

MINUTES OF THE SPECIAL-CALLED MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON TUESDAY, FEBRUARY 4, 2003, 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 2:00 p.m., Tuesday, February 4, 2003.

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II. INVOCATION

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

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

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V. REQUEST BOARD ADOPT SPLOST 2003-2008 RESOLUTION AND INTERGOVERNMENTAL AGREEMENT.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, Mr. Chairman, I'll move that we accept the proposal as modified by you, which includes the additional for Ash Tree, CASA, Garden City and the subtraction of green space, dry hydrants and unincorporated roads. Chairman Hair asked, does that motion have a second? Commissioner Thomas said, second. Chairman Hair said, okay. Any discussion of the motion?

Commissioner Murray asked, can we have a copy of those proposals? I've only got one and that's the one I got today from Kicklighter and McMasters. Chairman Hair said, it's been out there since the 13th of January. We can get a copy of it though. Commissioner Kicklighter said, I've got a question. Commissioner Murray said, I thought there were some modifications made. Chairman Hair said, no, it's the one that [inaudible].

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, yes, I've got a question of whether or not y'all would -, you know, I mean, however you want to do it. If you want to vote on this now, that's fine, but I think it would be appropriate to look at our presentation to see what we have to offer before we make any votes. Chairman Hair said, well, since we have a motion on the floor,

I think you can do that, but I think the way to do it would be to hear your proposal to my proposal, since we have that proposal on the table. So if you'd like to make a comparison of the cuts and the additions to that, we'd be happy to –, that would be appropriate to do that at this time. Commissioner Kicklighter asked, you want me to do that? Okay. Chairman Hair said, well, I think you need to focus –, since that motion's on the floor, you need to focus on just the differences in the plans. Commissioner Kicklighter said, okay. All right. Thank you.

Commissioner Kicklighter said, that kind of changes up what we had planned a little bit, so we'll just start with the differences right here, which is really a good way to lead into the presentation because we heard concerns that or actually watched on television a picture of flood pumps and, you know, the City saying they're not going to have enough money in roads and different projects like that, so this is good to be able to show the differences in the proposals right here. If we could, we'll just start right here with the proposal, the differences. I believe that our proposal differs because our priorities are different. We place our priorities on public safety, drainage, roads, education, being libraries, and we'll move on through here then because I'm trying to just show differences here.

As far as public safety goes, our proposal gives Savannah 100% of their requested amount, which is \$1,300,000 and their adjusted –. Mayor Floyd Adams said, no, no. Commissioner Kicklighter said, okay. Well, that's what's on the paperwork that we were provided by staff, so, you know. Anyhow, Savannah requested that the fire department money be categorized under public safety, so we slipped that over to that. But it gives \$3,370,000 for police merger to the City of Savannah and the unincorporated police department. That's in the County's allotment, but it would benefit both Savannah as well as Chatham County unincorporated areas. The difference is coming now. Our proposal gives Savannah 100% of their requested drainage money, which the Chairman's proposal does also, \$51,150,000, but our proposal and also with the Chairman's \$18,000,000 for flood pumps, which benefits the entire County, Savannah, Garden City, Pooler, Port Wentworth and Bloomingdale, and the main difference is starting right here in the plans is our proposal gives \$9,000,000 more to unincorporated drainage than the Chairman's plan. Our plan gives \$13,000,000 for drainage for those 70,000 people. The Chairman's gives \$4,000,000. Do that comparison there with Savannah, \$51,000,000 for drainage, and the Chairman's plan only has \$4,000,000 for the entire unincorporated area. It's the biggest discrepancy you could ever find. \$4,000,000 will not protect all the people from flooding in the unincorporated areas. There's the major difference in the plans right there.

Chairman Hair asked, Commissioner Kicklighter, will you yield to a question? Commissioner Kicklighter said, I would prefer to finish –. Commissioner McMasters said, at the end of the presentation. Chairman Hair said, that's fine.

Commissioner Kicklighter said, our proposal on roads we give Savannah 100% of the requested money, \$12,600,000, which the Chairman does also; \$16,000,000 for CUTS roads, which we have a countywide benefit there, as the Chairman, but again another major difference, our proposal gives the unincorporated area \$3.5 million more for unincorporated roads than the Chairman's plan. You can see, we have \$17,000,000 in there. The Chairman has \$13,000,000 in his plan. So we're not jeopardizing roads in Savannah either with this proposal. This funds 100% of the roads.

