

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, FEBRUARY 14, 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 9:00 a.m., Friday, February 14, 2003.

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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 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
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IN ATTENDANCE:	R. E. Abolt, County Manager R. Jonathan Hart, County Attorney Sybil E. Tillman, County Clerk
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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. PROCLAMATION FOR AMBUCS CLUB (KEVIN SHEEHAN WILL ACCEPT).

Chairman Hair read the following proclamation into the record:

WHEREAS, AMBUCS members are dedicated to creating independence for people with disabilities; and

WHEREAS, the recognition of AMBUCS as an organization making an important difference in communities across the United States is a noteworthy event; and

WHEREAS, the Savannah chapter has been active since 1941 and maintains its dedication of service to all citizens of Chatham County; and

WHEREAS, AMBUCS displays a proud record of providing scholarships for training young people as therapists for people with disabilities; and

WHEREAS, the Savannah chapter has greatly enhanced the quality of life for our citizens through community service projects such as the AMBUC stadium at Daffin Park where thousands of children have participated in various sports since 1959, the Trustees Gardens School for children with cerebral palsy, the Fresh Air Room on Tybee Island which serves underprivileged children, the Exceptional Bowlers League; which has provided recreation and socialization for disabled citizens since 1965, the AMBUC Park Complex where thousands of children have participated since 1978, the Tree of Lights which they sponsored for three years and their most recent project, The AmTryke program for children with legs too weak to ride a standard bicycle.

NOW, THEREFORE, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim the month of February 2003 as:

“AMBUCS MONTH”

in Chatham County and urge all citizens to become more aware of the altruistic service and the wholesome up-building of communities they render.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 14TH day of February, 2003.

Dr. Billy B. Hair, Chairman
Chatham County Commission

ATTEST:

Frances Q. Rasmussen
Deputy Clerk

Mr. Kevin Sheehan said, thank you, Commissioner Hair and the Chatham County Commission. It’s a privilege and an honor for me to represent this group. Many of the activities that they do were started long before I was born and I am the first member of this group to ever participate at the facilities they’ve built. I played Pony League Baseball at AMBUCS Stadium, or AMBUCS Stadium in Daffin Park and I coached for many years at AMBUC Park on Sallie Mood. The AMBUCS has a long-standing tradition of what they do. Just a bit about the AmTryke, specially made tricycle for children with spina bifida, cerebral palsy, developmental delay, we’ve given away to date 78 in a little over three years, and they range from anywhere in this community to a four-county community —, four-county area above us as far as Hilton Head. So there are 78 children today that can ride bikes. We had a child that recently got one, and I love to tell this story, we started a demo site when we had services here in Chatham County and this child was six-years old and had never walked unassisted. After two months of using the AmTryke and the rehab facility, in front of his therapist he took his first unassisted steps. So it’s things like that that make us what we are and thank you for the proclamation.

Chairman Hair said, thank you, Kevin [Sheehan]. We appreciate the work y’all do.

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2. TROPHY PRESENTATION TO THE CHATHAM COUNTY POLICE DEPARTMENT, WINNERS OF THE 2002 AMERICAN RED CROSS BADGES FOR LIFE BLOOD DONATION COMPETITION.

Ms. Jennifer Bowen said, I'm Jennifer Bowen, American Red Cross Blood Services and Della Cousins [phonetic], American Red Cross Blood Services. Okay. Badges for Life was a friendly competition that was held for the first time in December. It was a competition to help bring in more donations during the holidays, which is a critically time of the year to donate blood. The Badges for Life was a competition that was held among the Chatham County Police, the Chatham County Sheriff's Department and the City of Savannah. Van Johnson, Sgt. Mike Wilson and his team, I'm going to present the winning trophy to them. With their donations and people that supported their donations, they helped save the lives of over 300 patients. We have a little trophy for Van Johnson, and this is a trophy for the Chatham County Police. On the back is your plaque, this is the very first one, and hopefully we'll see your name on a plaque on year two.

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3. SPECIAL RECOGNITION OF ROGER MARTIN AND CLARENCE TAYLOR, JAIL MAINTENANCE EMPLOYEES, WHO SET A RECORD FOR NUMBER OF BLOOD DONATIONS DURING THE 2002 CALENDAR YEAR.

Ms. Jennifer Bowen of American Red Cross Blood Services said, the next recognition is for two American Red Cross Blood Services VIP's and I'd like Roger Martin and Clarence Taylor to come up. Roger and Clarence give new meaning to the word commitment. Both have been donating blood since the 1960's with Clarence [Taylor] having given over six gallons of blood and Roger [Martin] over five. In 2002 Roger and Clarence both gave seven times in one year. This is something most donors never achieve, and to top that off, they intend to do it again this year with their donation being December 31st. So we would like to honor them. The Red Cross, the patients and their families thank you for giving the gift of life over and over again. We appreciate it so much. Thank you, Clarence and Roger, for your exceptional commitment. Thank you so much.

Chairman Hair said, thank you. Anybody else want to make any statements or –. Ms. Bowen said, thank you. Chairman Hair said, okay.

Sheriff St. Lawrence said, nobody wants to make a statement, I guess I will. Both these gentlemen work for us in the Maintenance Department and we couldn't operate without them, but what they're here for this morning, I understand that the Red Cross has searched the Southeast and never found anybody that gave seven times in one year. I think that's pretty commendable. Chairman Hair said, it sure is, very commendable. Sheriff St. Lawrence said, congratulations. Chairman Hair said, thank you, very commendable.

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VI. CHAIRMAN'S ITEMS

1. TELEPHONE BOOK RECYCLING - PAT TRACY (MCDONALD'S) AND JULIA WRIGHT (ELI WHITNEY SCHOOL).

Chairman Hair recognized Ms. Pat Tracy of McDonald's and Ms. Julia Wright of Eli Whitney Schools.

Ms. Tracy said, my name is Pat Tracy. I'm a member of the DROP Committee, that's the Directory Recycling Operation Program, and this –, on February 14th is the kickoff of, would you believe, the 14th Annual Telephone Book Recycling Project. At this time, as you can see, I have attacked Floyd Adams. He has autographed this old telephone book, which will go in the roll-off out at Whitemarsh Island at ten o'clock today. I am going to get our Commission Chairman, Billy Hair, to autograph this telephone book, and also we have a presentation from an Eli Whitney student, Andrew. This is a heart for Mr. Billy Hair because he's such a sweetheart to recycle his phone book. As Commission Chairman Hair comes up, Ms. Julia Wright has a little something to say, the teacher from Eli Whitney.

Ms. Wright said, good morning. My name is Julia Wright, fourth grade teacher at Eli Whitney. I would like for everyone to raise your hand if you have or will recycle your old telephone book. Thank you. One hundred.

Chairman Hair said, thank you very much. I'm glad we don't have to put my sweetheart designation up for a vote.

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VII. COMMISSIONERS' ITEMS

1. PRESENTATION BY CONSULTANT JO HICKSON ON TRIPLETT PARK IMPROVEMENTS (COMMISSIONER KICKLIGHTER).

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. Jo [Hickson], if you're out there, I would —, oh, there you are. Thank you for coming. I appreciate the update, and due to the —, I guess, the necessary upcoming vote in Savannah, if you would, just try to limit it to maybe five minutes because we have to get to SPLOST. Thank you.

Ms. Hickson said, certainly, certainly. I'll give you a brief update. I'm Jo Hickson with Hinesley-Hickson Association. We've been working with the Chatham County Recreation Department for a design of a restroom facility at Tom Triplett Community Park, also a picnic shelter. In addition to this, a well will be dug that will provide water to the park and a sewer force main will be installed. There has been a delay with the project and that had to do with the soils at Triplett Park and finding a route for the force main, but this morning I can report that the construction documents for the restroom and picnic shelter are complete. We're ready for Chatham County to sign a contract with Georgia DOT for construction of that facility as well. The survey is complete for the force main and it will be ready by the end of April and we foresee a construction bid being let in mid-May. Just for a quick review of the project, the entry road into Tom Triplett Park, there will be a well dug right off of the existing parking area and then the restroom facility will be in the wooded site overlooking the lake area, which is here [indicating] and a picnic shelter will be down here [indicating] at this end, which will have a view all the way down the lake, and so these two facilities will be constructed as well the well here [indicating], the sewer line will be paralleling the entrance road, and that site is located right here [indicating]. The sewer line will cross U. S. 80, proceed to Coleman Boulevard and utilize the facilities at the Savannah Port Authority off of Coleman Boulevard, and so this is the work that's currently underway. We foresee this being completed by April for a mid-May bidding.

Commissioner Kicklighter said, thank you, Ms. Hickson. We appreciate the update.

Chairman Hair said, thank you. We have a question.

Commissioner Murray said, it's a nice plan and I appreciate you showing it to us and going through it, but my question would be with those restrooms, and I guess maybe this would concern the County Police Department also. What are we going to be doing for security? Every time we build restrooms or have restrooms at any of our major facilities, we run into serious problems. I'm just trying to find out what we're going to do to work towards curing the problem?

Mr. Al Lipsey said, currently we have someone to go out now to open up the gate to Tom Triplett, and that will be an additional duty of that person to also open up the restrooms in the morning.

County Manager Abolt said, also as far as security, as certainly Commissioner Kicklighter knows, we rely a lot on a partnership with the City of Pooler Police Department. We provide law enforcement presence, but the proximity to —, actually being in the City of Pooler and proximity of their police officers, they will be called upon to do much of the frequent patrolling in the area.

Commissioner Murray said, my only concern was we've had problems at boat ramps and everywhere else and we've had to beef up certain programs to try to offset that. County Manager Abolt said, very true. Mr. Lipsey said, they will be locked and opened —.

Chairman Hair said, thank you, Ms. Hickson, we appreciate it.

Commissioner Kicklighter said, I want to comment on that too. Pooler was excellent in responding to our request when we heard there was problems. So now that both police departments are there things are definitely better.

Commissioner Murray said, I'm not suggesting that we don't need to build them.

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YOUTH COMMISSIONERS

The following Youth Commissioners were in attendance: Te'erica Johnson, a Senior at Groves High School, and Ashley Moore, a Senior at Providence Christian School.

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ORDER OF BUSINESS

Item VIII-3 was taken out of order and was heard at this point on the agenda.

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CHATHAM AREA TRANSIT AUTHORITY

The Board recessed as the County Commission at 11:06 a.m., and reconvened as the Chatham Area Transit Authority.

The Chatham Area Transit Authority was adjourned and the Board reconvened as the County Commission at 11:35 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. **ADOPTION OF 90-DAY MORATORIUM FOR SOUTHEAST CHATHAM COMMUNITY. At meeting of November 22, 2002, second reading was tabled to December 20, 2002. Was re-tabled at meeting of January 24, 2003.**

ACTION OF THE BOARD:

This item was not placed before the Commissioners for consideration.

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2. **NOTICE IS HEREBY GIVEN OF A HEARING BEFORE THE COMMISSIONERS OF CHATHAM COUNTY TO REZONE A PORTION OF SKIDAWAY ISLAND, PIN#S 01-0263-02-006PT.; 007PT.; 01-0262-02-006, 007, 008, 018 THRU 036, FROM A PUD-B-N (PLANNED UNIT DEVELOPMENT-BUSINESS-NEIGHBORHOOD) ZONING CLASSIFICATION TO A PUD-R (PLANNED UNIT DEVELOPMENT-RESIDENTIAL) ZONING CLASSIFICATION. MPC FILE NO. Z-021220-38327-1. [DISTRICT 4.]
At meeting of January 24, 2003, second reading was tabled. See additional information from County Attorney's office.**

Ms. Charlotte Moore said, I'm Charlotte Moore. I'm with the Metropolitan Planning Commission. This item was continued from the last County Commission meeting so that concerned residents, the attorney for The Landings Association and the County Attorney and MPC staff would have an opportunity to —.

Commissioner Rayno said, I'm sorry, we need to —. Vice Chairman Thomas said, we need to take it off the table. Commissioner Rayno said, yes, ma'am, we need to untable it. Vice Chairman Thomas said, we need to —. Commissioner Rayno said, motion to untable. Commissioner Kicklighter said, second. Vice Chairman Thomas said, all in favor. The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Rivers were not present.] Vice Chairman Thomas said, okay, the motion is carried.

Ms. Moore said, this item was continued from the last meeting. There was concern with the residents, a couple of the residents within The Landings Association about the zoning line for the PUD-B-N district. The MPC had recommended that the PUD-B-N district be located within the center of the lagoon separating the commercial area from the residential area. After some discussion that location has changed to about a foot away from these property lines —, encroaching property lines to the south. I don't know if they are very visible. It's my understanding that the residents and the attorney for The Landings Association was okay with this. After that meeting though I did have two discussions with two residents in that area. They still expressed concerns. I don't know where they stand on that issue now. I'm not certain if they're here today or not, but I just want to reiterate that the decision at that meeting was to extend the PUD-R zoning district line to a foot away from the PUD-B-N district in The Landings in The Village.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I'd like to make a motion, but before I do I didn't know if anybody out there wanted to speak on this before I make the motion. Vice Chairman Thomas said, okay. Commissioner Murray said, I didn't know if any of the residents were here that wanted to speak. I know that the attorney for The Landings is here. Seeing no one here ready to speak, I'll move that we adopt the new plan, the new zoning that you just went over. Commissioner Kicklighter said, he swore that [inaudible]. Commissioner Murray said, yeah, they've all come to an agreement on it to my knowledge and after Jon Hart explained it to me and explained the purpose in having that one foot of the different zoning around that, it made sense because it still separates the zonings. Now probably 15 or 20 years down the road when somebody looks at it, they'll want to know what fool did it, but —. Commissioner Kicklighter said, I'll second it. Commissioner Murray said, — I would move to approve it. Commissioner Kicklighter said, second.

Vice Chairman Thomas said, okay, it's been moved and seconded. All in favor of the motion, please vote. The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Gellatly were not present.] Vice Chairman Thomas said, the motion is carried. Thank you.

ACTION OF THE BOARD:

1. Commissioner Rayno moved to untable this item and place it before the Commissioners for consideration. Commissioner Kicklighter seconded the motion and it carried unanimously.
2. Commissioner Murray moved to rezone a portion of Skidaway Island, PIN#s 01-0263-02-006pt.; 007pt.; 01-0262-02-006, 007, 008, 018 thru 036, from a PUD-B-N (Planned Unit Development-Business-Neighborhood) zoning classification to a PUD-R (Planned Unit Development-Residential) zoning classification (MPC File No. Z-021220-38327-1), as follows: (a) All lots under consideration shall be rezoned R-1 in accordance with The Landings master plan; (b) The lagoon separating The Village from residential lots, save and except a one-foot-wide strip along the southern shoreline of the lagoon, shall be rezoned R-1; the remaining one-foot-wide strip along the southern shoreline of the lagoon shall remain in its current zoning classification of PUD-B-N, and Thomas & Hutton Engineering is to provide legal description for zoning purposes to the MPC; and (c) The Landings Association will retain ownership of the common area lagoon in accordance with The Landings master plan; The Village property owner will remain zoned PUD-B-N in accordance with the requirements of this zoning classification; The Village library will remain zoned PUD-B-N in conformity with the zoning classification and not become a non-conforming use; and The Village owners will submit a letter to The Landings Association seeking collaboration on use of lots within The Village PUD-B-N located contiguous to the lagoon to be compatible with the current village design scheme. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Gellatly were not present.]

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3. RECONSIDERATION REQUESTED BY COMMISSIONER RIVERS ON SPLOST VOTE TAKEN AT SPECIAL CALLED COMMISSION MEETING OF FEBRUARY 4, 2003.

Chairman Hair said, at the request of two Commissioners, I'm going to declare a 15-minute recess, and I think this —, hopefully this 15-minute recess will cause a lot less discussion so we can still get this item taken care of in a timely manner. So I'll declare a 15-minute recess and we'll come back at 25 till.

The meeting was recessed at 9:18 a.m., and was reconvened at 9:40 a.m.

Chairman Hair said, the first item we need to handle is the reconsideration. The motion to reconsider does not require a motion because it was entered in the minutes, but we do need to either have a motion to reaffirm the previous action on February 4th or to overturn that. I'll entertain a motion either way.

Commissioner Murray said, I move that we overturn the action. Chairman Hair asked, second? Commissioner Kicklighter said, second. Chairman Hair asked, all those in favor of overturning the action vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Odell and Thomas were not present.] Chairman Hair said, the motion passes. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I would like to make a new proposal, which would be the proposal dated 2-11-03 that was McMasters, Kicklighter, Gellatly, Murray, Rayno Compromise Plan with some changes to that plan. The changes would be under the County where we have unincorporated Drainage, where it says \$11,000,000, we would deduct \$500,000 off of that, where it says Roads, it's \$15,467,125, we would drop down to \$14,000,000; under the Vehicle Replacements, we would take \$500,000 out of that and we would take the difference to make it a \$2.5 million move over into the Certain under the City of Savannah's. So we would move \$2.5 million of new money to the City of Savannah under their Certain column. Now also the agreement would be that the \$11 million and the \$5,080,000 would be front-loaded up on the first six —, roughly six months of the money coming in to get the County so we can go ahead and start our drainage projects and major projects and purchase the vehicle replacements. I think that is all that has to be in there, Jon [Hart], at this point.

Chairman Hair asked, does anybody have any questions of the motion? Commissioner Kicklighter said, if I can add —, can I add something to it. Didn't we mention something about an agreement with Savannah for us to collect the

first \$17,000,000? Commissioner Murray said, I just said that. Chairman Hair said, he just said that. Commissioner Kicklighter said, okay, I didn't hear you, I'm sorry. The Clerk asked, is there a second? Commissioner Kicklighter said, second. Chairman Hair said, yeah, we have a second to that motion. Chairman Hair asked, any discussion of the motion. Commissioner Kicklighter said, yes, sir. I'd like to. Chairman Hair said, okay, Commissioner Kicklighter.

Commissioner Kicklighter said, I'd just like to add on there that in the spirit of, I guess, compromising and all, we sat down with our —, all of our number crunchers and realized that this would actually benefit the City of Savannah by giving them an additional \$2.5 million in their Certain column and also adding to the grand total, but also our number crunchers estimate that that would give us an additional \$3,000,000 for the County in interest. So it will actually benefit both. Sitting down looking at the big picture, I'm proud of this whole body for working together, working with the City of Savannah and all of the other municipalities, and, you know, I know we get hectic and that's everybody needs City and everyone doing their job, but in the end I'm now like they said in the paper the other day, I'm proud to be a part of what we've all done here and I think it's going to go well. This is a tax that Chatham County voters and all cities. It will benefit all of us, and in the end come March 18th I encourage all the people out there to vote for it because it's going to save us taxpayers a lot of money in the future, and that's all I want to say.

Chairman Hair said, okay. I have a couple of comments and then I'll call on Commissioner Murray and Commissioner Odell, the order we're going in. The amended motion does not address in my opinion the serious problems with the proposal. Number one is it cuts a million dollars —, you've told what it does, let me tell you what it doesn't do. It cuts \$1,000,000 from the Southside Fire Department for fire equipment. This takes the entire unincorporated area —, 70,000 people —, and puts them at a tremendous disadvantage. All the cities are getting their fire equipment on the Westside, they're getting —, the cities are getting their fire equipment. The City of Savannah is getting theirs, but the Southside, those of us that live on the Southside, we don't get any. We get \$300,000. They cut it from \$1.3 million to \$300,000. I think that's very unfair, I think that alienates 70,000 of our citizens, and I think that's wrong. Secondly, I am vehemently opposed to this because it cuts the non-profits 25%. This is exactly what got us in trouble last year that wound us up in court with the Sheriff and we lost. Across-the-board cuts are equal, but they're not fair, and to take every non-profit and to slash them 25% let me tell you what you're really doing here. Let's just —, let's lay it on the line. It's not as simple as taking 25% away. You're talking about hard projects with hard numbers. You take the Tatemville gym in Commissioner Odell's district, \$750,000, and you slash it 25%, you've cut the project out. I mean, let's be honest. Let's tell people that's what we're doing. You're cutting a project out. You're absolutely cutting these projects and it's not good enough to sit there and try to say to the people, well, we're only taking 25% away. We're killing these projects. If this motion passes and it's sustained, we're killing these projects, and that's my two major objections to it. It cuts out 70,000 citizens of this community by cutting a million dollars for their fire protection and it cuts these non-profits 25% and, you know, let me tell you what my real objection is. All of this is unnecessary. You have a proposal on the table that does all of this, gives the non-profits 100%, gives the Southside Fire Department a million dollars, and gives every city everything they ask for. You've got one on the table that doesn't do this. If you didn't have an alternative, I'd understand it, but you have an alternative. I don't know what it is about slashing these non-profits that is such a hot potato, and I don't know what it is about taking Southside Fire Department's money away. It's like they don't exist. It's like the unincorporated area doesn't exist and particularly those Commissioners of you that represent large unincorporated areas, I'm surprised that you can support this. I am very surprised that you can support this. Commissioner Murray and then Commissioner Odell.

