

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, JULY 25, 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 9:30 a.m., Friday, July 25, 2003.

=====

II. INVOCATION

Mr. Van Johnson gave the invocation.

=====

III. PLEDGE OF ALLEGIANCE

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

=====

IV. ROLL CALL

The Clerk called the roll.

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

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

IN ATTENDANCE:	R. E. Abolt, County Manager R. Jonathan Hart, County Attorney Sybil E. Tillman, County Clerk
----------------	--

=====

PUBLIC HEARING AS REQUIRED BY THE STATE ON THE COUNTY'S 2003 MILLAGE LEVY.

Chairman Hair said, in accordance with the law we will now open the public hearing as required by the State on the County's 2003 millage levy. Is there anyone in the audience that would like to speak to the millage levy only? Hearing none, I declare the hearing adjourned.

=====

V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. RECOGNITION OF ROBERT DREWRY FOR RECEIPT OF CERTIFICATE OF PUBLIC WORKS MANAGEMENT FROM THE UNIVERSITY OF GEORGIA AND ACCG.

County Manager Abolt said, ladies and gentlemen, through the Wizard of Oz we learned that when someone has a diploma like this, it means they're smart. There's one among us, a gentleman who I've known for a number of years and it's been my good fortune to be able to promote up through the ranks and now is a department head, who not only has a certificate, but he richly deserves it. He's a gentleman who has done so much to improve the management of a very vital department. He gives freely of his own time. He develops management at all levels. He's a pleasure to work with. He, in addition to all that, in accomplishing all that for this County, has devoted two years of his life to going into a program and participating in a program sponsored by the University of Georgia and the ACCG. A few days ago he reached, in effect, the highest one can reach in this profession by being the recipient from the University of Georgia of a Certificate of Public Works Management. Because Dr. Hair has been such an advocate for employment training and advancement, I would ask Dr. Hair to present this to Mr. Robert Drewry.

Chairman Hair said, I notice it also comes from University of Georgia, too, which makes it a little bit extra special, you know, for us Georgia graduates. Congratulations, Robert [Drewry], on a great job and I'm sure it was a lot of hard work, but we congratulate you.

Mr. Drewry said, thank you very much. I'm just going to say a few words if you don't mind. First of all, Chairman, members of the Board, thank you for the recognition. I started the Public Works profession probably 16 years ago and when you go through a program like the Public Works Management Program, it reminds you that you need to keep up with the technical issues, you need to keep abreast of the complex legal and legislative issues, and it also reminds you that we're held to a higher ethical standard than the average employee I would imagine, a nonpublic employee, and you're also reminded by that because you've got to meet the front page test. It also reminds you that as a public servant, you've got to continually improve efficiency and good stewards of the public funds. So when I presented —, showed Russ [Abolt] my certificate Monday morning, he went to great effort and made it a very important issues and wanted to make sure it got on the agenda, and when I looked at the agenda and the issues facing Russ [Abolt], I was humbled to be recognized. So, Russ [Abolt], I appreciate your support and, Commissioners, thank you very much.

Chairman Hair said, thank you, Mr. Drewry.

=====

2. RECOGNITION OF RECEIPT BY THE COUNTER NARCOTICS TEAM OF GEORGIA STATE CERTIFICATION. THIS IS THE FIRST TIME A DRUG UNIT IN GEORGIA HAS BEEN SO RECOGNIZED.

County Manager Abolt said, this is a special moment not for one individual, but in this case for many. Earlier this week Commander Williams and the staff of CNT, just as the Chairman identified in the title, were recognized by the State of Georgia Law Enforcement Program as being the first drug unit in the State to be so recognized. Again, I would ask Dr. Hair, if he would, to please again present this plaque to Commander Williams and his staff.

Chairman Hair said, I'm going to read this plaque into the minutes, okay:

State of Georgia Law Enforcement Certification

Be it hereby known that the Chatham/Savannah Counter Narcotics Team has fully demonstrated its commitment to law enforcement excellence by meeting all applicable standards as established in the State of Georgia Law Enforcement Certification Program.

Therefore, upon recommendation of the Joint Review Committee of the State of Georgia Law Enforcement Certification Program this agency is hereby recognized as a certified law enforcement agency for the period of July 22, 2003, through July 22, 2008.

Chairman Hair said, congratulations.

Commander Eddie Williams said, good morning everyone. To reach this moment of recognition we've had a lot of challenges and we met them head-on. What this is is just a validation of our professional excellence that we've achieved. It doesn't mean that we're perfect. We don't live in a perfect world either, but it says a lot about the people that are working down at the Counter Narcotics Team and giving every effort that they possibly can to do their job and try to keep these streets safe for us. As you can see, these are my helpers over here and they help me and I help them, and they've been the backbone of getting this done. The enthusiasm what we had when we encountered this was very mixed. We've gotten —, going back and forth, can we do this, can we do this? You think we can? Yeah, let's try it, and we did and the momentum that was stirred by this, we had volunteers to come down, the same staff you see here and some others, paint the building that we're in. We had a goal and objectives that are posted around in the building and what not and we would like for you to come down and see it, but all this is is just a validation to show that we are professional at what we're doing, we gave our best, we will continue to give our best, and this will set down a foundation for us to maintain those high standards of excellence that we've achieved at this point. So we would like

to extend a heartfelt thank you to the Commission and also to our County Manager, who had a little confidence in me to make sure that we all work as a team and doing what we know best. Thank you so much.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, practicing law I occasionally see your agents, and for those people who think that we have a drug problem, I shudder to think what problem we would have if we did not have CNT. I think that CNT has been a major deterrent. I think the cases that are made are good cases. You're dealing in an environment which is not only dangerous, but treacherous and I commend you and your team on your effort, and even when I'm in court and it's not my case and I see a member from CNT or Chatham County, I always feel good about it because I think that the staff handles themselves as professionals. You have a job to do, but you do it as professionals, and I commend you for that.

Chairman Hair said, you know, Commander, in my former life I've been through a number of accreditations and oftentimes the employees are the ones that have to do all the work and really appreciates it more than everyone else, but this really is quite an accomplishment because an accreditation is very, very important, and I commend you and all the —, your entire staff. Commander Williams said, I certainly appreciate it so much. Chairman Hair said, thank you. Commander Williams said, thank you.

=====

VI. CHAIRMAN'S ITEMS

1. PRESENTATION BY REV. LEONARD SMALL ON UNION ORGANIZATION.

Chairman Hair recognized Rev. Small.

Rev. Leonard Small said, good morning. For the record I'll introduce myself though most of you, of course, know me. I'm Rev. Dr. Leonard Small, pastor of Litway Missionary Baptist Church, and the local spokesperson for Service Employees International Union. The gentleman here aside, I had to kind of beckon him to come up, but he's the International Director for the Southeast, Mr. Ed Burke. He's worked with us hand to hand, day to day, across the Southeast helping laborers, rank and file folk, have a voice and bless their destinies. I've come here today because I did meet with the City Manager a few months ago and I informed he and Michael Kaigler, the Human Resources Director, of the fact that we were in the process of signing members of the Chatham County workforce to become a part of SEIU. Service Employees International Union is the largest union in this nation, over 1.6 million strong and growing. In Georgia we're over 8,000 and we were —, we made a little history and we made a venue of it when we organized the City of Savannah as being the first basic municipal —, municipality outside of Atlanta. We've gone on and I, as I said, I met with the City Manager and informed him of our efforts and said basically that we wanted a threshold of somewhere between the 250 and 300 before we would come before the Commission, people who have signed and committed. We are actually over 300 at this juncture. We're coming basically to say we would like that the —, like for the County to recognize the union, the cards that have been signed are cards that would be forwarded to administration for payroll deduction of the union dues, which are \$25 a month and we are basically here saying what we do across the width and breadth of this country is advocate for people who are not articulate and are just good workers who need a voice. Along with me here today are a couple of members from our local Trades and Labors Assemblies in support of us here. When we went before the City, it was to me horrendous. It was a circus. We had people calling, Mario Cuomo call calling the Mayor a number of things, Terry McCullough [phonetic], the head of the Democratic National Committee, a Vice Chair of the National Democratic Committee, stayed here for two or three weeks with us. Joe Lowery marched with us. That was too much. That was too much and I've said and I believe that such a thing didn't —, shouldn't have taken place. It should not have taken that and I don't believe that's what it takes here at the County. I think cooler heads will prevail. I think with the number of people that we have signed up, the interest is real and effective, and what we're asking for you to do is to vote, first of all, to allow any member of your rank and file to be able to come to the union to help them process any grievance resulting from unfair treatment or unreasonable conditions. Secondly, what we offer is we educate our people. We make sure they know what they're supposed to do. We stop people from falling through the cracks as a result of neglect or other problems that they might have. We would even —, we even have the capacity here locally to help with substance abuse problems and such that do crop up from time to time in our workforce. We hope that this will be an amicable agreement, user friendly. We will indeed help and aid any person who voluntarily comes to us. We will not, we will not simply intervene wherever we see something that we don't like. This has to be driven by the workers, it has to be maintained by the workers. We have successfully argued over a hundred cases, only one resulting in a person being —, losing their job ultimately, so we do help to maintain or stabilize the workforce. That one person lied to us and we found out that they had done something that they said they didn't do so to our chagrin we could not prevail. But in all other cases we've found conditions and compromises very reasonable. We do not prop up bad workers. We do not try to keep bad workers on jobs. People need to lose jobs if they don't perform. They're going to come reasonably. So basically what we're asking is that you recognize —, vote to recognize the union and allow dues checkoff and give us the right to meet and confer with your staff on matters and to work out all the details incumbent with this process.

