded by Commissioner Murray and unanimously approved, the Board recessed at 12:15 p.m., to go into Executive Session for the purpose of discussing litigation, land acquisition, and personnel. [NOTE: Commissioner Thomas was not present.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 12:55 p.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 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: Commissioner Thomas was not present.]

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APPOINTMENTS

None.

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ADJOURNMENT

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 12:56 p.m.

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APPROVED: THIS _____ DAY OF _____, 2002

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

SYBIL E. TILLMAN, COUNTY CLERK