Commissioner Murray said, that was not going to be my comments, but since you made the comments you did, I do represent probably about a little over half of the unincorporated area and I think this is a good plan for the unincorporated area. That's one reason I didn't support the original plan when it came out because it left monies out of the unincorporated area that should have been there, and we did not get our fair share the last time we did one of these. We by law cannot get any of that money in LOST and so I feel like it's a fair plan. It's fair for everybody. The municipalities get everything they've asked for. Yes, there's a million dollars that came out of Southside Fire Department. That can be under public safety and there's —, I was talking to the County Attorney, there's some things that we could possibly do later on to help work out some things with the dry hydrants and stuff to put in, if necessary, but I feel like it's a good true compromise of all the plans that were put together. There's no plan out there that everybody is going to get everything they want, and I think the whole purpose was to try to compromise and come together with something today. It doesn't make everybody happy, but certainly gives the majority of Chatham County citizens what they need to do the projects we need, and the number one projects are the drainage and road projects that we have. That's where most of the money is dedicated and allocated for right now in this proposal, and I would hope that we could move it forward and I would hope that people would look at it as not my plan or their plan or any particular person's plan, but our plan to move this community forward and continue with the one percent sales tax and that we could all support that. Again, there's no plan that any of us are going to agree a hundred percent on, I don't care who writes the plan. We don't have but X-amount of money coming in and we've got X-amount of dollars to put out, and I think this is about as fair as we're going to get at this point and, yes, there are going to be some people that don't get everything they need, but we will just have to work with that right now, so I support the plan.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, you know, I have received a variety of amendments from John McMasters, Dean Kicklighter, David Gellatly, Frank Murray and Jeff Rayno. What amazes me is that the vast majority of the money will be raised in the City of Savannah. We have three black Commissioners. No one ever wants to talk about race, but we were literally excluded. So when Frank Murray tells me that this is a fair plan, then I have some serious problem with Frank Murray's perception of fair. I'm not saying it behind his back. I'm telling him straight up, two seats away from his. It's not fair. It excluded everyone except those people who look like you. It demoralized the non-profits, it's going to make a lot of projects unfeasible. You know, for those people who think that voting is not important, voting is important

Because we, as a people, are here today by what this County Commissioner [sic] is attempting to do, I refuse to be railroaded by any coalition and you all have the right to do whatever five votes allow you to do. I have not worked politically for many things because I have no political aspiration, but I think I will if this passes, and I think some of those people who will support anything for a few pennies or silver, they're going to be nullified. What your actions are, it's deplorable. It's sad that we still believe that you can determine what's best for us. Why? Are you making that determination based on education? I think I'm better educated than any of the five. Are you basing it based upon cross-section of experience? No, I don't think so. About people —, your proposal excludes the vast majority, reduces the vast majority of programs that impact minorities in this community. It is fair —, and if that's fair, the last SPLOST, the people who did not support it, are the people who are receiving the major benefit on this trip. The people who supported it live within the City of Savannah. Every dog has his day, and I want you guys to remember that excluding is good. You excluded, the five, but don't expect me to jump on your bandwagon just because you've got five votes.

Chairman Hair said, okay, I want to make two comments and then Commissioner Kicklighter and Ms. Johnson, I will call on Ms. Johnson, and Commissioner Rayno and then Dr. Thomas. First of all, it was stated that the majority of the money goes to roads and drainage. Let me tell you what the difference is. Under the plan that's got the motion and the second on the floor right now, 4.5% of the money goes to non-profits. Under my plan 5% goes to non-profits. Still 95% of the money goes to roads and drainage and things that this community wants, but we're still taking care of community needs. So what you're talking about, folks, is a half of a percent, a half a percent that's going to ruin these projects. Absolutely ruin these projects, and you're fighting over one-half percent. So it's not fair to characterize this plan as putting the majority in roads and drainage but my plan didn't put the majority in roads and drainage. Mine put 95%, theirs put 95.5% in roads and drainage. That's a big difference. Secondly, and I would remind my colleagues from the City, my dear friend the Mayor over there, my proposal gives you three and a half million above the 95. This proposal gives you two and a half million over the 95. That's a big difference. Commissioner Kicklighter and then Ms. Johnson.

Commissioner Kicklighter said, thank you, Mr. Chairman. You know, I grew up —, I'm 33 years old, I grew up at a pretty good times and, I guess, race relations it seems has probably gotten worse since I've gotten older, but when I happened to come through it was pretty good. So I'm not scared to tackle the issue at all. If —, I can't for the life of me see how reducing every non-profit, every one of them at a equal 25% makes anybody —, and no one called anybody racist, but that's the way I took it —, and, you know, it's a equal reduction from the non-profits 25%. That was done on purpose just because I could anticipate, I could feel that coming. So it was a complete cut across the board. I want to clarify another thing. This is not for the general public. This is not non-profits operating funds. Nothing's going to shut down, folks. This is to build new buildings, build on, big, better things, which is great. That's why we have \$750,000 in here for the King-Tisdell, \$750,000 for W. W. Law, and I'm purposely, obviously pointing out the —, Civil Rights Museum, \$1,016,000. I mean, you know, if that's a bad thing, I just truly —, I don't understand it, but I do want the public to know that we put every bit in there. This is the barest of compromises because everybody gave in every area. Everything was reduced in certain areas to come up with a compromise for Savannah. No one is jumping up for joy on any one issue on here, but it's fair because everybody reduced certain areas on here, and, you know, as far as the non-profits, we appreciate —, I appreciate all of them, everything they do. But, again, this is not operating money, it's not going to put anyone out of business, you know. It's kind of like I need a little bit bigger room on my house right now, but I can't quite afford it right now, so I'm not going to do it. This will assist and in some cases complete projects, but non-profits go out and raise money from other things other than the government. I don't think I'm smarter than the general public, that's why I don't like to take their tax dollars and tell them what non-profit I'm going to give it to. I'd rather my smart constituents donate their money to the non-profit of their choice and receive a tax reduction in the future because the government's not smarter than the general public. This is a compromise. This will not put any non-profits out of business. This will fully assist them and in the art of compromise, I'll probably shock the other four on this one, but as far as fire protection, I want to say where that was justified because Southside Fire Department is a for-profit agency. That's a business. You know, we can add on, you know, anybody out there that's got a business that wants some money —. Chairman Hair said, it's not a for-profit. Commissioner Kicklighter said, on there. Chairman Hair said, it's not a for-profit. Commissioner Kicklighter said, but it's a business. It's not a non-profit, is it? Chairman Hair said, it's on record, it's not a for-profit. Chief Meadows said, it's non-profit. It's a 501(c)(4), it's the same thing as the Isle of Hope Fire Department is. It's a non-profit providing service to about 70,000. Commissioner Kicklighter said, well, in the spirit of compromise, I would suggest —, if this group would go along with it on the amendment —, the Chairman's proposal has \$6,500,000 for drainage. Our proposal now has, as amended, \$10,500,000 for drainage. I would suggest we take \$500,000 out of that drainage, bringing our total to \$10,000,000, putting the \$500,000 towards the Southside Fire Department, bringing it up to \$800,000 to assist. And that would assist greatly in the fire area for the unincorporated area, still leaving a —, plenty more than the Chairman's proposal of six and a half for the drainage.

Chairman Hair asked, Commissioner Murray, do you accept that as a —? Commissioner Murray said, I'll accept it. Chairman Hair said, and you seconded, so you obviously accept it. Chairman Hair recognized Youth Commissioner Johnson.

Youth Commissioner Johnson said, my question was something that Commissioner Kicklighter already answered. I wanted to know if the money was taken, how much would the non-profit organizations —, how much would they lose and would they not be able to function at all with the money we had taken. Commissioner Kicklighter said, I'll answer that, if I could. That's the way this has been sensationalized on the media, comments that we heard earlier, it puts it out there that this is going to close it down. The SPLOST tax is a Special Purpose Local Option Sales Tax. It's used for capital improvements, capital projects, so they can't use this money to pay the light bill, the electric bill, to keep operating to help people out. This is used to build on or refurbish or paint or whatever, which is great. That's why we have them funded in here at 75% of the Chairman's proposal because we want to help, but unfortunately though on

this tax we're not collecting \$800,000,000 and we feel that we have to strike a balance between protecting the non-profits as well as protecting roads, drainage, because you live out on, I guess, the Westside out there, and you know we have drainage problems, as well as we do throughout the entire City and all of Chatham County. So it's a balance, and that's what we've tried to do here, and that's it, but, no, it will not shut down one non-profit at all. They just may not be able to build their building —, their new building quite as big. I mean, that's it in a nutshell. Youth Commissioner said, thank you.

Chairman Hair said, I'll call on Commissioner Rayno, Dr. Thomas, Commissioner Odell and Mayor Adams. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, thank you, Dr. Hair. It just seems so sad that every major issue in this community at some point or other the question of race comes into the dispute, and it just troubles me deeply. A few years ago when I started going to church and I started to really understand how angry a person I was and all the things I said to people that hurt them, particularly one time to Mayor Adams, and I apologized to him and he forgave me for that, it's just wrong that our community keeps doing this. We're never going to move forward if we continue to pull race into every issue. The five people that came forward with a plan, which we're accused of excluding people that don't look like us, we're the same five people who were standing side by side with the people over at the Speedwell Methodist Church saying don't take away their community. We were there with them, we stood by them and we tried to help them, even at the threat of a lawsuit against us. I'm the person that before I got into office was scrubbing toilets with Robert Scott from Railroad Avenue and J. G. Johnson, Deacon Sadler, Ms. Wickster [phonetic] for the Hodge-Turner-Montgomery Center, toilets that were disgusting, and I didn't do it for political reasons. I had no aspirations at that time. We did it to make it better for them. It had nothing to do with race. It was doing the right thing, and, Harris [Odell], you know. Commissioner Odell asked, is that to me, Mr. Rayno? Commissioner Rayno said, yes, it is. You know deep in your heart how we feel. Commissioner Odell said, I know. I do. Commissioner Rayno said, and it's not to say that I've never had a racist thought. I think it creeps into everybody's mind at some point —, some point in time. We have to be honest about that and we have to start talking to one another and not let it creep into these debates time and time again. Savannah's never going to move forward if we continue to do this. It's not right. I'll continue to stick up for those people in my area at the center and I'll continue to work with them, and I'll continue to stick up for people over at the Speedwell Methodist Church, and I'll defend myself every time somebody tries to call me or paint me a racist because it's not right and it's not true, and those people that know me know it's true. If you know me, you know it's true. I'm not, he's not, he's not, he's not and he's not. It's not right. Thank you.

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman. Each time that we come together to hold a meeting seemingly we are fighting a battle for some reason. I have stated several times before, I've tried to challenge the Commissioners to take a different stance, take a different look at ourselves individually and collectively. I have challenged each of us to try to work together to come to a common understanding. I see no reason why every Friday, or every time we have a meeting, that we have to go through a negative situation. I don't see that. But it becomes a negative situation when people feel disenfranchised, and by that I mean we're supposed to be servants of the people. We're supposed to be working up here together, not against each other. We aren't going to agree on everything, but we should come to a common understanding. If you have a plan, whatever —, like this morning we broke for recess for a few moments. We're sitting in there waiting to come together to find out what's going on and come to find out you have people on one side of the Courthouse getting together, making deals or whatever, and we're sitting in here waiting for the meeting to come in there and then the next thing I knew, the meeting was called back to order, and I still don't know what happened. That's where some of the problems come in because we all are not included. When the decision was made, it should have been brought back in there with the rest of us to inform us as to what took place, why it took place and that kind of thing, and then when we walked back out here, we all would have had a better understanding of what was happening. When I got back up here, there was a motion already on the floor. So how am I going to vote on a motion and I don't know what it was? I am disturbed about those kinds of things, and all I'm saying to us, that we had better stop the negative things that are going on. If 9-11 was not enough, let me tell you, gentlemen, the threat of war right now could threaten all of us. We may not even be here tonight, and I'm telling you, I'm not for all of this negative stuff. Let us stop as of today. Come together and let's see if we can make decisions that are worthwhile for this community and let us be inclusive of all citizens of Chatham County, not just a few. Thank you.

Chairman Hair said, thank you, Dr. Thomas. For the record, I didn't hear the motion either until I got back in the meeting, so I was not included as well. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, yeah, just by way of cleanup, when Dean [Kicklighter] comments that everyone participated, everyone did not participate. I didn't participate, Dr. Thomas didn't participate, Joe Murray Rivers didn't participate, and Dr. Hair didn't participate. Who is the everyone? That's a rhetorical question, Dean [Kicklighter]. When Jeff [Rayno] tells me that the fact that none of the people who represent black folk and non-white males in this City was included in the discussion, that because you cleaned toilets for some person, that I should not think that your motive is one of exclusion, I'm not here for you to help me. I am here to participate in the decision. That's the difference between your coming out and cleaning a toilet. I don't need my toilets cleaned. Let me finish. Standing with Speedwell, just because you helped black people who didn't want a Walmart to me does not sell me on the idea that when there's a decision that affects 45% of the black people in this community, you exclude all of their black representatives that I should be grateful that you stood with Speedwell? I don't think so. You don't have my experience growing up as a black man in America. You don't have to think about race. I have to think about race and whether you and Dean [Kicklighter] [inaudible] all you had a lot of contact with black guys, whether you believe it or not, there is a difference as to how people are treated based solely upon race. I know you find that hard to believe, but you and I talked and

I said, Dean [Kicklighter], how do you know I'm not a Republican? When you first came on you said, oh, we don't have any black Republicans. You know, people are treated differently. So when you all participate and don't exclude the people who represent the majority of the minorities, don't tell me that everyone participated. The difference is that we're not looking to be your children. We don't need to be your children. You don't have to be our guardians, okay? That's why we went to school and had our experiences so that we wouldn't have to depend upon you to make a determination of what's best for us. Let us determine what's best for us. Okay? We don't need that, and when five guys get together and you exclude 45% of the population, you all can —. I'm not calling anyone anything because I don't know you well enough to call you anything. I do know well enough the actions that are taken. The actions that are taken are that you excluded everybody who had a Ph.D., and I'm not saying that you're racist against Ph.D.'s because Hair has a Ph.D., Dr. Thomas has a Ph.D., but you excluded everyone who has a Ph.D.

Commissioner Kicklighter said, that's not true. Chairman Hair said, you will —. Commissioner Kicklighter said, that's not true. Chairman Hair said, in a minute. Commissioner Odell asked, did they exclude you? Commissioner Kicklighter said, no. I met with the Chairman. Commissioner Odell said, see, I didn't know that. Chairman Hair said, you did not meet with me this morning. Commissioner Kicklighter said, yes, I —, I didn't meet —, I didn't know a thing about it until the break either. Chairman Hair said, Commissioner Odell has the floor and then I'll call on you. Commissioner Kicklighter said, I can clarify that.

Commissioner Odell said, I didn't know that you had not met —, I didn't know that you had met with the —. I'm not pointing out you, Dean [Kicklighter]. My concern is we talk and say that we don't want things to be negative, but I'm not just happy enough to go along with anything just to get along, and if it looks and smells bad, then I'll tell you my perception, and when you have five people and you exclude Rivers, Thomas, Odell —, who represent the vast majority of the black folk in this community —, don't tell me that we participated because you can't participate for me. You cannot participate for me. You cannot participate for Rivers, you cannot participate for Dr. Thomas, and don't think that you are fatherly and you can protect us. You can't. We don't need your protection. All we need is involvement. Eliminate the protection and include the word involvement and we'll protect ourselves. That's the difference, that's why it's resentful, that's why it's hurtful. You make this proposal for \$245,000,000 and we don't have a say-so and everyone participated and your perception of that is fair, I don't think so, and it's not going to be forgotten, it's not going to be just one of those crazy meetings that —, this is a significant event. Let it be known, this is a significant event. Okay? And I'm not the only person who feels we're not your children. Don't look out for us. Let us be involved and we'll look out for ourselves.

Chairman Hair recognized Mayor Adams.

Mayor Floyd Adams said, good morning everyone. Thank you, Dr. Hair, for giving me the opportunity to speak. First of all, I want to thank you, Dr. Hair, for your patience, your courage in coming up with a compromise proposal that the City of Savannah could accept. But talking as an individual, not the Mayor of the City of Savannah, I cannot accept the compromise position. My council members may do so, but I don't. It's not fair to everyone. Yes, I stated that we needed to look at the non-profits, and I really believe that because I feel that some of them don't qualify, but when you look at the overall picture of what the SPLOST has done for this community, it's done a great job, and I'm not getting involved in the racial situation, but, Jeff [Rayno], you still call me King Floyd, but that's all right. We still get along with that. But when I'm looking at the representation of you gentlemen, who operates within the City of Savannah, where's your loyalty to your constituents within that? If you're going to put party politics above your constituents, then we need to re-evaluate your constituency and how you're going to deal with this situation. SPLOST has been good for this community. When we —, I remember when we first started it, it was for roads and bridges, Truman Parkway and stuff, and we've done great things with it. Then we started adding the non-profits in to get community support, but when you look at it totally, every citizen of this community benefits from it, but the majority of the support came from the City of Savannah, and I'm not going to let you put the blame that the non-profits will suffer because of the City of Savannah wish list. We came down from \$160,000,000 was initially when we started four months ago and submitted to the City —, the County staff. We have mowed that down to \$121,000,000. When the County Commission got over to it initially, they came to \$70,000,000. Because of the courage of the Chairman we were able to get it back up to \$95,000,000, of which \$93,000,000 was certain and 1.6 was in the fifth year. Because we did not like the compromise that was approved two weeks ago we invited the Commissioners to a meeting on Wednesday feeling that y'all would come and we'd get in a room and fight back and forth with each other like we did this morning. The Chairman, myself and staff met over at City Hall and we came up with a proposal of an additional \$3.5 million. That's all we wanted in new money, 3.5. Everyone in the City could benefit and everyone in the County could benefit. The non-profits were not touch. The only person that probably gained in the situation in your proposal, Mr. McMasters, Kicklighter, Gellatly, Murray and Rayno, is the Library of an additional \$5,000,000. You're only offering the City 2.5. Yes, you want to build libraries throughout the community. I think we need libraries throughout the community, but unless this Commission is willing to raise the taxes to support the maintenance and operation of them, we need to evaluate all your programs that you're going to do. I am very reluctant to go out and campaign for this situation, and I'm not trying to threaten you. I'm being realistic about the whole situation because unless we get the money we need for neighborhood revitalization and the tourist and economic development we need in this community, this community is not going to go forward, and with the idea of the party politics, I'm grateful that the City of Savannah is nonpartisan and where we can get along and do things without dealing with that situation, and I think the County Commission should —, need to be in that way. Leave your party politics to state and federal issues and think about the constituency that you represent. Thank you very much.