Education. Our proposal actually gives \$11,000,000 more for libraries than the Chairman's proposal. Our proposal will allow the construction of two Chatham County libraries as well as one being refurbished, where the Chairman's proposal will only allow for one to be built and one to be refurbished. We've got \$24,000,000 in our plan for education; Chairman Hair has \$13,000,000. So that's a major difference right there.

Commissioner Odell asked, is that the revised Chairman Hair plan? Chairman Hair said, no, it's not. Commissioner Kicklighter said, well, that's the numbers that we had on the last revision that staff offered us to put together the numbers. Commissioner Odell said, my reference is to the January 31st memo from Dr. Hair, and I guess my question is whether or not the revision and the comparison you made, if you compared those revisions to January 31st. Commissioner Kicklighter said, yes, sir. Commissioner Odell asked, is that the revision? Commissioner Kicklighter said, yes, sir. It compares both revisions, his as well as ours on the 31st. It's our revision two versus his, I guess, it was his third proposal on 1-31-03. The last comparison –. Commissioner McMasters said, unless there's a new version –. Commissioner Kicklighter said, that we have not seen. Commissioner McMasters said, the last day that we're –, had the benefit of, this is from staff. Chairman Hair said, there is no new version, Commissioner McMasters, but there's some erroneous statements being made about the proposal. I'll correct them –. Commissioner McMasters said, yeah, let us finish the presentation –. Chairman Hair said, I'll correct those at the appropriate time. Commissioner McMasters said, – and then you can have at it. Chairman Hair said, totally erroneous statements.

Commissioner Kicklighter said, well, again, we got our numbers from staff here. Public safety. We did not reduce anything for Savannah. Drainage we didn't reduce one thing. Roads we didn't reduce one thing. We funded all three categories at 100%. In fact, we increased the greenway money by \$198,000 as compared to the Chairman's plan. The art of compromise. Here was one sticking point. I watched the television and saw where you're going to veto if you reduce any city, so, you know, I sat down –, we sat down, worked hard, thought about it, and I can justify –, we could all justify Tybee receiving more than some of the other smaller municipalities because they're literally an island. They're out there on their own so they're not receiving some of the countywide benefits that other cities are, such as drainage pumps and so on. So, yeah, we worked on it to come to a compromise here. We reduced Tybee's money to \$4.7 million, which is \$700,000 more than the much larger cities of Garden City and Pooler, but then we said, you know, we all –, people go to the beach, brings in more money, we need the money for renourishment. We added an additional \$1,000,000 for beach renourishment, bringing their total to \$5.7 million. It's \$832,000 less than the Chairman's proposal, but we believe that that's fair, that'll help Tybee and we couldn't justify the number of \$6.5 million. The only reductions in Savannah's request, and this is it in an absolute nutshell, Savannah requested –, and again this is in their revised request, or last –, I forget how it was worded, but last compromise –, they requested \$23,930,000 for recreation, historical and cultural. We recommended \$13,369,000, which was 55%, unless you included the greenways and that, which I believe was in their figure, which would bring it up to 63%. So you can see right there

we're funding \$13,000,000 in that category for the recreation, historical and cultural. Requested \$6,339,424 for other capital outlay. We recommend \$2,500,000, which is 39% of their request. Sure the --, all these projects are wonderful projects. I say all --, there's one that pops in my head that personally I don't see the need for, but I'll keep that out of this presentation, but we were more than lenient at the \$19,000,000 for those two categories. Non-profits, the folks that's been calling, I don't want you to be misled. This proposal does not cut any one of you in there. We'll leave that up to Savannah's discretion for how they want to fund. So you need to phone your leaders and representatives in Savannah and let them know what's most important and prioritize and they will distribute out to those organizations.