Chairman Hair said, thank you, Rev. Small. As we discussed in pre-meeting, we appreciate you coming today and that we will take this under consideration and put it on the agenda for some future time once we look at all the ramifications and implications and get it researched properly.

Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, just a point of clarification, Reverend. These signatures that you have, does that include law enforcement, the Sheriff's Office and the Police Department? Rev. Small said, yes, it does. Commissioner Gellatly said, okay. Rev. Small said, and in that vein we represent over 2,000 in that category in the State of Georgia. They are actually —, the general population is in Local 1985. They go into Local 5000, and that's, like I said, been over 2,200 or so already represented in the State.

Chairman Hair said, thank you, Rev. Small, and we will —. Rev. Small said, I do have a question. If —, I almost am asking where do we go from here? Chairman Hair said, we can't take any —, I don't think anybody's prepared to take action today because we didn't really know what you were going to —, when you were asking to be put on the agenda I didn't even know what you were going to ask for and I think —. Rev. Small said, I thought I said so. Chairman Hair said, said that again, sir. Rev. Small said, well, what I mean, I thought I said so, but —. Chairman Hair said, well, I haven't talked to you. You always had the secretary call me so I've never talked to you personally, okay. Rev. Small said, okay. Chairman Hair said, you and I never talked personally about this. Your secretary called me two or three times and I informed her that we would just put it on the agenda for information and we would take action at some future time. So I think what we need to do is that —, I think we owe you some response in a reasonable amount of time and if the —, what is the consensus of the Board? Maybe within a month that we could have something on the agenda one way or the other? Is that —, do I get a consensus on that? Okay, within a month's time, Rev. Small, we will be back in touch with you with a decision one way or the other. Rev. Small said, thank you. Chairman Hair said, thank you. Rev. Small said, you're more than kind.

Chairman Hair recognized Commissioner McMasters. Commissioner McMasters said, Piccolo [Pierce] has a comment. Chairman Hair recognized Mr. Pierce.

Mr. John Saxon "Piccolo" Pierce said, I'm John Saxon Pierce. I'm talking about the union. Union people [inaudible] help people. [Inaudible] percent of union finds the [inaudible]. They're trying to help poor people like everybody else. You know, my father joined the union one time, and on that union the County Commissioners agree and all y'all agree. That was —, Dr. King was fighting for the same thing, the union, because the union's got to come across and get together. Like we can —, like Joe Rivers and all of them like that, they're for us. Like Odell and Kicklighter, they're all of them for us, but we must get together and stand together and say this is our union and this is we're going to get straight. Not go away from us. Let's pull it together. We can put things together and work things together because if you don't work things together, we'll never have nothing. We're going to work together. We'll always want to have something. My mama —, the union took care of us. When something happened, we had to go to the union. Everything's going to the union. But now since Joe Rivers and all of y'all work together, let us get the union and we can pull together and you can pull it and I can pull it, and I know we can put it —. Dr. King said, if a man can't pull in a union, he can't pull it ever.

Chairman Hair said, thank you, Mr. Pierce. We appreciate your comments.

ACTION OF THE BOARD:

Received as information. It was the consensus of the Board that in a month this item would be again placed on the agenda to respond to Rev. Small.

=====

VII. COMMISSIONERS' ITEMS

None.

=====

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. **PROCEDURE REGARDING SOLICITATION OF SERVICES TO ASSIST IN RECRUITING, MONITORING AND MANAGING OF MINORITY PARTICIPATION IN FUTURE SPLOST PROJECTS. Note: At meeting of July 11, 2003, item was tabled to meeting of July 25, 2003 at request of Commissioner Odell.**

Chairman Hair said, we want a motion to take it off the table. I need a motion. Commissioner Rayno said, motion to take it off the table. Chairman Hair asked, second? Commissioner Murray said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes. I'll call on Commissioner Odell.

Commissioner Odell said, motion to approve the staff's recommendation. Chairman Hair asked, do I have a second? Commissioner Rayno said, second. Chairman Hair asked, any discussion? All those —. Commissioner McMasters said, discussion. Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, in the background it says on March 28th the Board instructed staff to solicit proposals for contracting with a firm for the purpose of reviewing, developing or revising the County's MBE program and to recruit, monitor and manage minority participation in future SPLOST referendum projects. Under Facts and Findings number four, it says according to staff, in order to ensure effectiveness and the success of the revitalized M/WBE Procurement Policy, staff recommends an additional position to be created to manage and monitor the program. Is this not the same work that the firm that we would be contracting with would be performing? Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, no, sir. In fact, the firm, if you will, will be developing the procedures in which to do that. We found out, for example, and you've attested to some of the problems in the past with contracting that you can have the best procedures in the world, but unless you have day to day, month to month monitoring of payroll and things like that, that we'll have problems when the project is finally done and be able to show that compliance was achieved.

Commissioner McMasters asked, well, Mr. Abolt, why does it say in the background relative to hiring this outside firm that their duties will be to monitor and manage and then when you come down and talk about the addition to staff it says that their job would be, in the second line, to manage and monitor? County Manager Abolt said, we would like to have the redundancy, particularly when it comes to the day to day monitoring, so we're not paying a consultant to do that work. You have compliance capability and staff. This will not be just in the area of SPLOST eventually. We would like to have the compliance capability so that going forward we'll be able to look at all County contracts of any size to make sure that the intent of this effort continues for a long time. It's your choice though, gentlemen.

Chairman Hair said, all right, we have a motion and second. Commissioner Rivers said, Mr. Chairman. Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, you know, here again I got this thing sort of late and had to run through it, but just in some wording —, for instance, on page number five: "c. Advise the businesses on performance, how to bid and contractual issues." Now are we talking about disputes between the contractor and the subcontractors or —, what are we talking about there? County Manager Abolt said, I believe that's in advance of actually receiving the bids and this is due solicitation and providing options for bidders from the standpoint of inclusion and those that might have maybe been ruled out for not the right reasons that they could participate in larger contracts as subs and possibly even more. Commissioner Rivers said, okay. All right, on this time table I have here, deadline for submittal of RFP issues, July 18 —. County Manager Abolt said, that will have to change. Because it was tabled from your last meeting, when you finally adopt this —. Commissioner Rivers said, okay. Can we get another schedule —? County Manager Abolt said, yes. Commissioner Rivers said, — a true schedule.

Chairman Hair said, if this motion passes, we'll make sure that Mr. Abolt will get another schedule. County Manager Abolt said, yes, sir. Chairman Hair said, Commissioner McMasters has one more question.

Commissioner McMasters said, in the second page of your staff report under Policy Analysis, it says it's been the policy of the Board that all minority and women owned or controlled businesses —. Can somebody send me something on the differential between those two because I'm unclear —. Without going through —, I mean, I scanned all 35 pages of this, but I didn't find any clarity on what controlled means. County Manager Abolt asked, on controlled business enterprises? Commissioner Odell said, 51%.

Chairman Hair said, we need —, we'll provide a direct answer to your question, Commissioner McMasters. I think that's a fair question. I see Mr. Kaigler here. He can —, maybe not today, but would you make a note of that, Mr. Abolt? County Manager Abolt said, yes, sir. I've got it, sir. Chairman Hair said, make sure that's responded to.

Chairman Hair said, okay, we have a motion and a second to approve. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

1. Commissioner Rayno moved to untable this item and place it before the Commissioners for consideration. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]
2. Commissioner Odell moved to approve staff's recommendation as to the procedure regarding solicitation of services to assist in recruiting, monitoring and managing of minority participation in future SPLOST projects, approving the draft RFP and extending the M/WBE Procurement Policy. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

* **2. SIX-MONTH REVIEW OF LAND USE HISTORY. Note: At meeting of July 11, 2003, item was tabled to meeting of July 25, 2003 at request of Commissioner Rayno.**

Chairman Hair said, next item we need a motion to take it off the floor, six-month review of land use history. We need a motion. Commissioner Rayno said, I move we take it off the table. Chairman Hair asked, second? Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes. I'll call on Commissioner Rayno.