Chairman Hair said, thank you, Mayor Adams. I'm going to call on Commissioner Kicklighter and Commissioner Murray and then I think we're ready to vote —, and Commissioner Rivers and then I think we're ready to vote after

Commissioner Rivers. So Commissioner Kicklighter, Commissioner Murray and then Commissioner Rivers and then we'll take a vote. Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I want to explain where the five votes came from. I believe y'all were sitting in the very first workshop we had here. We were under the impression we were coming in to work together to come up with a plan. We walked in, the Chairman presented a plan to everyone's shock, and as soon as somebody would say, well, Chairman, shouldn't we need another 500,000 over here, get five votes. Well, Chairman, shouldn't we get another something put over here, you get five votes. That's the tone, that's the way this thing started, Mayor. So what did we do? We got five votes, and I didn't exclude three black people. I excluded three people that voted against my plan from working. We got our five votes, period, to work together. We then thought we were reeling in everyone. There were no people that was originally left out. There were no people, no matter what their color is, because I don't care what their color is. I called the Chairman. I said, Chairman, please come over —, come out when you get a chance and let's sit down and let's talk. Anyway, I felt sure, I think I was even in the paper that I think we're going to nail this thing out, this will come. The Chairman showed up, I had some ideas there. He already had his. He stated immediately that 25% can't be cut from non-profits, that's the way it is, and walked out the door. That's where we stand, and I figured the Chairman would communicate with the group that was supporting his plan, which happens to be three black people. You know, again, I don't care if they're three red people and the Chairman, but there's clearly been four people for one plan and five for the other, and it's not Democrat and Republican. It was —, we took the tone from the very first meeting that was set to get five votes because that's —, I don't agree, and if you were sitting there, Mayor, you heard me say this is not the way it should go. It should be nine people agreeing to one plan, and that's not the way that it ever went. There was never any give from the other side and that's that.

Mayor Adams said, Commissioner Kicklighter, I'm not going to get in a debate with you over this. We've talked —. Commissioner Kicklighter said, right. Mayor Adams said, — we've had our discussion, but if the truth be known, your five people wouldn't move had it not been the pressure from the Chamber of Commerce and the business community, who see the value of this tax being passed in this community. Commissioner Kicklighter said, true. Mayor Adams said, and if that was the case, sir, you could approve the plan two weeks ago for the same amount of money you're offering today. Thank you.

Commissioner Kicklighter said, truth be known, Mayor, you've got —. Mayor Adams said, and you [inaudible] all the non-profits and everybody else would have been on the same plan that the Commissioner [sic] would have been here. Commissioner Kicklighter said, Mayor, you told me non-profits should be cut to zero. Mayor Adams said, right. If you're going to deal with the issue —. Commissioner Kicklighter said, you told me, you said it —. Mayor Adams said, if you're going to deal with the issue of roads and bridges —. Commissioner Kicklighter said, well —. Mayor Adams said, if you're going to deal with the issue of roads and bridges, which the original SPLOST was set up for, yes, non-profits should be cut out. But you know and I know we added drainage, we added community programs for the benefit. Had it not been for the City of Savannah agreeing to this, you wouldn't have a SPLOST. Okay? Commissioner Kicklighter said, I agree. Mayor Adams said, all right. We need the services for this community. Commissioner Kicklighter said, that's why we sat down and offered you —. Mayor Adams said, but I'm telling you we need —, but there are certain non-profits that I personally feel, and I'm not going to name them and I told you what I thought should not be eligible for those situations, but we are dealing with the issues of roads, bridges, infrastructure for the total community, not to build special projects for this situation, and you know it. I support the Library, but not at the funding they may need right now unless your Commissioners are willing to give them the operation money and not at the expense of the Libraries in the inner city of this City. Commissioner Kicklighter said, I'll tell you what, in the spirit of negotiating —. Mayor Adams said, and that's exactly what's going to happen. Commissioner Kicklighter said, — if you would want to name —, maybe we can solve all the problem, the ones that shouldn't be funded at all —. Mayor Adams said, I'm not going to —. Commissioner Kicklighter said, if you'll let me finish —. Chairman Hair said, Commissioner Kicklighter —. Commissioner Kicklighter said, — and then maybe we can fund the rest at 100%. Mayor Adams said, I'm not going to debate with you, Commissioner. Chairman Hair said, this is not a debate. Mayor Adams said, this is not a debate and I'm not going to say —, I just want to respond to your comments basically is what I'm saying, and I truly feel as an individual citizen, not Mayor of the City of Savannah, that y'all dealt basically with party politics, and I think if you take the party politics, you nine individuals can go in that room and come up with a great compromise for everyone. Thank you.

Chairman Hair said, thank you, Mayor. Commissioner Kicklighter, are you still —, were you finished? Commissioner Kicklighter said, I'm through. Chairman Hair said, okay. The final thing, I'm going to call on Commissioner Murray, Commissioner Rivers and then Alderman Clifton Jones wants to make a comment and then we're ready to vote. Commissioner Murray said, go ahead, I'll wait. Chairman Hair said, one comment to set the record straight. Let's talk about compromise. Commissioner Kicklighter said I refused to compromise. There are four compromises. Four. If anybody compromised, it was me. I compromised four separate times and in those compromises I put every single thing that every Commissioner told me they wanted in there and you still wouldn't vote for it. So let's talk about compromise. I gave four compromises, not one. So let's make sure we get the record straight. Chairman Hair recognized Commissioner Murray. Commissioner Murray said, go ahead, Joe [Rivers].

Commissioner Rivers said, you know, this is very disheartening. I was here probably from the inception of SPLOST. I think I was in on the creation of the SPLOST coming out of ACCG when roads and bridges across Georgia needed repair. That's how it came out. Eventually we added recreational projects and cultural projects. On the last SPLOST that we had in 1996, the City —, we did a lot of Olympic projects and the City was battling back and forth about not getting anything done within the City because we put it all in major roads, Truman Parkway, Pooler Bypass, all of those other things we did. I want y'all to understand that the people in the inner city a lot of them don't use roads and that's why I hop on transit all the time that they should be funding in there to move my people to and fro, the people that I

represent. Now, you know, I don't particularly like the race issue. I grew up in a community that transcended race, color and creed, so I —, you know, I'm sort of neutral on the race issue, but I came through the civil rights movement and I understood what things were, and we fought to make a change and we did make a change, and still some new changes need to come. More changes need to come. Now initially the first proposal that I got excluded the minority and cut it, and they were the only ones cut, and then you went back and then you reverted to doing whatever you're doing. These are the facts, and I'm not one to try to hop on and play the race issue, but I'm talking about an equity issue. What is equitable? When we did —, we dumped more money on that Westside. If you had looked at the proportions according to what was taken in and where it was taken in and what was doled out, you would still be trying to build the Pooler Bypass today if we did it according to a formula or population or anything like that. It wasn't done like that. We looked at projects and we went with them for the benefit of this total County. Everything that I do I basically try to look out for the total County, but yet at the same time not neglect the constituents that I serve. One more clarification is, and I want y'all to understand this and let this be a lesson to you, that five votes don't always carry. You don't have the brunt of the [inaudible]. I still hold the trump card and any time you deal the cards and I can get a cut, I'm going to get my cut in because there are some things that's worth dying for. Now this may sound minuscule, the half a percent, but it means a lot to the people that I serve. So when you don't consider that, then I must do whatever is necessary to hold up this project. You see, my people really don't —, we pay, but we don't really benefit directly from this SPLOST. \$245,000,000 is going to be spent and among black contractors, entrepreneurs, we might get 2%. Commissioner Odell said, no, one. Commissioner Thomas said, one. Commissioner Rivers said, I said might. But when you boil it right down to it, it's about relationships in this community. It's about sharing in this community, and when we begin to share and do those things that we need to do —, as I said in my prayer today, do that which is right and just by your children, and that includes all the children. So when y'all get ready to rethink this, then I can support it. If you can't rethink it, then I still have a trump card if the Chairman don't veto it. But I hold the trump card right now, and this is a new motion and I can exercise that trump card and we can do away with it today. I don't have no problem with it. Like I said, there's some things worth dying for and I feel that strongly about that half a percent. So —, and this is not a —, you know, with me I'm not going to go back and tell you —. Commissioner Kicklighter asked, how much —, how many millions does that have —? Commissioner Rivers said, I'm a Marine. It's an ultimatum for me. Commissioner Kicklighter asked, how many —, Mr. Chairman, how many millions? Chairman Hair said, I think it's —. Commissioner Rivers said, it's an ultimatum for me. So if that doesn't get back to me, I can't support it. Commissioner Kicklighter said, well, let me ask —.

Chairman Hair said, let's stay in order please. Let's stay in order. Chairman Hair recognized Commissioner Murray. Commissioner Murray said, [inaudible].

Commissioner Kicklighter asked, can we get an exact number of what the 25% cut and then we can look at another area real quick because if he makes a motion to reconsider, it's dead. Commissioner Rayno said, no. Commissioner Kicklighter said, I'm not —, I'm not willing —, I love what we're doing, but this tax is too important for Chatham County to let a million dollars here or there just ruin it. I don't —, we've got to find the —.

Chairman Hair said, Commissioner Kicklighter, I've got the perfect answer. Support my plan and we'll go home. That does everything [inaudible due to applause]. Support my plan and we'll go home. That's exactly what it does. It restores the —, you know. Now who's going to —, now who doesn't want to compromise? Commissioner Kicklighter said, but your plan still don't have enough for the roads and drainage in the unincorporated area. Chairman Hair said, it adds \$3.5 million to roads and drainage for the County, \$3.5 million. Commissioner Kicklighter asked, from what it was? Chairman Hair said, yes. Commissioner Murray and then Alderman Jones.

Commissioner Murray said, first of all, I don't want to sit up here and try to criticize any Commissioner, any City Councilman or elected official on the process we're going through. I don't think it's right, I don't think it should be done in public meetings. If we've got some differences, let's speak one on one and clarify those differences, but I would like to speak a little bit about and clarify some of what has taken place in the last couple of days because I have been very quiet on this whole process and what's been done. I was hoping at our last meeting when the votes were taken that we would come back then and try to come to a medium somewhere and a compromise between the two proposals and that didn't happen. I've talked with the Mayor at one point, I talked with Michael Brown yesterday morning. We discussed several things. I did not commit to them at that time. I said I would go back and talk with Pat Monahan and see how those numbers worked for the County. My major concern through this whole process has been the unincorporated area being treated fairly, and that's the only problems I've had with it so far. Yesterday afternoon on my way back from Brunswick I spent probably 35 to 40 minutes on a conference call with Mayor Adams and Michael Brown talking about the same process and stuff. I committed to them that I would come in this morning and meet with Pat Monahan and run over the numbers and see what could be done. I did not know that Pat [Monahan] had something he had to take care of first thing this morning, but we did —, that was the reason, and the Chairman agreed to it, to take the 15-minute recess. It was —, I didn't invite anybody to come during the meeting. I went into a meeting to talk with Pat Monahan, the County Attorney, the County Manager and Al Bungard, who's been putting this thing together, to try to come up and see if these numbers worked like I'm being told they were going to work and was it beneficial for us to go with that. That's how we arrived at this alternative that I presented earlier. I —, you know, I even sat down with Joe [Rivers] —, didn't sit down, we were standing up —, this morning several times with Joe Murray Rivers going over and asking him if he could support these changes if we did these certain things and he said he would have to look at it. This was not to exclude anybody from any of the process. It never has been my intent to exclude anybody from the process. I felt like this was fair based on everything we've had in the past and some of the discussions we've all had. Now, if it's not fair, I don't know what to do to make it fair at this point. I do know that on some of the non-profits, the Food Bank, for instance, originally there was a letter sent to us for a \$500,000 request. The request went to \$800,000. Commissioner Odell, I don't know where the change came from, but I remember when you first started talking about money in for Tatemville, it was \$500,000 and then that jumped to \$750,000. I was not involved in any

meetings. No one on this Commission had contacted me about any of these budgets through this whole process as negotiations were supposed to be going on with all the different parties. The first time I talked to the Chairman about it was yesterday when he called me and he had talked to the Mayor and the Mayor requested that he call me to see if we could make some headway on putting this together. I think it's important that we resolve this today, that we have this on the referendum on March 18th and we move it forward. I don't know what else to do to make that happen at this point. I still —, you know, I've looked at the Chairman's plan, I still have some problems with that based on the unincorporated area and I've told him that. That's where my concern is right now. Now if we can make something happen with that, fine, let's move it forward. If not, I'll be honest with you, I don't think —, if it doesn't happen today, it's not going to happen in June. You know, I think we need to try to work out our differences, and I don't know how we're going to do that sitting in this meeting right now, and I don't want to take another recess. I know y'all have a meeting at eleven o'clock scheduled, so I don't know what we do from that standpoint. But I thought based on what we discussed that we had a pretty good understanding that it would go back and that y'all would accept that. So —, anyway, I just wanted to explain where I've been with it and what's taken place over the last couple of days, and it was not to eliminate anybody from being part of that process and no particular people were invited to come in the meeting a minute ago, although we can't have more than four Commissioners at one time sitting in a room.

Chairman Hair said, Alderman Jones and then I'll call for the vote.

Alderman Clifton Jones said, Mr. Chairman, gentlemen —, ladies and gentlemen, it really was not my intent to stand here this morning, but I've heard a lot of comments coming from a lot of people and I've lived in this community all of my life and I start by saying that race has always been an issue. So let's not forget that. Let's just be honest, up-front about that one issue. Now in terms to what you just said, Mr. Murray, this group is prepared at this time to accept the Chairman's plan. We can do that. We have decided that among ourselves. We will reject the other thing, the McMasters and the other group's plan. I mean, that's just the way we have decided this. I think that we have tried to work through this thing and we haven't had little caucuses or group meetings to try to determine how this thing should go. We have yet to have a meeting. We had the City Manager and the Mayor, they did the primary negotiation with this and we tried to live with that, but the team from the County, I think we had a different set of rules, and I'm wondering myself because I received a report, I believe on —, was it yesterday I believe, that was a plan devised by five County Commissioners. Now somewhere they had to get together to do that, and according to the rules that I know in this State, that was not supposed to happen. It sounds like an illegal meeting to me. Perhaps it wasn't, but it needs to be checked out because somewhere in there when five got together and proposed such an issue to introduce and now carry to motion, something went wrong somewhere. I felt from the outset that the City should receive the largest share of these funds primarily because the funds are really generated in the City. You all know that. I don't see, I really don't see where the County provides the infrastructure, the amenities or whatever else that draw tourists into this area. I really don't. We take care of everything downtown where these people come in this City. We do that and you all know that. One thing that disturbs me more than anything else about this plan is the fact that you have entered into the plan debt retirement about the purchase of vehicles. I can't see that being a part of this plan. It's here. Now it may be legal. Someone has said that it's legal, but I don't think it's proper for you to have \$16,000,000 as a part of this plan to retire a debt. You created the debt, then you should find a way to pay it, but to come here and ask these people, the people of the City of Savannah, to pay a debt that you created I think is wrong. I really don't want to stay up here and continue to talk because this process should go on, and I understand you're about to call the vote. You call the vote and then we'll make our determination on this side. Thank you.

Commissioner Murray said, let me just make a —. I just want to clarify a couple of things. You kept —, you mentioned the five people that were on that plan and how we got together. We did not get together. I was talking with people on the telephone and I would get phone calls to see if I could support certain things. It was not sitting down anywhere meeting with five of us at any one time. Alderman Jones said, well, let me say this, let me say this —. Commissioner Murray said, let me —, and as far as the things that the County has on there under the County side of it, I'm not going to sit here and try to tell any municipality, if this thing ever gets approved, how to spend their money and I would hope that y'all would not try to tell us how to spend our money. Alderman Jones said, I'm not telling you how —. Commissioner Murray said, it was put on there that way and everything that's on there has been run through the County Attorney to find out what's legal and what's not, even with the police merger part of it that we have under our public safety. That was even run through and certain things we can pay for out of that and certain things we couldn't pay for out of that, so everything that is on there right now has been run through the County Attorney to verify whether legally it can be done or not done, and I don't want to debate about it, I just wanted to comment on these issues when you raised them. Alderman Jones said, I don't either, but I can say this. The report that I received yesterday had five names on it. Now somehow that group had to make that decision. Now, I don't know if the attorney or anyone else in the world would interpret it any different than I have, but the way I see it, you had an illegal meeting.

Chairman Hair asked, Mayor Adams, did you want to make any comment?

Mayor Adams said, Mr. Chairman, I think some of your members are concerned about our eleven o'clock meeting, and [inaudible] I know Mr. Kicklighter mentioned additional money for the Southside. What I would suggest, because we can postpone our meeting indefinitely until y'all may come to some conclusion, why don't you adjourn briefly to the Green Room and see whether y'all can come up with a compromise and then back with whatever might be [inaudible] between your plan —, I personally prefer your plan since you explained it to me, and everybody can come —, on your plan everyone including the unincorporated areas of this City [sic] are taken care of, and if y'all can work some compromise out, we'd be more than happy to postpone our meeting until after y'all have reached some conclusion, but as of right now this is too important for the entire community, and if it fails today —, I agree with you, Commissioner Murray —, if it fails today, it's going to fail in June as well. So that's what I suggest. We will wait until y'all can make some kind of compromise rather than to do a hasty vote that's going to affect the entire County.

Chairman Hair said, I'm going to declare a recess until eleven o'clock.

[NOTE: The Chairman recessed the meeting at 10:38 a.m., and the meeting was reconvened at 11:00 a.m.]

Chairman Hair said, I will call on Commissioner Kicklighter to make an amendment to the original motion.

Commissioner Kicklighter said, thank you, Mr. Chairman. I'd like to amend the previous motion that we take \$2,000,000 away from the Library, add it to non-profits and we take \$1,000,000 away from the flood pumps and add that to the non-profits to come up with a compromise. Commissioner Murray said, that would be with the understanding that the \$2,000,000 that comes from the Library would go into the 2008 column and would have first priority if additional monies come in. Chairman Hair said, correct, we'd shift it to the fifth year. Commissioner Murray said, and then the next priority would be putting that money back into the pumps. Chairman Hair said, right. Commissioner Kicklighter said, okay. Do you accept the amendment and I'll accept it as the second? Commissioner Murray said, I'll accept the amendment.

Chairman Hair said, you made the motion. All those in favor of the motion vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Odell was not present.] Chairman Hair said, the motion passes.

Commissioner Rivers said, Mr. Chairman, in the intergovernmental agreement —, as a part of the intergovernmental agreement I would like to have us to pass a resolution to insert the following language:

“Whereas, the Board of Commissioners recognize the need for all citizens, including minority, small and disadvantaged businesses and workers to share in the economic growth and benefits generated by the appropriate use of sales tax proceeds, the Board of Commissioners does hereby urge and direct that all contemplated special use sales tax capital improvement projects provide opportunity for all citizens including minority, small and disadvantaged businesses and workers and establish a goal of 30% minority, small business —, small and disadvantaged business participation to share in the economic growth and benefits generated by the appropriate use of special sales tax proceeds and the resulting capital improvements.”

Commissioner Rivers said, this —. Go ahead. Commissioner Rayno said, I would like an amendment to that as long as it does not hurt local contractors because sometimes to meet that goal you have to pull from outside firms and it hurts the local unions and local companies, which are here. Chairman Hair said, it's a goal anyway and I think it's a legitimate —, personally I think it's a good motion. Commissioner Rivers said, this —, this is the same —. Commissioner Thomas said, it's the same motion. Commissioner Rivers said, this is the same that we had before when we did the last SPLOST, when we did Hutchinson Island and everything. It didn't come out like we wanted it to, but I would tell everybody that's receiving SPLOST money that they make a concerted effort to meet these goals so that we show a better showing than what we did on the last SPLOST.

Chairman Hair asked, do I have a second? Commissioner Thomas said, second. Chairman Hair said, okay, we have a second.

County Attorney Hart said, Commissioner Rivers, that needs to go in the resolution as opposed to the intergovernmental agreement. Commissioner Rivers said, okay. County Attorney Hart said, the resolution's part of the —. Commissioner Rivers said, I'll amend it.

Chairman Hair said, all those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, McMasters, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of eight to one. Chairman Hair said, the motion passes. Thank you.

Mayor Adams said, I want to thank the Commissioners for coming together and all the work [inaudible]. Thank you very much. Chairman Hair said, thank you, Mayor, and I appreciate y'all's support. Thank you.

* * *

County Attorney Hart said, Dr. Thomas and Commission, could I have y'all's approval to adopt this resolution so I can get it on over to the City? Motion and a second is needed. Commissioner Rayno said, with all due respect, I'd like to read it before I vote on it. Vice Chairman Thomas said, we'll give you a second, a few minutes. County Attorney Hart said, that's the same resolution that we circulated several weeks ago with the affirmative action goal added and deletion of the merger language in the ballot and the addition of general obligation debt on Thunderbolt. Commissioner Rayno asked, where it says the retirement of debt for the Town of Thunderbolt, have you included that for Chatham County as well? County Attorney Hart said, yes, that's the retirement of general obligation debt is covered in the first part of the resolution. Thunderbolt was added because it has expressed a State debt for the municipality. Counties have the right to do it under general act. Commissioner Rayno asked, can you show me where it is for the County? Oh, I see it, never mind. Thank you.