Commissioner Kicklighter said, in comparison the McMasters --, and I want to say, I don't blame the Mayor and Council. Y'all are doing a fine job for Savannah. I'd ask for it all too, as well as Tybee Island and all of them, but if this was an endless pot of money, I believe it would be great to fund everything, but it's not and, again, we're prioritizing the roads, streets, drainage, public safety, education. The --, in comparison and closing here, the McMasters/Kicklighter plan prioritizes the countywide public safety, drainage, roads and education, and by the numbers you can look at it, the Chairman's plan reduces the countywide's drainage, roads, et cetera, to fund recreation, historical, cultural and other capital outlay projects and non-profit organizations. And with that I'll ask all of you to support this plan. It's fair and we appreciate you listening.

Chairman Hair said, thank you, Commissioner Kicklighter. I just want to make two corrections. Commissioner Odell asked, will y'all stay in the well for questions? Chairman Hair said, the statement was that my plan only included \$4,000,000 in countywide drainage, which is certainly untrue. My proposal includes \$22,000,000, but \$18,000,000 goes for a pump station on the Westside, so my proposal has \$22,000,000 in drainage, not \$4,000,000 as stated. Commissioner Kicklighter said, okay, but then --. Chairman Hair said, and then the other issue was it was stated that my proposal only had one library renovation and one --, which is again not true. My proposal has one library on the Southside and one on Wilmington Island, fully funded, okay. So it's not fair to say that they were renovation. I just want to correct the record. I'll call on Commissioner Odell.

Commissioner McMasters asked, did you want us up here to answer or up there? Does it matter? Commissioner Kicklighter asked, can I answer? Commissioner Odell said, it would be good if y'all were in the well. Commissioner Kicklighter asked, can I just answer that on the drainage? Commissioner Odell said, absolutely. Commissioner Kicklighter said, sure, it was \$18,000,000 --. Chairman Hair said, \$22,000,000. Commissioner Kicklighter said, so 22, but then we can knock our total up and add that \$18,000,000 to our total, which still leaves your proposal desperately behind our proposal on drainage for the County. I mean, still you're the same amount short because we can our two numbers together too --. Commissioner McMasters said, the percentage of difference is going to remain the same. Commissioner Kicklighter said, the percentage would stay the same.

Chairman Hair said, Commissioner Kicklighter, the only thing I asked is that we state the facts and the facts are my proposal has \$22,000,000 for drainage, not \$4,000,000, like you stated. Commissioner McMasters said, we stand corrected. Commissioner Kicklighter said, okay, well I'll accept your correction. Chairman Hair said, it's not \$4,000,000, it's \$22,000,000. I just want to make sure --. There's a big difference. Commissioner McMasters said, proportionately we've got a lot more money in for the subject. Chairman Hair said, okay. Commissioner Kicklighter said, and the line items, the way the staff laid it out, that's how we went by percentages. Chairman Hair said, I call on Commissioner Odell.

Commissioner Odell said, for the City of Savannah under Dr. Hair's request the total is \$95,140,000. Under the McMasters/Kicklighter --. Am I saying that right, or is it Kicklighter/McMasters? Commissioner McMasters said, it doesn't matter to us. It's equal ownership. It's joint tenancy. Commissioner Odell said, I really want to be politically correct. Your request is \$84,000,000, is that true? Commissioner McMasters asked, well, are you looking at certain or a grand total? Yes, sure, 84. Commissioner Odell said, I'm looking at the grand total under your plan is 84% --, \$84,000,000 and the grand total of Dr. Hair is \$95,000,000. We can agree that that's true? Commissioner Kicklighter said, yes. Commissioner Odell said, okay. In your numbers was it based upon population or was it based upon original source --? Commissioner McMasters asked, point of sale? Commissioner Odell said, pardon me. Commissioner McMasters asked, are you --, not to interrupt you, but are you asking if it was done on origin of sale, point of sale? Commissioner Odell said, point of sale as compared to population or a combination of the two. Commissioner McMasters said, Harris [Odell], actually we didn't look at either of those two perimeters because they're not part of the SPLOST law nor intent. Commissioner Odell said, so the point of sale or population was not a consideration in the numbers that you presented. Is that true? Commissioner McMasters said, no, not at all. Commissioner Kicklighter said, and if I can answer that, we took the same, I believe, scope to divvying up the money to the cities that the Chairman did because it was clear that his proposal that he used population for Savannah but did not use population for Tybee. He just plugged in the numbers that he felt necessary, and that's basically --, we've done the same type operation. Commissioner McMasters said, Harris [Odell]. Commissioner Odell said, I will yield for a question.