Commissioner McMasters said, I wanted to discuss that. Commissioner Murray said, well, we are. Chairman Hair said, we're discussing it now. It's just taken off the table, Commissioner McMasters. Commissioner McMasters said, oh, we are. Okay. Chairman Hair said, that's all. Commissioner McMasters said, okay. Chairman Hair said, keep up, okay. Keep up. Now, Commissioner Rayno.

Commissioner Rayno said, I put it on the table for the benefit of Mr. McMasters, who had asked for this policy to be reviewed and I'll turn it over to him right now.

Commissioner McMasters asked, may I? Chairman Hair said, certainly, Commissioner McMasters. The floor is yours. Commissioner McMasters said, I'd like to know if the MPC or our Zoning Administrator has reviewed the properties that have not had the activity occur under the Facts and Findings. County Manager Abolt said, my understanding, sir, is you have the complete listing of those projects that are 24 months old, and you'll see in the far right-hand margin that in all cases building permits have been issued. Commissioner McMasters said, I understand that, but correct me if I'm mistaken on this. 11-3 essentially, in essence, says that for properties that no activity has occurred, the County may, based on recommendation from either the Zoning Administrator or the MPC, take action relative to the zoning classification. So while this report provides me a list of the properties that have activity occurring on them and, therefore, not subject to 11-3, I'm curious and my question is simple, what's happening with the other properties that no activity has occurred and the time frame has run its course? What's going on with them? County Manager Abolt asked, other properties beyond this list? Commissioner McMasters said, right, Russ [Abolt]. You've got a list of total properties in a time frame that are governed by 11-3. County Manager Abolt said, yes, sir. Commissioner McMasters said, two things are going to happen. That's not —, that's only a partial list, Russ [Abolt], and those are the properties that activity has occurred. I think Jon Hart is understanding what I'm saying. Are you?

County Attorney Hart said, I understand what you're asking, but my understanding is that these are the only properties that have activities, and you're asking is there other property out there in the last six months that nothing's happened to? Commissioner McMasters said, the last 24 months. County Attorney Hart said, 24 months. Commissioner McMasters said, my understanding of 11-3 is that for properties that no activity occurs in a 24 month period that either the Zoning Administrator or the Metropolitan Planning Commission can, shall, may —, I don't know what the language is, Jon [Hart] —. County Attorney Hart said, I don't either. Commissioner McMasters said, — okay, submit to this Board a decision to either remain zoned as is or change the zoning. So this list is, in fact, a list of properties that 11-3 no longer applies to. My question is, what happens to the other properties? County Manager Abolt said, my understanding, and I'll defer to the attorney to have more time to look at it, that this represents the complete list of those that are 24 months old, and just as we gave you before six months ago, the way we've been following it is we give you historically from the start of the action from the rezoning or whatever the property, all properties, and then in the far right-hand margin we'll put down a disposition or not and then you must decide, as you did six months ago, as to whether or not you want those that have been inactive to remain at their current land use status.

Commissioner McMasters said, well, that's the clarification that I'm looking for. Is the recommendation on the inactive parcels to be expected from either the Zoning Administrator or the Metropolitan Planning Commission? County Manager Abolt said, no, sir. I'll defer again to Jon [Hart]. My understanding before is that it's not a recommendation, just the idea of inventorying what has been done.

Chairman Hair recognized Mr. Gregori Anderson.

Mr. Gregori Anderson said, yes, thank you. The provision of 11-3 does not require a recommendation by the Zoning Administrator. We require just to send a list, which you've received, of the zoning action for map amendments or rezoning of properties within that 24 month period. What you have on your list is the entire list. That's the only rezonings that have happened within the last 24 months and out of those all of those have been issued permits. Commissioner McMasters said, okay. Mr. Anderson said, and under that provision the activity that is described, either that it's been issued a building permit or land disturbing permit or certificate of occupancy within that time period.

Commissioner McMasters said, thank you, Mr. Anderson. Is anyone in your department looking at the remaining properties that nothing has occurred on and in concert with or without the Metropolitan Planning Commission —. Mr. Anderson said, I don't know what remaining properties you mean. Commissioner McMasters said, I don't know why this is —, 11-3 says that properties that no activity occurs in a 24 month period, and we can debate all day whether or not that's too short or too long or just right, that they can be rezoned if this Board chooses, and this Board's choice would be predicated on some sort of expert, you know, recommendation from either your Zoning Administrator —. Mr. Anderson said, oh, no, it doesn't —. Chairman Hair said, I'll call on Mr. Hart to answer that. County Attorney Hart said, first of all, this Board can rezone anything it wants to rezone anytime it wants to rezone. Okay? Commissioner McMasters said, I appreciate that, Jon [Hart], but I'm talking relative to 11-3. County Attorney Hart said, yeah, but relative —, what I think you're asking is of the 79,000 parcels that we have in Chatham County and then excluding residential property and excluding those that within the last 24 months there's been some MPC zoning action, is there

a property that was zoned five years ago that wouldn't be covered under the 24-month rule that nothing's happened to in the last five years. Is that what you're trying to get at? Commissioner McMasters said, that's part of the question, yes. County Attorney Hart said, okay.

Chairman Hair asked, Commissioner McMasters, can we have you maybe articulate in writing to the staff and to the County Attorney exactly what you want? I think it's not something we can solve today in the meeting. Commissioner McMasters said, sure, I'll be happy to do that. Chairman Hair said, make sure that the Attorney gets whatever specific questions you have. County Attorney Hart said, we'll be glad to try to figure out how to —. Commissioner McMasters said, we'll do it that way, sir. Chairman Hair said, okay, thank you, sir.

Commissioner Rayno asked, we don't need to table this now, we just move along? Chairman Hair said, well, it actually doesn't require a —, it's a review anyway. It doesn't require a motion.

ACTION OF THE BOARD:

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

No action is required by the Board. Commissioner McMasters will put in writing to the staff and the County Attorney the questions he wishes to have answered.

=====

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. ADOPTION OF BUDGET IN CERTAIN SEQUENCE:

- A. REQUEST BOARD ADOPT THE FY2004 BUDGET RESOLUTIONS FOR CHATHAM COUNTY. (SEE ATTACHED PROPOSAL FROM COUNTY MANAGER TO BALANCE M&O AND SSD BUDGETS.)**
- B. REQUEST THE BOARD APPROVE A RESOLUTION CLARIFYING THE MILLAGE LEVY FOR FISCAL YEAR JULY 1, 2003, THROUGH JUNE 30, 2004.**
- C. ADOPTION OF YEAR 2003 CHATHAM COUNTY GENERAL MAINTENANCE AND OPERATIONS, SPECIAL SERVICE DISTRICT, CHATHAM AREA TRANSIT DISTRICT AND THE BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM MILLAGE LEVY RESOLUTION PURSUANT TO ADVERTISEMENT HAVING BEEN PUBLISHED IN ACCORDANCE WITH O.C.G.A. § 48-5-32.1.**

Chairman Hair said, I think based on our pre-meeting discussion, there was consensus that we would take a motion to approve the millage and the digest today so that we would not put the Tax Commissioner or Tax Assessors in any kind of bind and that we would delay the vote on the budget until the first meeting in August. If that's still a consensus, I would ask for a motion to that effect.

Commissioner Rayno said, skipping A of the agenda, we're moving on B and C. Is that correct? Chairman Hair said, that is correct. Commissioner Rayno asked could we also further on C pull out the Board of Education from that and vote on it separately? Chairman Hair asked, you mean vote on the millage today separately? Commissioner Rayno said, yes. Chairman Hair said, I think we could do that certainly. Commissioner Rayno said, thank you. Chairman Hair said, the first motion would be to approve the millage for everything except the Board of Education and the digest. I'll entertain a motion to that effect. Commissioner Rivers said, so moved. Chairman Hair asked, second? Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Kicklighter and Thomas were not present.]

Chairman Hair said, now I'll entertain a motion to approve the Chatham County School Board millage. Commissioner Rivers said, so moved. Chairman Hair asked, second? Commissioner Odell said, second. Commissioner Rayno said, discussion. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, the School Board in passing their millage rate this year increased the millage plus they also got the CPI increase, giving them a whole lot more money, and it seems to me that they could do a budget that doesn't raise taxes, and I'm not willing to approve a millage increase for the people of my district and I'm going to vote against it.

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

Commissioner Rayno asked, we didn't pass the balance of the millage did we? County Manager Abolt said, I'm questioning did you do B. Did you do Item B, sir? Chairman Hair said, yeah, we did B, I read it into the record. Yeah, we just pulled out A. County Manager Abolt said, okay. Chairman Hair said, I read it into the record.