Commissioner Murray asked, Jon [Hart], didn't you say we needed a motion to adopt this? Vice Chairman Thomas said, to adopt it, right. County Attorney Hart said, just a motion of adoption, get it signed and take it over there and get them to do the same. Commissioner Murray asked, where do y'all work out the resolution itself? County Attorney Hart said, that is it. Commissioner Murray asked, that's it? County Attorney Hart said, the only other thing we have to do now, which we're working on the language of and it's just not complete because there were a lot of changes

today, is to conform the intergovernmental agreement with the changes of today. We had to go back and resurrect a couple of earlier drafts to fit some of the provisions in there. I would ask that you would approve the intergovernmental in form as stated in the meeting here today so we can just go ahead and get that done and get it over there and sign it. I think if there is anything about that agreement that needs to be restated, we can amend that later. Commissioner Murray asked, does it say you adopted it? County Attorney Hart said, that's what I'm going —, we haven't got a copy of it yet, but we've got their people upstairs and they're working with us as we go so it shouldn't be a problem.

Commissioner Rayno said, thanks.

Vice Chairman Thomas said, we will now entertain a motion to approve the —. County Attorney Hart said, resolution and intergovernmental agreement for SPLOST. Commissioner Murray said, as written. County Attorney Hart said, as written —. Commissioner Murray said, so moved. County Attorney Hart said, and as agreed in meeting. Commissioner Rayno said, second. Vice Chairman Thomas asked, any discussion? All in favor please show it by voting. The motion carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.] Vice Chairman Thomas said, the motion is carried.

ACTION OF THE BOARD:

1. Commissioner Murray moved to overturn the SPLOST proposal approved on February 4, 2003. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Odell and Thomas were not present.]
2. Commissioner Murray moved to approve a revision to the SPLOST proposal presented by Commissioners McMasters, Kicklighter, Gellatly, Murray and Rayno dated February 11, 2003, with the following revisions: Under the County where we have unincorporated Drainage, \$11,000,000, deduct \$500,000 off of that, under Roads, \$15,467,125, drop down to \$14,000,000; under Vehicle Replacements, take \$500,000 out of that and we would take the difference to make it a \$2.5 million move over into the Certain column under the City of Savannah, so now also the agreement would be that the \$11 million and the \$5,080,000 would be front-loaded up on the first six months of the money coming in to get the County so we can go ahead and start our drainage projects and major projects and purchase the vehicle replacements, and accepted an amendment to take \$2,000,000 from the Library and add it to non-profits and take \$1,000,000 away from the flood pumps and add that to the non-profits with the understanding that the \$2,000,000 from the Library would go into the 2008 column and would have first priority if additional monies come in and the next priority would be putting money back into the pumps. Commissioner Kicklighter seconded the motion as amended. The motion carried unanimously. [NOTE: Commissioner Odell was not present.]
3. Commissioner Rivers moved that the following language be added to the SPLOST resolution: "Whereas, the Board of Commissioners recognize the need for all citizens, including minority, small and disadvantaged businesses and workers to share in the economic growth and benefits generated by the appropriate use of sales tax proceeds; the Board of Commissioners does hereby urge and direct that all contemplated special use sales tax capital improvement projects provide opportunity for all citizens including minority, small and disadvantaged businesses and workers and establish a goal of 30% minority, small and disadvantaged business participation to share in the economic growth and benefits generated by the appropriate use of special sales tax proceeds and the resulting capital improvements." Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Rivers, McMasters, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of eight to one.
4. Commissioner Murray moved to approve the resolution and intergovernmental agreement for SPLOST as written and as stated in the meeting today. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were 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: A SPECIAL SERVICE DISTRICT FUND CONTINGENCY TRANSFER OF \$13,900 TO THE PUBLIC WORKS DEPARTMENT FOR ROAD MAINTENANCE AND A TRANSFER OF \$1,090 WITHIN THE BOARD OF ELECTIONS BUDGET FOR A SALARY ADJUSTMENT.**

Vice Chairman Thomas recognized Commissioner Rayno.

Commissioner Rayno said, this road runs through various municipalities and we're being asked to maintain something within some of these municipalities and I don't understand the justification for that. County Manager Abolt said, if I

may, the justification for it is it's a request from Tom Triplett. As you correctly stated and we put it in the staff report, it does go through several municipalities. The issue and a request from Mr. Triplett is to have the County do this for a limited period of time and then eventually, once completed, this will go on the State system in the State of Georgia. Commissioner Rayno asked, can we get any reimbursement from the municipalities at all? County Manager Abolt said, no, sir. Commissioner Rayno said, but it costs us a lot of money. County Manager Abolt said, yes, sir. Commissioner Rayno said, if I —. County Manager Abolt said, the mileage is contained on the attachment to the staff report. I believe what the —, Mr. Triplett was interested in is making it simple for the short term realizing the State of Georgia will pick up the maintenance going forward.

Commissioner Kicklighter asked, I want to state, if you'll allow me —. Vice Chairman Thomas said, sure. Commissioner Kicklighter said, — that because it's Mr. Triplett, this \$13,000 could turn into multi-millions for us so I would encourage to approve it because he is with the DOT.

Vice Chairman Thomas recognized Commissioner McMasters.

Commissioner McMasters said, well, Russ [Abolt], what —, is there a date certain? County Manager Abolt said, on Phase Two of the final phase of —, yes, but I don't have it in front of me. Mr. Bungard can answer, but when the final phase is complete, then the State will take over the entire roadway. Commissioner McMasters asked, when will the final phase be completed? County Manager Abolt said, I don't have the report in front of me. I rely on Mr. Bungard, who's not here. I can find out for you, sir. Commissioner McMasters asked, well, do you have any estimate? County Manager Abolt said, sir, I can get the exact answer for you out of the road report if you want me to. Commissioner McMasters said, well, I would like to make a motion that we set a date certain that we're going to stop expending funds for municipal maintenance in these areas. County Manager Abolt said, that's your call. I would concur with what Mr. Kicklighter is saying. Because of the request from Mr. Triplett, it is not our intent to delay the project. It's only a stop-gap issue at the request of GDOT. Commissioner McMasters said, I have no problem supporting the plan, I just don't want it to go on indefinitely so I'd like to —.

Commissioner Rayno said, the mowing is not going to start until April so we can wait two weeks and find out the answer. I make a motion to table. Commissioner McMasters said, second.

Vice Chairman Thomas asked, all in favor of the motion to table. Commissioners Rayno, Rivers, McMasters and Murray voted in favor of the motion. Commissioners Odell, Gellatly, Kicklighter and Thomas voted in opposition. The motion failed by a tie vote of four to four. [NOTE: Chairman Hair was not present.] Commissioner Murray said, it fails. Vice Chairman Thomas said, okay.

Commissioner Murray said, just make a motion to adopt it with the understanding we'll come back and address the time certain later.

Commissioner Kicklighter said, I make a motion to approve number one. Commissioner Murray asked, what —, are you going to do all of it at one time? Commissioner Kicklighter said, yeah. Vice Chairman Thomas said, yeah. Commissioner Odell said, I'll second. Vice Chairman Thomas asked, any discussion?

Commissioner Rayno said, the municipalities just love to take money from us and not pay us back, Dean [Kicklighter], and I know you represent them, that's fine. Commissioner Kicklighter said, Jeff [Rayno], this has nothing to do with the municipalities. This is to do with one of the head people in the DOT that gives us hundreds of thousands of dollars and millions has asked us to pay —, yeah, millions —, to pay \$13,000. Commissioner Rayno said, I'm just asking them to pay their fair share. Commissioner Kicklighter said, I mean if I told you now, you know, you give me \$10 and I'll give you \$20,000, I think, you know, that's what he's asking here, pay pennies and get millions later. Commissioner Rayno said, he's asking us to maintain a roadway which costs us money, time and effort —. Commissioner Kicklighter said, and to get a lot more in return. Commissioner Rayno said, — and we're not getting reimbursed from the municipalities who love to beat on us and say we don't know how to manage our money. That's what it's all about.

Commissioner Rivers said, let's go ahead and move it and then we can have it contingent —. Vice Chairman Thomas asked, any further discussion? If not —. Commissioner McMasters said, Joe [Rivers] has a suggestion. Vice Chairman Thomas said, I'm sorry. Commissioner Rivers said, let's move it, Dean [Kicklighter], and have it contingent upon the time frame so that we can come back and set a time limit on it.

Commissioner Kicklighter said, you know, and if that's what it takes to pass it, that's fine, but, you know, I know we sometimes we all take a lot of pride in what we do, but we're not as big as the Georgia DOT and we don't need to take them on. If the man us to pay \$13,000, that's what we need to do, you know, and I don't —, I just hate to slap him with a time limit or anything. Commissioner Rayno said, it's not a question of paying the money to do it, it's a question of who pays the money.

Commissioner Rivers said, Dean [Kicklighter], it passes and the only thing we're considering is to —. Commissioner Kicklighter said, just bring it back to us later when we find out [unintelligible comments were made when several Commissioners began speaking at the same time.] Commissioner Rivers said, that's just holding it up until Al Bungard tells us [inaudible].

County Manager Abolt said, every month you have road report. This isn't the day to receive that report. You'll have it next time. Without Mr. Bungard I don't have it immediately in my hand. I can get it for you before the end of the day.

Commissioner Kicklighter asked, so how would you word the motion then to accommodate Mr. Rivers? What would I say? Vice Chairman Thomas said, the motion is fine. Commissioner Odell said, not the motion to approve. This other is just add-on. Commissioner Kicklighter said, okay, that's fine then. That's good.

Vice Chairman Thomas said, all in favor of the motion please vote. Commissioners Rivers, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioners Rayno and McMasters voted in opposition. The motion carried by a vote of six to two. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, okay, the motion is carried.

Commissioner Odell said, now we can deal with Joe's [Rivers] proposal. Commissioner Rivers said, no that —, if we need to come back, if the time is too extensive, then we can do something about it. Commissioner Murray said, what's going to happen is they'll have to come back for more money anyway if the time goes over.

Vice Chairman Thomas said, thank you.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the following: A Special Service District Fund contingency transfer of \$13,900 to the Public Works Department for road maintenance and a transfer of \$1,090 within the Board of Elections budget for a salary adjustment. Commissioner Odell seconded the motion. Commissioners Rivers, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioners Rayno and McMasters voted in opposition. The motion carried by a vote of six to two. [NOTE: Chairman Hair was not present.]

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2. REQUEST BOARD APPROVAL OF AN AWARD OF A CONTRACT FOR MAINTENANCE (MOWING AND TRASH PICK UP AND DISPOSAL) OF 12 MAJOR COUNTY PARKS AND IMPLEMENTATION OF A PILOT PROGRAM AIMED AT IMPROVING THEIR MAINTENANCE.

County Manager Abolt said, Dr. Thomas and gentlemen, this is something that we're very proud of. It started with this Commission. The request was to begin to advertise and potentially privatize some maintenance within our Parks Department with the understanding that the Parks Department would also be allowed to bid. We essentially, though we've explained several alternatives, are recommending one that we feel would maximize a public/private partnership and with a little bit of savings based on giving some of that work to the private sector, we would make some modest improvements to our maintenance efforts because of resources already in Mr. Lipsey's budget. Some of the other options would involve layoffs for the amount of money involved, which in the context of the overall benefit that can be derived, we feel that Alternative #4, which we're recommending, would be the best of both worlds. We, in effect, will be able to test over a period of time how well this works. Hopefully it will work very well. I'm confident Mr. Lipsey can make it work.

Vice Chairman Thomas said, okay, Commissioner McMasters and then Commissioner Murray.

Commissioner McMasters asked, Russ [Abolt], is the greatest savings to taxpayers found in Option #1 [sic]? County Manager Abolt said, I believe it is, sir. Commissioner McMasters said, thank you.

Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray said, this is fine, but what ever happened —, a number of years ago we did a pilot program with the City of Savannah on properties that adjoin City and County properties and, if I'm not mistaken, through that six-months trial period we saved a reasonable amount of money on it? County Manager Abolt said, we figure we saved money. Commissioner Murray asked, why are we not looking at that same policy? Is this saving us more money because I wonder if we've just given up on that altogether? County Manager Abolt said, no, sir, we haven't given —, I don't way to say —, speak incorrectly, but there was no interest to continue, in my memory, by the City of Savannah. They thought there was some subsidy. On this one though you all had set this forward as a goal back almost a year ago. We've now put this out to bid and we have something that's a good partnership, and at the same time realizing that we did not have sufficient resources to maintain everything that we now have within our existing resources, this privatization will free up a little bit of money so that Mr. Lipsey will be able to partner with the private sector to get more bang for the investment.

Vice Chairman Thomas said, Commissioner Kicklighter and then McMasters again.

Commissioner Kicklighter said, Russ [Abolt], I just thank you. This is something that we asked you to do and I think this will work out great. I'm excited to see what kind of work the private businesses will do in the parks for us and I wholeheartedly support this, but I'd like to see us just move to Alternative #1 because it would save us more money and basically get the same type benefits so —. Commissioner McMasters said, I'll second that. County Manager Abolt said, you would —. Commissioner Kicklighter said, go ahead, Russ [Abolt], please. County Manager Abolt said, you're not going to have the same benefits if you accept our proposal that in effect the money that would be left over would, in effect, give some capacity to do some more maintenance work and also would not result in layoffs.

Mr. Michael Kaigler said, just for clarification, if you look at page two of the staff report, the greatest savings to the County would be Option 4. With Option 1, the savings based on what the contractor said he could do it for and what the County could do it for is approximately \$36,000. With Option 4, it would be up to \$69,000 savings to the County, which in turn would be put back into the Parks and Recreation Department in order to enable us to maintain more than the savings. Commissioner McMasters asked, how is that a savings?

Commissioner Rayno asked, that's not a savings. You reinvest it back in, that's not a savings. You've spent the money. Mr. Kaigler said, what we're saying to you, we would be able to take that —, those resources and put them back into the Parks Department and enable to —. Commissioner Rayno said, that's not a savings.

Commissioner Kicklighter said, with all due respect, I appreciate you —, all your thinking and all, but we're still in pretty bad shape with our overall budget, so we need to take savings and put it in savings —. County Manager Abolt said, no. There are two different issues though. If I may, your motion allows us to maximize the savings. True, that's why I answered the question of Commissioner McMasters as I did. You want to put money in your pocket, then our recommendation is not going to put money in your pocket. There will be, you know, layoffs involved. We legitimately feel for the amount of money we're now spending on Parks and Recreation maintenance that, in effect, you're not going to spend any more, but we'll be able to eke out a little bit more from the standpoint of what's currently in Mr. Lipsey's budget. I think you have a good chance to evaluate with no displacement of your current work force to see how the public/private partnership works and realize also it is my goal in this year you'll know that both Mr. Drewry and Mr. Lipsey are working to combine our Parks and Public Works Departments. This is a very good strategy. I would counsel against trying to save the dollars that this might involve.

Commissioner McMasters said, call for the question.

Vice Chairman Thomas said, yes, okay. All in favor of the motion. Commissioner Odell asked, could we restate the motion. Vice Chairman Thomas said, please restate —. County Manager Abolt said, Alternate 4. Commissioner Kicklighter said, to approve Alternative #1. Vice Chairman Thomas said, #1.

Commissioner Murray said, let me get a clarification on these two again. I know the question has been called, but could y'all allow us a clarification on it? Commissioner McMasters said, sure. Commissioner Murray said, Russ [Abolt], let's go through Alternative 1 and your motion was for Alternative 1, and your recommendation is for 2. Is that correct? County Manager Abolt said, #4. I thought the motion for was Alternative 4. Commissioner Kicklighter said, the motion for Alternative 1. Commissioner Murray said, all right, the motion is for Alternative 1 and the staff recommendation is for 2 —. County Manager Abolt said, 4. Commissioner Murray said, — I mean, for 4. Okay. All right, I understand on 4 there's no actual dollars going in the bank. County Manager Abolt said, that's correct, but you're —.

Commissioner Kicklighter said, someone from the audience wanted —, just —, I mean layoffs. So that's probably —. County Manager Abolt said, yes, sir. You have layoffs involved in Alternative #1. That's found on page four of the staff report. Commissioner Kicklighter asked, is there an amount? County Manager Abolt said, 40 —, well, you've got \$4,800. I'll defer to Mr. Kaigler on the number of positions. Commissioner Kicklighter asked, \$4,800? County Manager Abolt said, \$4,800 per position. Commissioner Kicklighter said, okay, so —. Mr. Kaigler said, you're looking at probably four positions with Alternative 1.

Commissioner Rivers asked, looking at what? Mr. Kaigler said, four positions. Vice Chairman Thomas said, four positions. Commissioner Murray asked, out of which department? Mr. Kaigler said, Parks and Recreation. Commissioner Murray said, I don't see how we can lay anybody off in Parks and Recreation. County Manager Abolt said, that's exactly —, excuse me, that's exactly why we made the recommendation. Commissioner Murray said, we get nothing but complaints right now about the shape that our parks and our recreation are in and yet we're going to vote for something because it doesn't put money in the bank, it's an even split that will lay off four personnel and we still won't get any improvement. County Manager Abolt said, that's why we recommended the Alternative 4.

Vice Chairman Thomas said, the motion before us, I think, is on Alternative 1. We can do that now and then come back later, okay. Commissioner Murray said, I can't support it.

Commissioner Kicklighter said, well, I'm going to vote with Frank [Murray] then because all the signs are there. Vice Chairman Thomas said, all in favor of Alternative 1, the motion. The Clerk said, as the maker you must vote for the motion. Commissioner Murray said, no, you don't. Commissioner Kicklighter asked, I have to vote for the motion? The Clerk said, as the maker. Commissioner Murray said, no, you don't. The Clerk said, as the maker —, the maker must vote for the motion. The second doesn't, but the maker does. Commissioner Kicklighter said, okay. Commissioners Rayno, McMasters, Gellatly and Kicklighter voted in favor of the motion. Commissioners Rivers, Murray, Odell and Thomas voted in opposition. The motion failed due to a tie vote of four to four. [NOTE: Chairman Hair was not present.]

Commissioner Kicklighter said, I'll make a motion now for Option #4. Commissioner Odell said, I'll second your motion. Vice Chairman Thomas said, okay. Any discussion? Hearing none, please vote, Option #4. Commissioners Rivers, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioners Rayno and McMasters voted in opposition. The motion carried by a vote of six to two. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried. Thank you.

ACTION OF THE BOARD:

1. Commissioner Kicklighter moved to enter into an annual contract with Chase Landscape in the amount of \$139,524 for maintenance (mowing and trash pickup and disposal) of 12 major County parks and implementation of a pilot program aimed at improving their upkeep [Alternative #1 of staff report]. Commissioner McMasters seconded the motion. Commissioners Rayno, McMasters, Gellatly and Kicklighter voted in favor of the motion. Commissioners Rivers, Murray, Odell and Thomas voted in opposition. The motion **failed** due to a tie vote of four to four. [NOTE: Chairman Hair was not present.]
2. Commissioner Kicklighter moved to enter into an annual contracts with Chase Landscape and Complete Lawncare (\$90,761) and Chatham County Parks and Recreation Department (\$15,554) for maintenance (mowing and trash pickup and disposal) of 12 major County parks and implementation of a pilot program aimed at improving their upkeep [Alternative #4 of staff report]. Commissioner Odell seconded the motion. Commissioners Rivers, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioners Rayno and McMasters voted in opposition. The motion carried by a vote of six to two. [NOTE: Chairman Hair was not present.]

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PROCEDURAL REQUEST - COMMISSIONER ODELL

Commissioner Odell asked, may I just for procedure —, is there any way that we can, when Dr. Hair is out have you [Vice Chairman Thomas] sit in the center, and the reason is, these people can't hear you, and it gives —, that's why it's in the center, and if we could get a sign made that says —, that we can shift. Can we do that? County Manager Abolt said, of course. Commissioner Odell said, okay.