Chairman Hair said, he still has the floor.

Commissioner Rivers said, ask the question of if they did it --, if the Chairman did it by population, then the figures are skewed because if you do it by population, you're going to come out with a greater number.

Commissioner McMasters said, Harris [Odell], for the record, if I may, the point of sale population criteria is a function of LOST legislative [inaudible], it is not --. Commissioner Odell said, no, I understand, but I understand that it's important, the point of origin is important. If the vast majority of the money is made in the City of Savannah, whether or not that is a criteria which is mandated --. Commissioner McMasters said, yeah, we're trying to follow the law.

Commissioner Kicklighter said, if I can --, to try to answer that a little, I guess, different, let me jump in here. We have the spreadsheet here from the history of past SPLOST agreements. We give you an example. Back in 1985-93,

Savannah got –, actually had 4%. They received \$9,000,000. Back in 93-98, they received \$9,606,000. When Chairman Hair came along in 98-2003, it jumped from \$9,000,000 previously to \$88,000,000. The only reason that Savannah's sitting at the table is because of drainage. We have to have their signature and that's what we're proposing that we're funding at 100% of their request, and the others again, Commissioner Odell, I think are great projects if we had an endless pot of money, but I'm trying –, we tried to stick to the priorities with this funding rather than the icing, I guess, on the cake. So we actually –, we have the cake, but we couldn't afford all of the icing. Commissioner Odell said, I agree, but I don't think that this is just the Chatham County Commission's show. I think that in order for this to pass by the general population, it's important that the elected officials of the other municipalities be in accord with our decision. Having said that, looking at some of the isolated programs or individual programs, under Dr. Hair's program he proposed \$1.5 as far as Greenbriar. In your proposal you proposed \$1.4 million. Is that true? Commissioner McMasters said, that's true. Commissioner Odell said, okay, so you cut Greenbriar by \$100,000. In addition to that, under Dr. Hair's program, Hospice was scheduled to receive \$1,000,000. You cut Hospice to \$850,000 while you reduced it by \$150,000. Is that also true? Commissioner McMasters said, Harris [Odell], yeah, you can go right down this list if you choose to –. Commissioner Odell said, John [McMasters], what I'm asking you, so that we can establish what the facts are, whether or not we agree on that as being a fact. Commissioner McMasters said, yes.

Commissioner Kicklighter said, absolutely, Harris [Odell]. The Chairman's plan funds –. Commissioner McMasters said, Harris [Odell], in all fairness here, I don't want to be triangulated against all the non-profits. Commissioner Odell said, no, I'm not saying that you are, but what I am saying is so that we can understand the comparison between the programs, we have to understand the differences between the programs. I just want there to be a common ground as to what facts we agree on. Commissioner Kicklighter said, absolutely. Commissioner Odell said, well, if you cut Hospice \$100,000, then that's a fact. Commissioner Kicklighter said, okay, to answer that, you're absolutely right. We're funding non-profits less than the Chairman's proposal. Commissioner Odell said, some non-profits. Commissioner Kicklighter said, but –, well, overall. Commissioner Odell asked, you are reducing all non-profits or just certain non-profits? Commissioner Kicklighter said, John [McMasters] can go through his formula that he came up with on that. Commissioner Odell asked, did you reduce all non-profits is the question? Commissioner Kicklighter said, well, I want to –. Commissioner McMasters asked, compared to what version, Harris [Odell]? Commissioner Odell said, compared to Dr. Hair's 1/31 –. Commissioner McMasters asked, final version? Commissioner Odell said, – proposal. Commissioner McMasters asked, compared to Dr. Hair's final proposal? Commissioner Odell said, the one that –.

Chairman Hair said, it wouldn't make any difference because my proposal had that same for all three for non-profits. It won't make any difference.

Commissioner McMasters said, okay, fine. Yes, there's a difference. Commissioner Kicklighter said, let me ask and then let him –, let me answer the first question. Absolutely. When we first decided that we were going to put SPLOST up for a vote, for the equal Chatham County, we said it was going to be for roads, bridges, drainage and that was it. So we've come a long ways. We realized that there is a need out there for Hospice and, you know, we realized there's a need for Greenbriar and all of these agencies because they're great people out there working hard. But we also realized that there's people in our County that when it rains hard their houses go under water. We realized there's people stuck in traffic that, you know, would like better roads. Our police –, and if I can finish our philosophical difference here –. Commissioner Odell said, okay. Commissioner Kicklighter said, – our belief is to take care of the infrastructure with this tax money, like the State Legislators intended for us to do, and then at the end if there's money left, help the non-profits, and that's what we've done. We're not bad people. We're giving them a lot of money that's very close to what the Chairman has offered. Commissioner Odell said, look, Dean [Kicklighter] –.