* * *

The Clerk said, we have a question about the previous vote and that is whether or not you are required to have five votes. You had —. County Attorney Hart said, four votes. The Clerk said, — it was a four/three vote. Chairman Hair asked, on the millage increase? County Attorney Hart said, yes, sir. It's a resolution. Chairman Hair said, on the first vote or the Board of Education? Commissioner Rayno said, Board of Education. Chairman Hair said, okay, so the Board of Education. Okay, so that one did not pass. County Attorney Hart said, well, it just is in limbo. [NOTE: Commissioner Kicklighter returned to the meeting.] Commissioner Odell said, it didn't fail. County Attorney Hart said, it didn't fail either. Chairman Hair said, there's three —, it would have been —, well, what was the vote? The Clerk said, it was four/three. Commissioner Kicklighter asked, to do what? Commissioner Odell said, approve the millage for the Board of Education, which was four/three. County Attorney Hart said, if you say yes, it passes. Chairman Hair said, it's four to three without your vote. Commissioner Kicklighter asked, to approve it? Chairman Hair said, yes. Commissioner Kicklighter voted yes. County Attorney Hart said, there we go. Chairman Hair said, five to three. Okay, now the vote passes. The Clerk said, thank you. Chairman Hair said, thank you. Commissioner Rayno asked, what else could he do? Chairman Hair said, Dean [Kicklighter], you arrived at the appropriate time. I'll tell you, your timing is impeccable.

ACTION OF THE BOARD:

1. It was the consensus of the Board that action on the budget would be delayed until the first meeting in August, to-wit: August 8, 2003.
2. Commissioner Rivers moved to approve the millage and the digest for everything except the Board of Education. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Kicklighter and Thomas were not present.]
3. Commissioner Rivers moved to approve the millage of the Chatham-Savannah Board of Education. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Rivers, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioners Rayno, McMasters and Murray voted in opposition. The motion carried by a vote of five to three. [NOTE: Commissioner Thomas was not present.]

=====

2. REQUEST BOARD AUTHORIZE THE BASIS OF A NEW OPERATING AGREEMENT FOR THE MIGHTY EIGHTH AIR FORCE MUSEUM THAT WOULD REDUCE CHATHAM COUNTY'S FUTURE OBLIGATIONS BUT ALSO CREDIT THE MUSEUM FOR PREVIOUS MAINTENANCE, REPAIRS AND IMPROVEMENTS.

Chairman Hair said, we discussed this in pretty good length in the pre-meeting. I'll entertain a motion. Chairman Hair said, so moved approval. Chairman Hair asked, second. Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Kicklighter and Thomas were not present.]

ACTION OF THE BOARD:

Commissioner Rivers moved to authorize the basis of a new operating agreement for the Mighty Eighth Air Force Museum that would reduce Chatham County's future obligations but also credit the museum for previous maintenance repairs and improvements. Chairman Hair seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

3. REQUEST BOARD COMMIT TO DRAWING DOWN M&O CONTINGENCY BY \$13,000 ONCE THE BUDGET IS ADOPTED TO COVER INTERIM REPAIRS AT THE SKIDAWAY NARROWS BOAT RAMP. [DISTRICT 1.]

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

ACTION OF THE BOARD:

Commissioner Odell moved to commit to drawing down M&O Contingency by \$13,000 once the budget is adopted to cover interim repairs at the Skidaway Narrows Boat Ramp. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

4. BOARD CONSIDERATION REGARDING AWARD OF CONTRACT FOR PIPEMAKER'S CANAL IMPROVEMENTS.

Commissioner Kicklighter said, I make a motion to approve Alternative 1. Chairman Hair asked, second? Commissioner Rayno said, second. Chairman Hair asked, any discussion? All those in favor vote yes —. Chairman Hair said, Mr. Chairman. Chairman Hair said, yes, Commissioner Rivers.

Commissioner Rivers I know that we have a low bidder here and I'm looking for some inclusion in these projects that we're doing under SPLOST. I think when everybody pays on the one percent sales tax, then everybody should reap some of the benefits. In this case I don't think we're reaping enough benefit. This bid came in, it was called to the attention of the Manager. Some discussion probably went on and they upped the ante a little bit, but that inclusion is just not enough, and I think if we continue to allow people to come in and not meet the obligations or the goals and we don't send a strong enough message, we will always come back with a weak minority participation in all bids and requests for proposal. So I would recommend that we hold this bid up and hopefully we can go back to that contractor and sit down with him and negotiate some more inclusion.

Chairman Hair said, we have a motion and a second, Commissioner Rivers, so if you want to do that you need to make a motion to table. Commissioner Rivers said, well, I'll —, I'll reconsider then. Chairman Hair said, okay. All right, now, Commissioner Gellatly and then Commissioner Kicklighter.

Commissioner Gellatly said, I just want to make a point and say as I did at the pre-Commission meeting, it's been my observation since I moved into the area in 1980 that it seems like every major contract, whether it's with the City or the School Board or the County Commission, that every major contract goes outside of the area to some contractor from another area, often a different state, and when that does, they bring in their own management people, they bring in their own supervisors, they bring in their own skilled labor, and I just have a strong feeling that we have people in this area that are perfectly capable of doing the work, and it's just not right. I mean, we're talking about our tax dollars going almost exclusively out of state every time we have a major contract, and I have a real problem with that and I have a problem with this too that quite often —, quite often when these out of state people get the big contracts, they make up the difference. They may be the low bid, but they make up the difference by cost overruns and things of this nature, and when the smoke clears at the end of the project, they cost as much or more than the local bids did, and I have a problem with that and I just want to voice that.

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

Commissioner Kicklighter said, Mr. Chairman, I just want to remind the Commission that the minority participation meets the policy of the past Commission when this SPLOST project was approved and it also would meet, because there was no policy about hiring local. I want to remind my fellow Commissioners that the low bid is \$1.2 million less than the next bid and that Pipemaker's Canal is just a huge part of the drainage for the entire Westside, which is keeping this County afloat financially right now with the growth out in that area. I appreciate all of the support in the past with the flood pumps and everything else, but this is the first step towards actually doing something on this canal, and, you know, this is great. I supported earlier the item to have someone monitor the future because we set the policy, but this was not something that we had in the past. This \$1.2 million savings may help extend the Pipemaker's Canal Project further on up into the Bloomingdale area where we're going to have to find the money in the future because they underestimated the cost of construction on Pipemaker's Canal when they funded it. This is vital, it's necessary. Those people are flooding along that canal. They need this thing to move forward now with no delays. This thing was passed years ago. We finally worked out the details with the Georgia Ports Authority, acquired the land, worked out the details, bought the land from the landowners. It's way past due. The projects throughout the other districts are completed with drainage work under the policy that's being proposed to be passed on this one. I'd appreciate you, you know, looking to the future and, you know, let's uphold what we passed earlier, but let's move forward now. I beg you, we need the drainage in —, on the Westside and we need it to move forward now, and I would appreciate your support.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I don't think the Commission is —, I don't think we're saying different things. In fact, I think that we're saying basically the same thing. We want to resolve the flooding in Dean's [Kicklighter] area. In fact, we're obligated to do that. David's [Gellatly] concern is that not only should we not send all of the money, expertise, out to Tennessee and other places, but where possible we should allow some consideration for local bidders. And that has a rippling effect, and here's the rippling effect. If you are a company from Philadelphia and you receive a contract, you bring in your top management here, but you hire not consistent with prevailing wage so the people that you bring in you do not provide them benefits, so when they become ill a hospital which we own, Memorial Medical Center, they run up bills there because they do not have health insurance, they do not pay property taxes because they have no long-term stay and they attend the schools and don't pay property taxes. So it's a rippling effect. It is good business

for a community to keep as much of its money in that community. Joe Rivers' concern is that because of disparity and treatment in the past that we have to make an effort to resolve that. But during this period of time there was —, we didn't have a clear-cut policy. My concern is that just as we had problems with the Trade Center when we had a guaranteed maximum price to build the Trade Center for \$70 million and they came to us and said guaranteed maximum price does not mean the most you will pay, I'm an attorney, I thought guaranteed maximum price meant that's the most you're going to pay for it. That's not what they meant. We paid substantially more. My concern is we need to do the work for Dean's [Kicklighter] people because they're our people, but we need to ensure that someone who is low bidding is not planning to equalize simply in cost overruns, we did not expect this, we did not expect that; oh, gosh. We'll be too far out of the barn to bring that horse back unless —, there's too much disparity in these bids. I mean, there's too much disparity in the low bid and the next highest bid. It's over a million dollars. Now if they will guarantee that they're going to do what the specifications is —, asked them to do without any overruns, I'm prepared to vote for it today.