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3. PLAN OF ACTION TO ADDRESS PROPERTIES NOT YET TIED INTO ISLE OF HOPE SEWER.

County Manager Abolt said, Dr. Thomas, gentlemen, this is an issue that has been lingering around for really now a couple of years. You will recall, over the past several years —, several months I should say —, we've kept you apprised of after a sewer —, a line was put in at Isle of Hope, there was some reluctance on the part of those benefitting from that sewer to tie into it, and normally if we were providing the water and sewer utilities, we would withhold water service until they tied in because there is a requirement within 200 feet of a sewer system you do have to tie in. That's for health reasons. That's really common across the nation. We find ourselves, at least temporarily, in a quandary. The last time we brought it to your attention many months ago you authorized us to send letters out, notifications to all those citizens that they must tie in, and there was no ability in effect to put a hammer over their heads, if that's the proper term. The end result is there was very little movement in that. We did seek the participation of Commissioner Murray in this because he's really lived with this from the get-go. We had a meeting with staff a few weeks ago and our creative thought, the County Attorney led the way in recommending that you handle it by changing your Revenue Ordinance that would allow you that regardless of whether they hook in, that you could begin billing them through a utility charge for the sewer service were they, in effect, hooked into it. We feel this is the next step in an escalation that really should be solved by the result of the citizens seeing what's best in their own interest in hooking into the sewer system.

Vice Chairman Thomas said, Commissioner Murray and then Commissioner McMasters.

Commissioner Murray said, I move for Alternative 1. Commissioner Odell said, second.

Vice Chairman Thomas asked, any discussion?

Commissioner McMasters said, yeah. I mean, I'm happy to support Option #1, but I find it amazing that it takes us 20 minutes to botch up SPLOST and two years to get people to comply with a very simple thing. County Manager Abolt said, the situation here was certainly the recourse you have to it. You had no recourse.

Vice Chairman Thomas asked, any further discussion? Hearing none, call for the question. Please vote. The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried.

ACTION OF THE BOARD:

Commissioner Murray moved to direct staff to amend the Combined Sewer Disposal Industrial Waste Water Ordinance to provide that any residence or dwelling within 200 feet of a public sewer, upon notice to the owner to be tied into the public sewer system, shall be charged in accordance with the ordinance a sewer service fee based on the availability of a public sewer within 200 feet of the residence or dwelling and recapture costs of water and sewer expansion. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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4. REQUEST BOARD APPROVAL OF A PILOT PROJECT FOR INCLUSION OF LIMITED COMMERCIAL COLLECTION AT WILMINGTON ISLAND RESIDENTIAL DROP-OFF CENTER AND AN AMENDMENT TO THE CHATHAM COUNTY REVENUE ORDINANCE ARTICLE W. SECTION 2. REFUSE DUMPING FEE. (SEE FIRST READINGS FOR REVENUE ORDINANCE AMENDMENT.)

County Manager Abolt said, Dr. Thomas, gentlemen, this is in the area of creative work. Many of you will recall, and particularly I know Commissioner Murray and others that are representing districts where we have a transfer station know that from time to time we do have problems in folks coming in that should be exclusive to residential in character that wish to use the drop-off center and there's always a question what about the smaller commercial operators and whether or not they might have access to these transfer stations. Ms. Lamb and Mr. Drewry have come up with what I think is a very creative, innovative pilot project that would debut at the Wilmington Island Transfer Station. It has to be accomplished really in two phases. One is conceptually we would like your approval on this portion of the agenda and then we've taken the liberty of putting on first reading an amendment to the Revenue Ordinance that would establish the fees. If you would like to have a specific briefing on what Mr. Drewry and Ms. Lamb have done, we can do that right now.

Vice Chairman Thomas said, okay, Commissioner Murray, Commissioner —.

Commissioner Murray said, I would like to just go ahead and make a motion to adopt this and then we'll have a first reading coming up on it. It's something that's been worked on for quite a while and I think it's —, unless some of the other Commissioners want to hear that. Commissioner Kicklighter said, we can get it to a second reading.

Vice Chairman Thomas said, discussion. Commissioner McMasters and then Commissioner Rayno.

Commissioner McMasters said, it says limited commercial collection, limited amount of time for the pilot program. How long is that? County Manager Abolt said, Virginia [Lamb] —, I'll —, let's have a presentation on that. Mr. Robert Drewry said, good afternoon. The pilot project is set for one year and we're limiting it to a specific number of commercial customers because we don't —, we don't want to overwhelm the drop-off center with a lot of customers. So what we want to do is evaluate how much waste is going to be coming in, the volume and the weight of that waste. So it is a limited pilot project for one year. Commissioner McMasters asked, what's it going to cost us to implement this pilot program? Mr. Drewry said, the initial cost up front is relatively minor. What we're hoping to do is when we charge the fees is get reimbursed. Well, it's \$5,000 for the computer setup, we're looking at some additional pulls for roll-off containers. We don't how many —. Commissioner McMasters asked, do you have a total cost for the pilot program? Mr. Drewry said, we've estimated the cost, that's why we're trying to get reimbursed because the —, the commercial haulers will reimburse that program 100%.

Commissioner Rayno asked, but what is the cost that you've estimated? Mr. Drewry said, you didn't get the total cost? Ms. Virginia Lamb said, it's about \$10,000. Commissioner Rayno asked, is it my understanding you're going to charge a business customer \$36 every time they roll up with a pickup truck to dump off? Every single time? Mr. Drewry said, that is correct. Commissioner Rayno said, the net result of that will be this. The small business man will not do that. They'll go to the most remote area of the County, get a shovel and dump it off and leave and then your men will be picking it up when one of the Commissioners calls you. Mr. Drewry said, well, the alternative now is they pay \$25 to take it all the way out to the west part of Chatham County.

Commissioner McMasters asked, what is wrong with that? Mr. Drewry asked, with taking it all the way out to West Chatham? Commissioner McMasters said, yeah. Mr. Drewry said, well, it just —, it's —, we're just providing an option. We're not saying we're going to —. County Manager Abolt said, excuse me, Robert [Drewry] —, if you look at the file, and I don't want to keep deferring to any one member of the Commission, but I know, for example, Commissioner Murray and I have had extensive conversation when people complain, and what it is is these are exclusively restricted to the residential homeowner. This has been subsidized by property taxes. People that are doing business, normally business of smaller size, saying give us some relief, so we have taken that request, and certainly based on the complaints, we've tried to come up with something that is a workable option. The only other option is what we have right now, namely to stop them from coming in, period. Commissioner McMasters asked, is the Small Business Chamber supporting this? Mr. Drewry said, we haven't solicited their support, no. Commissioner McMasters asked, what gave rise to the —, what was the genesis of the pilot program? Mr. Drewry said, the genesis —.

Commissioner Murray said, for one I pushed for it because of the Wilmington Island Landfill because the amount of people that live in the Islands area that utilize that landfill and without a clear definition and the people that operate that knowing who's commercial and who wasn't commercial and people were being allowed to come in with roof shingles and everything else from a small contractor to some of your larger contractors dump the stuff in at no charge and the property owner's property taxes were paying for that in the Special Service District. If you'll look at number four, it's only for the Wilmington Island Landfill right now for the pilot program. If it works and it generates the revenue and it does what they need to over a year's time, then I understand you will expand this then to the other landfills, but we've had a terrific amount of problems with the Wilmington Island Landfill based on whether it's commercial or whether it's private property coming off of your leaves and limbs and things like that from your homes. I've talked to Robert [Drewry] about it, I've talked to Russ [Abolt] about it and this discussion's been going on for a number of years now trying to have some type of plan. We used to have a plan and that plan did not work. This is designed differently and

hopefully will work, and that's why they want to do it for a year as a pilot program and I fully support it so I hope it has the votes to approve it.

Vice Chairman Thomas recognized Commissioner Kicklighter.

Commissioner Kicklighter said, because we will get a chance to vote on this on the second reading, I'll call for the question.

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

ACTION OF THE BOARD:

Commissioner Murray moved to approve a pilot project for inclusion of limited commercial collection at Wilmington Island Residential Drop-Off Center. Commissioner Odell seconded the motion. Commissioners Rivers, McMasters, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of seven to one. [NOTE: Chairman Hair was not present.]

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5. INFORMATION ON EMPLOYEE TRAINING INITIATIVE.

County Manager Abolt said, Dr. Thomas, gentlemen, this came out at my performance evaluation where the Board wanted to put a value and greater emphasis on employee training. In my last report to you the first of this month, I indicated —, transmitted to you a syllabus that Mr. Kaigler and his staff put together. We have some real opportunity to breathe life back into a relationship we had with the Carl Vinson Institute, University of Georgia, for management development. The only issue now is obviously that we have to have funds to do this. The transfer out of contingency will be \$9,660 and normally I would just carry forward on what I refer to as the omnibus report, but because our contingencies are so tight, but also I'm in effect responding to your need to place emphasis on employee training countywide, I give you the option. You can, in effect, initiate this. We will have to draw down at your next meeting of really the substantial amount of contingency to cover election costs, but I did not want to be remiss in not listening to what you asked me to do. Your option would be to do this at the current time. The \$9,660 would have to come out of M&O Contingency.

Commissioner Rayno asked, does this amount cover per diem fees and travel costs and hotel? County Manager Abolt said I defer to Mr. Kaigler. Mr. Michael Kaigler said, these —, this training will be held locally. The instructors come in and they provide that training, so there is no per diem or hotel associated with this. This is just for —, for the cost —. Commissioner Rayno asked, they would never travel to another location? Mr. Kaigler said, no, sir. This is all —, all of this training will be held locally.

Commissioner McMasters asked, may I? Vice Chairman Thomas said, yes. Commissioner McMasters asked, so what's the \$9,600 for? County Manager Abolt said, to cover the contract with the —. Commissioner McMasters asked, with the educator? County Manager Abolt said, educators. Commissioner McMasters asked, is this in your budget? Mr. Kaigler said, no, sir. County Manager Abolt said, no, sir. No, sir. Commissioner McMasters said, I move that we approve number two.

Commissioner Kicklighter asked, what is number two? County Manager Abolt said, it's deny.

Vice Chairman Thomas said, it's deny. The motion is dead. I didn't get a second.

Commissioner Odell said, just for clarification. Staff recommendation is —. County Manager Abolt said, well, to do it because you told me —, I don't mean it the way it sounds. When you did my evaluation, you said we've got to do more employee training.

Commissioner Rayno said, maybe we should wait till the budget, which is only what, six months away, and then we can approve it then rather than try to come midyear into the budget and try to do it now. Commissioner McMasters said, it's not budgeted. Commissioner Rayno said, it's only a few months away. County Manager Abolt said, if I may though, I'm not sure —, you do what you want. I'm betwixt and between on this. You know, when you did my evaluation, you said you wanted several things —. Vice Chairman Thomas said, we gave him a —. County Manager Abolt said, you also said you wanted, for example, records retention improvement. We had the proposal on docketing and imaging. I don't —, certainly it's your choice. I don't want to assume anything. I'm giving you the choice of if you don't do it now, fine, but I'm doing this because I realize it's an extension of what you told me to do.

Vice Chairman Thomas said, you're responding to —, you're responding to something that we asked him to do.

Commissioner Odell said, well, it can't be a double-edged sword. We can't tell you in your evaluation you need to do more training and you come up with a training program. Maybe there's a happy medium in that. As to the things that

we need to do and that the budget is in June, we, I think, by unanimous consent can agree that this is moving towards fulfillment of that point on your evaluation and consider it at budget time. Is that —.

Commissioner Rayno said, that would be the thing because I'd be all for it and I'm the one that said —.

Commissioner McMasters said, I really would like for us to go this thing, I think it's a good thing, but it's not budgeted. Commissioner Kicklighter said, good job, Russ [Abolt], good job.

County Manager Abolt said, please, I don't want you to ever feel like I'm trying to set something up. I'm just doing what you asked me to do. Commissioner Odell said, no, you just don't want to be hit with a double-edged sword. Vice Chairman Thomas said, right. Exactly.

Commissioner Kicklighter said, okay, well, I'll make a motion at this point to deny —, to vote against number five then right now and consider it at budget time. Commissioner Odell said, yeah, I'll second. Vice Chairman Thomas said, all in favor. The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried. Thank you.

Commissioner Kicklighter said, and Russ [Abolt] gets an A on his next evaluation for employee training. Commissioner Odell said, yes.

ACTION OF THE BOARD:

Commissioner Kicklighter moved that at the present time the Board **deny** the employee training initiative with the University of Georgia Carl Vinson Institute of Government's Management Development Program (MDP) and consider the same at budget time. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Rivers were not present.]

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6. MID-YEAR FINANCIAL REPORT AND ADOPTION OF ACTION PLAN.

County Manager Abolt said, Dr. Thomas and gentlemen, this as you've described it is our midyear report and Mr. White and staff are here to respond to any points that you may have in the report, but let me highlight it. Essentially, what it says beyond the written report is we are tracking for your benefit certain things that came up before, during and after the budget adoption where, in effect, I've identified in the memorandum to you and reminded as to issues that must be covered in my evaluation —, not my personal evaluation —, but in my evaluation of our budget position before the 30th of June of this year. And initially back in the fall of the year there were eight in number. These are things that are part of or carry on beyond the budget for which we must address financially. We've now been able to whittle those down because of the cooperation of Sheriff St. Lawrence and also that we've had some favorable midyear experience with utility rates. We still must address the maintenance of effort requirement in the library before the 30th of June, we must, in effect, deal with the Teleride issue that Mr. Lansing brought to your attention because the County does have an obligation there. We have a nip-and-tuck situation we brought to your attention before, during and after the budget was adopted. We do have some capital murder trials, which we all understand are going on right now, and then we have as a result of the LOST negotiations, we have a responsibility to maintain ditches in the —, throughout the County and now there must be an acknowledgment and shifting of dollars to Mr. Drewry to allow Public Works to do it, and the last thing is, and this maybe will show the almost hand-to-mouth existence that we're in right now, we have to find the money for the SPLOST election which is now being set. Now if you were to total all those up and if you look at your financial report, our best estimate right now that's just about a million dollars and change. We do not have the cost of the capital murder trials, excuse me. That will depend on how many more will be set during this budget year. I feel it is only financially prudent to take steps now to hedge your bet so that we'll be able to deal with this because when we first addressed these issues with you, we hoped, and you did do, set up a special contingency account that as revenue came in from housing prisoners, we take that money aside —, the prisoners of municipalities —, and that would give you your cushion. Your second cushion would be, and I know this is not —, has not been received well by y'all, in a few weeks we'll be selling property on the Richardson Creek, there will be some money coming in there. Many of you very legitimately have asked that some of that at least be put into the reserve accounts —. Commissioner Rayno said, 50% is our policy. County Manager Abolt said, — and then there was a need, as you know, to replace vehicles within the M&O budget, so that the —, I mean, the dollars and choices are minimal and unfortunately very apparent between now and the end of the fiscal year, so over and above the financial report you have in front of you, I'm making a recommendation that for M&O Departments, property tax supported positions, you in effect put a freeze on them until we can give you your third quarter financial report in May. This is not fully going to solve all of our problems. I was given information today from Sheriff St. Lawrence, the bills are going out on housing municipal prisoners and we'll start to see money coming in in that regard, but I want to put you in the most fiscally of conservative positions come May to make decisions that are still in hand when it comes to meeting all of these financial obligations.

Vice Chairman Thomas recognized Sheriff St. Lawrence.

Sheriff Al St. Lawrence said, Dr. Thomas and members of the Commission, I've already talked to the Manager. I just can't do that with the officers and the records people. Records people —, I've got one resigning today. This is where the billing is done and the court dockets are done, and I don't have but four —, five people in there. Officers, they're

going to cost me time and a half as opposed to straight time. Now, just to me there's no advantage to not hiring them because I'm going to pay time and a half. The posts have got to be manned. The only other exception is the records department. I've got to keep that going so I can keep the billing going and everything else going. So I just can't —, I can't put a freeze on hiring the officers. As a matter of fact, we issued invitations to nine earlier this week to come to work and I guess they're giving notices on their jobs, but it's just something we've got to keep up with, and I don't want to pay time and a half for people to man those posts when I can pay straight time.

Commissioner Rayno asked, can I ask some questions of Russ [Abolt]? Vice Chairman Thomas recognized Commissioner Rayno. Commissioner Rayno asked, how did you acquire the figures for the health projections? County Manager Abolt said, the projections —, and I'll have Mr. White come forward. You'll notice in the analysis, they carried forward their obligations from the last health care provider, looked at our experience. We just got a savings of 400 and some thousand dollars based on actual month-to-month experience. We are assuming that the balance that must be required to balance the budget of about \$1.1 million will be forthcoming. Commissioner Rayno said, so you talked to the last health care provider, have you talked to the new health care provider? County Manager Abolt said, this is not talking, this is actual claims received, and that's what you have in front of you is the month-to-month experience. Commissioner Rayno asked, is it possible that the new health care provider might have different figures than what you've given us to make determinations on? County Manager Abolt said, I don't know where he would get them. As far as I know, Mr. Hardeman requested this information of Finance staff. We committed to you back in the Spring that we would monitor this thing month-to-month and that's the actual month-to-month experience you have based on what the County has paid for claims received. Commissioner Rayno said, well, it's interesting that you didn't double check with the new health care provider considering the fact that he feels your numbers are way off. County Manager Abolt said, I don't understand the question. Our numbers are based on actual claims and dollars disbursed. Commissioner Rayno said, well, your figures are way low according to some of the people there. County Manager Abolt said, I don't know who some of the people are. This comes from Finance and based on what we're outlay each month. Commissioner Rayno asked, could you possibly talk to them to figure out why there's a difference? County Manager Abolt said, I was not aware there was a difference. Certainly Mr. Hardeman is welcome to talk to Mr. White. My understanding in talking to Finance staff is that Mr. Hardeman did come to us and get the numbers. He's had them for a couple of weeks. If he has disparity with them, we'll be glad to contact him and find out what the disparity is. Commissioner Rayno asked, so you will do that? County Manager Abolt said, of course. Commissioner Rayno said, okay, good. On page 14 —.

Mr. Reese White asked, could I ask you a question please? Commissioner Rayno said, yes. Mr. White asked, what —, specifically what numbers were different because I want to make sure I know what to talk with Mr. Hardeman about? Commissioner Rayno said, well, there was a projection that would be a savings —, I'm just thinking off the top of my head —, it was like \$1.8 million or something like that, and Russ [Abolt] said it was going to come in far lower than that when in fact there has —. Mr. White said, I thought it was \$1.5. County Manager Abolt said, \$1.5. Commissioner Rayno said, \$1.5. Mr. White said, and what we're showing on page 39 is there, compared to, you know, the first six months, we've saved like just over \$417,000, and I think we also said that we anticipate the savings rate will increase because this year you've been paying both Blue Cross and Blue Shield and USI for the run-out claims. The run-out claims, the trend I'm looking at here on page 39 indicates that the run-out —, I'm sorry —, that the run-out claims, they look like they're almost finished. So —. Commissioner Rayno said, they are almost finished. Mr. White said, so —, so the last six months of this year I would anticipate, if this average monthly expenditure holds true for Blue Cross/Blue Shield, I would expect that your savings will accelerate during the last six months. Commissioner Rayno said, yes, dramatically, and we're trying to make a decision today based on very, very low projections without talking to the new health care provider —. County Manager Abolt said, no, sir. If I may, you're not making a decision on the hiring freeze based on anything to do with Blue Cross/Blue Shield. I'm making the assumption midyear that they will meet their goal. When I portray this million and change that we have not covered, I am assuming that Blue Cross/Blue Shield will deliver what they promised you.