Commissioner Kicklighter said, Mr. Chairman, with your permission, can we go sit back down instead of standing up here. Chairman Hair said, certainly, I think it would be fine if you want to sit down. Commissioner Kicklighter said, I'm much better arguing from there. I'm used to arguing from over there, not –. Chairman Hair said, that's fine.

Commissioner Odell said, well, while you walk –. Commissioner McMasters asked, can I stay? Commissioner Odell said, no. Commissioner McMasters said, I'm just kidding. Commissioner Odell said, let me respond. I never said that you all were bad people. What I said was that you did not cut all of the non-profits. While someone's house may flood, and I am totally sympathetic, but I'm also sympathetic to a child who has been abandoned and has no where to go and has to go to Greenbriar. Now, if –, which one is most important, Dean [Kicklighter]? Do we say that that child who has no place to go and no one to take care of him, that that is less important? I don't think so. Having said that, the other non-profits that you cut, you cut the Civil Rights Museum, you cut King-Tisdell and you cut by \$250,000 the project at Tatemville. Those are the ones that you cut. You cut King-Tisdell, you cut W. W. Law Center, and the Food Bank. Those are the ones that you cut. Now that impacts a lot of my district. My concern is that while I think your plan is glorious and I compliment you, but basically what you did, you shifted money to your district. Commissioner Kicklighter asked, so are you happy with the overall plan other than the small amounts of money you're talking about because you're only talking –, I mean, honestly, that just gave the impression that we don't care about kids when we're at \$1.4 million for Greenbriar and the Chairman is at \$1.5 million. Commissioner Odell said, no, but you –. Commissioner Kicklighter said, \$100,000 difference. You know, I think \$1.4 million is care. We didn't slash it down to nothing for Greenbriar. And, Harris [Odell], I always love your politics, everything. I think you do a fine job, but that one was very unfair because we didn't cut it down to –, if I had cut it to zero, then please say that, but we didn't. I mean, that's not fair. Commissioner Odell said, and I love you, too, Dean [Kicklighter]. Commissioner Kicklighter said, thank you. Commissioner Odell said, this has nothing –, this is not personal, Dean [Kicklighter]. Commissioner Kicklighter said, no, it's not. Commissioner Odell said, and my position is that you cut the Civil Rights Museum, you cut W. W. Law, you cut Tatemville, you cut Hospice, you cut Greenbriar, and you shifted the money to your district.

Commissioner McMasters said, Harris [Odell], it's not in my district. Commissioner Odell said, no, it's not your district. Commissioner McMasters said, it's County, and that's our district. Chairman Hair said, so is the City of Savannah, they're County too. Commissioner McMasters said, well, then what I –. Commissioner Odell said, they look like County to me, too. Commissioner McMasters said, then, Harris [Odell], why don't you ask Billy [Hair] why he cut the libraries by \$11,000,000. The thing cuts both ways.

Chairman Hair said, I never cut the library \$11,000,000. I mean, let's keep it on the facts, will you. My proposal has 20 –, right at \$20,000,000 for the library and yours has \$24,000,000. Commissioner Kicklighter asked, when did yours come up to \$20,000,000? Commissioner McMasters said, it's in the future. If we get \$268,000,000. Commissioner Odell said, John [McMasters] –. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, John [McMasters], I've still got the floor. You know, my concern is that there's a mistaken belief that the City of Savannah and the other municipalities, and the largest municipality in Chatham County is the City of Savannah, that they should not partner or be a full partner in this, in this SPLOST, and to believe that it will pass and they are not partners and that we can dictate or should dictate to them, I think it's unfair, and I would openly admit that the vast majority of my district is within the City of Savannah. But I believe that the City of Savannah nevertheless are still citizens of Chatham County. Commissioner McMasters said, we don't disagree with that. Commissioner Odell said, well, you disagreed \$14,000,000 –. Commissioner McMasters asked, is \$84,000,000 a disagreement? Commissioner Kicklighter said, look at the parts that was cut out of there. Commissioner Odell said, you know, but their revised request was \$95,000,000. That is a substantial difference, John [McMasters]. Commissioner McMasters said, yeah, it's about –. Commissioner Odell said, I'm not going to support your proposal and I appreciate it, I think it's good. Dean [Kicklighter], I love you, John [McMasters], I love you, but I'll actively work not to support this.