Commissioner Kicklighter asked, Russ [Abolt], is there anything we can do to —. Chairman Hair said, I don't think you can do that after the fact if it was not in the bid documents, could you, Mr. Hart? County Attorney Hart said, well, the bid documents are the bid documents. You've got options. You can waive the —, you know, if you find that this participation goal was not met or you feel that it wasn't met and it's of that great of importance, you could do —, you could waive it if you didn't feel that that was important in view of the difference of price between \$1.2 million and the next low bid. In the alternative —. Commissioner Kicklighter said, it's not the money part though.

Commissioner Odell said, yeah, Joe, my —, not Joe. Jon [Hart], my concern is not necessarily the participation because I think the companies went back and they made some adjustments and these are goals not mandates. They are goals. County Attorney Hart said, correct. Commissioner Odell said, they are not mandates, which is the difference between shall and should. But my concern is I don't want us to ever go down that road that we went with the Trade Center where someone underbids the job solely to acquire the business but then make up the difference in change orders. That gives me a concern because you're not on an equal playing field. If I'm going to underbid the job by a million dollars, that should give staff concern. Why is there such a difference of a million dollars in this project? County Attorney Hart said, I do not know. We had wide divergence in the bids. We had bids of \$5 million all the way up to \$9 million in this particular project. So we had some that were all over the board. Our first and second bid was a million two apart and then we had a bunch of them clustered in the middle and then we had some high bids at the end. Our contracts provide for change order procedure, and most construction contracts and most every construction contract I know provides for a change order procedure. The reason for that is it swings both ways. If you contract and say there will be absolutely no changes in the contract, then oftentimes the owner will find halfway through the project that they need changes either for the economy or changes because they will have a better project, and the contractor will say —, with no change orders, will say, well, no, we said we were going to give you this and we're going to give you this but I know you need the other thing. So we've got a change order process that for most of these public works projects, especially in our drainage and roads, have worked fairly well. Additionally, there are some change order procedures in there because they are unknowns. Commissioner Odell said, Jon [Hart], not to cut you off, but I totally agree. My concern is though if you have a wide margin between five and nine million dollars, that is a large enough difference to give a substantial concern. My concern is regarding what is and what is not responsive. My concern is that obviously you cannot anticipate every conceivable change order for every unforeseen, but the vast majority of them you should. Otherwise we shouldn't be at the project. County Attorney Hart said, well, we are required by law to take the lowest responsible [sic] bidder. Commissioner Odell said, responsive is the key. County Attorney Hart said, well, this bid is responsive to our bid procedures. I mean, as far as, you know, we get back to Commissioner Rivers' issue of a minority goal, which y'all have the right to waive, and you also have the right, you know, it could be all five of these bids or six of these bids could be totally responsive and, if y'all wish to, you have the right to reject the bids, but there are consequences to that. There's the cost to rebidding, there's the cost of delay and the cost of what —. Commissioner Odell said, if it's your opinion that all of the bids are responsive, and that is to the bid request, that they all between five and nine million dollars could do the job that we require being doing —, done, to be done, then I want the record to reflect that my concern is where a low bidder bids simply to acquire the job, then I expect staff to anticipate that this in fact was not a responsive bid. Because if you're going to make up the slush by change orders of \$2 million, then your bid is not \$5 million, it's \$7 million. But if —, and I'm no expert in that. That is not my bailiwick, that's not my responsibility. I think we need to get the project done. I do not want the people out in —, this is Pooler, right? Commissioner Kicklighter said, Bloomingdale and Pooler and Garden City. Commissioner Odell said, yeah. I don't want to put a black face on this, and that's what we're doing. We're going to hold this up because minority this, minority that. I don't want to do that because the next time we have a sprinkle out there, I might have to be driving through Bloomingdale and I don't want them to think that I'm the reason they're getting flooded. I'm not.

Chairman Hair said, just obey the speed limit when you go through there, okay. Commissioner Odell said, I got you. Chairman Hair said, just make sure you do. I don't want to have to come get you out of jail. Commissioner Odell said, and you would, Billy [Hair]. Chairman Hair said, I would. I would do that. Commissioner McMasters and then Commissioner Murray.

Commissioner McMasters said, thank you, Mr. Chairman. I want to echo Harris' [Odell] comments that it's unfortunate that we are mandated to take the lowest bid, but he makes an awful lot of sense when he addresses, you know, how do you define responsive bid, and I think if you total up a lot of the projects that this County undertakes and then taut up all the cost overruns to them and presented that to the taxpayers, they would be mortified. Having said that, those cost overruns, I think, can simply be broken into, as the County Attorney suggested, two simple categories. One are entirely legitimate and give rise to the reason that you do change orders. The second is the more nefarious and difficult aspect and that's the fattening-up factor and the corrupt aspect of underbidding and then running up the cost to maximize your profit. I share one hundred percent Harris' [Odell] instruction and request to staff to be ever vigilant to separate out and discern those two forms or classes of change orders. Now, having said that, I was not on this Commission when the Trade Center was built, but I'm certain that everyone here voted to accept whichever contract

was awarded. Furthermore, this Commission voted for every change order that was issued in that project. So the responsibility does end here. Therefore, Harris' [Odell] observations are absolutely astute relative to the responsibility that the staff has. Now relative to this Pipemaker's Canal Project, what we have really is a question of balance between the welfare and the quality of life the citizens in the Seventh District, in Dean's [Kicklighter] district, and a very sincere effort by Joe Murray [Rivers] to improve minority participation. Having said that, and looking at the history here that's been reviewed that the bid documents, the meeting, the planning, all the things that went into this under the policy at the time have been met, this is pretty clear-cut. So I'm going to support this and I have no qualms doing so, but I'm also pleased that the County's adopting or looking at more aggressive or more sophisticated ways of achieving the sort of goals that we all need to share in this community. So I don't have a problem at all with this. I don't see it as gray area. Thank you.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yeah, I agree with most of what's been said already, but my question would be, and if I need to amend the motion to adopt this, I will, but I would like for engineering, if this is adopted, every time there's a change order on any increase in monies above this \$5,153,800, that we have a running total that's given to us on a regular basis and we keep track of exactly how much this goes over that amount. I —, you know, to address the Trade Center, yes, some of us were on here when the Trade Center was started and, yes, we did vote yes in most cases, but there was an awful lot of discussion every time something or a change order came order came up because of the problems we were having over there, and I would never recommend that particular construction company to do any other jobs in Chatham County because of some of the problems we ran into. Looking at the different bids, we would like to try to keep it local, and I agree with what Commissioner Gellatly said about it. The first and only local bid we've got is over \$2 million higher. The only other State bid, Georgia bid that we've got is over \$4 million higher, and I agree there's too much variance in these bids to say that all of them are good bids, and I can assure you that we're going to be paying a great deal more than what this low bid is even though we're probably going to take that today. And I will support it so I think the project needs to get started, but, you know, it's the bid process we use. On projects like this can we do design/build as we've done on some of the buildings we've done? Is there anything legally that says we can't do that? County Attorney Hart said, nowadays the law's been modified to do that. I don't know whether —, it would be more of an engineering question as to whether a design/build concept from a contractual standpoint actually fits the scope of the project. Chairman Hair said, how about looking into that though, and then —.

County Manager Abolt said, we did —. If I may, sir, respond to this. We did before, you might remember when Ted McKenzie was our County Engineer, it wasn't exactly design/build, but some projects because we started out even before SPLOST gave us big bucks for drainage, we had about \$4 million total, we began and that's why there's so many change orders on some of these projects, but we started out at the mouths of the drainage area and we began to work inward as far as the money would go and the County designed and built as we went along. I'd have to defer to Mr. Bungard and I'll be glad to ask him —.

Commissioner Murray said, well, if y'all can just check into that. County Manager Abolt said, — the technique of design —. Chairman Hair said, well, why don't you have Mr. Bungard get with Mr. Martin and —. County Manager Abolt said, I'd be glad to do that. Commissioner Murray said, but I just don't like the fact that we've always got to take the low bid regardless of the circumstances, and I have a problem with that.

Commissioner Odell said, if we could evaluate the bidder's history with this company and with other bids to determine that some companies traditionally bid low, but the ultimate prices tends to be higher. That needs to be an element in the evaluation process. It's responsible, but is it credible?