Commissioner Rayno said, okay, on page 14, how do revenue accounts go negative, specifically in real estate transfer and in State reimbursement to Law Clerk for the Supreme Court —, Superior Court Library? How do revenue accounts go negative? Mr. White said, I don't have an answer for that, Commissioner. All I can do is check in —, talk with the Chief Accountant and get an answer for you. Commissioner Rayno asked, well, did you look over this report before it was given to us? County Manager Abolt said, not this part of the report. I looked at the percentages and I was concerned about the percentage total from revenues and expenditures and knowing both cases were less than 50% going midyear into it. Commissioner Rayno said, uh huh. On page 15, commission from the Board of Education. Isn't it our policy to collect from them and by law we're supported to make quarterly collections from them for that sales tax collection? I know this is under dispute now, but it shows for the first half of the year we've only collected \$5,002. Have we not reconciled that account yet? Mr. White said, I've questioned the accounting staff on that. They've booked that into property taxes because they don't have —, they don't have the information yet to break it out. They were working with Danny Powers' group to break that out so that it's in your total revenues, but it's not broken out between property tax and —, and commission. Commissioner Rayno said, how about something a little bit more simple like the Weightlifting Center. We've only collected \$1,788 for half the year and their budget is \$30,000? Mr. White asked, what page is —? Commissioner Rayno asked, have we not reconciled that account yet? Vice Chairman Thomas said, page 15. Commissioner Rayno asked, Russ [Abolt], did you question this one? County Manager Abolt said, no. You're looking at a Weightlifting Center already. We pointed out this past week their participant's account is in question. On page 46 we show you our midpoint summary based on revenues and expenditures in Weightlifting. Commissioner Rayno asked, how about the Aquatic Center showing a negative revenue? How do you show a negative revenue for the Aquatic Center? County Manager Abolt said, I think we're showing a balance, a subsidy of \$12,686. Commissioner Rayno said, not on page 15. County Manager Abolt said, I'm sorry —. Commissioner Rayno said, it's showing \$48 negative. Mr. White said, yeah, I think that revenue simply hasn't been booked yet. We're still running

behind on booking some of our revenues. County Manager Abolt said, page 47 brings you up to date midyear on the Aquatic Center.

Commissioner Rayno said, okay, on page 16 on the indirect cost allocations. Are they made in two payments whereas one payment is made in the first half of the year and then a payment is made in the second half of the year? Mr. White said, that's my understanding. In talking with the accounting staff, they book a general entry for one-half of the budgeted amount. Commissioner Rayno said, okay. On page 17 with the Law Library reimbursement we've received no money whatsoever. Is that grant money that refunds that? County Manager Abolt said, no. That's charges based on fines assessed, I believe. Commissioner Rayno said, okay, so we've gone through half the year and we've not received any of that money from them. We're obviously not gaining any interest on money that's not in the account so I'm assuming that the Law Library is gaining the interest on it, but not us. Is that correct? County Manager Abolt said, the Law Library is a stand-alone account. Commissioner Rayno asked, okay, so why haven't we collected any money for the first half of the year? County Manager Abolt said, I'll defer to Mr. White for specifics. Mr. White said, again, I think that's a problem with the booking of the revenue. I don't have the answer for all of these, but I'm guessing because money —, we've gotten the cash, put it in the cash account and just haven't gotten to the point where we can [inaudible] the revenue. Commissioner Rayno asked, so there's no accounting for it then? I mean, this is computerized. The account will be corresponding to 33.70001 and you would be able to look it up on the computer as to where it is. Mr. White said, and I think what happened was early in the fiscal year when we started the new fiscal year, the —, all the account codes weren't established, okay, so when the cash would come in they would book the cash and they're going back after the fact to classify it as appropriate revenue.

Commissioner Rayno said, okay, on rent revenue, does that represent houses that we rent out in the County? This is the last item on page 17. Is rent revenue having to do with houses that we rent out? Mr. White said, I do not know. County Manager Abolt said, it would not be —, if it's in the M&O it would not be because, in effect, all that money would be going back into our road program. Commissioner Rayno asked, so what is it rent for? Mr. Read DeHaven said, it's my understanding that revenue is a small amount of money that we do get from the State of Georgia for some office space for a couple of judicial positions from one of the judicial circuits, and that comes in typically in one or two payments per year. It's not a monthly amount. Commissioner Rayno said, oh, it comes in in one payment so that's why we've only received \$200. Okay, thank you. On page 19 on Administrative Services, which is the bottom of General Government, it's running at 57.81% right now for the half year. Mr. White said, yes, sir. Commissioner Rayno asked, why is that? County Manager Abolt said, as we've pointed out, that's one of our many problem areas in the nip-and-tuck. Administrative Services is essentially records management. They've taken a whammy as far as cuts. If you look at the budget analysis, I'll give you the exact page because this is very important for you to understand how difficult some of our cost centers are in operating. Look at page 11, Administrative Services. We forecast a \$66,000 problem in there, the reason being is the savings that were estimated when y'all made cuts in the budget were not real savings and so, in effect, we're looking at —.

Vice Chairman Thomas said, excuse me, and I hate to cut in, but we're not going to have a quorum and we need to —, just for a second if we can just recess for —. Commissioner Rayno said, okay, that's fine. Vice Chairman Thomas said, — recess for a few minutes. [NOTE: A brief recess was taken so that a quorum could be restored.] Vice Chairman Thomas said, we will now reconvene as the County Commission and resume the discussion.

County Manager Abolt said, with your permission, Dr. Thomas —, I'm sorry.

[NOTE: County Attorney Hart interrupted the discussion to seek approval of the Commission for the SPLOST resolution and intergovernmental agreement.]

County Manager Abolt said, Dr. Thomas and Commission members, please go back to page 11 of the staff report, which is your midyear financial report, and this emphasis what we've been saying for some time now that we have some problems, and I want you as you look at the category of departments, technically these aren't even departments, these are divisions, cost centers, within departments. Commissioner Rayno asked me the question about Administrative Services. Really it's a function within Human Resources and Services. This is all of our records management plus it's the folks that print up the agendas and deliver the mail. We had mentioned that when you looked at savings that were derived based on 11 months of financial experience last year, those savings were not complete, they were not accurate, and we also have situations in here where in addition to cuts made based on savings that were not realized, there were positions frozen. The long and the short of when you look at actual dollars, when you look at page 11, we've identified six of those cost centers where we've forecast a problem between now and the end of the budget year. Commissioner Rayno asked me a specific question on Administrative Services, I took the liberty of including those other depart—, divisions —, sections, excuse me, that also we perceive a problem for which we believe we have to have dollars by the end of the year to cover that problem.

Commissioner Rayno said, on page 25, Fines and Forfeitures, Records Court, Revenue Section, minus \$160. Once again you've got a revenue column in the minus category. Any reason why? Mr. White said, the reason for each of those regarding the courts is the fact that some of that court revenue simply hasn't been properly recorded yet. The cash may have come in to us and we had —, when it comes in, we put it in the bank. The system —, the new system wasn't set up at first to book all that revenue and so the revenue —, the cash would have been deposited, but the revenue wouldn't have been recorded yet. It's backlogged is what I'm trying to tell you. Commissioner Rayno asked, so you haven't reconciled the accounts is what you're saying? Mr. White said, what I'm saying is that we haven't been able to break down all that revenue yet and book it properly. Commissioner Rayno said, so money comes in, it's thrown into an account and nobody acknowledges it's there until later on. Is that what you're saying? Mr. White said, well, I'm saying we deposit the money into a bank account, okay. Commissioner Rayno asked, and how come it's not

immediately put into a computer system at that point in time like anybody else does? Mr. White said, because there are intermediate steps that have to be taken in order to break it down and book it correctly. Commissioner Rayno said, well, you know, I've met with other counties and they don't seem to have this problem that we have in Chatham County, and I'm just trying to figure out, you know, you need to explain to me why it's so difficult for us to do it in Chatham County but in other municipalities they can get it done and they have actual reporting of how much money is in an account. Mr. White said, perhaps those other counties that you were talking to were not installing a new system at the time. Commissioner Rayno said, this has been an on-going problem prior to the system. County Manager Abolt said, we acknowledged that, that's why we put the system in. We have cash —, we have a cash pool that allows us to maximize interest. Where we have been slow in the past is the reconciliation. The concept of the pool of cash is very good because it uses the resources that come in to be interest income. Where we've been slow is, in effect, as Mr. White has said, booking that to individual accounts.

Commissioner Rayno said, okay, on page 25 under Miscellaneous Revenue, what constitutes miscellaneous revenue for the Special Service District? Does anybody know? Vice Chairman Thomas asked, where is that? Commissioner Rayno said, it's —, it's the one with the little plus by it down there. County Manager Abolt said it's \$39,000 for the year. I —. Commissioner Rayno asked, does anybody here know what miscellaneous revenue is for the Special Service District? Anybody here in accounting? Commissioner McMasters asked, anybody in the room? Mr. White said, I'm sure that it's established to pick up any revenue that's not appropriately applied to one of those other categories. Commissioner Rayno said, well, it's at a minus right now, \$563, and nobody's concerned we don't know what it is. County Manager Abolt said, well, the overall estimate for the whole year is only \$39,980. We'll be glad to get the answer for you. Commissioner McMasters asked, only? Commissioner Rayno said, the point is it's at a minus. Why is there \$563 missing from this account and nobody even knows what the account is. I'm suggesting here by all these questions that we don't have a handle on how we're running the finances. County Manager Abolt said, that's not fair to say, sir. We do have a handle —. Commissioner Rayno said, [inaudible] answer a question as to what this account is. County Manager Abolt said, [inaudible] with specificity of \$39,980 for the entire year. What may very well have happened, and will defer to Mr. White to research it in effect. They made an initial incorrect entry and now they're recognizing it, but for \$39,980 for a 300 and some-odd million dollar budget, we'll be glad to get you that answer. Commissioner Rayno said, sure, it's just peanuts and all these peanuts are adding up into big amounts and then you come and tell us there's a big budget crisis coming upon us or cash flow crisis, yet we don't know where this money is. We don't know why it's not logged into an account. We have no accounting for it. We have computers that can track these numbers, but we don't know where the money is. County Manager Abolt said, sir, I'm not telling you we have a crisis. I'm indicating what we've told you repeatedly. We have some serious problems that staff is fully committed to address. We have some problems in the Finance Department which are also documented. Mr. White has done an outstanding job of bringing us through that crisis. Part of it has to do with installing a new computer system which we have, but in the context again of the budget challenges we face, based on \$39,980 from the standpoint of priority, we'll get it to you as soon as we can. Mr. White said, I don't want to —. Commissioner Rayno said, I don't think we should be prepared to make any choices today as to what to do with this LOST money that we've got —. County Manager Abolt said, sir, I don't —. Commissioner Rayno said, — when we don't have accurate information. County Manager Abolt said, your readiness is what you want to evaluate. Please understand, as I said with health care, everything in this interim report is not the reason why I asked you to freeze positions. The reason I asked you to freeze positions are for the very reasons I've given you now for several months. We have some expenditures that we've identified that have not been covered in the budget. If you go through this budget year much longer, your options to solve that problem will become less and less and less. Commissioner Rayno said, well, I'd be in a position to freeze positions with the exception of the Sheriff's Department because we obviously know what he's told us he's going to do and —.

Commissioner McMasters asked, would you yield for a second? Commissioner Rayno said, yeah. Commissioner McMasters said, I would encourage you to modify that to not freeze Library positions because it's going to directly affect their maintenance of effort, which is only going to compound and become a bigger and bigger problem because their budget wasn't handled properly to begin with. So if you'd amend that, I'd appreciate it.

Commissioner Rayno said, I make a motion to freeze positions with the exception of the Sheriff's Department and the Library.

Commissioner Murray said, if we're going to do that, I think it needs to be all law enforcement. County Manager Abolt said, I would not ask you to do it —, there's not a problem with it in the SSD budget. Commissioner Murray said, well, I understand there's not, but I don't want to see us —. Never mind, just go ahead.

Vice Chairman Thomas asked, is there a motion and a second? Commissioner McMasters said, I second that. Vice Chairman Thomas asked, what was the motion again, I'm sorry? Commissioner Rayno said, just to freeze hiring with the exception of the Sheriff and the Library. County Manager Abolt said, these would be M&O tax supported positions. Commissioner Murray said, this is strictly M&O. Commissioner McMasters said, and I'll second that. Vice Chairman Thomas said, okay. Any further discussion? Hearing none, please vote. The motion carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

Commissioner McMasters said, before we leave this subject —, Sheriff, please feel free to go. This is more of an internal thing. I'd like to go down this road a bit more, if I may. Sheriff St. Lawrence said, thank you very much. Commissioner McMasters said, on page 11, we have heard some discussion about why Administrative Services is well over budget. Why is Purchasing well over budget? County Manager Abolt said, for the same reasons as I've given before. Essentially you've got some cuts that were based on savings that were not realized, plus you also had some positions that were frozen. Commissioner McMasters said, okay. County Manager Abolt said, that is not a department,

that is a division. Commissioner McMasters said, it's still County money. County Manager Abolt said, I'm sorry, I'm not saying —, but when the motion was made, and you got a very good discussion about an hour ago about across-the-board, there were some across-the-board cuts made or there was a segregation of one element of the budget in M&O called General Government. That's what you're seeing right here. Commissioner McMasters asked, Russ [Abolt], do you consider the Library part of General Government? County Manager Abolt said, no, sir, not from the standpoint of the definition in the budget. Commissioner McMasters said, okay. Our Internal Audit almost \$50,000. What's the explanation for that? County Manager Abolt said, same thing, frozen positions and not enough money based on inappropriate assumptions as to savings to be realized. Commissioner McMasters asked, we didn't give you enough money to begin with? County Manager Abolt said, no, sir, you did not. We had this discussion before. You did not give us enough money to do this. Commissioner McMasters asked, but didn't you say you would make it work? County Manager Abolt said, yes, sir, and we did make it work from the standpoint of aligning the cuts, and I did exactly what you told me to do. I told you —, I don't mean that the way it sounds. We advised you before you made the motion, when you made the motion, we came back in September and told you from the standpoint of the assumptions on savings, they will not be realized, plus we had the double whammy of taking some of these departments just by the luck of the draw and freezing positions. The monies from those positions could not go back into those cost centers. They went into the entire General Fund to balance.

Commissioner Rayno asked, so you never instructed your departments to live within their means and make the cuts that were the will of the Commission? County Manager Abolt said, of course, I did, sir, but that's not the issue. The issue is problems were related to you based on the wrong information you used to make the budget.

Commissioner McMasters asked, who gave us that information? County Manager Abolt said, I gave you all that information, which in effect told you that the numbers were not good. Not only that, you would not give me the direction, you would not give me, in effect, the opportunity to go beyond these departments which aren't departments to make these cuts, and we told —, Mr. Leonard told you, the Elections people told you going into it the cuts that you were making and the confined way in which you were doing it were not workable.

Commissioner Rayno said, you said that you would make it work and that's in the minutes. You said give me the discretion to make the cuts and I will make it work. County Manager Abolt said, and I did and the cuts were made by each one of these divisions. I told you going into it we would have problems and in effect what I told you consistently is that from the standpoint, number one, you did not want to make layoffs and, number two, within reason there was some expectation that LOST revenue somewhat in that negotiation would give you some choices, and it has and I was willing to accept this, and you all, I believe, understood going into it that that was the way in which we attempted to deal with these problems. Just like, for example, the fact that the Public Works Department did not have the money to do countywide ditch maintenance when it comes from the standpoint of the eventual LOST agreement. You did not have the LOST agreement until the end of the calendar year. This budget was adopted in late August.

Commissioner McMasters said, last thing, Dr. Thomas. Russ [Abolt], are you absolutely clear that that LOST money stays in a contingency reserve account? County Manager Abolt said, sir, yes, you've established that account. At my recommendation it's on your —, each time you get a contingency report it is there. All I'm telling you is that as the money comes in I believe it's fiscally responsible to recommend to you continually that that money be used for certain unmet obligations that we've identified consistently. Commissioner McMasters asked, did you project these numbers getting any higher as we move into the second half of the fiscal year? County Manager Abolt asked, which numbers? Commissioner McMasters said, page 11. County Manager Abolt said, this is a midyear report, sir, I cannot give you a —. Commissioner McMasters said, you have problem, problem, problem. County Manager Abolt said, it's not going to go away obviously. Commissioner McMasters said, yeah, but is it going —, how much worse is it going to get? County Manager Abolt said, sir, I —, Board of Registration is a good example. I mean, I don't know. You've got a special election. They're going to be out reaching to get people registered. That was not forecasted when they put their budget together. Board of Equalization, they're in the middle of doing all that now. I have no idea what their experiences are.

Commissioner Rayno said, but in stance, Administrative Services, have you instructed them to cut back and slow down on their spending? County Manager Abolt said, well, certainly. They're living within their means. We had to shift \$15,000 in to handle overtime. This is the record filing. When your judges come to you and they say they cannot get the records filed, they cannot retrieve records, this is Administrative Services. This is a small element of a department called Human Resources and Services.

Commissioner McMasters said, maybe you'll be able to make it up in those other elements of that —, those departments. County Manager Abolt said, well, sir, I'm attempting to make it up from the standpoint of —, with your discretion, make up a little bit from salary savings, but I would hope with the LOST revenue, which really isn't LOST revenue, is from the jail you'd be able to use those judiciously, and I don't mean that in a critical way, to cover these legitimate expenses. I mean —, only to prove the point, which I'm not trying to make it sound ridiculous, but the fact that we've got \$132,000 we've got to find for the election that's going to come up in one month.

Commissioner Rayno said, that's a legitimate expense, but it just seems to me in some of those departments there's not been enough direction from the upper management to slow them down a little bit. County Manager Abolt said, that's your evaluation. I respect that. Sir, remember these are not departments, these are elements of departments. They're caught up in a motion to cut a category in budget defined by specific accounts called General Government, and you gave me little or no discretion there. I did what you told me to.

Commissioner McMasters said, but in all fairness, Russ [Abolt], you know, Jeff [Rayno] has gone through this fairly well and has identified 15, 16, 18 different areas that, quite frankly, staff doesn't have an answer for so —. County Manager Abolt said, sir, like anything else dealing with budget where there's many questions that will come up, we will fully get those to you. Remember please my recommendation to freeze is not based on the documentation in the midyear report. My recommendation to freeze is based on what I've identified for you over a million dollars in expenses we have to cover between now and the end of the year, and I've identified them. We can always perfect the accuracy of our information, and I would never commit to you a course of action that would put you in a dangerous position. I feel it behooves you to freeze the positions, what you've done, to preserve as many options you have before the fiscal year ends.

Vice Chairman Thomas said, I think that the County Manager has actually answered your questions. Those that he cannot answer, he will get answers for. We can stay on this from now until tomorrow and we still wouldn't have all the answers and I think we need to come to a conclusion here and let's take a vote. Do we need a motion? Commissioner Rayno said, there's a motion on the floor. Commissioner McMasters said, I think we voted. Vice Chairman Thomas asked, oh, we already —? Did we vote? There's nothing on the floor, right? The Clerk said, there is no action on the floor. Commissioner Rayno said, the freeze was carried. The Clerk said, yes. County Manager Abolt said, that was the only action, Dr. Thomas. Vice Chairman Thomas said, okay, thank you.

ACTION OF THE BOARD:

Commissioner Rayno moved that the County freeze the hiring of all M&O tax supported positions except as to the Sheriff's Department and the Library. Commissioner McMasters seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

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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.)

Vice Chairman Thomas said, now we'll move to the Action Calendar. Commissioner Rayno asked, could you please pull number 11, Dr. Thomas? Vice Chairman Thomas said, number 11. Commissioner Rayno said, yes, please, and H. Vice Chairman Thomas said, H. Commissioner Rayno said, no, forget H, and then I. Commissioner McMasters said, D. Vice Chairman Thomas said, you said E. Commissioner McMasters said, D as in dog. Vice Chairman Thomas said, D.

Commissioner Rayno said, I make a motion to approve the balance of the Action Calendar. Commissioner Murray said, second. Vice Chairman Thomas asked, any discussion? Hearing none, please vote. The motion carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.] Vice Chairman Thomas said, the motion is carried.

ACTION OF THE BOARD:

Commissioner Rayno moved that the Action Calendar be approved in its entirety with the exception of Items 11, 12-D and 12-I. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter 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 FOR THE REGULAR MEETING OF JANUARY 24, 2003, AND THE SPECIAL CALLED MEETING OF FEBRUARY 4, 2003, AS MAILED.

ACTION OF THE BOARD:

Commissioner Rayno moved to approve the minutes of the regular meeting on January 24, 2003, and the special-called meeting on February 4, 2003, as mailed. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JANUARY 15 THROUGH FEBRUARY 4, 2003.