Chairman Hair asked, anybody else want to comment on the proposal or are we ready to vote on the motion on the floor? Commissioner Kicklighter asked, what –, the motion is to –. Chairman Hair said, the motion is to approve mine. Commissioner Kicklighter asked, – support yours? Chairman Hair said, I have a motion and a second to approve. Are y'all ready to vote? Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, I'd just like –, I'd like to make a comment because it touches me very closely as well. When I looked at the figures, I was somewhat dismayed. We have tried over the years to try to improve the relationship between County, City, municipalities or et cetera. I think we have come a long way and for us to get to this point to allow a few things to challenge us I think is a grave mistake. I am not in accord with all of these cuts that you've made because they're in –, a lot of them are in the City as well and affects the people that I represent as well. Greatly. Food Bank, \$500,000, as was said. Civil Rights Museum, \$898,645. I cannot sit here in good conscience and say that I could support the McMasters/Kicklighter proposal because it affects too many people in this County. I think that we should come to some kind of understanding where we can incorporate the request from the City of Savannah, from municipalities, as well as the County, and I think that the Chairman's proposal better reflects those situations that I'm concerned about, and that's where I am at this point.

Chairman Hair said, okay, the final comment I'll make before we vote is my proposal has an additional \$1,000,000 of projects for unincorporated areas greater than the Kicklighter/McMasters proposal and also funds the City of Tybee at its full amount. I think their proposal cuts it \$1.8 million –. Commissioner Kicklighter said, 800 –. Chairman Hair said, \$800,000 plus cutting the City of Savannah \$11,000,000, which I find totally untenable. All right, all those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Odell and Thomas voted in favor of the motion. Commissioners Rayno, McMasters, Murray, Gellatly and Kicklighter voted in opposition. The motion failed to carry by a vote of five to four. Chairman Hair said, the motion fails.

Chairman Hair said, I'll entertain a motion to –. Anybody wants to –, do you want to make a motion, Commissioner McMasters? Commissioner McMasters said, yes, I'd like to make a motion that we approve the McMasters/Kicklighter proposal. Chairman Hair asked, second? Commissioner Kicklighter said, second. Chairman Hair said, all those –. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, the area that I have a problem with this, and I've discussed it in the pass and I will discuss it again, is when it comes to the Tybee Theater. That money is moved over to the 2008 figure, and I think we need to just lay it on the line. Anything that's sitting under the 2008++ numbers you will never see, we will never see, because it's not going to raise that money. So all these numbers that are listed over there, regardless of whose proposal it is, are sitting over there because we have to have a lump sum total that we don't exceed, and that gives us a safety cap on it, but we will never receive that kind of money in five years to fund those areas in that category, and I just feel like that \$200,000 needs to be a part of the total, which would be a \$5.7 for Tybee. That was not the case and is not the case on this proposal.

Chairman Hair asked, we have –, did we get a second to your motion, Commissioner McMasters? Did we get a second to that? Commissioner Rivers said, yeah, he got a second. Commissioner Kicklighter said, yeah, I seconded it.

Commissioner Rivers said, I just want to ask a question. Chairman Hair recognized Commissioner Rivers. Commissioner Rivers said, which applies to Frank [Murray]. Frank, we transferred \$3,000,000 from the Chairman's proposal. Could we possibly transfer money for Tybee from there? Commissioner Murray said, transfer \$3,000,000 for what now? Commissioner Rivers said, \$3,000,000 for the unincorporated area.

Commissioner Rivers said, right. I would suggest that if you want to make an amendment, the people that made the motion would have to –, I would suggest you go to them for the amendment. Commissioner Rivers said, no, I'm not –, I'm not asking for –. Commissioner Murray said, I just –, I'm making this comment mainly for all these people sitting

out here that see these numbers over here in the 2008 column, thinking they have an opportunity to get some money, and that's not the case. Chairman Hair said, okay.