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, getting back to the bidding situation, I've been with an awful lot of bids in this County, with this County, with the City, with the School Board, and I want to go back and recall once we had a bid between two suppliers and one was real low, and he was located right over there on State Street, but his bid was non-responsive because the cabinet that he was going to give us did not meet specifications. So, yes, we do look at responsive bidders and that's if you're non-responsive and you don't give the specs or you're not detail in the work that's to be done, yes, there's going to be a disparity in prices. No doubt about it. Now I'm only asking in good faith that y'all acknowledge some of the things that we espoused up here and one of it was APAC not too long ago we awarded a bid and I sat up here and I said, hey, we can't do this. There's no inclusion, there's no local —, well, he's local when he's here —, and everybody said, well, if we let this one go we'll catch them on the next one. Well, we let this one go and we'll catch them on the next one. And I've been hearing it all the time. You know, I've been sitting up here waiting for inclusion and I will tell y'all sitting up here from day one, whatever goals we set up here, we wanted strong action on those goals. We didn't just didn't have anybody to monitor what was going on out there, and so it just got swept under the rug. But it's time that this community, that this community begins to share in whatever wealth that we have that is derived from this one percent sales tax. I just think that when you pay, everybody should share equally, and that's all I'm asking, gentlemen, is that you acknowledge and go back —, I'm not saying that I've got to hold up your project, but certainly we go back and negotiate for a little better stance than this guy came back with. It's time to send a message out there that if you don't adhere or either give consideration, that you, you know, as far as I'm concerned, you're not welcome to do business and I think we've got a lot of that that goes on all the time. We had one with TCI —, TIC when they built the overpass over there. I mean, totally disregarded it for everything that we espoused. So if we can't —, if we can't get there.

Chairman Hair said, let's stay in order please. Commissioner Rivers has the floor and then Commissioner Rayno. Commissioner Rivers said, I'm going to relinquish it but I would ask my fellow members to allow us to go back and

either reject them or negotiate. Chairman Hair said, okay, Commissioner Rayno, Commissioner Kicklighter, and then Commissioner Murray. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I just think Commissioner Odell has a great idea. If we could develop a margin of error for each of the bids that are out there based on historical bids that were made in the past, it would be a great thing to gauge the accuracy of a bid when it comes in. So, Commissioner Odell has a great idea.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, Mr. Chairman, if there's someone behind me, I was going to call for the question. Chairman Hair said, Commissioner Murray.

Commissioner Murray said, I just want to make one short comment. Chairman Hair said, all right, make it then. We're ready to vote. Commissioner Murray said, first of all, I don't see how we can go back. If the bid papers, the bid documents that went out had this in there and the low bidder exceeded those goals that we had in our bid documents, I don't know how we can go back and negotiate to get it better than that at this point. I understand what you're saying and I would agree to try to do that, but I don't think we can do it in this particular situation.

Commissioner McMasters said, Mr. Earls has a comment. Chairman Hair recognized Mr. Earls.

Mr. Ken Earls said, I just had a question in reference to what you're talking about here, cost overruns and all, and now talking about possibly checking history. Currently in bids, do they have to submit references? Do we check references about their past, their bidding procedures and their —? Chairman Hair said, yes. Mr. Parson and Mr. Kaigler are nodding —. Mr. Earls asked, so this is already being done then? Chairman Hair said, yes. Commissioner Odell said, well, their reference is a little bit different than the last five jobs. Mr. Earls said, right. You know, and their cost overruns on what they've done in the past. Like with this company here, do you know what their past history is on overruns or whatever? That's all I want.

Chairman Hair said, okay. Thank you, Mr. Earls. Commissioner Rivers said, let me say —. Chairman Hair asked, Mr. Parson or Mr. Kaigler, can you briefly answer that question? Mr. Michael Kaigler said, we've —, we've checked references. We've also had an engineering firm who's acting as consultant on this project, they also checked, and we could not find anything in the history of this firm that would indicate that this firm could not do the job and that their bids were out of line. We held it up for a few weeks because we had such a huge disparity in the bids and the contractor says he stands behind his bid. He also knows that with any project you're going to have some change orders because of unanticipated things that are out there, but he understands that we're going to be checking very closely behind him and we don't anticipate any problems. Chairman Hair said, thank you, Mr. Kaigler. Commissioner Kicklighter —.

Commissioner Odell asked, may I ask Michael [Kaigler] one question, and I'm sorry, Dean [Kicklighter]. Michael [Kaigler], references are great, but they simply deal with your applicant's opinion. The last five jobs is to me a better way to determine costs overrun. To obtain what their bid was and what the final cost of the project was to me is a better way of analyzing. If I give a reference, and I do consultant work, I never give someone who's going to say, "Odell was two weeks late on a final project." I'm going to give them only the people who are going to say, "This is the greatest thing since sliced bread." And they do the same thing.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I call for the question.

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

Commissioner McMasters said, Mr. Chairman. Chairman Hair said, yes, sir. Commissioner McMasters asked, may I make a motion? Chairman Hair said, certainly. Commissioner McMasters said, relative to the subject. I'd like to make a motion that we adopt Harris' [Odell] thoughts and instruct staff to —. Chairman Hair said, we have to have a little bit better. We can't just —, Harris' [Odell] thoughts are pretty vast and broad, and I don't think we can adopt Harris' [Odell] thoughts. I know he would like for us to adopt them, but I don't think —. We've got to get a little bit [unintelligible comments when several Commissioners were speaking at the same time.] Commissioner McMasters, state your motion a little more specifically please. County Attorney Hart said, that's a scary thought too. Commissioner McMasters said, okay. I'll try to be as concise as possible, I'd like to make a motion that we instruct Mr. Kaigler to provide to this Commission a five-project review from every applicant on their —, on each of those five histories, their original bid and their final cost, along with all the other information that you gather on our behalf and on behalf of taxpayers.

Chairman Hair asked, does that motion have a second? Commissioner Rayno said, I second. Chairman Hair said, all those in favor of the motion —. Commissioner Rayno said, and this could be revolutionary to the County and State government if they all did this, and I think again Harris [Odell] had a great idea.

Commissioner McMasters asked, may I set a limit? Chairman Hair asked, limit of what? Commissioner McMasters said, of projects over —. Chairman Hair said, in your motion you can set whatever you want to set. Commissioner McMasters said, well, I think —, I don't think he wants to be doing this on \$50,000 bids, but would a \$500,000 threshold be acceptable? County Attorney Hart said, yeah, that would be good. Chairman Hair asked, Mr. Parson, is that —, does that sound reasonable to you? [NOTE: No audible response was heard from Mr. Parson.] Commissioner

McMasters said, okay. Chairman Hair said, okay, \$500,000 and above. All right. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

1. Commissioner Kicklighter moved to award a contract in the amount of \$5,153,800 to Phoenix Construction Services, Inc., for the construction of the Pipemaker's Canal Widening Project, Phase I (1998-2003 SPLOST). Commissioner Rayno seconded the motion and it carried unanimously. Chairman Hair and Commissioners Rayno, McMasters, Murray, Odell and Kicklighter voted in favor of the motion. Commissioners Rivers and Gellatly voted in opposition. The motion carried by a vote of six to two. [NOTE: Commissioner Thomas was not present.]
2. Commissioner McMasters moved that staff be instructed to provide to this Commission a five-project review from every applicant on each of those five histories, their original bid and their final cost, along with all the other information gathered on behalf of the County.

=====

X. ACTION CALENDAR

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

Chairman Hair asked, does anybody want to pull anything off the Action Calendar? Commissioner Murray said, #8. Chairman Hair said, 8, okay. Anybody else? Commissioner Rayno said, Dean [Kicklighter], are you going to pull —? Commissioner Kicklighter said, yes, sir, D. Chairman Hair said, D. Okay, anything else? I'll entertain a motion to approve the balance of the Action Calendar. Commissioner Murray said, so moved. Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved that the Action Calendar be approved in its entirety with the exception of Items 8 and 11-D. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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

=====

1. **APPROVAL OF THE MINUTES FOR THE PRE-MEETING AND REGULAR MEETING OF JULY 15, 2003, AS MAILED.**

ACTION OF THE BOARD:

Commissioner Murray moved to approve the minutes for the pre-meeting and regular meeting of July 11, 2003, as mailed. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

2. **CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JULY 1 THROUGH JULY 15, 2003.**

ACTION OF THE BOARD:

Commissioner Murray moved that the Finance Director is authorized to pay claims for the period July 1, 2003, through July 15, 2003, in the amount of \$2,774,551. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

3. **REQUEST BOARD CONFIRM THE CHAIRMAN'S SIGNATURE ON A GRANTEE-SUBGRANTEE AGREEMENT TO ACCEPT A STATE HOMELAND SECURITY GRANT FROM THE GEORGIA EMERGENCY MANAGEMENT AGENCY.**

ACTION OF THE BOARD:

Commissioner Murray moved to confirm the Chairman's signature on a Grantee-Subgrantee Agreement to accept a State Homeland Security Grant from the Georgia Emergency Management Agency in the amount of \$7,500 to purchase equipment to enhance regional response capabilities. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