ACTION OF THE BOARD:

Commissioner Rayno moved that the Finance Director is authorized to pay claims for the period January 15, 2003, through February 4, 2003, in the amount of \$9,808,332. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

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**3. REQUEST BOARD APPROVAL FOR THE INSTALLATION OF A STREETLIGHT AT THE FOLLOWING INTERSECTIONS: CHEVIS ROAD AND WILD HERON ROAD; AND CHEVIS ROAD AND WALTERBORO ROAD.
[DISTRICT 6.]**

ACTION OF THE BOARD:

Commissioner Rayno moved to approve the installation of a streetlight at the following intersections: Chevis Road and Wild Heron Road, and Chevis Road and Walterboro Road. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

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**4. REQUEST FROM CHRISTOPHER M. AND KARLEEN H. RUSSELL, 1717 WILMINGTON ISLAND ROAD, FOR THE COUNTY TO DECLARE THE PORTION OF 2ND STREET RIGHT-OF-WAY BEHIND THEIR PROPERTY ON WILMINGTON ISLAND AS SURPLUS AND TO QUITCLAIM THE PROPERTY.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Rayno moved to approve the request from Christopher M. and Karleen H. Russell, 1717 Wilmington Island Road, for the County to declare as surplus the 60-foot by 120-foot portion of 2nd Street right-of-way behind their property on Wilmington Island (Lots 197 and 198, South Point, PIN 1-0099-04-0222 and 2A) and quitclaim the property. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

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**5. REQUEST FROM THOMAS & HUTTON, AGENT FOR SOUTHBRIDGE DEVELOPMENT COMPANY, TO APPROVE THE CONSTRUCTION OF THE REQUIRED IMPROVEMENTS, RELEASE THE LETTERS OF CREDIT, ACCEPT A MAINTENANCE BOND AND INITIATE THE TWELVE-MONTH WARRANTY PERIOD FOR SOUTHBRIDGE PHASES 16A, B, C, AND D.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Rayno moved to approve the request from Thomas & Hutton, Agent for Southbridge Development company, to approve the construction of the required improvements, release the letters of credit, accept a maintenance bond and initiate the 12-month warranty period for Southbridge, Phases 16A, 16B, 16C and 16D. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

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6. REQUEST BOARD APPROVE EARLY ACQUISITION OF PROPERTY OWNED BY ELLIS A. PHILLIPS LOCATED ON OSTEEN ROAD, BLOOMINGDALE, FOR THE JIMMY DELOACH

**PARKWAY, PHASE II, WIDENING PROJECT FOR THE PURPOSES OF CORRIDOR PRESERVATION.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Rayno moved to approve the request for early acquisition of property owned by Ellis A. Phillips located on Osteen Road, Bloomingdale, for the Jimmy DeLoach Parkway Phase II Widening Project for the purposes of corridor preservation. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

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7. REQUEST BOARD ADOPT A RESOLUTION AND ENTER INTO A CONTRACT WITH THE GEORGIA RURAL WATER ASSOCIATION FOR A FLUORIDATION GRANT.

ACTION OF THE BOARD:

Commissioner Rayno moved to adopt a resolution and enter into a contract with the Georgia Rural Water Association for a Fluoridation Grant to reimburse the County for the purchase and installation of a water fluoridation system for eight County-owned potable water supply wells and pay up to a one-year supply of chemicals, testing equipment and training for all applicable personnel. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

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8. REQUEST BOARD DIRECT THE COUNTY ATTORNEY TO DRAFT AN ORDINANCE THAT WOULD ALLOW FOR COST RECOVERY OF EXPENSES RESULTING FROM HAZARDOUS MATERIAL INCIDENTS OCCURRING WITHIN CHATHAM COUNTY.

ACTION OF THE BOARD:

Commissioner Rayno moved to direct the County Attorney to draft an ordinance that would allow emergency response agencies in Chatham County to recover extraordinary expenses resulting from hazardous material incidents occurring within Chatham County. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

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**9. REQUEST FOR RENEWAL OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2003. PETITIONER: DAVID S. OLIVER, D/B/A FOREST CITY GUN CLUB, LOCATED AT 9203 FERGUSON AVENUE.
[DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Rayno moved to approve the petition of David S. Oliver, d/b/a Forest City Gun Club, located at 9203 Ferguson Avenue, for renewal of beer, wine and liquor pouring license for 2003. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

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**10. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER POURING LICENSE FOR 2003. PETITIONER: RUSSELL C. DAWES, JR., D/B/A SANTINO'S INC., LOCATED AT 5548 OGEECHEE ROAD.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Rayno moved to approve the petition of Russell C. Dawes, Jr., d/b/a Santino's, Inc., located at 5548 Ogeechee Road, for renewal of Sunday sales of beer pouring license for 2003. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

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11. **REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR LICENSE FOR 2003.**
 - A. **PETITIONER: GREGORY T. MARINI, D/B/A RUBY TUESDAY RESTAURANT, LOCATED AT 590 HENDERSON BOULEVARD. [DISTRICT 7.]**
 - B. **PETITIONER: NAM MA, D/B/A KANPAI JAPANESE RESTAURANT, LOCATED AT 140 JOHNNY MERCER BOULEVARD, SUITE A. [DISTRICT 4.]**
 - C. **PETITIONER: ROBERT DOSTOR MIMS, III., D/B/A STEAMERS RESTAURANT & RAW BAR, LOCATED AT 1190-C KING GEORGE BOULEVARD. [DISTRICT 6.]**
 - D. **PETITIONER: MARIA ARRIETA, D/B/A CANCUN MEXICAN RESTAURANT II, LOCATED AT 216 JOHNNY MERCER BOULEVARD. [DISTRICT 4.]**
 - E. **PETITIONER: HEIDI ZHANG, D/B/A SAKURA PLACE, LOCATED AT 1190 KING GEORGE BOULEVARD, UNIT A-4. [DISTRICT 6.]**
 - F. **PETITIONER: MARY ELIZABETH GARRETT, D/B/A THE SHELL HOUSE RESTAURANT, LOCATED AT 8 GATEWAY BOULEVARD, WEST. [DISTRICT 7.]**
 - G. **PETITIONER: JOHN ROBERT TURNER, D/B/A ISLAND OYSTER BAR, LOCATED AT 444 JOHNNY MERCER BOULEVARD. [DISTRICT 4.]**
 - H. **PETITIONER: JOHN R. TURNER, D/B/A PEARL'S ELEGANT PELICAN, LOCATED AT 7000 LAROCHE AVENUE. [DISTRICT 3.]**
 - I. **PETITIONER: CHERI STOKES KELLER, D/B/A JANIE ARKWRIGHT'S KITCHEN, LOCATED WITHIN KELLER'S FLEA MARKET LOCATED AT 5901 OGEECHEE ROAD. [DISTRICT 6.]**
 - J. **PETITIONER: DONNA M. LOVE, D/B/A LOVE'S SEAFOOD RESTAURANT, LOCATED AT 6817 BASIN ROAD. [DISTRICT 6.]**

- K. PETITIONER: WILLIAM MICHAEL FOSTER, D/B/A WILMINGTON ISLAND CLUB, LOCATED AT 612 WILMINGTON ISLAND ROAD. [DISTRICT 4.]**
- L. PETITIONER: HARRY KYRIAKIDES, D/B/A UNCLE HARRY'S BAR, LOCATED AT 12 NORTH LATHROP AVENUE. [DISTRICT 8.]**

Commissioner Rayno said, Dr. Thomas, I would like to separate out letter L from the rest of the petitioners and I make a motion to approve the balance with the exception of L. Commissioner Murray said, second. Vice Chairman Thomas asked, any discussion? All in favor. The motion carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

Commissioner Rayno said, Chief Sprague can probably answer this for me. Is Uncle Harry's Bar a strip bar? Vice Chairman Thomas said, it's in my district. Chief Sprague said, the Uncle Harry's question came up on a license about five years ago and it was debated by the Commission and the license was granted or renewed. From our inspection and looking over our traffic on Uncle Harry's, we found nothing where Uncle Harry's was placing itself in a position for its license to be denied. Now with regard to a strip club, I'm not sure. I don't —, I've never been to the place myself, but our investigators do go in occasionally just checking. I don't believe it's registered as a strip club and if there are some stripping actions going on there, they're beyond my knowledge at this time, but they have occurred.

Commissioner Rayno said, I make a motion to deny. Commissioner McMasters said, I'll second it. Ms. Emily Garrard said, sir, point of order. If staff has recommended approval under the ordinance, then there must be a basis for recommending the denial. Commissioner Rayno said, perhaps there should be a determination of whether or not this is a strip club. Is there any restrictions on a strip club and alcohol on Sundays?

Vice Chairman Thomas said, let me say something. This is in my district and I go by there. I haven't been in there so I don't know what goes on inside, but, you know, I have not heard anything at all. So I would not vote in favor of —, I would not vote to deny them at this time unless we can prove that something is inadequate there.

Chief Sprague said, if I may, Commissioner Rayno, if we were obtaining information from sources that that type of activity was occurring there, we would have sent investigators in on a more frequent basis or specifically for that purpose, and I'd also say that at the next Commission meeting on the 28th for the Commission's decision we have recommended denial of renewal of a license on two businesses at the south end of the crime corridor, and those owners will be represented. So what I'm saying is, when the police —, when we have reason to recommend denial based on fact and investigation, that we do bring that to the Board for that denial.

Commissioner McMasters said, well, I guess it's the Assistant County Attorney's opinion that we can't proceed then. Commissioner Murray said, withdraw the motion and make another motion. Ms. Garrard said, yes, sir, you'd have to —, if you were going to move to deny the license, then you would have to provide a due process hearing and you'd have to have evidence on which to base such a motion.

Commissioner Rayno said, I'll withdraw my motion. Commissioner McMasters said, likewise for the second.

Vice Chairman Thomas asked, so we move for approval? Do we have a motion? Commissioner Murray said, yeah, I'll make the motion. Vice Chairman Thomas asked, do we have a second? Commissioner Gellatly said, second. Vice Chairman Thomas said, all in favor of the motion for approval. Commissioners McMasters, Murray, Gellatly and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of four to one. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.] Vice Chairman Thomas said, thank you.

ACTION OF THE BOARD:

1. Commissioner Rayno moved to approve the petitions enumerated in Items 11-A through 11-K for renewal of Sunday sales of beer, wine and liquor pouring license for 2003. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]
2. Commissioner Murray moved to approve the petition of Harry Kyriakides, d/b/a Uncle Harry's Bar, located at 12 North Lathrop Avenue (Item 11-L), for renewal of Sunday sales of beer, wine and liquor pouring license for 2003. Commissioner Gellatly seconded the motion. Commissioners McMasters, Murray, Gellatly and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of four to one. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Declare as unserviceable surplus and sell at a public auction or dispose of as scrap material older vehicles and miscellaneous repair parts which cannot be economically repaired	Fleet Operations	N/A	N/A	Revenue Producing
B. Declare as unserviceable for further County use, grant a waiver of disposal method, and approval to trade-in or sell the AccuVote Voting System	Board of Elections	N/A	N/A	Revenue Producing
C. Professional services contract to provide "as required" instruction and supervision of youth under the jurisdiction of Juvenile Court in a community service work program which operates on Saturdays	Juvenile Court	•Crystal Houston •Brenda Davis	\$14.00/hour	Supervision Fees collected by Juvenile Court
D. Revenue-generating lease of a multi-purpose room located at the Chatham County Aquatic Center	Aquatic Center	Starfish Aquatics Institute (aka Champion Corporation)	\$1,000/Month	Revenue Producing
E. Change Order No. 3 to the contract for University Drive relocation, Phase I project (Armstrong Atlantic State University) for construction of intersection	Engineering	Triangle Construction of Georgia, Inc.	\$23,854.35	•GDOT •Armstrong Atlantic State University
F. Change Order No. 3 to the contract for the construction for the Technology and Engineering (TEC) Campus Road for additional construction services	Engineering	Triangle Construction of Georgia, Inc.	\$30,452.17	•GDOT •SEDA •City of Savannah (100% reimbursable)
G. Annual software maintenance and support	Assessor	Terra Soft Systems, Inc. (sole source)	\$27,325	General Fund/M&O - Assessor
H. Grassing of Chevis Landfill	Public Works	Coastal Grass and Landscaping	\$10,350	Solid Waste Management Fund-Closure/Post-Closure
I. Award an annual revenue-generating contract for concessionaire services for the Tybee Pier and Pavilion	Parks and Recreation	Sold Cold, Inc.	\$45,000 revenue to County	Revenue Producing

As to Items 12-A through 12-H, except Item 12-D:

Commissioner Rayno moved to approve Items 12-A through 12-H, except Items 12-D. Commissioner Murray - seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

As to Item 12-D:

Revenue-generating lease of a multi-purpose room located at the Chatham County Aquatic Center; Aquatic Center; Starfish Aquatics Institute (a/k/a Champion Corporation); \$1,000/Month; Revenue Producing.

Mr. Michael Kaigler said, this is the weightlifting facility that's out at the Aquatic Center. The previous vender who was renting that space went out of business and went —, came back to the Board and the Board agreed to terminate that lease. We went for —, to solicit interest for firms who wanted to rent that facility. We had two vendors that came in and expressed interest. Both vendors sent a proposal for \$1,000 per month for —, to lease the facility and, because we had a tie, we drew lots and the firm Starfish Aquatics Institute of Savannah was determined to be the successful vender.

Commissioner McMasters said, how long have we been renting this? Mr. Kaigler said, ever since the Aquatic Center has been in operation. Commissioner McMasters asked, how long is that? Mr. Kaigler said, five years. Commissioner

McMasters asked, how many different contracts have we had? Mr. Kaigler said, this is just the second one we've had. Commissioner McMasters asked, and what was the rate —, monthly rate on the first one? Mr. Kaigler said, \$1,000. Commissioner McMasters asked, why did we not increase it over five years? Mr. Kaigler said, we went out and we solicited proposals for the space and this is what we got —, well, we got two interested parties.

Commissioner McMasters asked, Ms. Garrard, do we have the ability to set a minimum bid level when these bids go out? Ms. Garrard said, yes, but apparently this was just a request for proposal, but you could —. Commissioner McMasters said, in either case, bid or proposal —. Ms. Garrard said, you have the discretion to reject these and come up with a proposed fee, but that ought to be based on —. Commissioner McMasters asked, our experience? Ms. Garrard said, yes. Commissioner McMasters said, yeah, well, our prior experience is for five years we've been renting it at \$1,000, so if we have the ability, why does staff not take the lead and set a minimum bid number or proposal number? Why do we leave it open? Mr. Kaigler said, we could certainly do that, but having —, we haven't had anybody in that facility for a few months, several months, and we just wanted to see what was out there, and we only got two firms to even express an interest in renting that space. Commissioner McMasters said, I understand, but instead of the or best offer concept, what is also wrong with setting out a figure, taking proposals or bids, and if you don't reach that threshold, do it the other way? Mr. Kaigler said, we can certainly do that, sir. Mr. Kaigler asked, is this the first time it's —, you've thought of that? Mr. Kaigler said, in my memory I don't think we've set a minimum bid on leased space that we've had. Commissioner McMasters asked, do you think it might generate more revenue for us? Mr. Kaigler said, well, we can definitely check and see, but given the fact that we only had two firms that even expressed an interest, I don't know whether we'll get any more or not, but we'll definitely look at that. Commissioner McMasters said, okay. Not so much in this particular instance, but in the process in general —. Mr. Kaigler said, yes, sir. Commissioner McMasters said, — I would encourage you and your staff to take a look at the revenue history when you have an opportunity to put something out for bid or proposal and factor in some sort of an inflation or cost and set an acceptable level that bidding process should begin at so that anyone higher than that can still make a buck, but we're not giving it away. Mr. Kaigler said, yes, sir, we'll certainly do that.

Commissioner McMasters said, okay, I'll move for approval. Commissioner Murray said, second. Vice Chairman Thomas said, all in favor. The motion carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.] Vice Chairman Thomas said, motion is carried.

As to Item 12-I:

Award an annual revenue-generating contract for concessionaire services for the Tybee Pier and Pavilion; Parks and Recreation; Sold Cold, Inc.; \$45,000 revenue to County; Revenue Producing.

Commissioner McMasters asked, do you want to lead off? I'll follow you. Commissioner Rayno said, okay.

Vice Chairman Thomas said, Commissioner McMasters, and then we have someone in the audience that wanted to speak.

Commissioner Rayno said, according to your Facts and Findings Sold Cold honestly said that they would generate, according to what you said in here, \$45,000 a year and that Sweet Dreams would generate \$42,000 per year, but you failed to include within Sweet Dreams or Riptide Concessions, who were the prior operators of this particular facility, they've offered to do an in-kind amount of \$9,600 worth of minor repairs, janitorial supplies for the bathroom, doing custodial security and hostess services at the facility, which really puts their bid up to us as far as value to about \$51,600, far surpassing Sold Cold, who said they were willing to bid on that but didn't say that they would. Mr. Kaigler said, if you will look at —, referring to Facts and Findings #4, we did —, in the interest of full disclosure, we did include that in our Facts and Findings, and to let you know —, be aware that that proposal was out there. The bid document itself specified that we were only looking at concessions at the time and we didn't get —, none of the other bidders were aware that we even accepted a proposal to lump it together like that, but we did, in the interest of disclosure, we did put that in our report showing that we did get that proposal. And the Board certainly can accept that if they want, but we didn't solicit —, we didn't do that in the request —, the bid document. Commissioner Rayno asked, Riptide was previously doing all this stuff before. Mr. Kaigler said, yes, sir. Yes, sir. Commissioner Rayno asked, so why didn't you include it in the proposal that was sent out? Mr. Kaigler said, we did not —, we did not include that. Commissioner Rayno said, I know, but why didn't you? Mr. Kaigler said, because it's a separate contract and at the time the contract had not expired for custodial. This Board had two separate contracts, one for concessions and one for custodial and security. Commissioner Rayno said, so if we gave it to Sold Cold, then Riptide would still be going out there doing the janitorial work. Mr. Kaigler said, yes, sir. Commissioner Rayno said, we'd have two people there. Mr. Kaigler said, one of the things that the staff was looking at, if we decide —, if the Board decides to go with Sold Cold, we're going to look at combining these services when the current contract for custodial and security expires. Commissioner Rayno said, it just seems that the procedure would have be easier to just extend the contract of the one until the two ran out to the same deadline and then you put out the proposals and then you start to —, but instead we have to do it our typical way, a convoluted method of coming to fix this. Mr. Kaigler said, we are looking at combining both and, as we said, when the contract for custodial and security expires this year, we're going to look at combining both services because heretofore we hadn't had venders express interest in doing both. They either wanted to do one or the other, and this is the first that we heard that Riptide wanted to combine those and do both. Commissioner Rayno said, but they were doing it; you didn't have to hear about it, they were doing it.

County Manager Abolt said, please remember the context of this. Initially the Board asked, and we were on a fast track of getting this awarded by the end of the calendar year. You rejected that bid and we went back out, so time was not on our side and obviously the dynamics that Mr. Kaigler relates, that we related to you in the staff report, are valid, but it is clearly your direction to us to get this thing under private contract for the maximum amount of money possible.

We did that in December. That bid was rejected. You've come back now and proved the wisdom of your decision, you're picking up \$15,000 more a year based on the highest responsible bid.

Commissioner McMasters said, Russ [Abolt], you say our mandate was with the maximum possible revenue. The same question, why isn't there a minimum bid number on it for maximum possible revenue? Do you know how much it costs M&O to run the Tybee Pier? Mr. Kaigler said, approximately \$38,000 if you add in the —, what we pay for security and custodial and throw in extra for the supplies and minor repairs that we make. Commissioner McMasters said, well, my figures and, as I was told by one of the bidders, is a \$74,000 number. \$58,000 is M&O, \$11,250 is insurance and \$5,000 is utilities. Mr. Kaigler said, we were just looking at the supplies and the expenditures that we've had to date. Commissioner McMasters said, well, I'm submitting to you that the closer proximate cost for this facility is \$74,000 a year of taxpayer money. County Manager Abolt said, no. Commissioner McMasters said, yes, Russ [Abolt].

County Manager Abolt said, sir, if you look at page 49 of your midterm budget report, we show a budget allocation of \$54,000. Commissioner McMasters asked, does that include insurance and utilities, Russ [Abolt]? County Manager Abolt said, I'm looking at line item fees called Repairs and Maintenance, Materials and Supplies and Utilities. I don't know what would —. Commissioner McMasters said, well, I guess insurance isn't in there.