Commissioner Rivers said, Mr. Chairman, I'm not asking --, I'm not asking for an amendment to theirs. I'm asking Frank [Murray] if that would be a procedure that we could use if we come back because we're going to deal with this. We're going to deal with this thing here, so we ain't finished with this yet. Chairman Hair said, I want to state for the record --. Commissioner Rivers asked, Frank [Murray], would that --, would that be alright, Frank [Murray]? Commissioner Murray said, I'm not really following you right now. Go over it one more time. Commissioner Rivers said, okay, you've got --, you've got \$3,000,000 that are for projects in the unincorporated area --, in the Chairman's proposal. Commissioner McMasters said, in the Chairman's proposal. Commissioner Rivers said, in the Chairman's proposal. Commissioner Murray said, I see what you're talking about. Commissioner Rivers said, okay, can we --, I don't know whether we're going to get the money or not. Can we take the Tybee Theater money out of there and push it, deduct that figure and put it out there from the unincorporated? Commissioner Murray said, Joe [Rivers], I can respect what you're saying, but that \$3,000,000 that was moved over in unincorporated area to Other actually came out of the drainage for the unincorporated area. Commissioner Rivers said, right. Commissioner Murray said, and was transferred over. So we aren't really bumping anything up for the unincorporated area, you're just moving it from one item to another and, yeah, I would have a problem with that.

Chairman Hair said, okay. Commissioner Kicklighter asked, can we --. Chairman Hair said, we have a motion and a second on the floor --. Commissioner Kicklighter said, whoa. I want to talk a second. Can we --, what section would you recommend, Frank [Murray], that we take that out of to get your \$200,000 over to the --, where would you recommend that come from? Commissioner Odell asked, how about some program that helps a child or --. Commissioner McMasters said, oh, Harris [Odell], that's not funny. Commissioner Odell said, to me it is. I determine what's funny to me.

Chairman Hair said, I'm going to make a comment and then I'm going to call on the Mayor. As I stated publicly, I want to state before the vote, it's not going to change any votes, but I want to state for the record I have every intention of vetoing this if it passes five to four. I will veto it at our regular meeting on February 14th.

Commissioner Rayno said, point of order. Point of order. I want to ask a legal question. In our Enabling Act, Section 1-114, paragraph 2, concerning Chairman's vetoes, it says a veto cannot be done unless it concerns the --, if it concerns the County budget, millage rate or appointments to committees, the Chairman is not allowed to make vetoes. I would submit to you that SPLOST is a large portion of our budget and that his veto is out of order. Ms. Emily Garrard said, we've looked at this, Commissioner Rayno, and it is our opinion that the budget that's adopted by the Commission comes under Title 36, Chapter 80, I believe it is, which is the Budget Act. That is a totally different part of the law than the SPLOST law, and we have concluded that the Chairman does have legal authority to veto this vote.

Chairman Hair recognized Mayor Floyd Adams.

Commissioner Kicklighter said, I've asked a question to Commissioner Murray. If I can get him to answer before the Mayor --. Commissioner Murray asked, what's the question. Chairman Hair asked, what's your question. Commissioner Kicklighter said, -- speaks. What area could we take the \$200,000 from? Commissioner Murray said, I'm not sure right now. I'll look at it and come up with a [inaudible].

Mayor Adams said, Mr. Chairman. Chairman Hair said, Mr. Mayor. Mayor Adams said, I love y'all, too, but I don't love you today because y'all are doing something I don't like. Basically, if you look at the situation, if you pass this motion, the McMasters/Kicklighter plan, you don't have to worry about the Chairman's veto. The City Council is going to veto it because we thought we have compromised, I have Aldermen who don't appreciate it, the 95, but when you start cutting us --, initially, Mr. Kicklighter, to answer your question, the original purpose of SPLOST was for roads and bridges. The first year we did that. The second year as we got into it we did a lot of other things and then we added the drainage. The City of Savannah has done its drainage program and we had other situations in this community. Mr. McMasters, in your district we've got pipes over a hundred years old we need to replace. Mr. Rayno, the same thing in your district. That's what our drainage situation is going to deal with. We need to revitalize neighborhoods. We need to do everything, but initially your --, any funds to us was to deal with bridges, roads, drainage, neighborhood and economic development. And that's what we submitted to you. We submitted a compromise proposal to you for \$121,000,000, and it was cut and cut, and we got it back up to \$95,000,000. I'm displeased with the vote situation. If you're going to deal with community organizations and everything, but at the expense of the City of Savannah, I oppose this. I'm going on record as opposing this. You may not want to take the hit, but I'll tell you up front, this vote will not pass and has not passed, if you check the records, without the input of the City voters. People on Wilmington Island, Pooler, Garden City voted against this. The residents of the City of Savannah is what passed this situation, and if you cut this out and treat us like this, then I personally will campaign against this, and that's the situation, ladies and gentlemen.