- 4. REQUEST BOARD AUTHORIZE CHAIRMAN TO SIGN A GRANT APPLICATION TO THE BUREAU OF JUSTICE ASSISTANCE, LOCAL LAW ENFORCEMENT BLOCK GRANTS PROGRAM, FOR THE CHATHAM COUNTY POLICE DEPARTMENT, COMMIT \$5,694 IN FUNDING FROM SSD CONTINGENCY FUND AS THE CASH MATCH REQUIRED BY THE GRANT, AND AUTHORIZE THE CHATHAM COUNTY POLICE DEPARTMENT TO ENTER THE APPLICATION DATA THROUGH THE INTERNET TO THE BUREAU OF JUSTICE ASSISTANCE.**

ACTION OF THE BOARD:

Commissioner Murray moved to authorize the Chairman to sign a grant application to the Bureau of Justice Assistance, Local Law Enforcement Block Grants Program, for the Chatham County Police Department, commit \$5,694 in funding from SSD Contingency Fund as the cash match required by the grant, and authorize the Chatham County Police Department to enter the application data through the Internet to the Bureau of Justice Assistance. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

- 5. REQUEST BOARD APPROVE FUNDING \$411,596 (100% REIMBURSABLE, NON-MATCHING) AND ACCEPTANCE OF THE 2003-2004 EDWARD BYRNE MEMORIAL DRUG CONTROL AND SYSTEM IMPROVEMENT FORMULA GRANT.**

ACTION OF THE BOARD:

Commissioner Murray moved to approve funding \$411,596 (100% reimbursable, non-matching) and acceptance of the 2003-2004 Edward Byrne Memorial Drug Control and System Improvement Formula Grant. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

- 6. REQUEST BOARD APPROVE FINAL PAYMENT TO THOMAS AND HUTTON IN AN AMOUNT NOT TO EXCEED \$11,000 FOR WORK DONE IN CONNECTION WITH CHATHAM COUNTY V. 0.221 ACRES OF LAND; ANNA M. BRANCATO; NATIONS BANK OF GEORGIA, ET AL, CIVIL ACTION NO. CV99-1008-KA.**

ACTION OF THE BOARD:

Commissioner Murray moved to approve final payment to Thomas and Hutton in an amount not to exceed \$11,000 for work done in connection with Chatham County v. 0.221 Acres of Land; Anna M. Brancato; Nations Bank of Georgia, et al, Civil Action No. CV99-1008-KA. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

- 7. REQUEST BOARD APPROVE FINAL SETTLEMENT OF CLAIM OF CROWN CASTLE USA IN THE AMOUNT OF \$6,537.**

ACTION OF THE BOARD:

Commissioner Murray moved to approve final settlement of the claim of Crown Castle USA in the amount of \$6,537. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

8. REQUEST FOR NEW BEER AND WINE POURING AND SUNDAY SALES LICENSE FOR 2003. PETITIONER: KELLI SAMUELSON, D/B/A GRAPEVINE, LOCATED AT 346B JOHNNY MERCER BOULEVARD [DISTRICT 4.]

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I've just got a couple of questions. Is somebody here from Inspections? Chairman Hair said, Mr. Anderson was here earlier. Go ahead and ask your question and we'll get the right people here. Commissioner Murray said, well, my question is, is this the building next to the Sunrise Restaurant? An unidentified gentleman in the audience said, yes, sir, it is. Commissioner Murray said, okay, and does that parking lot in that facility meet the requirements for two restaurants being in there at one time? Or actually three restaurants? Or four counting the pizza place? Chairman Hair said, we could find the answer —, I'm not sure if —. Commissioner Murray said, I mean, I have no problem with —, I have no problem with the restaurant. It sounds like it's going to be a nice restaurant in there and we need nice restaurants in the Islands area, but I just want to make sure that it meets all the requirements before we start approving everything. Chairman Hair asked, wouldn't that be a business license issue though? Commissioner Murray said, yes, sir.

Mr. Pete Samuelson said, I'm Pete Samuelson, Kelli's husband, and the restaurants —, the two restaurants that you're referring to with regard to that parking, the parking is shared between two buildings. The rest of the building is —, the rest of the area goes to establishments are not on the land owned by the same landowner, and my count yesterday was 26 regarding our restaurant, Grapevine, and we met yesterday for the first time with our engineer and that will come up in —, if there's any issues regarding parking, we'll address them is what I want to say. But in my mind, given the seating that we were anticipating, which is between 50 and 60, we had —, and that was just a quick count. I think I missed some —, 26, plus we overlap time. The Sunrise next door is only open for breakfast lunch and we're only going to be open for lunch minimally and we're a dinner restaurant. Commissioner Murray said, okay. Mr. Samuelson said, so we straddle that time frame with a total of well over 30 parking spaces.

Commissioner Murray said, well, you've answered my question because my real concern was on Saturday and Sunday mornings you can't even get in the parking lot because of what they do in Sunrise, but if you're not even going to be open those times, then —. Mr. Samuelson said, we're not even open for breakfast. Commissioner Murray said, — I move for approval.

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

ACTION OF THE BOARD:

Commissioner Murray moved to approve the petition of Kelli Samuelson, d/b/a Grapevine, Located at 346B Johnny Mercer Boulevard, for new beer and wine pouring and Sunday sales licenses for 2003. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

9. REQUEST FOR TRANSFER OF BEER AND WINE RETAIL PACKAGE LICENSE FOR 2003. PETITIONER: MARK D. HERRING, D/B/A SAM'S CLUB #8202, LOCATED AT 3609-A OGEECHEE ROAD. [DISTRICT 8.]

ACTION OF THE BOARD:

Commissioner Murray moved to approve the petition of Mark D. Herring, d/b/a Sam's Club #8202, located at 3609-A Ogeechee Road, for transfer of a beer and wine retail package license for 2003. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

10. REQUEST FOR NEW BEER, WINE AND LIQUOR POURING AND SUNDAY SALES LICENSES FOR 2003. PETITIONER: KATHRYN H. HIEBERT, D/B/A CABANA BAR - MARSHWOOD COUNTRY CLUB, LOCATED AT 1 PALMERS DRAW. [DISTRICT 4.]

ACTION OF THE BOARD:

Commissioner Murray moved to approve the petition of Kathryn H. Hiebert, d/b/a Cabana Bar - Marshwood Country Club, located at 1 Palmers Draw, for new beer, wine and liquor pouring and Sunday sales licenses for 2003.

Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

11. 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. Deductive Change Order No. 5 to the contract to provide monthly and bi-weekly pest control service to discontinue monthly pest control service at the Board of Elections warehouse	Board of Elections	Ideal Pest Control, Inc.	(\$420)	N/A
B. Change Order No. 1 to the contract to provide daily janitorial services to include weekly janitorial service at the vehicle maintenance building and the fix wing and helicopter hangers at Mosquito Control	Mosquito Control	CKC Enterprises of Savannah (MBE)	\$2,100	General Fund/M&O - Mosquito Control
C. Change Order No. 1 to the contract to construct the Glade Street paving project for additional services	SPLOST	A. D. Williams Construction Company	\$12,225	SPLOST (1985-1993) - Glade Street
D. One-year building lease for CNT	CNT	Melaver, Inc.	\$79,239.72	General Fund/M&O - CNT
E. Declare as unserviceable and approve disposal of obsolete security x-ray by the best appropriate method and authorize the Purchasing Agent to dispose by other means	Facilities Maintenance & Operations	N/A	N/A	N/A
F. Annual maintenance on network backup system	ICS	Spectra-Logic (sole source)	\$16,685	General Fund/M&O - ICS
G. Annual maintenance on the tele-communication switches	ICS	Integrated Network Solutions	\$74,650	General Fund/M&O - ICS
H. One (1) small 2x4 pickup truck	Library	Coastal Chevrolet	\$12,700	CIP - Vehicle & Equipment Lease
I. Two (2) 3/4 ton cargo vans	Library	Alan Vigil Ford	\$33,908	CIP - Vehicle & Equipment Lease
J. Final renewal option and one-year extension to the contract to provide wrecker service for the County	•Police •Fleet Operations	Sapp's Wrecker Service	No charge for County vehicles	N/A

As to Items 11-A through 11-J, except Item 11-D:

Commissioner Murray moved to approve Items 11-A through 11-J, except Item 11-D. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

As to Item 11-D:

ONE-YEAR LEASE FOR CNT; CNT; MELAVER, INC.; \$79,239.72; GENERAL FUND/M&) - CNT.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. I was just wondering if there's any other properties that we have that could possibly house CNT. Chairman Hair recognized County Manager Abolt. County Manager Abolt said, this was an issue that has been delayed because of the final decision on the merging of police departments. If you'll recall, if the police departments had been merged, we would have taken CNT out of this location and moved it out to the site on Chatham Parkway. But going year to year, Commander Williams came to me a while back, and of course we still had the issue of whether or not the departments would be merged, he would be interested in moving some place else, and Commissioner Gellatly will remember that because of his past life there was a desire in the initial agreement with the cities and particularly the City of Savannah that we would place this unit, this facility, the headquarters in a high crime area and this was the only facility at that time that was reasonably acceptable because

of the hardening condition of the structure, but I know that Commander Williams is most interested possibly in relocating but as long as there's still at least in the short time a potential cloud on what might happen, we thought this next year lease would be okay, but it's year to year. Commissioner Kicklighter said, one —, a recommendation I would have is we gave the Georgia State Patrol our building to utilize out there. I'd like to see if we could contact the State Patrol, not for them to deed us that property because it's contaminated, but possibly about free lease in that building at the State Patrol. Commissioner Gellatly said, it's too small. Commissioner Kicklighter asked, is it too small? Commissioner Gellatly said, much too small. Commissioner Kicklighter said, okay, well, that's good. Commissioner Gellatly said, it's probably about one-third the size of their existing facility. Commissioner Kicklighter said, okay. I make a motion to approve.