Commissioner Murray asked, can I make a comment on that? Commissioner McMasters said, sure. Commissioner Murray said, I've got a memo, County memo dated March 7, 2002, to Commissioner Kicklighter, and it gives a breakdown: Revenues - \$9,300 Special Event Rental Fees, \$18,000 Concession Lease, Total \$27,300; Expenses - \$58,395 Maintenance and Operation, \$11,250 Insurance Premium for Pavilion, \$5,000 Utilities, Total \$74,645. Where the —, I guess which we would have a net operating loss out of that. I think that the bids on both of these certainly cover our —, would help cover that cost, but it's not going to cover the total cost.

Commissioner McMasters said, no, and again I just don't understand why as a procedural approach that staff doesn't look at the operational costs and try to target the bidding process to cover as much of that as possible for the benefit of taxpayers instead of just putting it out and whatever comes in we take. I would like to suggest that this be rebid equally between all the parties to include the security, cleaning and concessions since all parties have expressed now an interest to bid it as a combination. I presume that we have to ask the one person with the existing cleaning contract and security contract if they were awarded it, if they would —, if they didn't win this, that they would end that contract prematurely.

Vice Chairman Thomas recognized County Manager Abolt.

County Manager Abolt said, obviously the choice is yours to reject or accept, but remember please that you have already rejected some bids on this and got some feedback, which was favorable because you in fact got \$15,000 more in revenue. My only caution is to make sure you're aware of the potential telephone calls you might receive if you recall today. That's fine as long as you understand what might happen.

Commissioner McMasters asked, Mr. Morrison, do you want to say something?

Mr. Dean Morrison said, I'm Dean Morrison, Riptide Concessions. We had a prebid conference on this for this bid and everyone that attended was told that they could put some innovative proposals, bids into this packet and get it to the County because they were looking for the best value, and in my packet I have a paragraph on page seven that says if you can build a better mousetrap, we want it. That's what I bid on an exception sheet that I was told by Purchasing that they have in their bid list. It's an exception sheet, and I was told if I wanted to do anything different, to put it on the exception sheet and attach it and put that on the bid, which I did, and I used very low figures, which you see at \$51,000, which is higher than the \$45,000 bid. My proposal/bid will cover all the costs that \$58,395. It will cover that. I don't know if you have the proposal in front of you —. Commissioner McMasters said, I think, Mr. Morrison, the concern here is the other bidding party didn't bid it that way, yet I'm hearing that staff encouraged —, Mr. Morrison said, they had a choice to bid it that way. Commissioner McMasters said, — encouraged you to go ahead and take innovation into consideration. Mr. Morrison said, well, they had a choice. If they had attended the meeting, they could have done that.

Commissioner McMasters asked, Mr. Kaigler, is this true? Mr. Kaigler said, certainly we were looking at all proposals. We did not just encourage anybody to submit a bid. We were following the directions of the Board from the last meeting when you instructed us to go back out and re-solicit bids to try to get a higher cost and we didn't turn anyone away. The prebid conference was open to the public, it was properly advertised, and anyone who wanted to attend could attend, and that was the point where any questions were addressed to give all the vendors the answers that they needed to their questions. Commissioner McMasters said, I guess then why —, why did this gentleman's innovation not be recognized in the process? Mr. Kaigler said, he was not the —, he didn't turn in the highest amount. Commissioner McMasters said, well, he turned in a comparable amount with innovation and the other person turned in without innovation a lower amount. Mr. Kaigler said, well, what we asked for —, and we didn't —, in the bid document it specifically said that we were just looking at this time at custodial —, I mean, the concessions, not security and custodial. Commissioner McMasters asked, but did you ask for innovations for savings for taxpayers? Mr. Kaigler said, and we had —, we do have that in our report. We do have that in our report and it is an option that the Board —, they can —, if this Board desires to take that innovation, it's there for you and we spelled out. We estimated that the cost of Riptide's proposal would be approximately \$48,000 based on current expenditures.

Commissioner McMasters said, okay. Do we have the —, Ms. Garrard, do we have the ability to go ahead and award this based on the innovation and not cause any ramifications to the other bidder? Ms. Garrard said, I have not studied this very thoroughly, but it is my understanding from Mr. Parson in Purchasing that the Purchasing Manual does allow additions to documents prepared by the bidders, but as Mr. Kaigler said, the actual proposal did not specific the custodial aspect, so that part of it from my perspective is the troubling part. Commissioner McMasters said, but we encouraged them to be innovative, and the innovation is here and it is a savings to taxpayers. Can we take that savings or are we somehow tainting this bid process?

Mr. Morrison said, it's here in the bid package if she would like to read it. I can give it to her. Commissioner McMasters asked, are you comfortable with what we put in the bid package that they received, language wise? Ms. Garrard said, I think it's —, as I said, I have no reviewed it thoroughly, but to me it's —, the custodial aspect of it is a substantive change that the other bidders were not aware of, but I'll be glad to —. Commissioner McMasters said, that's not what I —, that's not the testimony we heard. Mr. Morrison said, they were told about it and —. Mr. Todd Morrison said, everyone was told at that point like that they could basically —.

Vice Chairman Thomas said, would you state —, would you give your name so we'll know who you are. Mr. Todd Morrison said, I'm Todd Morrison with Riptide Concessions. I was actually at the prebid conference and everybody that was there was told expressly that they could bid on the custodial/janitorial.

Commissioner McMasters asked, was Mr. Kaigler at that prebid conference? Mr. Todd Morrison said, no, sir. Commissioner Rayno asked, was Sold Cold there? Mr. Todd Morrison said, no, sir. Commissioner Rayno asked, was Hubbard there? Messrs. Morrison said, yes, sir. Commissioner Rayno said, so Sold Cold wasn't there at all, not a representative or anybody? Mr. Todd Morrison said, no, sir. Commissioner Rayno asked, isn't it a pre-requisite that you have to be at the prebid conference to even bid? Ms. Garrard said, I don't think so. Mr. Dean Morrison said, no. Commissioner McMasters asked, was any County person there? Mr. Dean Morrison said, Mr. Al Lipsey, Mr. Lorenzo Bryant, Mr. Bill Parson.

Mr. Kaigler said, attendance at the prebid conference is voluntary on some —, on most of our bids. We do have some cases where we do require mandatory participation on some of our more complicated bids. Commissioner McMasters asked, but this wasn't the case? Mr. Kaigler said, no, sir. Commissioner McMasters asked, do you have a recommendation for us Mr. Kaigler? Mr. Kaigler said, if it is the desire of the Board to revisit this issue, we certainly can go back out and lump it together. Staff, based on what we looked at and what we specifically asked for, we were recommending to go with Sold Cold, but if it's the desire of this Board to go out, then we could reject all bids and we can start from scratch.

Commissioner Rayno said, we need clarity and I think it's important that we have a policy where we have people bidding on projects that they show up to the prebid conference so if they want the job, they need to be there to answer questions and hear all the information that all the other bidders hear so that later on down the road if a legal challenge comes up, we can say, hey, we told them all the same thing at the prebid conference. So, number one, I'd like to make a motion that when we have any bids go out, every bidder has to show up to a prebid conference. Mr. Kaiger said, I would only say to that, sir, that you put a requirement on some bidders who may be out of town, who may not be local. Commissioner Rayno said, all local bidders. Commissioner McMasters said, the could send a representative if they're serious about it. Vice Chairman Thomas said, I'm not getting into that.

Commissioner McMasters asked, Dr. Thomas, could we just do one last thing and hear from the other person? Vice Chairman Thomas said, please. Commissioner McMasters said, and then we'll —.

There Clerk said, there was a motion, is there a second to it? Commissioner Rayno asked, is there a second? If not, let's move on. Commissioner Murray said, two more people want to speak. Vice Chairman Thomas said, the motion fails for lack of a second.

Mr. Dean Morrison said, I just want to finish with this. On this memo to Dean Kicklighter, it has a maintenance and operation cost of \$58,395. My bid proposal that was in this bid package that the County asked for, it will take care of that \$58,395 plus I offered to pay the County some money which would be added to that, and if we took these figures that are the County's figures, my bid proposal would be over \$65,000. I appreciate your time.

Vice Chairman Thomas asked, did you want to speak? Please step up to the mike and give your name.

Mr. Michael Lane said, yes, ma'am. My name is Michael Lane. I represent Sold Cold. I'll submit to you that we were at the original prebid conference for the first time this bid was submitted. It turns out that the current vender missed the bid date and that bid was rejected and opened up again. Both myself and the owner of my company were out of town for the second prebid conference. We did, in fact, receive the prebid packet and turned that in completed. One thing that I would like to point out to you today is that in the prebid packet Section 2.6, first of all, states that no vender will be allowed to submit more than one bid and new alternates proposals must be brought to the Purchasing Agent's attention. Second of all, Section 3.3 expressly states that security grounds maintenance and custodial services at the Tybee Pier and Pavilion are being provided under a separate contract and will not be included —, will not be included as a part of this bid. If vender is interested in providing any of these services at this site in the future, it should be stated on the exception sheet, which our company did do. We did express an interest in bidding on that when it became available. Me looking at this and seeing the bids and comparing apples to apples, the bid from Sold Cold was \$45,000. It was higher than the other bids based on the criteria that were included in the bid packet. I'm not sure where the question comes into play, and I thank you for your time.

Vice Chairman Thomas said, thank you. Any further discussion? Oh, I'm sorry. Please state your name.

Mr. David Pappas said, my name is David Pappas. I'm speaking for Hubbard Enterprises. Mr. Hubbard is present, and Sold Cold has touched on some of the points that in the bid package it asks for the maintenance and cleaning to be separate bid and they indicated if you were interested, and we did so indicate that, and we also indicated that we would be responsible for utility bills, and so if you took our numbers and put them, then they'd all be in the same ballpark. You know, if we were allowed to apply our innovations to that, then we'd be in the same ballpark.

Vice Chairman Thomas asked, what's the name of your company again? Mr. Pappas said, Hubbard Enterprises. Vice Chairman Thomas said, Hubbard Enterprises. Mr. Pappas said, correct. Thank you. Vice Chairman Thomas said, okay, gentlemen, what's your pleasure?

Commissioner McMasters said, I would suggest that we consider combining these contracts into one, having all parties agree to a date to meet and having a new round of bidding occur so that everybody's bidding on the same thing on the same time frame, and whatever the numbers come out to be, they come out to be. That's a motion. Commissioner Rayno said, be very specific. Commissioner Gellatly said, that's a motion —, second.

Vice Chairman Thomas asked, discussion? County Manager Abolt said, I believe you have to reject your bids. Ms. Garrard said, that's what I believe —.

Commissioner McMasters said, motion to reject all current bids. Commissioner Rayno said, second. Commissioner McMasters said, thanks, Russ [Abolt]. The motion carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.] Vice Chairman Thomas said, and then —.

Mr. Kaigler asked, does this authorize us to continue with the same contractor that we've got now, just keep going like we're going now until we get a new proposal in hand? Commissioner McMasters said, yes. Commissioner Murray said, yes. Commissioner Rayno said, and you need to combine cleaning and security all into one package.

Commissioner McMasters said, okay, I'd like to make a motion that we combine the concessions contract with the cleaning and security contract and that all parties get together at a mutual agreeable time for prebid and that this Commission entertain whatever bids come in at a later date. Commissioner Rayno said, and specify the parameters of the bid package so that everybody's on the same page.

Vice Chairman Thomas asked, any discussion? Commissioner Murray said, yeah. Vice Chairman Thomas recognized Commissioner Murray.

The Clerk asked, who was the second on that? Commissioner Rayno said, second.

Commissioner Murray asked, what is the date that the present maintenance contract expires? Mr. Kaigler said, I don't have that exact date. I think it is in October, but I will get that to you and —. Commissioner Murray asked, and if we have the bids in and all, when would this new contract take over? Mr. Kaigler said, I think we would have to —, and I'm not sure, but just thinking off the top of my head, I think we'd have to wait until the current contract —. Commissioner Murray said, that's what I would think. Mr. Kaigler said, okay, but we will address that and bring that back to you.

Mr. Dean Morrison said, the contract ends July of 2004 on the custodial and security. Commissioner Murray asked, 2004? Mr. Morrison said, yes, sir.

Mr. Al Lipsey said, that's the fourth [inaudible]. That's up for renewal of this —, in July of this year —. Mr. Dean Morrison said, right. Mr. Lipsey said, — for the last one-year option. Commissioner Murray said, okay. Mr. Lipsey said, in July of this year it has one more option on it. Commissioner Murray said, okay. Mr. Lipsey said, which will expire on July of 2004.

Commissioner Murray said, okay. Now what I would like to see done then in this bid package when it goes out, even though I notice that it's got in there renewable, automatic renewable for what, three, four times? Mr. Lipsey said, right. Commissioner Murray said, that it comes back to this Commission after each year for approval.

Commissioner McMasters said, call for the question. Vice Chairman Thomas said, okay, please vote. The motion carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.] Vice Chairman Thomas said, the motion passes. Thank you.

ACTION OF THE BOARD:

1. Commissioner Rayno moved to approve Items 12-A through 12-H, except Items 12-D. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]
2. Commissioner McMasters moved to approve Item 12-D. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]
3. Commissioner McMasters moved to reject all current bids on Item 12-I. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]
4. Commissioner McMasters moved that, as to Item 12-I, we combine the concessions contract for the Tybee Pier and Pavilion with the cleaning and security contract and that all parties get together at a mutual agreeable time for prebid and that this Commission entertain whatever bids come in at a later date. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were 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. **REQUEST BOARD APPROVAL OF A PILOT PROJECT FOR INCLUSION OF LIMITED COMMERCIAL COLLECTION AT WILMINGTON ISLAND RESIDENTIAL DROP-OFF CENTER AND AN AMENDMENT TO THE CHATHAM COUNTY REVENUE ORDINANCE ARTICLE W. SECTION 2. REFUSE DUMPING FEE.**

ACTION OF THE BOARD:

Vice Chairman Thomas read this item into the record as the first reading.

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2. **SOUTHEAST CHATHAM COUNTY COMMUNITY PLAN AND ZONING ORDINANCE TEXT AND MAP AMENDMENTS. THE MPC RECOMMENDS THAT THE FIRST READING BE CONTINUED TO THE FEBRUARY 28TH MEETING.**

Mr. Milton Newton said, we would ask that you vote to continue the reading on Item #2 to the 28th.

Commissioner Murray said, let me ask you again a question, Milton [Newton], and I know that a well deserved retirement is getting ready to come to you, and I don't blame you. How much longer do we have to wait on this? Mr. Newton said, we are having —. Commissioner Murray asked, how many times is a special interest group going to be able to stop it from coming before us? Mr. Newton said, obviously you're asking a rhetorical question. Commissioner Murray said, direct question. Mr. Newton said, the staff has provided the information in response to a wide array of input we've received, a number of phone calls and visits from a lot of ordinary citizens in the area, as well as organized organizations, and we are providing that information to the Planning Commission so that they can act on Tuesday, which we'll be back to you on the 28th. Commissioner Murray asked, so we will have it on the 28th, our next meeting? Mr. Newton said, I can't guarantee what a board will do, but it can be here on the 28th.

Ms. Emily Garrard said, excuse me, Dr. Thomas. Ms. Tillman has stated that Item 2 under First Readings, that you still haven't voted to continue that. Commissioner Murray said, we don't vote on First Readings. Vice Chairman Thomas said, we don't vote on that. Ms. Garrard said, no, well, apparently MPC has requested that the First Reading be continued to the February 28th meeting. The Clerk said, and Mr. Newton asked for a motion.

Commissioner Murray said, I move that the First Reading be continued to our next meeting on that particular issue. Commissioner McMasters said, second. Vice Chairman Thomas asked, any further discussion? The motion carried

unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.] Vice Chairman Thomas said, the motion is carried.

Commissioner Murray said, I won't move to do that again.

ACTION OF THE BOARD:

Commissioner Murray moved that the First Reading be continued to our next meeting on that particular issue. Commissioner McMasters seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

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XII. SECOND READINGS

See Tabled Items.

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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).**

ACTION OF THE BOARD:

A written report was received as information.

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- 3. **STATUS OF BID FOR EXTERNAL AUDIT SERVICES.**

ACTION OF THE BOARD:

A written report was received as information.

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- 4. **TO INFORM THE BOARD ABOUT THE 2003 YOUTH COMMISSION TRIP TO WASHINGTON, DC, GETTYSBURG, PA, AND NEW YORK, NY, ON MARCH 2-3, 2003.**

County Manager Abolt said, I bring to everybody's attention something that's going to happen. It's very commendable to Dr. Thomas and the Youth Commission the fact —, the information report number four talks about an exciting trip to Washington, DC, here in a few weeks and gives you all the particulars.

Vice Chairman Thomas said, yes, thank you very much.

Commissioner McMasters asked, can I ask one question about this information only, the trip to Washington, DC. Pete Nichols is joining them. County Manager Abolt said, right. Commissioner McMasters asked, is that in the budget? County Manager Abolt said, yes, sir. He's done it for years. He's done it years, I would assume it's in the budget. Vice Chairman Thomas said, it doesn't come out of what you —. Commissioner McMasters asked, oh, it's not —. Vice

Chairman Thomas said, what are you thinking —, under what you're thinking. Commissioner McMasters asked, it's a different budget? Vice Chairman Thomas said, yes. Commissioner McMasters said, all right. Thank you.

ACTION OF THE BOARD:

A written was report received as information.

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EXECUTIVE SESSION

Upon motion being made by Commissioner Rayno, seconded by Commissioner Murray and unanimously approved, the Board recessed at 1:25 p.m., to go into Executive Session for the purpose of discussing litigation, land acquisition, and personnel. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 2:20 p.m.

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ITEMS FROM EXECUTIVE SESSION

1. **REQUEST BOARD TO SETTLE THE FOLLOWING CASES AND PAY THE SPECIAL MASTER AWARDS INTO THE COURT AS REQUIRED BY STATE LAW: CHATHAM COUNTY, GA V. 0.110 ACRES OF LAND IN FEE; 1,816 SQUARE FEET OF EASEMENT FOR CONSTRUCTION OF SLOPES; ROBERT A. KATHARY, ET AL, CIVIL ACTION NO. CV00-0775-BA, TRUMAN PARKWAY, PHASE III, PROJECT NO. NH-11-1(4), PARCEL NO. 19 (\$7,700); AND CHATHAM COUNTY, GA V. 0.014 ACRES OF LAND IN FEE; 1,501 SQUARE FEET OF EASEMENT AND CONSTRUCTION AND MAINTENANCE OF SLOPES; JOSEPH A. McCARTHY, ET AL, CIVIL ACTION NO. CV00-0779-BA, TRUMAN PARKWAY, PHASE III, PROJECT NO. NH-11-1(4), PARCEL NO. 18 (\$7,750).**

ACTION OF THE BOARD:

Commissioner McMasters moved to approve the settlement of the following cases and pay the Special Master awards into the court as required by State law: Chatham County, GA v. 0.110 Acres of Land in Fee; 1,816 Square Feet of Easement for Construction of Slopes; Robert A. Kathary, et al, Civil Action No. Cv00-0775-BA, Truman Parkway, Phase III, Project No. NH-11-1(4), Parcel No. 19 (\$7,700 additional); and Chatham County, GA v. 0.014 Acres of Land in Fee; 1,501 Square Feet of Easement and Construction and Maintenance of Slopes; Joseph A. McCarthy, et al, Civil Action No. CV00-0779-BA, Truman Parkway, Phase III, Project No. NH-11-1(4), Parcel No. 18 (\$7,750 additional). Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

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

ACTION OF THE BOARD:

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

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APPOINTMENTS

1. CHATHAM AREA TRANSIT AUTHORITY

ACTION OF THE BOARD:

Commissioner McMasters moved to appoint Ms. Judy Nichols to serve as the Chatham County representative on the Chatham Area Transit Authority, whose term will expire December 31, 2004. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioners Rivers, Odell and Kicklighter were not present.]

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ADJOURNMENT

There being no further business to be brought before the Board, Vice Chairman Thomas declared the meeting adjourned at 2:23 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