Chairman Hair said, Commissioner McMasters and then I think we're ready to vote. Thank you, Mr. Mayor. Mayor Adams said, and we have a presentation on what we plan to do --. City Manager Michael Brown said, you to us at the last meeting --. Mayor Adams said, if you grant us a --. Chairman Hair said, I have no problem doing it. Of course, what's in there is not in the motion on the floor. I think it might be a little bit --, it doesn't deal with the motion on the floor. Mayor Adams said, it deals with the motion on the floor because specifically we've been coming to this meeting, we were supposed to meet last Friday and you changed it. We want to show you the presentation because certain Commissioners wanted to see what the City is going to do with the money. We're prepared to show you what we're going to do with the money if we get it. Chairman Hair asked, Mr. Brown, what? 30 minutes? How long --? Commissioner Rivers said, Mr. Chairman. City Manager Brown said, no, I'd say about 10 or 15. Chairman Hair asked, 10 minutes? Mayor Adams said, 10 minutes.

Commissioner Rivers said, Mr. Chairman. Chairman Hair said, yes, sir. Commissioner Rivers said, in all due respect to the City, I'm going to cut the chase on this. Now I'll kill it. I'll kill it here today, okay. You don't have to veto it. I'll kill it. Five votes don't make a difference because I'll kill it now, and I'll call the question.

Chairman Hair said, okay, we have a call for the question. All those in favor of the motion vote yes, opposed vote no. Commissioners Rayno, Rivers, McMasters, Murray, Gellatly and Kicklighter voted in favor of the motion. Chairman Hair and Commissioners Odell and Thomas voted in opposition. The motion carried by a vote of six to three. Chairman Hair said, the motion passes.

Commissioner Rivers said, Madam Chair—, Mr. Chair. Chairman Hair said, yes, sir. Commissioner Rivers said, I want it entered into the minutes for a reconsideration at the next meeting. Commissioner Odell said, second. Chairman Hair said, okay. Commissioner Rivers said, now if y'all want to come back to the table, we'll come back to the table on the 7th [sic] and I'll pull it.

Chairman Hair said, that completes the purpose of this meeting. Commissioner Rivers said, if y'all don't want to pull it, just let it go.

ACTION OF THE BOARD:

1. Commissioner Rivers moved to accept the proposal for the 2003-2008 SPLOST, as modified by Chairman Hair, which includes the additional for Ash Tree, CASA, Garden City and the subtraction of green space, dry hydrants and unincorporated roads. Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Rivers, Odell and Thomas voted in favor of the motion. Commissioners Rayno, McMasters Murray, Gellatly and Kicklighter voted in opposition. The motion failed by a vote of five to four.
2. Commissioner McMasters moved to approve the McMasters/Kicklighter proposal for the 2003-2008 SPLOST. Commissioner Kicklighter seconded the motion. Commissioners Rayno, Rivers, McMasters, Murray, Gellatly and Kicklighter voted in favor of the motion. Chairman Hair and Commissioners Odell and Thomas voted in opposition. The motion carried by a vote of six to three.
3. Commissioner Rivers, having voted on the prevailing side of the foregoing motion, requested that it be entered on the minutes for reconsideration at the next meeting of the Commission on February 14, 2003. Commissioner Odell seconded the motion.

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ADJOURNMENT

Chairman Hair declared the meeting adjourned at 2:37 p.m.

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APPROVED: THIS _____ DAY OF _____, 2003

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

SYBIL E. TILLMAN, COUNTY CLERK