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

ACTION OF THE BOARD:

- 1. Commissioner Murray moved to approve Items 11-A through 11-J, except Item 11-D. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]
- 2. Commissioner Kicklighter moved to approve Item 11-D. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

XI. FIRST READINGS

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

None.

=====

XII. SECOND READINGS

- 1. **PETITIONER, ANTHONY H. ABBOTT, AGENT (FOR LAURIE K. ABBOTT, ET AL, OWNERS) IS REQUESTING PROPERTY LOCATED ON HIGHWAY 17 SOUTH BETWEEN QUACCO ROAD AND LARCHMONT DRIVE, CONTAINING APPROXIMATELY 3.79 ACRES AND INCLUDES PORTIONS OF TWO UNDEVELOPED PARCELS OF LAND (PARCELS 001 AND 002) FROM A PUD-M-12 (PLANNED UNIT DEVELOPMENT MULTI-FAMILY) TO A PUD-B-C (PLANNED UNIT DEVELOPMENT BUSINESS-COMMUNITY CENTER) ZONING CLASSIFICATION. THE MPC RECOMMENDED APPROVAL. MPC FILE NO. Z-030514-30448-1 [DISTRICT 7.]**

Chairman Hair recognized Ms. Charlotte Moore. Commissioner Odell said, I make a —. Ms. Charlotte Moore said, it totally —. Chairman Hair asked, well, do we have a motion?

Commissioner Kicklighter said, I make a motion to approve. Commissioner Odell said, second. Chairman Hair said, okay, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Hair said, the motion passes. County Attorney Hart said, you did a good job, Charlotte [Moore]. You did a real good job, Charlotte [Moore]. Ms. Moore said, I wish they were all like that. Chairman Hair said, we're really proud of you. I wish you could speak on some of the other items in the Commission.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the petition of Anthony H. Abbott, Agent (for Laurie K. Abbott, et al, Owners), requesting that property located on Highway 17 South between Quacco Road and Larchmont Drive, containing approximately 3.79 acres, which includes portions of two undeveloped parcels of land (Parcels 001 and 002), be changed from a PUD-M-12 (Planned Unit Development Multi-Family) to a PUD-B-C (Planned Unit Development Business-Community Center) zoning classification. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

2. **AMENDMENT TO CHAPTER 23 OF THE CODE OF CHATHAM COUNTY, ARTICLE II, PUBLIC BOAT RAMP AT BELL STREET AND WHITFIELD AVENUE, ALSO KNOWN AS "MONTGOMERY BOAT RAMP" ORDINANCE TO DELETE IN ITS ENTIRETY "§ 23-204 PROBATIONARY PERIOD OF ORDINANCE. THIS ORDINANCE SHALL BE EFFECTIVE FOR A PERIOD OF EIGHT MONTHS FROM THE DATE OF ITS ADOPTION."**

Chairman Hair said, I'll entertain a motion. Commissioner Rayno said, I'll move to approve. Chairman Hair asked, second? Commissioner Murray said, second.

Commissioner Rayno said, I just wanted to say again thank you to Mr. Sprague for the fine work of the Police Department in patrol of that area, taking complaints from about a couple a week down to five per year. That's excellent. I'd also like to thank Al Lipsey and his crew for maintaining the property on a regular basis and when I go down there and spot check, it's usually spotless, and the neighbors and I truly appreciate it very, very much.

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

ACTION OF THE BOARD:

Commissioner Rayno moved to amend Chapter 23 of the Code of Chatham County, Article II, Public Boat Ramp at Bell Street and Whitfield Avenue, also known as "Montgomery Boat Ramp" Ordinance to delete the following in its entirety: "§ 23-204 Probationary Period of Ordinance. This ordinance shall be effective for a period of eight months from the date of its adoption." Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

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.

=====

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

ACTION OF THE BOARD:

A written report was received as information.

AGENDA ITEM: XIII-2
DATE: July 25, 2003

List of Purchasing Items between \$2,500 and \$9,999
 That Do Not Require Board Approval

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
One (1) field marking machine	Parks and Recreation	Sherwin Williams Company	\$3,000	General Fund/M & O - Parks and Recreation
One (1) quick cut 72" riding mower	Parks and Recreation	Andy's Lawn Machinery, Inc.	\$7,500	General Fund/M & O - Parks and Recreation
Clear grub and disposal of clearing debris for the water well site, restroom site and picnic area for Triplett Park	SPLOST	L & T Clearing	\$7,500	SPLOST (1993-1998) - Triplett Park
Nonpoint source pollution control facility preliminary design document and grant application package for Westlake Drainage project	SPLOST	EMC Engineering Services, Inc.	\$4,500	SPLOST (1998-2003) - Westlake Drainage project

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Annual rental of Savin copy machine	Purchasing	Alford Leasing Company	\$6,400	General Fund/M&O - Purchasing
Monthly methane monitoring at Thomas, Chevis and Wilmington Island Landfills from July - December 2003	Solid Waste Management	Advanced Environmental Management	\$3,600	Solid Waste Management Fund
Biometric timeclock	Administrative Services	Q-Quest Software Systems	\$2,710	CIP - Administrative Services

=====

3. ROADS AND DRAINAGE REPORTS.

ACTION OF THE BOARD:

Written reports were received as information.

=====

4. TO PRESENT INFORMATION TO THE BOARD ON THE ADVERTISEMENT OF THE YEAR 2003 TAX DIGEST AND FIVE-YEAR HISTORY OF LEVY FOR ADOPTION OF THE 2003 MILLAGE LEVY AS REQUIRED BY GEORGIA CODE SECTION 48-5-32.

ACTION OF THE BOARD:

A written report was received as information.

=====

5. STATUS ON BID SOLICITATION, TRIPLETT PARK IMPROVEMENTS.

ACTION OF THE BOARD:

A written report was received as information.

=====

6. STATUS OF MEETING WITH REPRESENTATIVES OF TRADES AND LABOR GROUP.

ACTION OF THE BOARD:

A written report was received as information.

=====

EXECUTIVE SESSION

Upon motion being made by Rivers, seconded by Odell and unanimously approved, the Board recessed at 10:40 a.m., to go into Executive Session for the purpose of discussing litigation, land acquisition, and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 11:00 a.m.

=====

ITEMS FROM EXECUTIVE SESSION

- 1. REQUEST BOARD APPROVE SETTLEMENT OF CLAIM OF ANTHONY AND ANNETTE HALL, SEWER BACKUP, 7201 ALBERT STREET (JON HART).**

ACTION OF THE BOARD:

Commissioner McMasters moved to approve settlement of the claim of Anthony and Annette Hall, sewer backup, 7201 Albert Street, in the amount of \$4,000. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

2. REQUEST BOARD APPROVE SETTLEMENT OF THE CLAIM OF ELIZABETH NEWKIRK (JON HART).

ACTION OF THE BOARD:

Commissioner Murray moved to approve the settlement of the claim of Ms. Elizabeth Newkirk in the amount of \$155 arising out of events reported in Incident Report 03-060342 dated June 16, 2003. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

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

=====

APPOINTMENTS

1. LIVE OAK REGIONAL LIBRARY BOARD

ACTION OF THE BOARD:

Commissioner Kicklighter moved to appoint Ms. Joycelyn Schilling to the Live Oak Regional Library Board to fill the vacancy created by the resignation of Ms. Cheryl Koester, which term will expire June 30, 2005. Commissioner McMasters seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

=====

ADJOURNMENT

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 11:02 a.m.

=====

APPROVED: THIS _____ DAY OF _____, 2003

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

SYBIL E. TILLMAN, COUNTY CLERK